A G E N D A
CITY OF DOVER PLANNING COMMISSION
Monday, August 15, 2011 – 7:00 P.M. - City Hall: Council Chambers

PLEDGE OF ALLEGIANCE
ROLL CALL

APPROVAL OF AGENDA
ADOPTION OF MINUTES OF REGULAR MEETING of July 18, 2011

COMMUNICATIONS & REPORTS

1) The Planning Commission Quarterly Workshop is scheduled for Tuesday, August 16, 2011 at 4:00pm in the City Hall Caucus Room.

2) Note: The Annual Review of C-08-01 House of Pride Conditional Use Permit directed to be reviewed at the August 2011 Planning Commission Meeting will be rescheduled for the September Planning Commission Meeting to allow completion of property inspections in order to report compliance status.

3) Report on City Council actions
   a. Updates from Meetings
   b. Update on Ordinance #2011-14 with PC Amendment #1 - MI-11-06 Text Amendment: Revisions to Article 10 of the Zoning Ordinance (Appendix B)

4) Update on other Planning activities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval:
   a. S-09-13 Leander Lakes Apartments at 2161 Forrest Avenue – Request for an extension of the Planning Commission approval first granted on August 17, 2009 of the Site Plan to permit a subdivision to create a parcel of 30 acres from the overall parcel of 42 acres and the subsequent construction of ten (10) apartment buildings totaling 240 units with the associated site improvements. The property is zoned RM-2 (Medium Density Residence Zone). The subject area is located on the south side of Forrest Avenue, west of the land currently under development as the new Dover High School. The owners of record are the Jireh Christian Center, Inc. and Leander Lakes, LLC. Property Address: 2161 Forrest Avenue. Tax Parcel: ED-05-075.00-01-05.00-000 and ED-05-075.00-01-5.01-000. Council District 1. *Previously, a one year extension was granted by the Planning Commission on July 19, 2010 setting the plan expiration date as August 31, 2011.Under the provisions proposed in Ordinance #2011-14 unexpired plans shall be eligible for an extension of approval not to exceed 36 months from the initial approval date.*

2) Review of Revisions to Architectural Review Certifications:
   a. HI-09-01 Dover Public Library – Update and Review of the selected exterior finish

materials for the Dover Public Library. Previously, the Architectural Review Certification for the project was issued upon recommendation of the Historic District Commission on June 17, 2009 and action by the Planning Commission March 15, 2010. Construction of a two story library building of 46,000 S.F with the associated parking, walkways, landscaping, and stormwater management facilities is underway. The project area consists of 4.67 acres ± of land zoned I-O (Institutional and Office Zone) and subject to the H (Historic District Zone). The property site is located on the north side of Loockerman Plaza between South State Street and Legislative Avenue. The owner of record is the City of Dover. The property address is 35 Loockerman Plaza. Tax Parcel: ED-05-077.05-04-55.00-000. Council District #2. *The Historic District Commission reviewed this revision request on July 21, 2011 and has provided a recommendation.*

b. HI-05-03 State Street Commons – Update and Review of Request for use of alternative material for building entrance railings at porches and porticos. Previously, the Architectural Review Certification for the project was issued upon recommendation of the Historic District Commission on March 16, 2006 and action by the Planning Commission on June 20, 2006 for the project known as State Street Commons. Construction commenced on two connected 2 ½ story office buildings of 12,000 S.F. each for a total of 24,000 S.F with a two level parking garage. The existing brick office building at 502 South State Street consisting of 3,222 S.F. will remain. The property consists 35,061 square feet ± of land zoned RG-O (General Residence and Office Zone) and subject to the H (Historic District Zone). The property is located at the southwest corner of South State Street and Water Street. The owner of record is YOZIMA, LLC; request received from Onix-Z, LLC. Tax Parcel: ED-05-077.09-03-70.00-000. Council District #2. *The Historic District Commission reviewed this revision request on July 21, 2011 and has provided a recommendation.*

3) Continuation of the Review of Draft "Policy on Physical Posting Requirements"
    a. Review of Notice Templates

NEW DEVELOPMENT APPLICATIONS

1) Z-11-05 Lands of Harrington Commercial at 601 Fulton Street – Public Hearing and Review for Recommendation to City Council on a rezoning application consisting of one parcel of land totaling of 0.486 acres ±. The property is currently zoned M (Manufacturing Zone). The proposed zoning is C-3 (Service Commercial Zone). The subject property is located on the north side of Fulton Street between Ridgely Street and the railroad corridor. The owner of record is Harrington Commercial, LLC. The equitable owner is Michael J. Harrington, Sr. Property Address: 601 Fulton Street. Tax Parcel: ED05-076.08-01-14.00-000. Council District 4.

2) US-11-02 McDonald's USA, LLC: Comprehensive Signage Plan – Public Hearing and Review of a Comprehensive Unified Sign Plan. The plan provides for multiple sign types (pylon, wall, and directional signs) and number of signs for the McDonald's at 1788 North DuPont Highway. The parcel is zoned C-4 (Highway Commercial Zone). The site is located on the west side of North DuPont Highway (Route 13) just south of the Scarborough Road

intersection. The owner of record is McDonalds USA, LLC. Property Address: 1788 North DuPont Highway. Tax Parcel: ED05-057.01-02-02.00-000. Council District 4.

3) S-11-11 Lands of Downtown Dover Partnership at 120 S. Governors Avenue – Public Hearing and Review of a Site Development Master Plan and Architectural Review Certificate for the construction of a four story 47,042 SF mixed-use building consisting of a retail component and 27 apartments, a four story 34,896 S.F. apartment building of 24 apartments with ground level parking in the building, and other associated site improvements on the property at 120 South Governors Avenue. The existing 16,783 SF commercial building on the property is proposed for demolition. The application also includes a Minor Subdivision Plan to divide the property into two lots. The property consists of 1.7653 acres ± and is zoned C-2 (Central Commercial Zone) and subject to the H (Historic District zone). The property site spans the block between South Governors Avenue and South New Street located north of, but not adjacent to, West Loockerman Street. The owner of record is Downtown Dover Partnership (formerly the Downtown Dover Development Corporation). Property Address: 120 South Governors Avenue. Tax Parcel: ED05-077.09-01-44.00-000. Council District 4. *The Historic District Commission reviewed this application at their meeting on July 21, 2011 (HI-11-04). The Project includes review of an Active Recreation Plan.*

4) S-11-12 Dove View Apartments at 101-405 Doveview Drive – Public Hearing and Review of a Site Plan for the construction of a four story 43,885 SF apartment building and other associated site improvements including the completion of two partially constructed apartment buildings for a total of 144 apartment units. The property is 6.73 acres ± and is zoned RG-5 (General Residence Zone for Mid-Rise Apartments) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the north side of Forrest Avenue (Route 8) just west of the Saulsbury Road intersection. The owner of record is CRM Mid-Atlantic, LLC. Property Addresses: 101-405 Doveview Drive. Tax Parcel: ED05-076.07-01-30.00-000. Council District 1. *The Project includes review of an Active Recreation Plan. A previous application for the property was reviewed as C-06-02 DoveView Senior Apartments: Planned Neighborhood Design – Senior Citizen Housing Option in August 2006.*

5) S-11-13 Wesley College Master Plan for Streetscape Campus Enhancements – Public Hearing and Review of a Site Development Master Plan for the site planning and streetscape campus enhancements associated with the abandonment of designated sections of North Bradford Street, Fulton Street, Cecil Street, and several alleys in the Wesley College campus area. The submission includes the Record Plan for vacated right-of-way and a Master Plan consisting of five phases of site improvements including pedestrian amenities, paving, landscaping, and parking lot reconfiguration/construction. This project is located in the area of the Wesley College campus generally located north of Division Street between North Governors Avenue and North State Street. The properties are zoned IO (Institutional and Office Zone) and RGO (General Residence and Office Zone) with a property subject to the H (Historic District Zone). The applicant is Wesley College. Property Addresses: Multiple. Tax Parcels: Multiple. Council Districts 3 and 4. *This project is associated with MI-10-06 Request for Street and Alley Abandonment: Wesley College reviewed by the Planning Commission in April 2010 and as approved by City Council August 9, 2010.*

6) C-11-05 Royal Farms at 293 South Saulsbury Road - Public Hearing and Review of a Conditional Use Site Plan for the construction of a 5,786 S.F. retail store building, a 1,407 S.F. car wash building, eight doubled-sided gasoline pumps under two canopy structures, and other associated site improvements. The property consists of 3.64 acres ± and is zoned C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). In the C-2A Zone, the establishment of gasoline pumps is an accessory use requiring conditional use approval. The property is located on the northeast corner of Saulsbury Road and West North Street. The owner of record is Roadway Express, Inc. The equitable owner is F&B Properties, LLC. Property Addresses: 293 S. Saulsbury Road. Tax Parcel: ED05-076.11-01-43.00-000. Council District 4. *Waivers Requested: Partial Elimination of Upright Curbing.*

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.

CITY OF DOVER PLANNING COMMISSION
July 18, 2011

The Regular Meeting of the City of Dover Planning Commission was held on Monday July 18, 2011 at 7:00 PM with Chairman Hemmig presiding. Members present were Mr. Hemmig, Mr. Tolbert, Colonel Welsh, Mr. Baldwin, Mr. Nichols, Mr. Holt, and Mr. Shomo. Mr. Friedman and Mr. Ambruso were absent.

Staff members present were Mrs. Melson-Williams, Mrs. Townshend, Mr. Albert and Ms. Metsch. Also present were Mr. Jordan Ashburn (in audience), Mr. Doug Liberman, Mr. Franklin Penco and Mr. Douglas Ditty.

APPROVAL OF AGENDA

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

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF JUNE 20, 2011

Mr. Nichols moved to approve the regular Planning Commission meeting minutes of June 20, 2011, seconded by Colonel Welsh and the motion was unanimously carried 7-0 with Mr. Friedman and Mr. Ambruso absent.

COMMUNICATIONS & REPORTS

Mrs. Townshend stated that the next Quarterly Workshop is scheduled for Tuesday, August 16, 2011 at 4:00 PM in the City Hall Conference room.

Mrs. Townshend provided an update on the regular City Council and Legislative & Finance Administration Committee meetings of June 27, 2011; the Safety Advisory and Transportation Committee meeting of June 29, 2011; and the regular City Council, Utility Committee, the Parks Recreation and Community Enhancement Committee meetings of July 11, 2011.

Mrs. Townshend provided an update on the library project. Construction is underway and fundraising continues. There is a new Memorial Brick Program where you can have something inscribed on a brick and then it will go in the brickwork that will go around the library.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

C-10-02 The Arbors at 1051 College Road – Request for extension of the conditional approval granted on August 16, 2010 by the Planning Commission to the Conditional Use Site Plan Review to permit the construction of a 55,350 S.F. multi-family building with 48 total units (condominium style units) and associated site improvements. The project is located on one parcel of land totaling 4.32 acres ± and is zoned RG-2 (General Residence Zone). The subject area is located on the north side of College Road, just west of McKee Road. The owner of record is JNK, LLC. Tax Parcel: ED-05-067.00-01-35.03-000. Council District 1.

Representatives: Mr. Jordan Ashburn, Ashburn Homes was present in the audience.

Mr. Hemmig questioned if there would be any items that would affect the extension with regards to changes in the *Zoning Ordinance*? Responding to Mr. Hemmig, Mrs. Townshend stated that no there was not.

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

Mr. Nichols moved to approve a one year extension for C-10-02, The Arbors located at 1051 College Road, seconded by Mr. Holt and the motion was unanimously carried 7-0 with Mr. Friedman and Mr. Ambruso absent.

NEW DEVELOPMENT APPLICATIONS

S-11-09 State Street Plaza at 1004 S. State Street – Public Hearing and Review of a Site Plan for the construction of a 9,942 SF office building and other associated site improvements at 1004 South State Street. The property is 0.7635 acres ± and is zoned C-2A (Limited Central Commercial Zone). The property is located on the west side of South State Street at the intersection with Wyoming Avenue. The owner of record is Gateway South Professional Center, LLC and the equitable owner is ADP Properties, Inc. Property Address: 1004 South State Street. Tax Parcel: ED05-077.17-07-21.00-000. Council District 2.

Representatives: Mr. Doug Liberman, Larson Engineering; Mr. Franklin Penco and Mr. Douglas Ditty, Principal Owners.

Mr. Albert provided an overview of the application.

Mr. Liberman stated that this is a re-approval of the same Plan that went through before. Originally, it was going to be a retail space and at this time, we would like to do a medical office. There are two (2) of the three (3) principals of the new ownership group who are here this evening in the audience if you have any questions for them. With regards to access, there is full access off of Wyoming Avenue and a rights-in access off of South State Street. There are DelDOT improvements that are to be done associated with the Plan which were mandated by DelDOT for additional pedestrian heads which will make it safer for pedestrians in this area at this intersection. Most of the approvals from before will stand. We will have to go back through DelDOT to see if any standards have changed for those plans. The pedestrian signal layout and entrance design will all stay the same. The Kent Conservation District will be a re-approval. The utilities may be a little different for the office use as opposed to the retail use. We have redistributed some of the landscaping along the front so that it has a more uniform look to the landscaping along South State Street.

Mr. Liberman further stated that with regards to the building elevations that they presented, they will probably not going to be what is going to go up there. The owners would like to do more of a professional office space look to the building as opposed to a converted retail space. As it is listed in the Plan review comments, any changes to the building will have to come back to the Planning Commission for re-approval. This has been discussed with Staff and the owners and is something

they look forward to doing to end up with a better looking building than what was originally proposed.

Colonel Welsh stated that he does not like the architectural design as it looks pedestrian and something that you would find at a strip mall. He would hope that you could someway find a way to do a pitched roof. Something that will make it look a lot more residential like it belongs in a residential neighborhood which it is. He is tired of flat roofs with small façades that come out to make it look like something it is not. He hopes that they incorporate some type of pitched roof design in their redesign.

Mr. Nichols stated that when Joe Melvin's Sunoco station was on this site, they had an A-roof on that building and it made it a nice looking building. The fake mini-mansard roofs that you show on here now look ridiculous. He would go along with Colonel Welsh and feels that you should put an A-roof on this building. Responding to Mr. Nichols, Mr. Liberman stated that given the depth of the building, he is not sure how much peak they could put on it; however, we can review this with the architect and see what they can come up with.

Mr. Holt stated that he agrees with the A-roof because when he owned his business his building had a flat roof on it and he constantly had leaking problems. An A-roof will eliminate any future leaking problems that you might have. Economically, it costs a little more; however, in the long run it is going to be worth it.

Mr. Hemmig questioned with regards to the traffic pattern. He knows you are squeezing space; however, he is concerned that if a car comes in off of Wyoming Avenue and all the spaces on the north side of the building are occupied and you come around the east side of the building looking for a space and you get down to the end and there is a car coming off of State Street, you will have cars abutting one another and where will those cars go? They would have to turn around in the entrance area when cars are coming in off of State Street. Did you look at the possibility of turning the office the other way and putting most of the parking on this side of the building?

Responding to Mr. Hemmig, Mr. Liberman stated that no because they had to push so much of the site entrance away from the intersection. It dictated the location of where the entrance off of Wyoming Avenue was going to be and we pushed it as far to the west as we could. This held the location of the building in this area. With regards to the situation you refer to, we are over in parking spaces. We have thirty-six proposed with thirty-four provided. We could X-out a space to provide for a turnaround area near the entrance. He understands your concern with two vehicles coming head-to-head especially in that area.

Mr. Hemmig further questioned how many separate offices would there be and how many employees? Responding to Mr. Hemmig, Mr. Liberman stated there would be three (3) offices.

Mr. Franklin Penco and Mr. Douglas Ditty came down from the audience to the podium at this time to speak. Mr. Penco stated that what they are looking at is eight (8) to twelve (12) office staff. It will all depend on if they open a second office which they are considering. If this is the case, it would be more on the lower side of eight (8). If they are both in the office at the same time, it would be more towards the twelve (12).

Mr. Hemmig questioned what type of medical services would be provided? Responding to Mr. Hemmig, Mr. Penco stated it would be an oral/malofacial surgery service.

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

Colonel Welsh moved to approve S-11-09 State Street Plaza located at 1004 S. State Street with recommended changes for the roof line to be further reviewed either by the Architectural Review Sub-Committee or to the Planning Commission for final approval.

Colonel Welsh further stated that it would not make sense. How could we approve it if we need them to come back for additional approval? Responding to Colonel Welsh, Mr. Hemmig recommended at least thirty (30) days and the Architectural Review Sub-Committee.

Mrs. Townshend stated that the question becomes does it need to go to the Committee or are you giving the applicant direction in terms of architecture that they could then bring back to you? Responding to Mrs. Townshend, Colonel Welsh stated that they have been clear on the terms of their direction. He does not believe that it needs to go to the Architectural Review Sub-Committee.

Colonel Welsh stated that he would amend the motion to ask that they return in August which would give them thirty (30) days to consider changes.

Mr. Penco stated that he hears your concerns regarding the flat roof. He currently practices at 712 S. Governors Avenue that has a flat roof on it and the roof constantly leaks and has been leaking like this since 1956 when the roof was first put on. Both he and Dr. Ditty are not happy with it being a flat to slightly pitched roof. We have discussed with the architect in making this more of an A-framed residential building. We are just looking to move forward with the construction process while the architect is working on those plans.

Colonel Welsh stated that he does not know how they could approve it conditionally and have you come back for approval in thirty (30) days and have you start construction now. He does not know how that concept would work. Responding to Colonel Welsh, Mrs. Townshend stated that they would not begin construction until this issue is resolved. The Site Plan approval from the Planning Commission essentially gives some assurances that they are able to proceed with the site layout.

Colonel Welsh amended the motion for S-11-09 to conditionally approve the Site Plan pending review of the amended architecture to be presented at the August Planning Commission meeting and to reserve the last parking space on the south end as a turnaround space and approval of the waiver request for partial elimination of curbing, seconded by Mr. Nichols and the motion was unanimously carried 7-0 with Mr. Friedman and Mr. Ambruso absent.

MI-11-06 Text Amendment: Revisions to Article 10 of the Zoning Ordinance (Appendix B) – Public Hearing and Review for Recommendation to City Council of a series of Amendments to the Article 10 of the *Zoning Ordinance* related to the procedures and requirements for applications to the Planning Commission and Historic District Commission. The proposed changes are aimed at improving consistency within the ordinance, clarifying and streamlining

review processes, removing antiquated language, and expanding public notification requirements. Ordinance #2011-14.

Mrs. Townshend provided a Power Point presentation. (See Attachment #1)

Mrs. Townshend stated what you have before you is a complete overhaul of Article 10 of the *Zoning Ordinance.* This is the procedure process for all Planning Applications except for the Board of Adjustment. It would include Conditional Use Permits, Site Development Plans, Historic District Commission and Architectural Review Certification in the Historic District and amendments to the *Zoning Ordinance* both in map and text.

Mrs. Townshend further stated that the purpose of the proposed changes is multi-purposed. One is to clarify the process and procedures for the various applications; two, to improve consistency from one application type to another; three, to help streamline the process to make things easier for the applicants and Staff to navigate; four, to improve the business friendliness of the process; and five, to expand public notification requirement.

Mrs. Townshend stated that the first thing to look at is the expiration of plans. Currently, plans expire after twelve (12) months from Planning Commission approval if construction has not commenced. Applicants have the opportunity for one twelve month extension so there is a total plan life of 24 months. What the proposal would do is extend the initial approval timeline for twenty-four months so from when this body takes action with one twelve (12) month extension taking the total plan life from twenty-four (24) months to thirty-six (36) months. Site Development Master Plans would remain active for five (5) years provided that construction has started within two (2) years of approval. The amendment would also clarify the expiration of Architectural Review Certificates which is not specified in the current Ordinance and would remove the expiration of Rezoning applications. With regards to the extension of previously done Rezoning's, the whole idea of reverting to the prior zone would go away. The thought process there is when you do a Rezoning there is a finding of fact that indicates that regardless of what use proposed is the zoning is appropriate for the site. In addition, in accordance with State law, we do a Comprehensive Rezoning every five (5) years so if there is something that needs to be changed; we have the opportunity every five years with the Comprehensive Plan and then the Comprehensive Rezoning.

Mrs. Townshend further stated that with regards to the public notice requirements, this has changed since they went through the process. Currently, a mailed notice is sent to all property owners within 200 feet of the subject property at least ten (10) days prior to the Planning Commission or Historic District Commission meeting. What we are proposing at this point is that the mail notice be mailed to all property owners within 200 feet fifteen (15) days prior to the meeting. The newspaper ad currently runs ten (10) days prior to the Planning Commission or Historic District Commission meeting, and again we are looking at changing it to fifteen (15) days. Currently, there is no physical posting required. What is being proposed is that physical posting be placed in a conspicuous location on the subject property at least fifteen (15) days prior to the Planning Commission meeting. In a subsequent agenda item this evening, we have what we are proposing in terms of the policy for this physical posting to discuss.

Mrs. Townshend further stated that the big change in terms of where we initially were and where we are is the original version of this is the Ordinance had expanded the mailing distance to 300 feet. After review with the Business Community, Real Estate Community, and the Legislative Finance and Administration Committee, this was kept at 200 feet where it is now.

Mrs. Townshend further stated with regards to Conditional Use and the changes you will see is it sets different requirements for Conditional Use involving Site Plans versus not involving Site Plans. One of the things that we continually struggle with in the Planning Office is if there is a Conditional Use application where they are only changing the use and there is nothing in terms of the site that is being proposed to change and there is nothing specified in the Ordinance as to what they need to submit that is different. The idea is that you have a site where they are not paving anything, not adding any paving, and they are not adding any buildings; it is just that the use needs the review. The set of requirements for what they need to submit is specified in that proposal differently from if they were building as an example, apartments. We tried to break out what is required for Conditional Use versus Conditional Use Site Plan.

Mrs. Townshend further stated that we set forth a clear process for revocation of the Conditional Use. When we had the issues come up with the House of Pride, there was no clear process for revocation. Staff did what we felt is a good due process and have tried to build that into the proposal that we have brought forward. It requires a description of the proposed use as well. Sometimes with a Conditional Use it is a grey area and we need to know exactly what they are proposing so that the Planning Commission and the public know at the time of approval exactly what the Conditional Use is.

Mrs. Townshend further stated with regards to the Site Development Plan, currently there are three types of review; this would add a fourth type of review. The Planning Commission Site Plan is what you see every month and the Site Development Master Plan for larger projects. We currently have Administrative Site Plans below the threshold of coming to the Planning Commission; however, they go through the same administrative process. They just do not have the public process side of it. What Staff has proposed to do is add a Zoning Review for things where there is no physical alteration of the property. For instance, an office going into where a retail used to be, we would conduct a Zoning Review to ensure that the zoning allows the use and make sure that it doesn't create any non-conformities; however, it would not require an Administrative Site Plan which has created a problem when things try to change out in shopping centers and they come in we tell them they need a Site Plan. This would improve our interaction with the business community especially the small business owners that are simply trying to open a business that is allowed at the location. The Zoning Review would essentially simplify things for those folks.

Mrs. Townshend further stated that another change is the change of threshold for Planning Commission review. Currently, if you are adjacent to a residential use and are greater than 500 square feet of disturbance, it comes to the Planning Commission. Staff is proposing to raise the threshold to 1,500 square feet because there have been some very minor things that would come to the Planning Commission due to disturbance that really are minor in nature. Every other threshold would remain the same. With the Historic District Commission and the Architectural Review Certification, it is currently vague or unclear as to which Architectural Review Certificate can be issued by the Planner versus which need to go to the Historic District

Commission for approval. We have broken it out by approval by the Planner, approval by the Historic District Commission, and then the recommendation of the Historic District Commission to the Planning Commission. In terms of what would be recommended by the Historic District Commission to the Planning Commission, this does not change demolition and construction which is the main things that this Commission sees. It also clarifies "Demolition by Neglect" and the due process for the property owner and in the case that we are taking forward. This is something that this Commission has not seen. We have had some buildings that we have had to take to the Historic District Commission under the "Demolition by Neglect" provisions and there is nothing in the Code that requires that we notify the property owner or hold any type of hearing. We have added those provisions in what we have as the proposed Ordinance.

Mrs. Townshend stated with regards to the amendments to the *Zoning Ordinance.* Staff has tried to break it out in terms of three (3) specific processes for the three (3) different types of amendments you would expect. One would be the map amendment by application which is the applicant who comes in for Rezoning. They want to rezone their property and this gives them a process as well as a public notification process. The other would be an amendment to the Zoning Text which essentially would be either brought forward by Staff or brought forward by three (3) sponsors of City Council. Because we are adding the idea of physical posting and mailing, it is very clear that the Text Amendments go in the paper. This will make it very clear as to what the requirements are for a Text Amendment versus a map amendment. We also wanted to firm up the process for the Comprehensive Map Amendment following the Comprehensive Plan or other formal study. We added "other formal study" in there because there could be other things other than a Comprehensive Plan. Staff is working on the Dover Air Force Base ALCUZ Study. Staff will likely be bringing changes forward to the Airport Environs Overlay Zone based on that study that came out by the Base. The idea is that this is a Comprehensive Rezoning and is handled in a way that is different from applicants bringing forward a Rezoning application.

Mrs. Townshend further stated with regards to public outreach, Staff has worked very hard with a lot of affected communities to make sure we are getting this right. In April, we presented a presentation to the Historic District Commission of the areas in the Ordinance that relate to their prevue. On May 3, 2011 Staff held a meeting where we invited engineers, lawyers, realtors, developers, and home builders that was held at the Police Station where we received some feedback at that meeting. On May 19, 2011 Staff met with ACEC Consulting Engineers who also brought forward some suggestions. On May 25, 2011 Staff met with the Kent County Association of Realtors and then on June 10, 2011 with a number of land use attorneys who had a number of good ideas on how we could clarify some of the language. On June 13, 2011 it went to the Legislative, Finance and Administration Committee and some final changes were incorporated at that point.

Mrs. Townshend further stated that there is a table provided in your packet that summarizes the comments that have been received and the changes that were made and reflected in terms of what Staff has done with the various comments. Staff added back language that had been suggested for removal regarding the Historic District Commission reporting annually. We changed the mailed public notice distance from 300 feet to 200 feet which is essentially leaving it the way that it is and not expanding it as previously suggested. Coming out of the meeting with the attorneys, they brought forward a number of good suggestions on where we could clarify some of the language. Also included in your packet was the feedback that has been provided to Staff.

Mr. Tolbert questioned with regards to leaving the notification at 200 feet, the Planning Staff recommended that it go to 300 feet; is this the case? Responding to Mr. Tolbert, Mrs. Townshend stated that the initial proposal indicated 300 feet. Part of that was in response to instructions from City Council to her to expand it. The feedback that we received from the development community was to keep it at 200 feet. Staff does believe that 200 feet is adequate from the beginning and that physical posting will hit more people than the expanded mailing would. The reason it was changed to 300 feet was because we were specifically instructed to increase the mailing distance. 300 feet was the largest distance that we could find anywhere in the State of Delaware. 200 feet is standard and is what we saw most frequently.

Mr. Tolbert further stated that we have had instances where people have come in complaining that they have not received notices within the 200 feet. Responding to Mr. Tolbert, Mrs. Townshend stated that if they are within 200 feet and they did not receive the notice, we always verify that it was mailed as we have the mailed receipts. There were some cases where they stated they did not get the letter and we were able to find a signed green receipt so someone else in the home may have signed for it. Part of the issue that we will always have is no matter where you draw that line at 200 feet, 300 feet, or 1,000 feet, there is always going to be someone right on the other side of that line who will say that they did not know about it. Staff believes that the physical posting of the property that will be a bright color will be noticeable to people who are driving or walking by that is going to pick up more people than expanding the public notice mailing.

Mr. Hemmig stated that he agrees with the 300 feet.

Mr. Baldwin questioned what Staff hoped to accomplish by going from ten (10) days to fifteen (15) days notification because to him it would give people additional time to lose things. Responding to Mr. Baldwin, Mrs. Townshend stated that part of the issue with certified mail is the post office will try delivery and if you are not there, they will not leave it. It will go back to the post office. If it is mailed ten (10) days prior and say it takes three (3) days then you are already up to seven (7) days before and you are not home, you are not going to get it you would have to physically go to the post office and sign for it. There have been some cases where people have stated that they did not find out about the meeting until four (4) days prior because of the logistics of certified mail. The primary reason is because in the State Code, the requirement for the newspaper ad is fifteen (15) days prior to the meeting not ten (10). Our sense is that consistency is important.

Colonel Welsh stated that the more notice that you give people the better off you will be. You have people that would like to come to the meeting for whatever reason or to be heard and they are unable to change their plans because of such short notice.

Mr. Nichols stated that after having taken an hour to read through all of these sheets the only thing he really found out was that Colonel Scrafford really was not sure if they were going to have a Historic District Commission at all.

Colonel Welsh stated that he thinks that Staff has done an excellent job with this. It does make sense to give, particularly in today's economy, developers an opportunity to have an extended period of time without having to go through the expense and inconvenience of having to reapply.

Mr. Hemmig questioned the clarification on the Conditional Use with regards to Site Plans. An example of where these may have affected us in our decisions was on Forrest Street just past the Capital School District offices where there was a house that we considered Conditional Use for a daycare. We turned it down I believe because it had a single driveway in and out to the back rear parking. He does not know that they would have known about that Conditional Use application had we not had something in front of us to show us. Responding to Mr. Hemmig, Mrs. Townshend stated that they would still have to show the Plan. The difference is in terms of if it is a Conditional Use Site Plan where they would have to do the tree planting, sidewalk and site improvements. If it is just the use, you would look at the site; however, not necessarily be making improvements to the site unless that were a conditional of the approval.

Mr. Hemmig further stated that we had a similar situation out on Webbs Lane with the Delaware State News where there were two buildings and one was being used as something else and there were issues with sidewalks. Would we have known that under this new idea? Responding to Mr. Hemmig, Mrs. Townshend stated that you would still get all of that information. The main thing is it gives you the ability to accept certain existing conditions rather than look at it as if it is new development. One of the challenges is with some of the Conditional Uses where it is truly just the occupant of the building if it makes sense with that occupancy to require additional parking or require a sidewalk that would be okay; however, it would give you the ability to accept certain existing conditions because you are only looking at the use.

Mr. Hemmig further questioned if they would be restricted from looking at the other things that we would be able to look at if it was a Site Plan? Responding to Mr. Hemmig, Mrs. Townshend stated that no because essentially it is primarily what they are turning in. If you start on Page 5 of 33 on the all-black ink version of the Ordinance starting with line 176 this starts the process. If you look at the legal data and all of the things that are required, it takes you all the way down to line 247. You are still getting everything; it is just what they would need to add to the site.

Mr. Hemmig further stated with regards to the 200 feet versus 300 feet, as Mr. Tolbert pointed out, we have occasionally had someone within the 200 feet who said that they did not get notified. However, more times than not, we have had people who are just outside the 200 feet that are still close enough to be strongly be affected by whatever development there is. He was very much in favor of the 300 feet and it appears that the City Council also was initially. Did the business community give you enough grief and you backed off of it? Responding to Mr. Hemmig, Mrs. Townshend stated that there was a significant change in City Council from the time that direction was given to Staff.

Mr. Hemmig further stated that what concerns him the most is if you have a development that is near a residential area and you have large residential lots 200 feet might include one, maybe two away; however, the third house may be just as affected. It becomes more important when you have more close up residential squeezed in where the lots are 50 feet and you go out 200 feet you might get three or four; however, the fifth person is still close enough to be affected. He feels that 200 feet does not make sense.

Colonel Welsh stated that it makes sense that the developers would oppose expanding that radius because people are not going to come here on their own to speak for the proposal. If you expand that radius by 300 feet, you are bringing more people in who would be opposed to the

development. Whose expenses are the mailings? Responding to Colonel Welsh, Mrs. Townshend stated that it would be the applicants and it is probably the bulk of the issue. It depends on the size of the subject property and the size of the parcels surrounding it.

Mr. Albert stated that if the mailing list is located Downtown, most mailing lists are between 30 and 50 properties if it is a large development. One thing you have to remember in looking at this is that when you expand the radius on the circle, the area that you are getting is not going up proportionately; it is going up exponentially. In his opinion, in preparing these lists every single month for all of the applications, 300 feet becomes burdensome. He is not advocating for either side; however, he sees every list. There are maybe a couple of times when large residential properties are adjacent to things and maybe the entire neighborhood should be notified; however, hopefully the physical posting will address that concern because anyone who goes near there will see the sign. The other component would be the newspaper notification that will be the catchall for the rest.

Colonel Welsh stated that we have come a long ways in easing the burden on the developer, the people who are investing the money in the community. Maybe we should try this notice for a while and see how that works. If we find we are still getting complaints, then maybe next year we consider extending it to 300 feet.

Mr. Tolbert stated that when people are not notified formally, do they assume that they can't come in and make comments on the project? Have you found that to be the case? Responding to Mr. Tolbert, Mrs. Townshend stated that they have not found this to be the case. If anyone calls our office and asks any questions, we encourage them to look at the file and we will sit down with people and go through the Site Plan with them. We always encourage people if they have any concerns at all to either be here at the meeting or put their concerns in writing. We don't want things to go through and have people unhappy because they felt they did not have the opportunity.

Mr. Hemmig questioned if there is anything on the website that encourages people to attend these meetings? Responding to Mr. Hemmig, Mrs. Townshend stated that we could certainly put something on the website.

Mr. Hemmig further questioned if we notify any Homeowners Associations that a development is coming in so that we can get it to all of the people in the community? Responding to Mr. Hemmig, Mrs. Townshend stated that we do not. The problem in doing that would be that we cannot do it consistently because we do not necessarily have contact information for each of the associations. If we cannot do it consistently, it puts us in a legal bind.

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

Mrs. Townshend stated that if there are any amendments that the Planning Commission would like to see, that you put those in the form of a motion first and vote on them and then vote on the overall. Mr. Hemmig brought up to her that in lines 295 to 297 there is some awkwardly worded stuff that we might need to change. Staff will be bringing forward an amendment to change that

to read "Site Development Plans shall be subject to review and approval by the Planning Commission if they meet the following thresholds:"

Colonel Welsh moved to amend Lines 295 to 297 to read as stated by Mrs. Townshend, seconded by Mr. Nichols and the motion was unanimously carried 7-0 with Mr. Friedman and Mr. Ambruso absent.

Colonel Welsh moved to forward to City Council approval of MI-11-06 Text Amendment: Revisions to Article 10 of the Zoning Ordinance (Appendix B) with the recommended amendment, seconded by Mr. Tolbert and the motion was unanimously carried 7-0 with Mr. Friedman and Mr. Ambruso absent.

NEW BUSINESS

Review of Draft "Policy on Physical Posting Requirements"

Mrs. Townshend provided a sign poster that is a bright yellow color so that it can be seen and is obvious when it is on a site. Staff has proposed that the sign be a minimum of 22x28 inches and no greater than 36x36 inches in size. The sign poster that was displayed is the minimum of 22x28 inches.

Colonel Welsh stated that he did not feel that at that size, it would be something you could catch on a drive-by. Responding to Colonel Welsh, Mr. Albert stated that in New Castle County you cannot read these signs from the road and they are bigger and have plans on them. It is seeing the color that draws attention.

Mrs. Townshend further stated that the idea is that over a period of time when people get accustom to seeing this they will associate it with an application.

Mr. Nichols stated that when you normally see one of these placards in front of a property, you know something is going on with that property.

Mrs. Townshend further stated that Staff made a conscience decision not to put the Site Plan drawing on the placard. Her personal concern was that if you put too much on it, you will have people pulling off on the side of the road in an unsafe condition to look at the details of the Site Plan. What Staff wants is if people are interested, we want them to contact Staff so that we can review the Site Plan with them when they are reviewing it not on the side of the road with cars flying by at 55 MPH.

Mr. Tolbert questioned if it would be appropriate to place a replica of the City's seal on it; then people would know it is official from the City? Responding to Mr. Tolbert, Mrs. Townsend stated that they could do that.

Mr. Albert stated that there is a great deal of text on this placard and the way that the program is setup to do that text; this is the minimum. If we place the seal on it, everything is going to get compressed by an order of magnitude. We could put the City seal on; however, it would not be noticeable as a City seal.

Mr. Hemmig stated on the placard at the top it states "Planning Commission Action" will this be just for Site Plans or for Rezonings also? Responding to Mr. Hemmig, Mrs. Townshend stated it would be for Site Plans and Rezonings. There will be two (2) different notices one for Site Plans and one for Rezonings that would both handle Planning Commission and City Council dates. The Planning Commission action addresses Site Plans and Conditional Uses.

Mr. Hemmig stated that he would like to see it made less wordy so that you can make the text as large as possible. It should state "Notice – Site Plan Proposed" or "Notice – Rezoning Proposed." He does not feel that they need all the text which states "The Dover Planning Commission will consider a Site Development Plan for,." He feels you should just post the notice of what it is and if it is a Site Plan or Rezoning with the address, date, and time it will be heard and possibly a contact phone number. He would severely cut down on the amount of verbiage so that you can make everything as large as possible.

Colonel Welsh stated that they still need to have some idea of what is going to transpire. Responding to Colonel Welsh, Mrs. Townshend stated that it already states "Planning Commission Action, Site Development Plan, address, name of project, and instead of public comment we could state "Public Hearing." We could take out public comment and just state "Public Hearing, date, time, and a phone number" if people want to call with questions.

Colonel Welsh stated that you could cut down on the lower portion of the placard wording. He still feels that you need to leave the fact that there is an action taking place through the Planning Commission and what the proposal is in terms of site development, redevelopment or Rezoning for consideration.

Mr. Hemmig stated that there were some redundancies on the placard. It says "Planning Commission Action" and then it says "The Dover Planning Commission." You could remove the upper Planning Commission wording and state something like "Site Plan for Retail" or "Rezoning."

Colonel Welsh stated that it has to be something that would catch someone's attention in big bold letters and then "The Dover Planning Commission will hold a public hearing on this date."

Mrs. Townshend stated that the Ordinance is expected to go to City Council on August 8, 2011 and the Planning Commission meets on August 15, 2011. It would go in effect for applications for September 19, 2011. We could bring back a revised template at your August 15, 2011 meeting.

Mrs. Townshend further stated in terms of the Policy, the dimensions, are a minimum of 22x28 inches and a maximum of 36x36 inches and no taller than four (4) feet and no shorter than three (3) feet. The idea is that this is going to be the visual window for people who are driving. It will need to be affixed to the ground by a minimum of two (2) posts and printed on bright yellow. Handwritten postings are not permissible and need to be within the front yard setback with a maximum setback of ten (10) feet from the front property line. If it is Downtown where you just can't get it in the ground, then it would need to be affixed to a wall or window. On corner properties, it would be on the frontage of where the property is addressed. Where more than one parcel is involved, only one posting would be required unless parcels are separated by a street or

one single parcel divided by a road or if they are not adjacent to each other. If it is something that is part of a Master Plan, no more than three (3) postings would be required. Maintenance and removal would require the applicant to submit to Staff a date stamped photograph showing the location. This has been discussed at the Staff level and our Staff will also go out at the beginning of the fifteen (15) days and make sure that these are out as well. If the placard gets destroyed by natural causes or vandalism, the applicant would be required to replace it up to two (2) times. The placard needs to be removed seven (7) days after the public hearing and if not removed, they would be treated as abandoned signs. If the application is deferred, the placard will still need to be removed seven (7) days after the public hearing.

Colonel Welsh moved for approval to accept the policy; however, defer action on the templates until the August meeting at which time Staff will bring back less wordy templates, seconded by Mr. Tolbert and the motion was unanimously carried 7-0 with Mr. Friedman and Mr. Ambruso absent.

Nomination and Election of Officers (Chairman and Vice-Chairman)

Mr. Nichols moved to nominate Mr. Michael Hemmig as Chairman of the Planning Commission, seconded by Colonel Welsh. A secret ballot vote was completed at this time by the seven members present. The votes were tabulated and Mr. Hemmig announced as the Chairman of the Planning Commission.

Mr. Shomo nominated Colonel Welsh as Vice-Chairman of the Planning Commission, seconded by Mr. Nichols. A secret ballot vote was completed at this time by the seven members present. The votes were tabulated and Colonel Welsh announced as the Vice-Chairman of the Planning Commission.

Appointment of the Architectural Review Oversight Subcommittee of Planning Commission (in accordance with *Zoning Ordinance*, Article 10 §2.28)

Mrs. Townshend stated that the current members are Mr. Michael Hemmig, Colonel Robert Welsh, Mr. Terry Jackson, Mr. Jerry Peters, and Mr. Dave Bonar as the Mayor's designee.

Mr. Hemmig questioned if there was anyone who would like to volunteer to be on the Committee? Colonel Welsh stated that he would like to volunteer to continue on the Committee. Mr. Hemmig seeing no one else wishing to volunteer stated that he would remain on the Committee.

Mr. Hemmig stated that he would appoint Colonel Welsh and himself as members of the Architectural Review Oversight Committee.

Meeting Adjourned at 8:24 PM

Sincerely,

Diane Metsch
Secretary

MEMORANDUM

Planning & Community Development
P.O. Box 475
Dover, Delaware 19903
Phone: 302.736.7196 Fax: 302.736.4217

Date: August 5, 2011

To: Planning Commission

From: Ann Marie Townshend, AICP

RE: Annual Review of House of Pride Conditional Use Permit (C-08-01)

On January 18, 2011, the Planning Commission acted to provisionally continue the Conditional Use Permit for a philanthropic use and social service agency on seven properties owned by the House of Pride. The associated properties and conditions placed by the Commission are detailed in the attached Notice of Reconsideration issued on January 20, 2011 following Planning Commission action. One of these conditions is that the Planning Commission review the Conditional Use Permit annually. At the Planning Commission meeting on February 22, 2011, Staff recommended that the annual review by the Commission take place in August of each year, to avoid considering the issue during winter months, when potential non-compliance with the conditions of the Conditional Use Permit could result in displacement of residents during extreme weather conditions.

During July, the Fire Marshal's Office and Code Enforcement Division made attempts to contact House of Pride to schedule inspections so that the results of these inspections could be reported to the Planning Commission in August. To date, the Fire Marshal's Office and Code Enforcement Division have received a lack of response to phone calls and visits to the property to schedule these inspections. On August 5, 2011, the Fire Marshal's Office issued a notice of violation for failure to schedule the necessary inspections.

Due to the challenges staff has had in scheduling inspections, staff has deferred the annual review of the Conditional Use Permit to the Planning Commission meeting on September 19, 2011, to allow for time to complete the inspections or to provide notice of potential revocation if inspections are not scheduled.

City of Dover

February 25, 2011

Marian Harris
House of Pride, Inc.
105 South New Street
Dover, DE 19904

Re: Re: Notice of Re-inspection results of Conditional Use C-08-01: House of Pride properties located on North and South New Street, Dover, Delaware

16 North New Street	ED-05-076.08-05-22.00-000
20 North New Street	ED-05-076.08-05-20.00-000
29 South New Street	ED-05-077.05-03-10.00-000
37 South New Street	ED-05-077.05-03-08.00-000
38 South New Street	ED-05-076.08-05-84.00-000
55-57 South New Street	ED-05-077.05-03-02.00-000
102 South New Street	ED-05-077.09-01-35.00-000
105 South New Street	ED-05-077.09-01-37.00-000
110 South New Street	ED-05-077.09-01-31.00-000

Dear Ms. Harris:

At its meeting of January 18, 2011, the City of Dover Planning Commission moved to **provisionally continue** the Conditional Use Permit for a philanthropic use and a social service agency for the above-stated properties owned by the House of Pride, subject to the following requirements:

- Property at 35 North New Street is not included in this action.
- **The Conditional Use Permit has been revoked for 16 North New Street and 102 South New Street, effective immediately (**which means that neither property shall be used for the recovery program or transitional housing**).** Both houses are currently unoccupied**.**
- **On the 30th day (February 18, 2011), if full compliance is not made, the Conditional Use Permit shall be administratively revoked by staff.** (Copies of the inspection reports issued by the Fire Marshal's Office and Code Enforcement Division are attached.)
- **The Conditional Use Permit shall be subject to annual review by the Planning Commission.**
- **Each property shall be considered independent of the others.** (By February 18, 2011, if any property has not achieved full compliance, the Conditional Use Permit shall be revoked for those properties; however for any property that has achieved full compliance, the Conditional Use Permit shall remain in place.)

The re-inspections for 20 North New Street , 29 South New Street, 37 South New Street, 105 South New Street, 110 South New Street, occurred on February 18, 2011 and it was determined that those properties has corrected the code violations and would remain open and part of the Conditional Use Permit.

The re-inspection for on 55-57 South New Street and 38 South New Street were completed on

February 21, 2011. It was determined that 55-57 South New Street would remain open and part of the Conditional Use Permit.

During the re-inspection at 38 South New Street it was determined that there were numerous code violations that had not been corrected. It is also noted that the Rental Permits have not been renewed for both properties. Violation notices were mailed on February 24, 2011 addressing the violations that still need to be corrected. The re-inspection date stated on the February 24, 2011 letters of April 18, 2011 is valid for only the exterior painting violations. **All other violations shall be corrected no later than Thursday, March 3, 2011.** A follow up inspection will be scheduled for Friday March 4, 2011.

The Conditional Use Permit for the property located at 38 South New Street shall be revoked and the building is shut down for use if code corrections are not completed by Thursday, March 3, 2011.

Should you have any questions, or require further assistance, please contact me at (302) 736-7196.

Sincerely,

Ann Marie Townshend

Ann Marie Townshend, AICP
Planning and Community Development Director

cc: Sandra Dean
Tim Taraila, Code Enforcement Supervisor
Janelle Cornwell, AICP Planner II
C-08-01

MEMORANDUM

Planning and Community Development
P.O. Box 475
Dover, Delaware 19903
Phone: 302.736.7196 Fax: 302.736.4217

Date: August 5, 2011

To: Planning Commission

From: Ann Marie Townshend, AICP

RE: Extension Request for Leander Lakes (S-09-13)

The Planning Office has received a request for extension for Leander Lakes Apartments at 2161 Forrest Avenue. The Site Development Plan (S-09-13) was originally approved by the Planning Commission in August 2009, and the Planning Commission granted a one-year extension in August 2010. If City Council adopts the proposed amendments to Article 10 of the *Zoning Ordinance* on August 8, 2011, this project will be eligible for an additional one-year extension.

If City Council adopts the ordinance as proposed on August 8th and this project is eligible for the additional extension, staff recommends in favor of this extension with conditions. Since the Leander Lakes project was initially approved by the Planning Commission in August 2009, the Planning Commission also granted conditional approval of the proposed new Dover High School in December 2010 (Application C-10-05) on the parcel immediately adjacent to the east of the Leander Lakes property. The Planning Office has hosted a number of meetings to coordinate the development of the two properties in a way that meets the needs of each property owner and contributes to the orderly development of the larger area. To this end, the Capital School District and Rinnier Development (Leander Lakes, LLC) have entered into an agreement regarding the division of responsibility and sharing of costs associated with developing the shared infrastructure that will serve both projects.

If the Planning Commission grants an extension as requested by the applicant, the Planning Staff recommends that this extension be conditioned on the agreements made between Capital School District and Rinnier Development, as well as ongoing coordination with the City of Dover, DelDOT and Capital School District regarding the land planning and development of the two properties.

LandmarkJCM
Science and Engineering

July 27, 2011 C-2079

Ms. Ann Marie Townshend
City of Dover
Planning and Inspections Department
P O Box 475
Dover, DE 19903

Dear Ann Marie:

SUBJECT: SITE PLAN APPROVAL EXTENSION
LEANDER LAKES APARTMENTS
APPLICATION # S-09-13

In anticipation of City Council's August 8th approval of the allowance of a second 1 year site plan extension, we request on behalf of our client, Leander Lakes, L.L.C., a second 12 month extension to the site plan approval granted by the planning commission for the subject project on August 17, 2009. The project is currently being revised to correspond to the adjacent high school design and is not yet ready for construction.

Thank you for your consideration of this request. Please contact me with any questions concerning this transmittal.

Sincerely yours,

Keith R. Kooker, P.E.
Branch Manager

/lag

cc: Ms. Lisa Rinnier – Leander Lakes, L.L.C.

RECEIVED
JUL 27 2011
CITY OF DOVER
PLANNING & INSPECTIONS

ARCHITECTURAL REVIEW REPORT
Update and Review of Exterior Finish Materials
Recommendation Report of the Dover Historic District Commission
Meeting of July 21, 2011
For Consideration by Dover Planning Commission
Meeting of August 15, 2011

Application: Dover Public Library, HI-09-01 and S-10-06

Location: 35 Loockerman Plaza

Current Request for Review:
As part of the ongoing project for the construction of the new Dover Public Library, some design revisions to the exterior finish materials are proposed as a result of design work, construction bidding, and value engineering initiatives. The Historic District Commission was alerted to the potential for changes in material by the City Manager at their February 17, 2011 meeting who noted that a submission would be forthcoming once a revised proposal was determined. The project is now actively under construction (at the foundation phase). In the approval for Architectural Review Certification for the Library project, it was noted that any changes to identified exterior materials could require additional review by the Commission.

A letter with attached documentation (dated 7/6/2011) showing revisions to several exterior finish materials is presented for Review of the Architectural Review Certification by the Planning Commission. See attached documents. The changes to exterior finish materials focus on three areas specifically:

- Brick at library "bookends": The ends of the building were originally proposed as an ashlar stone pattern. The new material is a dark brown utility size brick.
- Metal standing seam roof: The surface material for the main roof was originally shown as a slate roof in a variety of gray tones. The new material is a metal standing seam roof in a gray color.
- Light Monitors with slate shingles: The surface material was originally shown as a slate shingles but consideration was being given to using other materials such as a metal panel system. The new material selected is slate shingles.

RECOMMENDATION OF THE HISTORIC DISTRICT COMMISSION:
The Historic District Commission reviewed the revised submission pertaining to the selected exterior finish materials for the end walls, roof, and light monitors at their July 21, 2011 meeting. The following members were present: Chairman Dick Scrafford, Mr. Terry Jackson, Mr. Chaz Salkin, Mr. Joe McDaniel, and Mr. George Fisher. The revised submission was represented by Mr. Zach Carter, representing the City of Dover, Director of parks, Recreation and Library for the City of Dover and Mr. Chris McCone of EDiS Company, Project Manager.

Action Taken by Historic District Commission: The motion to recommend approval passed 5-0 of the members present. **The Historic District Commission recommends approval of the suggested changers to the exterior finish materials as presented. These materials consist of a utility size brick for the library 'bookends'; a metal standing seam roof in a gray color for the main roof of the building; and slate shingles for the light monitors.**

This Recommendation is forwarded to the Planning Commission for the final action on the revised Architectural Review Certification.

The following information was considered by the Historic District Commission in marking their recommendation including the initial recommendations made by Planning Staff in regards to the revised submission. See also attachments of the previous Recommendation Report for the project and meeting minutes. Discussion at the Historic District Commission meeting also included the appearance of the materials proposed for the light monitors, the installation of slate on vertical surfaces, and labor & material costs. Also presented were actual samples of the brick to be used on the building.

Project History:
On June 17, 2009, the Historic District Commission conducted a public hearing and took action to make a recommendation on the Architectural Review Certificate for the Dover "Anchor" Public Library project. This application consisted of the construction of a two story library building of 46,000 S.F with the associated parking, walkways, landscaping, and stormwater management facilities. The project area consists of several parcels of land totaling 4.67 acres ± of land zoned I-O (Institutional and Office Zone) and subject to the H (Historic District Zone). The property site is located on the north side of East Loockerman Street between South State Street and Legislative Avenue/Innovation Way in an area also known as The Plaza. The owner of record is the City of Dover.

As presented in June 2009 (proposal 4/15/2009), the proposed library building was described as follows in the Architectural Review Report:

- The brick building consists of two main forms: a rectilinear "bar-like" form with a side gable roof and an oval form of predominately glass with a flat roof/green roof system. The ends of the building are 'bookended' by a wide bay clad in ashlar stone with a large chimneylike form extending through the roof line.

- The predominant exterior finish materials for the library building are brick and ashlar stone veneer with the wall detailing provided through the use of brick patterning and sawn stone elements. Brick detailing and changes in the stone veneer mark the watertable on the building with a similar pattern noting the transition to the second floor. A heavy cornice line indicates the transition to the gable roof which is clad in slate shingles. The window openings use clear glass with aluminum framed curtain wall systems construction for the large openings and aluminum double hung windows and single windows for the smaller openings. At the roof level, four sets of paired light monitors bring northern light into the building. These light monitors are also to be clad with slate shingles.

Staff notes that at the time of the original review the cladding and detailing of the roof light monitors was still in design with several material options under consideration.

Architectural Review Certification Review and Action:
Following a presentation on the project, the discussion at the Historic District Commission meeting of June 2009 also included questions pertaining to exterior finish materials of the roof, light monitors, use of ashlar stone, color choices, and the 'bookend' forms. The Historic District Commission recommended approval of the Architectural Review Certificate for the Dover "Anchor" Public Library project finding the overall building to be of a contemporary design yet compatible with the buildings of the Capitol Square context of the Historic District. The Commission accepted the design presented with the conservations/comments from the meeting on exterior finish materials. The Commission noted the compliance of the project with regards to the *Design Standards & Guidelines* and recognized the Staff comments and recommendations (Items #1-12) as conditions. (See the attached copies of the Architectural Review Certification Recommendation Report and Meeting Minutes.)

On March 15, 2010, after a public hearing and review the Planning Commission granted approval of the Architectural Review Certificate for the Dover Public Library project following the recommendation of the Historic District Commission. (See attached excerpt of the Meeting Minutes.) The Final Site Development Plan approval was granted on March 18, 2011 and the Building Permit #10-1904 was then issued for construction.

Review of DESIGN STANDARDS AND GUIDELINES

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

This revised proposal must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. For the new library building, the applicable review considerations are the design criteria and development guidelines associated with "New Construction"(Chapter 4: pages 4-1 through 4-8). Materials is one of the guidelines for new construction to be considered in the review by the Historic District Commission (and Planning Commission) of the project for Architectural Review Certification. Other guidelines focus of style, scale, elevation of the first floor, floor-to-floor heights, bays, windows and doors, absolute size, massing; orientation, proportions, forms, siting and high density/large scale construction.

STAFF COMMENTS AND RECOMMENDATIONS

The following are Staff comments and recommendations for this submission regarding the revised exterior finish materials for the project and Architectural Review Certification.

1. Staff recommends conditional approval of the revised Architectural Review Certificate pertaining to the selection of revised exterior finish materials for the 'bookend' walls, roof, and light monitors of library building project finding the materials selected to be compatible with character of the historic district and appropriate materials as recommended in the *Design Standards and Guidelines*.

2. Any revisions or changes in the identified materials may be subject to further review by the Historic District Commission.

3. For building construction, the requirements of the building code or fire code must be complied with. Consult with the Chief Building Inspector and Office of the Fire Marshal for these requirements and any necessary addendums to the Building Permit as issued which may be necessary with this change in materials.

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

Attachments:

- Letter of Request dated 7/6/2011
- Graphics of Revised Building and Materials
- Architectural Review Recommendation Report of HDC meeting of June 17, 2009
- Meeting Minutes excerpt of HDC meeting June 17, 2009
- Meeting Minutes excerpt of Planning Commission meeting of March 15, 2010

HOLZMAN MOSS BOTTINO ARCHITECTURE

July 6, 2011

Mr. Zachery Carter
Director of Parks, Recreation & Library
Parks and Recreation
1210 White Oak Road
Dover, DE 19901

RE: Dover Public Library
Historic Commission - Material Changes
HMBA Project #06043.03

Dear Zachery,

During the construction document and bidding phases of work, a couple of value engineering / cost reduction changes were made to the exterior material selections for the Dover Public Library and subsequently reflected in the project's drawings. The Executive Committee requested updated drawings to illustrate these material changes to review with the Historic Commission as a follow-up to its previous review during the design phase.

The following exterior material changes are illustrated in the attached drawings:

- Brick at library "Bookends." The originally selected material was a dark brown sandstone veneer, laid in a random ashlar pattern with a few coursing bands at varying heights. The design intent for using the dark brown stone was to provide a significant contrast and difference in scale to the brick used on the rest of the building. The new material selection is a dark brown utility size brick with a few coursing bands at varying heights, similar to the original stone design. The new brick, with its larger size and dark brown color, achieves the design intent of providing a significant contrast and difference in scale to the brick used on the rest of the building.

- Metal standing seam roof. The originally selected material was varying colors of slate shingles, primarily gray colors, installed in a random pattern. The design intent was to provide a historic and traditional material to be complimentary to the contextual materials used on other buildings in downtown Dover. The new material selection is a metal standing seam panel with a Galvalume finish, which is a gray tone color. Metal standing seam panels achieves the design intent of providing a historic and traditional material, in a slightly lighter gray color to the original design. Slate shingles of varying colors will still be used on the sloped roofs of the Bookends.

- Light Monitors slate shingles. The originally selected material was Galvalume standing seam metal panels placed on the vertical sides and roof of the ten monitors. The new material will be slate shingles of varying colors.

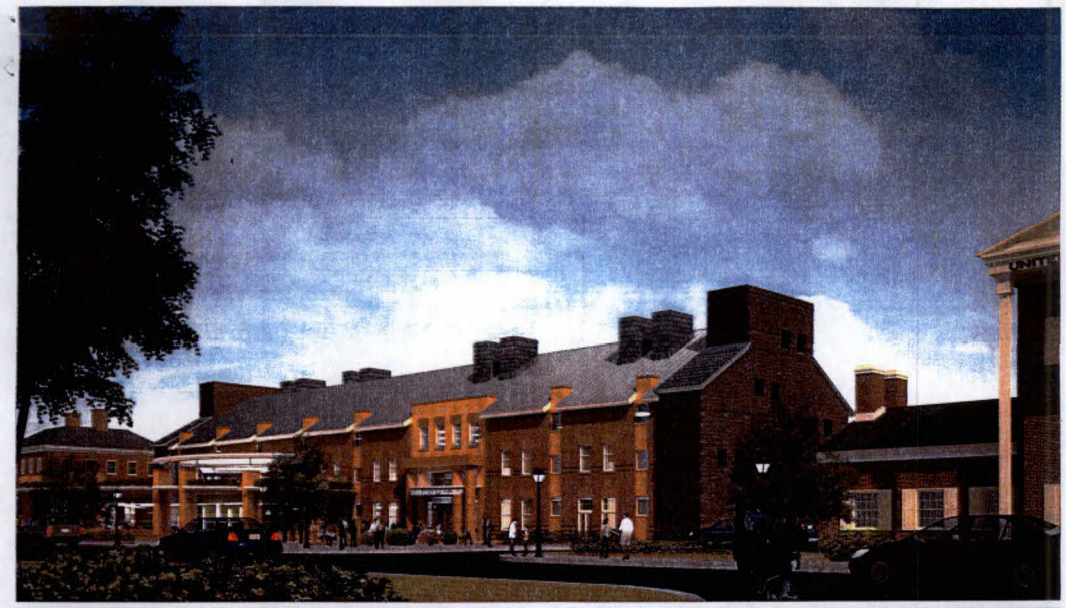
Ultimately, exterior material changes were made to keep the library project within budget, but the overall aesthetic appearance will be consistent with the original design intent, achieving a balance between the contemporary and historic aspects of the design, and maintaining a complimentary appearance within the library's context.

Please feel free to contact me with any questions or if additional information or documentation is required for your review with the Historic Commission.

Sincerely,

Steve Benesh
Principal
HOLZMAN MOSS BOTTINO ARCHITECTURE, LLP

HOLZMAN MOSS BOTTINO ARCHITECTURE LLP
214 West 29th Street Tower, 17th Floor, New York, New York 10001
T: 212.465.0808 F: 212.465.2226 www.holzmanmoss.com

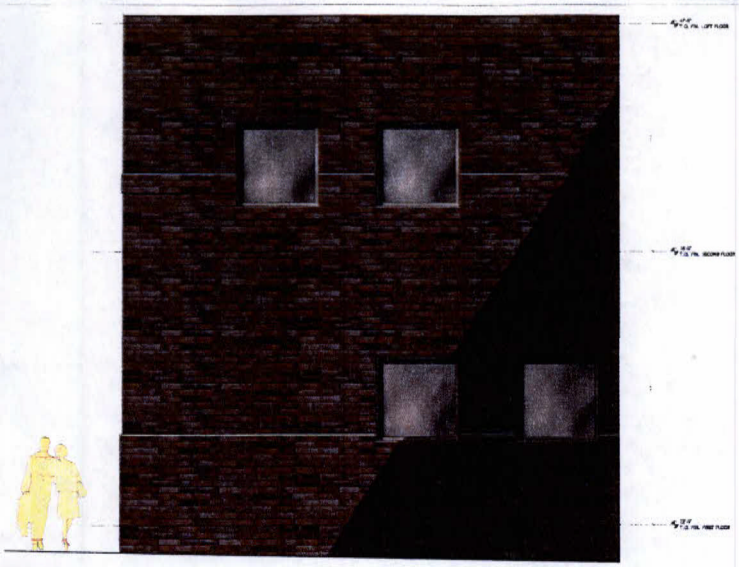


07.06.11

DOVER PUBLIC LIBRARY

DOVER, DELAWARE

HOLZMAN MOSS BOTTINO
ARCHITECTURE



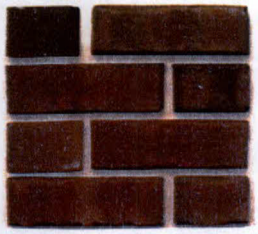
PARTIAL BOOKEND ELEVATION

07.06.11

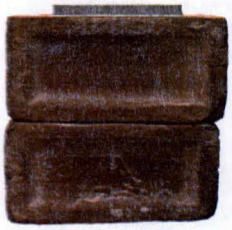
DOVER PUBLIC LIBRARY
DOVER, DELAWARE

HOLZMAN MOSS BOTTINO
ARCHITECTURE

FIELD BRICK



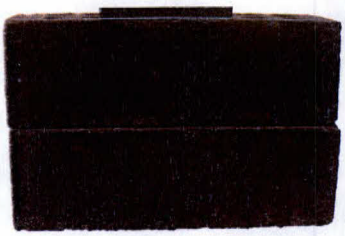
SPECIAL SHAPE BRICK



STANDING SEAM METAL ROOF



BOOKEND UTILITY BRICK



07.06.11

DOVER PUBLIC LIBRARY

DOVER, DELAWARE

HOLZMAN MOSS BOTTINO
ARCHITECTURE

City of Dover

ARCHITECTURAL REVIEW REPORT
Recommendation Report of the Dover Historic District Commission
Meeting of June 17, 2009

Application:	Dover "Anchor" Public Library
Location:	North side of East Loockerman Street on The Plaza
Tax Parcels:	ED-05-077.05-04-51.01-000 ED-05-077.05-04-53.00-000 ED-05-077.05-04-54.00-000 ED-05-077.05-04-55.00-000 ED-05-077.05-04-56.00-000
Owner:	City of Dover
Present Zoning:	I-O - Institutional and Office Zone H- Historic District Zone SWPOZ – Source Water Protection Overlay Zone* (*Exempt from Tier 3 provisions due to Downtown Redevelopment Target Area location. *Zoning Ordinance,* Article 3 §29.79)
Present Use:	City Hall and municipal parking lot
Proposed Use:	Public Library, City Hall, and municipal parking lot
File Number:	HI-09-01

Project Description:
The Historic District Commission conducted a public hearing and took action to make a recommendation to the City of Dover Planning Commission for an Architectural Review Certificate for the Dover "Anchor" Public Library project. This application consists of the construction of a two story library building of 46,000 S.F with the associated parking, walkways, landscaping, and stormwater management facilities. The project area consists of several parcels of land totaling 4.67 acres ± of land zoned I-O (Institutional and Office Zone) and subject to the H (Historic District Zone). The property site is located on the north side of East Loockerman Street between South State Street and Legislative Avenue/Innovation Way in an area also known as The Plaza. The owner of record is the City of Dover. The property address is 15 East Loockerman Street. Tax Parcels: ED-05-077.05-04-51.01-000, ED-05-077.05-04-53.00-000, ED-05-077.05-04-54.00-000, ED-05-077.05-04-55.00-000, and ED-05-077.05-04-56.00-000.

RECOMMENDATION OF THE HISTORIC DISTRICT COMMISSION:

This application was considered at the June 17, 2009 meeting of the Historic District Commission. The following members were present: Chairman Dick Scrafford, Mr. Terry Jackson, Mr. Chaz Salkin, and Mr. Joe McDaniel. The application was represented by Mr. Zach Carter, Representing the City of Dover, Director of Parks, Recreation and Library for the City of Dover; Douglas Moss, Holzman Moss Architecture; Mr. Eddie Kung, Holzman Moss Architecture and Project Manager; Mrs. Arden Bardol, Principal with Becker Morgan Group, Inc.; and Mrs. Margery Cyr, Library Director. Public testimony was received from Mrs. Dorothy Snyder of the Dover Public Library Advisory Commission.

Action Taken by Historic District Commission: The motion to recommend approval passed 4-0 of those members present. **The Historic District Commission recommends approval of the Architectural Review Certificate for the Dover "Anchor" Public Library and to accept the design presented with the conservations/comments (of today's meeting) on exterior finish materials. The Commission notes the compliance of the project with regards to the *Design Standards & Guidelines* and recognizes the Staff comments and recommendations.**

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

1. **Staff recommends conditional approval of the Architectural Review Certificate for the construction of the library building project finding the overall building to be of a contemporary design yet compatible with the buildings of the Capitol Square context of the Historic District.**

2. **These conditions are recommended by Staff to improve the project's compliance with the recommended guidelines of the *Design Standards and Guidelines*. The following are recommended conditions:**
    a. **Any revisions or changes in the identified materials may be subject to further review by the Historic District Commission.**
    b. **The selected brick choices should be compatible to the brick of other existing buildings in the area.**
    c. **Consider options for the cladding and detailing of the roof light monitors.**
    d. **Signage identifying the library should be integrated into the building and site design. Consideration of any free standing signage may require additional review.**
    e. **Light fixtures/poles should continue style of the lighting used in the Capitol Square area or Downtown Loockerman Street areas. A taller two-light style fixture may be more appropriate within the parking lot areas.**
    f. **Identify the landscaping for the improved parking lot reconfiguration and its entrance from King's Highway.**

3. **The following items should be clarified regarding the building design.**
    a. **Clarify the type of system proposed for gutters and down sprouts.**
    b. **Identify the material of the cornice line on the south and north elevations.**

   c. **Clarify if there is a color patterning to the slate shingles (as depicted in the color renderings).**

4. **Some of the site improvements/amenities were not specifically described with the application information. Please provide information for consideration.**
   a. **Identify the materials for the Reading Garden area including surface pavement, wall detailing, benches or other seating, bicycle parking rack, etc.**
   b. **Identify the design and materials of the retaining wall along the drive aisle entrance from Innovation Way. Due to the size and scale of the wall, the materials selected must be appropriate for use within the Historic District. This location may be an opportunity for a public art project.**
   c. **Identify areas where the sidewalks or portions of the sidewalks will be constructed of brick. The use of brick paving materials for sidewalk construction is a key feature found throughout the Historic District area. It appears that several existing brick sidewalk areas will be removed or reconfigured as part of this project.**

5. **The proposed future development of a building addition and redevelopment of the corner property at East Loockerman Street and Innovation Way (current U.S. Post Office site) is not part of this project review or approval (concept shown on plan sheet A-100A). It will be the subject of a future application review.**

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

7. **The proposed landscaping including tree plantings should be completed with species appropriate to the site conditions including plantings within the bio-retention areas. Consultation with the City's arborist regarding the tree species selected is recommended especially regarding the street trees.**

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

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

10. **This site development plan for this project is also subject to the application and review process for Site Development Plan (Article 10 §2 of the *Zoning Ordinance*)**

before the Planning Commission. Note: Additional technical items for compliance with the *Zoning Ordinance* and other regulations may be identified during the Site Plan Process. Review comments pertaining specifically to the Site Plan set will be issued at that time.

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

12. **The applicant shall be aware that a Sign Permit is required to proceed with the placement of signage on the property.**

The following information was considered by the Historic District Commission in making their recommendation including the initial recommendations made by Planning Staff in regards to the application. Discussion at the Historic District Commission meeting also included questions pertaining to exterior finish materials of the roof, light monitors, use of ashlar stone; color choices; the 'bookend' forms; project impact on adjacent sidewalks; and signage, etc.

Property Information:
The subject site consists of several parcels of land predominately currently utilized as the municipal parking lot between the City Hall and the U.S. Post Office. As part of the improvements to site access and circulation for the project, several adjoining parking lots will also be reconfigured.

The adjoining property to the north known historically as the Richardson & Robbins Building (occupied by DNREC) is the southeastern boundary of the National Register of Historic Places listed Victorian Dover Historic District (K-396). The properties along the East Loockerman Street segment (The Plaza) including the existing City Hall, parking lot, and U.S. Post Office are not within the Victorian Dover Historic District of the National Register.

The entire project site is located with the local Historic District Zone (H) and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections.

PROJECT PROPOSAL (Drawings dated 4/15/2009):

This proposal involves the construction of a two (2) story public library building of 46,000 S.F. on the site of an existing parking lot. The brick building consists of two main forms: a rectilinear "bar-like" form with a side gable roof and an oval form of predominately glass with a flat roof/green roof system. The ends of the building are 'bookended' by a wide bay clad in ashlar stone with a large chimneylike form extending through the roof line.

The space between the library building and East Loockerman Street includes a Reading Garden with lawn area, retaining wall, tree plantings and an access ramp. The main entrance to the new library building is on the south side of the building facing East Loockerman Street. This same

entrance lobby is also accessible on the north side of the building from the large parking lot. The entrances are highlighted with the use of a flat aluminum awning and precast stone covered columns supporting a sawn stone lintel. Also on the south elevation, the two tiered oval form portion of the building consists mainly of glass broken by a series of brick piers.

The predominant exterior finish materials for the library building are brick and ashlar stone veneer with the wall detailing provided through the use of brick patterning and sawn stone elements. Brick detailing and changes in the stone veneer mark the watertable on the building with a similar pattern noting the transition to the second floor. A heavy cornice line indicates the transition to the gable roof which is clad in slate shingles. The window openings use clear glass with aluminum framed curtain wall systems construction for the large openings and aluminum double hung windows and single windows for the smaller openings. At the roof level, four sets of paired light monitors bring northern light into the building. These light monitors are also to be clad with slate shingles.

The height is almost 52 feet from the finished first floor to the ridge peak of the roof with the bookend elements and light monitors reaching an overall height of just over 58 feet. Per the *Zoning Ordinance* the height would be calculated as 41 feet 9¼ inches (average between the eave and roof ridge). A series of elevation drawings place this building in comparison with existing buildings in the immediate area i.e. the City Hall Building and Post Office Building. Most notable is that the cornice line of the new library building is held relatively as the same height as its neighboring buildings.

The location of mechanical equipment for the library appears to be within the building with some below grade exterior equipment.

The project also includes site improvements ranging from parking lot reconfiguration to landscaping. The parking lot improvements include landscaped islands planted with trees or shrubs. The Reading Garden on the south side of the building introduces a patterning of surface materials and landscape plantings (trees and shrubs) with opportunities for outdoor seating. Several existing tress will be retained between City Hall and the new library building. New street trees are also proposed along East Loockerman Street.

See attached elevation drawings, site plan drawings, and project overview booklet for detailed information on building dimensions, locations, and material choices.

Review of DESIGN STANDARDS AND GUIDELINES

The subject project site is located in the Dover Historic District Zone within Capitol Square historic context. The Capitol Square historic context is described on pages 2-8 through 2-9. Location within the Dover Historic District Zone requires proposals for demolition, new construction, additions, and certain renovation or rehabilitation activities to existing buildings to receive an Architectural Review Certificate.

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

This proposal must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. For the new library building, the applicable review considerations are those associated with "New Construction." Information on the proposed project and the review considerations is given below.

New Construction

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

- Style
- Scale *(building to reflect dominant cornice and roof height of adjacent buildings)*
- Elevation of the First Floor
- Floor-to-Floor heights
- Bays, windows and doors *(size, relationship, spacing of)*
- Absolute Size *(compare overall size of new building)*
- Massing *(relationship of solid-to-void)*
- Orientation *(location of primary façade)*
- Proportions *(comparison of height to width of building and elements)*
- Materials
- Forms *(shape of building and roof to be complementary)*
- Siting *(location of building on lot and in relation to street)*
- High density/ large-scale construction

The proposed project must also be reviewed for compliance with the standards established by the *Zoning Ordinance*. The standards include items such as setbacks from property lines, lot coverage, height, etc. This Proposal for the new library building appears to conform to the bulk requirements of the I-O Zoning District including setbacks, building height, floor area ratio, and lot coverage. The *City of Dover Zoning Ordinance* authorizes the Historic District Commission to waive certain bulk standards when issuing its recommendation to the Planning Commission for an Architectural Review Certificate if necessary.

STAFF COMMENTS AND RECOMMENDATIONS

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

1. Staff recommends conditional approval of the Architectural Review Certificate for the construction of the library building project finding the overall building to be of a contemporary design yet compatible with the buildings of the Capitol Square context of the Historic District.

2. These conditions are recommended by Staff to improve the project's compliance with the recommended guidelines of the *Design Standards and Guidelines*. The following are recommended conditions:
    a. Any revisions or changes in the identified materials may be subject to further review by the Historic District Commission.
    b. The selected brick choices should be compatible to the brick of other existing buildings in the area.
    c. Consider options for the cladding and detailing of the roof light monitors.
    d. Signage identifying the library should be integrated into the building and site design. Consideration of any free standing signage may require additional review.
    e. Light fixtures/poles should continue style of the lighting used in the Capitol Square area or Downtown Loockerman Street areas. A taller two-light style fixture may be more appropriate within the parking lot areas.
    f. Identify the landscaping for the improved parking lot reconfiguration and its entrance from King's Highway.

3. The following items should be clarified regarding the building design.
    a. Clarify the type of system proposed for gutters and down sprouts.
    b. Identify the material of the cornice line on the south and north elevations.
    c. Clarify if there is a color patterning to the slate shingles (as depicted in the color renderings).

4. Some of the site improvements/amenities were not specifically described with the application information. Please provide information for consideration.
    a. Identify the materials for the Reading Garden area including surface pavement, wall detailing, benches or other seating, bicycle parking rack, etc.
    b. Identify the design and materials of the retaining wall along the drive aisle entrance from Innovation Way. Due to the size and scale of the wall, the materials selected must be appropriate for use within the Historic District. This location may be an opportunity for a public art project.
    c. Identify areas where the sidewalks or portions of the sidewalks will be constructed of brick. The use of brick paving materials for sidewalk construction is a key feature found throughout the Historic District area. It appears that several existing brick sidewalk areas will be removed or reconfigured as part of this project.

5. The proposed future development of a building addition and redevelopment of the corner property at East Loockerman Street and Innovation Way (current U.S. Post Office site) is not part of this project review or approval (concept shown on plan sheet A-100A). It will be the subject of a future application review.

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

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

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12. The applicant shall be aware that a Sign Permit is required to proceed with the placement of signage on the property.

<u>Historic District Commission Action on June 17, 2009</u>
The Historic District Commission considered the proposal and provided a recommendation to the Planning Commission in regards to the Architectural Review Certification for the project site development plan. The recommendation involved consideration of the *Design Standards and Guidelines.* The specific conditions of the recommendation are noted in the Report under the heading "Recommendation of the Historic District Commission."

CITY OF DOVER
HISTORIC DISTRICT COMMISSION
JUNE 17, 2009

The Regular Meeting of the City of Dover Historic District Commission was held on Wednesday, June 17, 2009 at 3:00 PM with Chairman Scrafford presiding. Members present were: Mr. Scrafford, Mr. Salkin, Mr. McDaniel and Mr. Jackson. Mr. McNair was absent.

Staff members present were Ms. Melson-Williams, Mrs. Townshend, and Ms. Cornwell.

APPROVAL OF AGENDA

Mr. McDaniel moved for approval of the agenda as submitted, seconded by Mr. Salkin and the motion was unanimously carried.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF MAY 20, 2009

Mr. Salkin moved to adopt the minutes of the regular Historic District Commission meeting of May 20, 2009, seconded by Mr. McDaniel and motion was unanimously carried.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that Staff did not have any specific items for this month's packet. Planning Staff as well as some of the Planning Commission members participated in a "Creating Walkable Communities" workshop last evening that gave background on pedestrian/bicycle and multi-model aspects of communities. A walk was taken in the Historic District and a discussion held on things that were liked and not liked. Staff may try to have other walk-arounds or things related to this in the future. Some of the good things noted on the tour were the buildings in the Historic District.

OLD BUSINESS

Update on Application for Certified Local Government Status

Mrs. Melson-Williams stated that Staff is making progress as everyone's resume has been updated and Staff will now be gathering the other elements of the application process which includes any Ordinances that were done to create the Historic District and the Commission itself. This is a project that Staff will continue to work on through the summer and fall months.

NEW BUSINESS

HI-09-01 Dover "Anchor" Public Library at 15 East Loockerman Street: Architectural Review Certification - Public Hearing and Action on a recommendation to the City of Dover Planning Commission for an Architectural Review Certificate for the Dover "Anchor" Public Library project. This application consists of the construction of a 2 story library building of 46,000 S.F with the associated parking, walkways, landscaping, and stormwater management facilities. The project area consists of several parcels of land totaling 4.67 acres ± of land zoned I-O (Institutional and Office Zone) and subject to the H (Historic District Zone). The property site is located on the north side of East Loockerman Street between South State Street and

Legislative Avenue/Innovation Way in an area also known as The Plaza. The owner of record is the City of Dover. The property address is 15 East Loockerman Street. Tax Parcels: ED-05-077.05-04-51.01-000, ED-05-077.05-04-53.00-000, ED-05-077.05-04-54.00-000, ED-05-077.05-04-55.00-000, and ED-05-077.05-04-56.00-000.

Mrs. Melson-Williams stated that there have a been a number of public meetings that both Planning Staff and members of the Historic District Commission have participated in or attended as members of the general public. A few of you who have attended these meetings was concerned if this would be considered a conflict of interest under the provisions in the By-laws. Staff feels that it would not be a conflict of interest.

Representatives: Mr. Zach Carter, Representing the City of Dover, Director of Parks, Recreation and Library for the City of Dover; Douglas Moss, Holzman Moss Architecture; Mr. Eddie Kung, Holzman Moss Architecture and Project Manager; Mrs. Arden Bardol, Principal with Becker Morgan Group, Inc.; and Mrs. Margery Cyr, Library Director.

Mr. Moss conducted an overview of a Power Point presentation regarding the project and its architectural features and provided samples of materials that they are beginning to consider.

Mr. Moss stated that they have gone through a substantial review process not only with the City and with the users of the library, but also with the entire community of Dover. This has been important to not only understand what the community and residents of Dover want in their building, but also what the building's character should be, what it should look like, and how it should be a part of this community. One of the things that we have learned through that process is a great interest in a sustainable building practice known as "green architecture." We think of it as improving the efficiency of a building, improving the health and welfare of a building, and in the long run, a more cost effective building to operate.

Mr. Moss further stated that the site is located just to the east between City Hall and the existing Post Office. The Post Office is actually owned by the City of Dover in the way of the building and the grounds. The City of Dover is beginning to think long term regarding what the ultimate use may be of this building or of this site. As a result, part of the study has been to think through long term what could happen on this site either in terms of renovation of the existing Post Office into a new use or the creation of a new facility and/or how parking would tie into all of that in the future.

Mr. Moss stated that the issues that they are trying to first illustrate, outline, and ultimately resolve include how they make this a stronger urban building in an area because of its location on Loockerman Street with what is a large void with the existing parking lot. We want to make sure that we help extend what is already occurring on the western end of Loockerman Street as a strong urban place. We have tried to address parking and traffic issues in terms of clarity on how people get in and out of the site once the building is developed and how that will continue on how people get in and out of the Post Office and in and out of the City Hall space.

Mr. Moss further stated that they have substantially increased the amount of landscaping both around City Hall and in front of the proposed library where it is proposed to be a reading garden.

In addition to the development of the interior, the program, and functionality of the interior of the building which will not be discussed as a part of this presentation, it deals with the exterior of the building and how this building does front Loockerman Street and how it interacts with the existing buildings in the Historic District, how are we a good neighbor to those buildings, and how do we contribute to the existing urban fabric that is already in Dover. One of the things that we have done is to analyze a lot of the buildings in the community with some that are viewed very positively and some that have a lot of different characteristics to them. One of the extraordinary advantages and opportunities in Dover is not only the strength of the Georgian buildings not only in this region but also the strength of the Victorian houses that are just to the north and west of Downtown.

Mr. Moss further stated that one of the components that are most a-typical of this proposed project is a large reading room and children's area on the first and second floor at the front of the building. Relating to Georgian ceiling patterns and components of buildings, they have had an early part of how they have begun to form a shaping point of view and from a plan point of view develop some of the components for the plan.

Mr. Moss further stated that the north elevation view facing the parking lot is made up of two components. One is a long rectangular building which is primarily brick clad. Off to the left of this is an entry from the parking lot and a similar entry is on the south side of the building facing Loockerman Street as well. It was very important from a planning point that whether you arrive on foot, by bike, or by vehicle, that everyone feels like they are coming into the same primary front door of the building. The second component on the rear side of the building which represents primarily glass components and the magnitude of the glass is office related spaces, support spaces, and technology spaces. With regards to sustainability they have been trying to bring the daylight in as much of the space for as long of a period during the year and as long of a period each day as they possibly can, partly to improve the quality of light and partly to reduce the energy consumption.

Mr. Moss further stated with regards to the Loockerman Street side of the building there are three primary components; however, two of them are the same as what is on the north side of the building. The long rectangular building is the primary two story space of the library and is primarily brick. The punched openings have operable windows with wood mullions that are painted white. In the middle located to the right of that image is the entryway to the building and then the oval shaped area that is one room on the first floor for the children's library and one room on the second floor which will be the adult reading room that also has a green roof in front of this reading room.

Mr. Moss further stated that on the roof of this elevation there are a series of vertical elements on the roof; four that you see very prominently in the foreground and four that you will see on the left side in the background. From a historic point of view, these are similar to many of the roof profiles that are on some of the historic buildings and in many cases were chimneys or cupolas or other types of vertical elements. In this case, we are using them for a functional point of view and in addition to architecturally breaking up the roof line of this roof. The functional aspect deals with bringing in natural light so that on the second and first floor we are able to bring natural light in for the middle of the space as this is a very narrow building.

Mr. Moss further stated that the roof which is a gabled roof on the large rectangular portion of the building will be slate. One of the topics that were asked of us in the Staff review was whether this slate would be in a pattern? We are not sure that it will be even though it was drawn and indicated as a pattern. It may be more of a collection of three colors of a red, green, and a charcoal color and would be in a less consistent pattern. Also for the roof, we are looking at a standing seam material as another option. It would not be a painted metal; however, a natural metal color that would age over time. The reason for these two different options is that in the Historic District there are examples of both slate and the standing seam and it deals partly with cost and with how we might ultimately treat the roof in the future.

Mr. Moss further stated that on the red brick that is illustrated the primary brick is made up of two different colors. The majority which is about ninety-eight (98) percent of this wall would be a red brick. We are looking at each of the four colors that are shown (sample boards) and each of them have come from brick manufacturers that have supplied brick in this Historic District so each will match different buildings that are located within this Historic District. The slightly lighter color brick located in the vertical bands of the building and also at the entry may be one of those brick colors as well. They are trying to differentiate from a shade value with these two different colors of brick to help accentuate the vertical and to also help break up the roof line. The building part in the oval shape is primarily glass because of the function that is located inside; however, there is a lot of brick. The brick is seen in the brick piers that are on the first and second floor and those brick piers are outside of the building by four or five feet. They also extend into the building and remain brick by another four or five feet.

Mr. Moss further stated that the size of this building at 46,000 square feet on two floors is slightly smaller than the Townshend Building located directly across the street which is a three story building that is a State building. In terms of physical mass, this is a different scale building than the one that we are in or the Post Office. At the entry of the building, there is a change in brick color as well as the scale of the windows. This image will give you closer detail of some of the sills, lentils on the windows, mullions and muttons that will be on the windows, eave images, and some of the light monitors that will be used in the roof.

Mr. Moss further stated that they will use a green roof and we do anticipate the vegetation on the roof being from eight (8) to fourteen (14) inches in height. You will see a little bit of green depending on where you are as a pedestrian or driving in a vehicle. It becomes very prominent when you are in the adult reading room on the second floor. The green roof also has a lot to do with rain water collection and stormwater management.

Mr. Jackson stated that the slate on the vertical walls of the light monitors is jarring to his eye and questions why this would be slate especially when you look at all the other chimneys in the area that are brick? With the standing seam roof that was mentioned, is it similar to the DNREC building? Responding to Mr. Jackson, Mr. Moss stated that the new library building would have a turn coated metal such as what DNREC has.

Mr. Jackson further stated that he realizes that in a larger sense, regionally, fieldstone is a popular material; however, in the City of Dover there is just precious little of it except when

someone wants to make a front façade of their house a little different than the plastic that is on the other three sides. He feels that this idea needs to be thought about longer.

Responding to Mr. Jackson, Mr. Moss stated that with regards to the skylights and light monitors, he thinks that this is a very good point and they could look at what the vertical surface is on those. Their challenge with brick deals with the magnitude of weight because on the inside of the building, we do not have any enclosed spaces; it is one large loft like space on the second floor. Structurally, there are issues regarding the magnitude of mass. What we need to explore is whatever the roof becomes, we do the opposite on the vertical elements so that there is a very clear differential between the two.

Mr. Moss further stated that with regards to fieldstone, it is typically viewed as stone that is taken out of the field that is not cut and is in random shapes and sizes. In looking at the ashlar cut, it is sliced on the top, bottom, and the sides; however, the front and the back is split face with a rough texture to it. The question of why would we do it deals with scale. One of the things that we did with the lighter brick and the ashlar stone on the end is in regards to the dimension which is one of the longest dimensions you will have in the Historic District. They will break it up in a way so that it is reducing the scale. Even though it is a different material we will try to come very close to matching the color so that we have a different texture.
Mr. Salkin questioned both in terms of texture and color, did you consider completely different materials, texture, or color for either the ends of the building or any portion of it? Responding to Mr. Salkin, Mr. Moss stated that they have looked at a wide variety of options because we knew a topic of this nature would come up. We started with brick which we feel would be the most obvious given the context. Once we started to veer away from that option we looked at a wide range of things that would try to address the scale topic, the color topic, and the material topic. We have looked at slate shingles that are much larger, metal, ashlar stone, and larger brick. We kept coming back to the very same concerns that he previously mentioned and this is how we came to select the stone. To make the stone work well is to make sure that the coloration from a value point of view is going to be consistent with the brick.

Mr. Salkin further questioned where there is color in this building? Are there opportunities to introduce it anywhere that you have not shown this Commission? He would assume that all of the wood trim would be white. Responding to Mr. Salkin, Mr. Moss stated that the building has two very different components. There is the exterior component and then the interior component. When we met with a number of the community groups, one of the things that they were concerned about is that they want to feel welcomed into this building. This is one of the reasons they are not presenting a true Georgian replication of a building that you might have on the Capitol grounds. We tried to make the building very calm and appropriate to the surrounding context. We feel color holds an enormous impact in public buildings so when you walk through the doors, you will be in a very different environment. The inside of the building will have a substantial amount of color depending on which area of the building you are in.

Mr. Jackson stated as a follow-up to his question regarding the end bays, these are pretty large book ends and it stands out to him and appears to be dominant on the building. You have used the overall design of the building to pull away from the rampant Georgian style located along the

mall. He applauds you for doing so in that it is a difficult situation in any job to come to and be a part of the twenty-first century building and not a copy of an eighteenth century building.

Mr. Scrafford questioned if the size of the bookends was determined by the length of the building in that if you made them too small they would look awkward or if made larger they would look worse. Responding to Mr. Scrafford, Mr. Moss stated that it deals with a couple of factors: one, the balance on the exterior looking at the elevation and second, on the bookends the material comes to the inside of the building as well. Just like the brick piers that he discussed on the oval shaped building, when you are in this large loft-like space in the library and look at one end from the other end you see the ashlar stone inside the building. In the width of this we are using it as a functional space. There are small reading rooms on certain levels, technology centers on certain levels, and at the back of the building, they are also used as the emergency egress stairs in this width.

Mr. McDaniel stated that he has sat in on some of the organizational meetings and feels that they tried to capture a functional library that will fit in; however, not be exactly like everything else that is around it. He likes the bookends and the ashlar as someone has to be first with it as he realizes it was not quarried out of Kent County; however, he likes the fact that it is texturally different yet trying to make it somewhat similar with color. They were charged to do something and they did it. The light monitors that have skylights on top of them on the north side are a great idea. The concept of this building is on the mark.

Mrs. Melson-Williams conducted an overview of Staff's comments and recommendations. Staff is recommending approval of the Architectural Review Certificate for the Library Building Project "finding the overall building to be a contemporary design yet compatible with buildings in the Capitol Square context in the Historic District."

Mr. Scrafford questioned with regards to the brick sidewalks, they were not addressed during this presentation, what would the covered areas consist of? Responding to Mr. Scrafford, Mr. Moss stated that the location of the building and the reconfiguration of some of the adjoining parking lot areas will impact some of the existing sidewalk network surrounding this building which is predominately brick until you are out along Loockerman Street and that would be the wide swath of concrete that exists. Concrete sidewalks are permitted in the Historic District; however, brick is an appropriate material in the district as well.

Also responding to Mr. Scrafford, Mr. Moss stated that one of the important components along Loockerman Street is how to extend the sidewalk that is already in front of City Hall. The challenge of what is in front of City Hall is that there are no street trees which you do see in front of the PNC Bank and the rest of Loockerman Street. We are discussing placing trees along the street frontage and then the sidewalk located directly behind the trees.

Mr. Moss further stated that the reading garden is intended to do three primary things: one is to provide a very strong entry into the building and along the pedestrian entry we will manage benches and places where people can sit and play chess at fixed permanent tables. The second component of the reading garden area deals with a large grass space that may be shaped to a degree so that we may have outdoor performances, readings, or public events. The third

component is to have smaller, more intimate reading areas that maybe located around the green space. Around the perimeter of the green space we would place soft landscaping that will help divide the sidewalk from the activity that might be occurring inside the reading garden. The garden area would be a combination of brick and concrete because of cost. Because we would like to decrease the amount of impervious areas, we are also looking at some other alternatives that would reduce the impervious areas and increase the pervious areas in the reading garden area that could be pervious walking surfaces.

Mr. McDaniel questioned if Staff recommended the signage as it has been presented? Responding to Mr. McDaniel, Mrs. Melson-Williams stated that in the elevations it gives the name over the entrance to the building. In the Sign Regulations, that would be a component of a wall sign. There was other information that indicated that there may be placement of a free-standing sign on site and this is what Staff identified that could require additional review because it is not what is typically found in this area. There are free standing signs in the Capitol Square complex naming the State buildings.

Mr. Scrafford opened a public hearing.

Mrs. Dorothy Snyder – 9 Douglas Court – Stated that she is a member of the Dover Public Library Advisory Commission and has been involved in this project from the beginning. The first time she saw the picture of the library she loved it and stated that she fully supports this project.

Mr. McDaniel moved to close the public hearing after seeing no one else wishing to speak seconded by Mr. Jackson the motion was unanimously carried.

Mr. Salkin stated that the comments that came from this Commission are clear and does not require anything of the applicant; however, it has offered some guidance or small challenges to what otherwise seems to be a euphoric design. He would be very comfortable supporting this project and moving ahead based on the assumptions that have been presented to us today.

Mr. Jackson moved to approve application HI-09-01 Dover "Anchor" Public Library at 15 East Loockerman Street: Architectural Review Certification and to accept the design colored by the conversations that have been held and comments made and its compliance with regards to the Design Standards and Guidelines and recognizing all Staff comments and recommendations seconded by Mr. Salkin and the motion was unanimously carried of the members present 4-0.

ONGOING PROJECTS

Discussion of the Project to Evaluate and Update the *Design Standards and Guidelines for the City of Dover Historic District Zone*

Mrs. Townshend stated that because of the length of the first item on the agenda, this item could be deferred to the next meeting. In the past several meetings we have talked about it. In the absence of City funds to hire someone to help us with the Historic District Guidelines that Staff was going to work on it. In-house Staff and the Historic District Commission will work on fixing the challenges that we have experienced over the years.

Mr. McDaniel moved to adjourn the meeting, seconded by Mr. Jackson and the motion was unanimously carried.

Meeting adjourned at 4:16 PM

Sincerely,

Diane Metsch
Secretary

management system in place at the Simpson Log Homes, is that the water has increased tremendously. The picture he presented has been in the paper twice because he has tried to point this out that the City of Dover should be concerned because on the more severe range, the road is completely covered with water. You do not really see it coming so when cars are traveling at excessive speeds there then they come up on this water with a splash there is problems with that. His only concern, like he has said is water. They are pro-development; they can build 100 houses back there if they want. That is not the problem. We just want to make sure, and it does not sound like tonight other than the study that has been made. Realistically, we would applaud if it would that some of the water that is collecting on the Simpson Log Homes site is taken away and the problem it is creating. There is no possible way that any additional homes can be built unless there is a better water management system or retention ponds that were mentioned. He would agree that if all of the findings are not in, he does not feel that you can make a real educated decision without knowing that.

After seeing no one else wishing to speak Mr. Friedman stated that he would leave the public hearing open for the next meeting when that does occur.

Colonel Welsh moved to table Z-10-01 Lands of TLFD until next month or until we have received the State PLUS review comments for the proposal and to also allow time to review the 30 page package that was placed on our desks this evening along with comments this evening, seconded by Mr. Nichols and the motion was unanimously carried 6-0 with Mr. Shomo, Mr. Hemmig, and Mr. Ambruso absent.

S-10-06 Dover Public Library - Public Hearing and Site Plan Review and Architectural Review Certification to permit the construction of a 46,000 SF building and associated site improvements of parking, walkways, landscaping, and stormwater management facilities. The project site consists of five parcels totaling 4.6663 acres ± and is zoned IO (Institutional/Office Zone) and is subject to H (Historic District Overlay Zone) and the SWPOZ (Source Water Protection Overlay Zone). The property site is located on the north side of East Loockerman Street between South State Street and Legislative Avenue/Innovation Way in an area also known as The Plaza. The owners of record are City of Dover and 100 West Street Trust Company. Tax Parcels: ED-05-077.05-04-51.01-000, ED-05-077.05-04-53.00-000, ED-05-077.05-04-54.00-000, ED-05-077.05-04-55.00-000, and ED-05-077.05-04-56.00-000. *The Historic District Commission reviewed the project on June 17, 2009 and has provided recommendations in regards to the Architectural Review Certification (HI-09-01). Waivers Requested: Reduction in Number of Required Parking Spaces, Partial Elimination of Curbing, and Elimination of Required Loading Spaces.*

Representatives: Mr. Gregg Moore, Becker Morgan Group, LLC; Ms. Margie Cyr, City of Dover Library Director; and Mr. Zach Carter, City of Dover Director of Parks and Recreation.

Mrs. Melson-Williams provided an overview of the application including the waivers requested and the Historic District Commission recommendations.

Mr. Moore presented a Powerpoint presentation of the project at this time.

Mr. Moore stated that he would provide an overview of what the parking will be for the project. The Post Office will remain and is located on a separate parcel that the City leases to them. They have reconfigured the parking in the back of the new library and City Hall that would be more efficient and provide more spaces per acre than what currently exists. The biggest change would be the new access way from Kings Highway which would allow people to come from Kings Highway, circulate through the property, and use either City Hall, the Library, or the Post Office from that location and flow all the way through to Innovation Way which allows you to get back to a light at the corner of Loockerman Street and Innovation Way. With regards to the access way along the Post Office, we have kept the parking spots along the edge of the Post Office on the library side. We constructed handicap spots along the building because we believe that it would be best to leave this configuration the same. People can pull in as they do now and use the Post Office as well as the library. Behind the Post Office, there is a parking lot that is designated for the post office only with thirty-seven (37) spaces that includes fleet vehicles and parking.

Mr. Moore further stated that another big change will be on Innovation Way. There are currently twenty-two (22) parking spaces located on the street. These parking spaces have not been counted in their parking space count relative to their waiver request; however, the City has indicated that they will be changing these spaces to fifteen (15) minute parking from undesignated. Undesignated parking means that someone will be able to park and stay there all day long which could be an employee of any Downtown business and that car could be there all day. The purpose of changing these twenty-two (22) parking spaces to fifteen (15) minute parking is to allow them to become turnover spaces for the use of the Post Office. This will help to offset some of the parking that is taking place in the larger parking lot that currently exists without the building being there.

Mr. Moore further stated that there are forty-three (43) parking spaces on Loockerman Street that are off-street again; they did not count it in their parking for the totals of our waiver. This would include parking in front of City Hall, in front of the library site, and in front of the Post Office on both sides of the road which would be a large amount of parking that would be used functionally for this building as well as City Hall.

Mr. Moore further stated that they have picked two spots for the possible relocation of the drop-off mailbox that is currently located in the City Hall parking lot. We want to keep the Post Office operating as it does today and there have been requests that we keep this drop box.

Mr. Moore further stated that the current Library sits on the same property as the Reed Street City office building and is actually larger than City Hall. The parking lot that the two share together is only seventy-three (73) total parking spaces. By Code, sixty-six (66) of these parking spaces are required by Code for the Reed Street offices that would leave only seven (7) designated parking spaces for the library beyond the code. If we were to come before you with this request, we would need to request a parking requirement waiver of close to the maximum of fifty (50) percent.

Mr. Moore further stated that the Library is able to function on this site with this limited amount of parking for a number of reasons. The current Library and the proposed Library are located in the heart of Downtown and this is the most densely populated area in terms of people who live here so a lot of people can walk to the library and bike to the library. It is also in the heart of Downtown where there is transit busing. There is a large pod of parking that surrounds the library with the

municipality, State, and large parking lots with over 1,500 parking spaces. These spaces are also getting used by folks who walk to the library. They are working in other businesses, going to the Downtown area, museums, and City Hall with their cars parked in other lots. You want people to park at other facilities and then walk to the library and use it. The library is being moved into an area that provides more central parking. This is important because the library both today and when it is relocated there, peaks at a different time meaning people come to use the library by car after hours. They do not come to use the library in force during the day time from 8:00 AM to 5:00 PM when people are at work. It starts to pick up at 4:00 PM to around 7:00 or 8:00 PM after school and after dinner time. Proximity to a maximum amount of parking that can be shared is important. Mr. Moore further stated that there was an extensive study done on who is using the current parking lot because there have been questions raised throughout this process of can we relocate the folks who are using the City Hall parking lot and the answer is yes. DNREC has traditionally rented forty (40) to fifty (50) spaces from the City of Dover that included employees and fleet. This is the first year that they did not renew their lease and that has nothing to do with the construction of the library. It is a decision that the State has made that they will not lease additional spaces and have already moved them out. There are now around one hundred (100) to one hundred twenty-five (125) spaces available in this parking lot during the day since DNREC departed.

Mr. Moore further stated that the Parking Authority which is now the Downtown Dover Partnership has approved the library coming forward with this parking plan and with the waiver that they are requesting because they are aware that those forty-five (45) spaces have dropped off. They are not happy that the City is losing the revenue; however, it has opened a considerable amount of parking that can be used. Fifty-six (56) spaces would be required by code for the new library. There are forty-six (46) people who work in this building (City Hall) with ten fleet which means that the City has maxed out this space and is in need of parking for City Office use when you co-join the two together. With the thirty-seven (37) parking spaces for the Post Office, there will be twenty-two spaces designated as fifteen minute spaces which will provide for a turnover use to accommodate the Post Office.

Mr. Moore stated that it would be reasonable to grant a waiver for this project because they have two buildings of scale on the same property and therefore, the peaks of these two buildings are different. Staff from the City starts at 7:30 AM and departs from 4:30 PM to 5:00 PM. Through studies at the library, peaks at the Library would start around 4:00 PM or later when kids get into the library with the real peak in the Library around 6:00 PM. The maximum amount of usage of vehicles coming to the Library would be around that time. At that time, the City lot would not be used because they would be home and there will be a large amount of parking in excess of the zoning code required 150 parking spaces that will be available to the Library. We do not believe that there is a parking problem because of that. The other two peaks are on Saturday and Sunday and again, City staff would not be there and as a result, there would be plenty of parking to accommodate the new Library. The Post Office closes at 6:00 PM just as the library would peak so it is a perfect mesh of timing of the two peaks from both the post office and City Hall. He (Mr. Moore) feels that is why it is a reasonable request to ask for a ten to eleven percent waiver which is much less than the fifty percent that we could have asked for. There is a small area where we could add about ten (10) spaces that is on DNREC property and we will negotiate with them. It is located at the very point of their property and would allow them to complete the parking along the back line

that could be done at a reasonable amount of cost. This would allow our request to fall below ten percent if we are able to do that.

Mr. Moore further stated that the seventeen (17) percent waiver request in the Staff's report is just for the library; however, we are creating a parking lot between the Library and City Hall. It is the joint peak use that allows them to get this benefit that is an eleven (11) percent waiver.

Ms. Cyr stated that they have taken the parking issue very seriously as we have worked with the library project over the last eighteen months. We conducted a parking survey of the library and over the past year, we have taken a look at the library usage to determine the times when people are using the library the most with their children and the programs they are attending.
Mr. Carter stated that one of the things that they have done with this plan as we worked on it is to work very closely with our neighbors, DNREC, Wilmington Trust, PNC Bank, and the Post Office. He started discussions with the Post Office back in 2006 regarding their plan. They know that once we start construction, the parking that they are currently using for their vehicles will have to be relocated. Their lease on the land runs out in 2020 and they are aware that our intentions are not to renew the lease at that point.

Mr. Moore stated that they do not have a stormwater management pond on this facility because we are using what is known as "green technologies." The City has made a big effort to get this building LEED certified. We are proposing a green roof which would have plant life on it. Water will come down and sustain the plant life. That water will then run off and we will catch that water in underground cisterns and then re-circulate it into the toilets and grey water inside the building. In addition, with regards to the curb waiver, we will be catching the rain water in the catch basins in the back parking lot and surround them with grass and plantings instead of letting all the water just flow in so that you actually get cleaning.

Mr. Moore further stated that as they massage the final site plan, because these are very unique ways to handle stormwater, we could relocate some catch basins and place the grass around them and their waiver would then allow them to have the water go into the grass and into the catch basins so there may be some modifications as to where the catch basins would be located.

Mrs. Townshend questioned for clarification if when Mr. Moore stated that they did not have any concerns regarding DAC comments, did you want to mention the DelDOT comments? Responding to Mrs. Townshend, Mr. Moore stated that DelDOT made a comment regarding the Traffic Impact Study and we objected to it in the DAC meeting. We have a meeting scheduled with them this week and hopefully this can be resolved. They have a cash-in-lieu of requirement and there is cash than can be contributed in lieu of a Traffic Impact Study. His point regarding the Traffic Impact Study is that this is a vibrant Library that is operating Downtown, we are relocating it and not creating a new facility and he feels that it is unfair for to existing institutions in our Downtown to have to pay a fee to continue to exist.

Mr. Friedman stated that he has a concern regarding the turn off of Innovation Way behind the parking lot for the Post Office. Have you looked at this very closely to make sure that it would not be problematic? Responding to Mr. Friedman, Mr. Moore stated that the reason they did this is because they want their elderly users to have direct access to the Library from the lighted

intersection so that they can be stopped, use the light signal, then make the turn as it would be controlled. The radius would allow for this turn and it would be at a slow speed.

Mr. Friedman further questioned that, if in fact people would have to park on the other side of Loockerman Street across from the medians, there is a potential hazard for crossing and he does not feel that there would be a controlled way for them to cross. Responding to Mr. Friedman, Mr. Moore stated that there are cross walks at the lighted intersection. Long term it may be best that the median that is now located in front of the reading garden be modified because it does not need to be that wide and is something they will talk to DelDOT about.
Colonel Welsh stated that architecturally, the plan is superior. The plan and parking has been well thought out. He would question what authority we have regarding a Traffic Impact Study? Responding to Colonel Welsh, Mrs. Townshend stated that we do not as it is not our street; it is a State maintained road. Staff has indicated to DelDOT that we do not necessarily believe that in the Downtown core it (a TIS) makes sense because they are limited of any improvements they would make in Downtown.

Colonel Welsh further stated that unless they make some significant in-roads and improvements to their process, this would serve as nothing more than a delay for this project.

Mr. Baldwin stated that he too feels that it is a good plan. His question would be if you expect the Post Office customers that would park on the west side of the building to traverse across the library parking lot? Responding to Mr. Baldwin, Mr. Moore stated that he feels that you will get people who will use both the Library and Post Office. You will get people who use the Library and then happen to use the Post Office in the same visit more so than you get now because fewer people use City Hall because it is day trip or traffic by foot that is not high.

Mr. Holt stated that he too thought that it is a great plan. He is glad to see that they picked up the mail box drop since a lot of people use this instead of going into the Post Office. Responding to Mr. Holt, Mr. Moore stated that the one thing that has to happen is that we will need to go back to talk to the Post Office to make sure that they do not mind us moving it and that we agree on the location which is why we proposed two locations so that we had that option.

Mr. Holt further stated that there has been a lot of rumor regarding the Post Office moving to another location. Responding to Mr. Holt, Mr. Moore stated that they were starting to look before the economic downturn and then they had some budget problems so that process slowed down. One of the issues that they have is that they would like a more suburban location for their trucks and major transit and still have presence downtown for the people who come in. They want to stay Downtown; however, do not like the fact that they have the entire operation that is not best served to be in the Downtown in the Capitol Complex which is what they want to get out of here the bigger trucks and transit pieces.

Mr. Holt further questioned that you are calling this the "Dover Anchor Library;" is this in relationship to the Kent County Library and the Dover Library merging? Responding to Mr. Holt, Mrs. Cyr stated that there is a statewide master plan for library services across Delaware and in the statewide master plan each county in Delaware is to have an "anchor facility." The role of the "anchor library" facility is to serve as the largest facility with the largest, most in-depth collection of

both reference and circulating materials to be able to serve not only the customers in our region; however, also the other libraries. It is Dover's role as an "anchor" facility to provide professional services and support to the people as well as the libraries in the county.

Mr. Tolbert questioned as an "anchor library" does that mean that there would be more people hired? Responding to Mr. Tolbert, Mrs. Cyr stated that we know that we would need 2.5 more people in the building, one custodian, one full time librarian, and one library page to be able to put away materials.

Mr. Nichols stated that the plan shows one hundred fifty-four (154) parking spaces that includes the thirty-three (33) parking spaces on leased property that Wilmington Trust owns. The other figure that is shown is one hundred eight-five (185) spaces which includes the Wilmington Trust parking of thirty-two (32) parking spaces on their lot that comes off of Kings Highway. There are actually forty-seven (47) parking spaces for Staff and employees of City Hall and if you take the forty-seven (47) off of the one hundred fifty-four (154) there would be one hundred seven (107) parking spaces. Is the City Hall and Staff parking going to be in a designated place in this area that you have out here now? Responding to Mr. Nichols, Mr. Moore stated regarding the Wilmington Trust parking spaces that you referred to, we did not count; so they did not get counted in any of the totals that he presented tonight. As for the City Hall, the fifty-six (56) parking spaces that are required by code does cover City Hall and we believe that those same fifty-six (56) spaces that are here will continue to be used by City Hall.

Mr. Nichols further questioned if the twenty-two (22) designated parking spots would be from the entrance to this project to City Hall? Responding to Mr. Nichols, Mrs. Moore stated that there are two numbers for on-street parking. The twenty-two (22) spaces is located on Innovation Way and is what will be reclassified as fifteen (15) minute parking. The forty-three (43) spaces that he referred to are on-street parking on Loockerman Street on both sides of the street. We are counting none of those in our calculations and is part of his request for the waiver because there is concentration of on-street parking that is unusual.

Mr. Friedman opened a public hearing.

Mr. Gary Patterson – President, Downtown Dover Partnership – Stated that his Board asked that he come and express their support for the Library, as we see it as a greater good for Downtown. We will see benefits for years to come just as we have from the existing Library. Our Parking Committee has endorsed the parking redesign as it has long made sense for them to see the connection to Kings Highway and this project brings that to fruition. The Department of Transportation will soon be our partners in several projects in Downtown and we have great respect for them; however, he will tell you that the Partnership was amused by the requirement for a Traffic Impact Study in what we see as a very urban and growing urban area. We thought the goal of the State was to focus development in Downtown areas where there is infrastructure and people.

Mr. Bill Neaton – Director, Downtown Dover Partnership – Stated that he is here to endorse the parking plan and would like to formally read the motion that the Parking Committee made to endorse the waiver for parking. "At its regular meeting on March 2, 2010 the Parking Committee of the Downtown Dover Partnership approved the following motion; Ms. Anita Evans moved that the

Parking Committee accept the proposal for a seventeen (17) percent reduction in the required parking spaces for the proposed Dover Public Library, the motion was seconded by Mr. Ted Nutter and the motion was passed with Mr. Mike Ambruso abstaining."

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

Mr. Friedman questioned if there was any escape plan if we are wrong? Do you think this traffic flow is going to work? Responding to Mr. Friedman, Mr. Moore stated that in their mind they are not wrong. Seven (7) current parking spaces are designated at the existing Library and that facility has been operating there for a long time. What he is saying about the peaking of that facility later and the parking is that it is available to folks in our Downtown area. The sites are too close together for that to change and we are massively increasing the amount of parking available to the Library so it will be a better condition than what they have now.

Mrs. Townshend stated that they focused on the different peaks and you talked specifically about City Hall and the Library because the parking calculation is done in conjunction; however, that same different peak issue would be the same for the Library and DNREC and the library and the State office buildings. The times that the Library is going to receive the heaviest usage is not the time that State office and City offices are not in operation.

Colonel Welsh questioned for a motion, are we making two motions? Are we making a motion for approval of the Site Plan review and then a motion for the Architectural Review Certification? Responding to Colonel Welsh, Mrs. Townshend stated that it could all be done in one motion.

Colonel Welsh moved to approve S-10-06 Dover Public Library Site Plan Review and Architectural Review Certification to include approval of three waivers: reduction of parking space requirements, elimination of loading spaces, and partial elimination of curbing along with all DAC comments seconded by Mr. Tolbert and the motion was unanimously carried 6-0 with Mr. Shomo, Mr. Hemmig and Mr. Ambruso absent.

Mr. Moore stated for the record, he would like to ensure that they have the ability to relocate some of the grass around the catch basins and to also add the parking on the DNREC location on the construction plans as noted.

Colonel Welsh moved to amend his motion to reflect the request to relocate some of the grass around the catch basins, flexibility in curbing, and to also add parking on the DNREC location on the construction plans, seconded by Mr. Tolbert and the motion was unanimously carried 6-0 with Mr. Shomo, Mr. Hemmig and Mr. Ambruso absent.

Meeting adjourned at 8:47 PM

Sincerely,

Diane Metsch
Secretary

City of Dover

ARCHITECTURAL REVIEW REPORT
Review of Alternative Materials Request
Recommendation of the Dover Historic District Commission
Meeting of July 21, 2011
For Consideration by the Dover Planning Commission
Meeting of August 15, 2011

Application: State Street Commons, HI-05-03 and S-06-19

Location: Southwest corner of South State Street and Water Street, Dover 502 South State Street, 508-518 South State Street, and Water Street

Current Request for Review:
A request from the Onix Group has been received regarding the State Street Commons project. Their request is for the use of an alternative material for the building entrance railings at the porches and porticos on the new building. They are seeking approval to allow the use of a white vinyl (PVC) handrail system for the entrance railings as installed by the project developer. A letter dated July 7, 2011 is presented for Review and Action on the Architectural Review Certification by the Planning Commission. See attached documents.

RECOMMENDATION OF THE HISTORIC DISTRICT COMMISSION:
At their July 21, 2011 meeting, the Historic District Commission reviewed the revised submission pertaining to the use of an alternative material for the building entrance railings at the porches and porticos on the new building. The following members were present: Chairman Dick Scrafford, Mr. Terry Jackson, Mr. Chaz Salkin, Mr. Joe McDaniel, and Mr. George Fisher. The revised submission was represented by Constantine Malmberg, representing the applicant Onix Z.

Action Taken by Historic District Commission: The motion on the recommendation passed 5-0 of the members present. **The Historic District Commission recommends that the white PVC (vinyl) railing system be replaced with a black metal railing system throughout (for all entrance railings) and that the landscape plantings be designed to be appropriate to the structure and location without consideration of blocking the railings.**

This Recommendation is forwarded to the Planning Commission for the final action on the revised Architectural Review Certification.

The following information was considered by the Historic District Commission in marking their recommendation including the initial recommendations made by Planning Staff in regards to the revised submission. See also attachments of the previous Recommendation Report for the project and meeting minutes. Discussion at the Historic District Commission meeting also material options and appearance of a black metal railing system and a white vinyl railing system, landscaping between the sidewalk and railing, and project status.

Project History:
In March 2006, the Historic District Commission conducted a public hearing and took action in order to make a recommendation on the Architectural Review Certificate for the State Street Commons project. Construction later commenced on two connected 2 ½ story office buildings of 12,000 S.F. each for a total of 24,000 S.F with a two level parking garage. The existing brick office building at 502 South State Street consisting of 3,222 S.F. also remains. The property consists 35,061 square feet ± of land zoned RG-O (General Residence and Office Zone) and subject to the H (Historic District Zone). The property is located at the southwest corner of South State Street and Water Street. The owner of record is YOZIMA, LLC; request received from Onix-Z, LLC.

As presented in March 2006 (drawings dated 10/14/05 and 1/10/06), the proposed new buildings were shown with elevated first floor entries which necessitated a railing system for the steps and associated porch or portico areas. The specific material is not listed on the elevation drawings presented to the Historic District Commission. Metal railings are specifically shown on the drawings and discussed for the parking garage wall.

There were no exterior changes proposed for the existing brick building at 502 South State Street; it has metal railings at its front entrance. No changes are proposed with this request for the building at 502 South State Street.

Architectural Review Certification Review and Action:
Following a presentation on the project, the discussion at the Historic District Commission meeting of March 16, 2006 also included questions pertaining parking garage access, siding material choices, finish floor height of the first floor, and the requested waivers for the project. The Historic District Commission recommended approval of the Architectural Review Certificate for the State Street Commons project including the setback and floor area ratio waivers and recognized a series of comments and recommendations (Items #1-12) as conditions. (See the attached copies of the Architectural Review Certification Recommendation Report and Meeting Minutes.)

On June 20, 2006, after a public hearing and review the Planning Commission granted approval of the Architectural Review Certificate for the State Street Commons project following the recommendations of the Historic District Commission. (See attached excerpt of Meeting Minutes.) The Final Site Development Plan approval was granted on June 17, 2008 and the Building Permit #08-1193 was then issued for construction of the building shell (no interior fit-out). The construction plans submitted and approved as part of the Building Permit identifies the railing system for the building entrances as a metal stair railing with the larger columns (one entry with round columns and second entry in square columns) in a molded woodwork product (Fibertech). The railing at the top of the mansard roof on the end units (trim system #1) was identified to be constructed of a molded woodwork product and the railing on the brick wall of the garage was identified as a metal railing. To date the building has not completed construction and a Certificate of Occupancy has not been issued. The applicant has also has other site compliance issues to address.

Review of DESIGN STANDARDS AND GUIDELINES

Location within the Dover Historic District Zone requires proposals for demolition, new construction, additions, and certain renovation or rehabilitation activities to existing buildings to receive an Architectural Review Certificate. As stated in the *Design Standards and Guidelines for the City of Dover Historic District Zone,* an Architectural Review Certificate will be granted "if it is found that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district." In accordance with Article 10 §3.2, the Historic District Commission will provide a recommendation to the Planning Commission regarding the alternative materials request and its compliance with the architectural review standards.

This request for alternative materials must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. For the new buildings, the applicable review considerations are the design criteria and development guidelines associated with "New Construction" (Chapter 4: pages 4-1 through 4-8). "Materials" is one of the guidelines for new construction to be considered in the review by the Historic District Commission (and Planning Commission) of the project for Architectural Review Certification. Other guidelines focus on style, scale, elevation of the first floor, floor-to-floor heights, bays, windows and doors, absolute size, massing, orientation, proportions, forms, siting, and high density/large scale construction.

Porches and Steps are discussed on pages 3-16 through 3-20.Staff notes that the *Design Standards and Guidelines* do not specifically discuss the use of vinyl (PVC) materials and other similar composite materials to replicate features traditionally made of wood.

STAFF COMMENTS AND RECOMMENDATIONS

The following are Staff comments and recommendations for this submission requesting the use of alternative materials for the project and Architectural Review Certification.

1. Staff recommends conditional approval of the revised Architectural Review Certificate pertaining to the use of alternative materials (white PVC Railing System). While the vinyl materials can replicate the form of railings (handrail and balustrade elements) for porches and porticos, the material may not be appropriate for use in all areas of the Historic District and therefore must be evaluated for each project and property location. This project is located on the edge of the Historic District and is proposed for use on a new, modern building construction project. The following conditions on the use of vinyl materials for this project are suggested:
    a. The existing white PVC railing system may remain for those units where the railing system is integrated with and connected to a column system supporting a porch roof.
    b. The 'free-standing' railing system on the two end units of the buildings (on each frontage) is recommended to be changed to the black metal railing system.
    c. Require the establishment of landscape plantings minimize the visual impact of the vinyl railing system. Careful selection of the plantings will be necessary due to

space limitations and to avoid conflicts with utilities and stormwater facilities. On-going care and maintenance trimming will be necessary of any plantings.

d. The design detail information on the railing system and the landscape plantings proposal must be submitted to the Planning Office for review.

2. Any revisions or changes in the identified materials may be subject to further review by the Historic District Commission.

3. In utilizing the alternative materials, the requirements of applicable the building code or fire code must be complied with. Consult with the Chief Building Inspector and Office of the Fire Marshal for these requirements and any requirements for the submission and review and approval process for addendums to the Building Permit which may be necessary with this change in materials. Proper installation of the materials is also important.

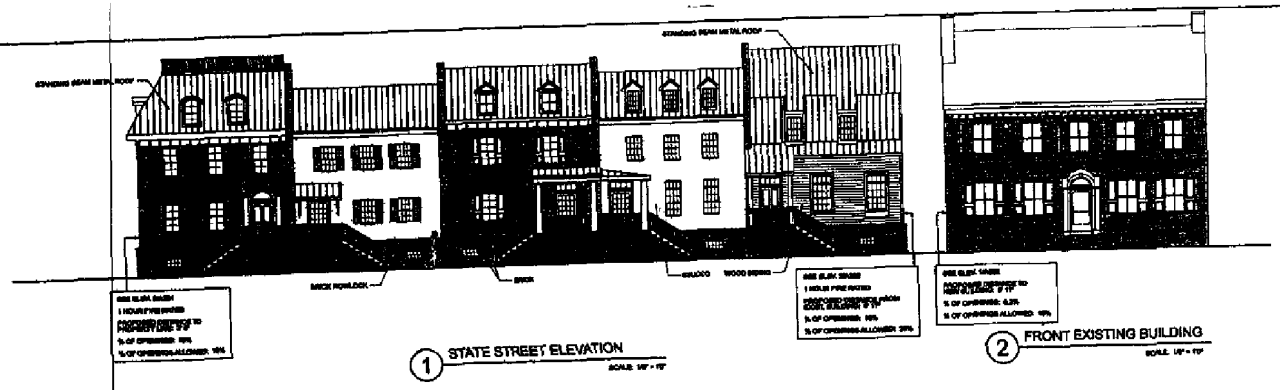
4. In the event, that major changes and revisions to the building design and materials or site plan are proposed contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Historic District Commission.

5. It is noted that action on this specific element of the project does not confirm that all aspects of the project are in compliance with the permits, Site Plan approvals, or Architectural Review Certification previously issued. The buildings are subject to Certificate of Occupancy inspections to confirm compliance.

    a. The other exterior detailing elements of the new buildings such as, but not limited to, the installation of shutters, rooftop railing, landscaping, etc. must be implemented.

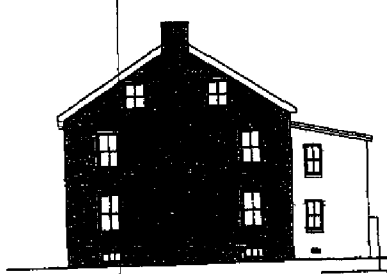
Attachments:

- Letter of 7/7/2011 from Onix Group
- HI-05-03 Architectural Review Certification Recommendation Report
- Meeting Minutes of March 16, 2006 Historic District Commission Meeting
- Meeting Minutes of June 20, 2006 Planning Commission Meeting
- Current Photographs of Project
- Elevation Drawings, revision date 1/10/2006

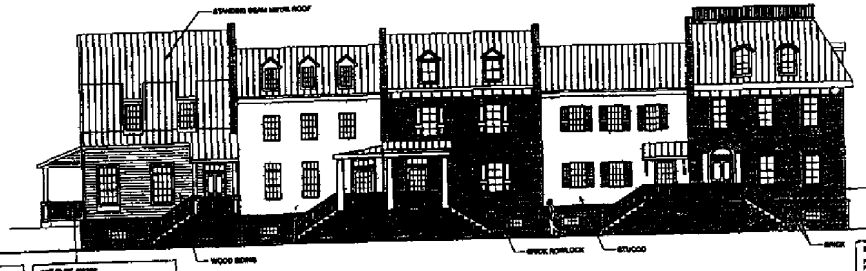


1 STATE STREET ELEVATION

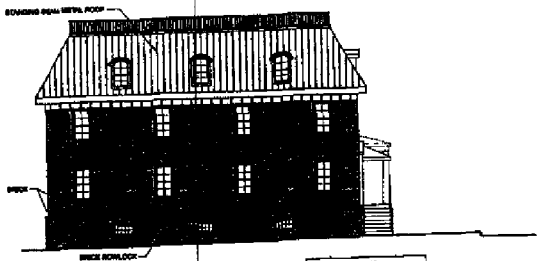
2 FRONT EXISTING BUILDING



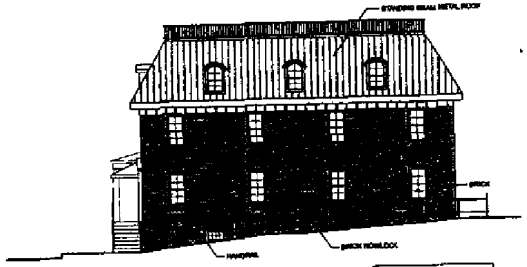
3 SIDE EXISTING BUILDING



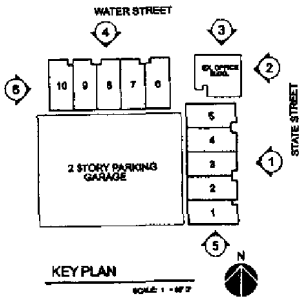
4 WATER STREET ELEVATION



5 SIDE ELEVATION - STATE ST



6 SIDE ELEVATION - WATER ST



KEY PLAN

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Dover

Salisbury

Wilmington

STATE STREET COMMONS

STATE ST. & WATER ST
DOVER, DELAWARE

BUILDING ELEVATIONS

PROJECT NO:

DATE: 01.05.05

SCALE: AS NOTED

DRAWN BY: NJC CHECKED BY: GRM

A201

ONIX
GROUP

150 Onix Drive
Kennett Square PA 19348

484-731-2500 | fax 484-731-1234
www.onixgroup.com

July 7, 2011

Ann Marie Townshend, AICP
Director, Planning & Community Development
City of Dover
PO Box 475
Dover, DE 19901

Re: State Street Commons project
502 S. State Street, Dover, DE
Historic District Commission Architectural Review Certification

Dear Ms. Townshend:

On behalf of Onix-Z, LLC, please accept this letter as a request for an architectural review by the City of Dover's Historic District Commission. The purpose of the request is limited to determine requesting approval by the Historic District Commission for the white PVC handrails at the State Street Commons building located on the corner of S State Street and Waters Street.

On March 30, 2011, Onix-Z, LLC became the secured creditor for the State Street Commons project. We are proceeding to complete all punchlist items so that the building is available for use. The original developer, Yozima LLC, installed a white handrail system throughout the property. The white handrail system has been brought up in discussion as a concern with the Historic District Commission.

I understand that black iron handrails are preferred for properties located within the City of Dover's Historic District. However, the design, architectural style, and appearance of the existing handrails are in general harmony with the property and neighboring structures. The elevations facing both State Street and Waters Street contain an abundance of white surfaces and materials which compliment the white handrails. The white surfaces found throughout the exterior of State Street Commons include, but are not limited to, the window/door trim, soffit, window panes, support bracing/columns and the down spouts; all of the white materials/surfaces allow the existing handrail system to blend in naturally.

Please accept this letter as a request that the Historic District Commission review State Street Commons and issue a certificate permitting the existing handrails as installed.

Sincerely,

Tyler Daviduk
Project Manager
Onix Group

ARCHITECTURAL REVIEW STAFF REPORT
Before Dover Historic District Commission
March 16, 2006

Location:	502, 508, 512 and 516-518 South State Street
Tax Parcels:	ED-05-077.09-03-70.00-000 ED-05-077.09-03-71.00-000 ED-05-077.09-03-72.00-000 ED-05-077.09-03-73.00-000
Owner:	YOZIMA, LLC
Present Zoning:	RGO- General Residence and Office Zone H- Historic District Overlay Zone
Present Use:	502 – Office Building (508, 512, and 516-518 Residential dwellings demolished in July 2005)
Proposed Use:	502 – Office Building Two Office Buildings (new construction) and associated two-level parking garage
File Number:	HI-05-03

Project Description:
The Historic District Commission will act on a recommendation to the City of Dover Planning Commission for Architectural Review Certificate for the project known as State Street Commons. This application consists of the construction of two 2 ½ story office buildings of 12,000 S.F. each for a total of 24,000 S.F. The application also includes a two level parking garage providing 73 parking spaces on the site. The existing brick office building at 502 South State Street consisting of 3,222 S.F. will remain. The property consists of four parcels of land totaling 35,061 square feet ± of land zoned RG-O (General Residence and Office Zone) and subject to the H (Historic District Zone). The property is located at the southwest corner of South State Street and Water Street. The owner of record is YOZIMA, LLC. The property addresses are 502 South State Street, 508 South State Street, 512 South State Street, and 516-518 South State Street.

Property Information:
A series of four buildings was located on the west side of South State Street south of the intersection of South State Street and Water Street. The first building (502 South State Street) at the corner currently serves as an office building. The building at 502 South State Street is listed in the National Register of Historic Places as a contributing resource of the Dover Green Historic District (K-394.95 and K-219). The building description from the nomination is provided below.

> 502 State Street-James Bellach House/Christ Church Rectory - 1771; brick-Flemish bond, 2 1/2 story, 5 bay. This Federal dwelling has a gable roof. The cornice has scroll-like modillions. There is a double interior gable end chimney on the south side. The structure has a wide belt course between the first and second floors. The doorway is very elaborate. The door and rising sun fanlight, with curved tracery, are recessed. The frontispiece has fluted columns with elongated capitals and a dental gable with cornice return. Above the fanlight is a rounded arch with a keystone.

The other three residential dwellings buildings fronting on State Street were demolished in July 2005 without the proper permits. A report entitled "Historic Documentation of 508, 512, 516-518 South State Street" dated August12, 2005 is available for review at the Department of Planning & Inspections. It provides information on the ownership, history, floor plans, photographs, etc. of these three buildings. These buildings 508, 512, and 516-518 South State Street were also contributing resources of the National Register Historic District (K-394.96, K-394.97, and K-394.98).

This entire project site is located with the local Historic District Zone (H).

This 35,061 S.F. site (total of four parcels) was the subject of a previous application known as HI-02-06 Water Street Office Plaza II and also Site Plan S-03-09 Water Street Office Plaza II.

PROJECT PROPOSAL (Drawings dated 10/14/05 and 1/10/06):

This proposal involves the construction of two 2 ½ story office buildings of 12,000 S.F. each for a total of 24,000 S.F. One building fronts on South State Street and consists of five units. The units are attached in the appearance of townhouses. Each unit has a first floor entry elevated about four feet above the sidewalk. The exterior finishes consist of brick to a watertable height with either brick, stucco, or horizontal wood siding above and topped with a standing seam metal roof. Details include window trimwork, shutters, door trimwork surrounds, covered entries by pitched roof supported by columns, dormers, etc. The second building fronts on Water Street and also consists of five units following the same exterior material choices and detailing.

This application also includes a two level parking garage providing seventy-three (73) parking spaces on the site. The garage is screened from State Street and Water Street by the buildings. Along the west property line, this project is proposed to share a driveway with the adjacent property for access. The parking garage has a lower level and an upper level each with its own entry point. The upper level of the parking garage is elevated about four feet above the level of the South State Street. This difference in height results in a brick wall along the south property line. This wall is clad in brick with no detail elements or surface changes. It is topped with a metal railing.

The existing brick office building at 502 South State Street consisting of 3,222 S.F. will remain. A sidewalk connection from each street is provided between this existing building and the proposed buildings.

See attached elevation and section drawings and site plan drawings for detailed information on building dimensions, locations, and material choices.

Review of DESIGN STANDARDS AND GUIDELINES

The subject property is located in the Dover Historic District Zone within The Green historic context. The historic context is described on pages 2-3 through 2-5. Location within the Dover Historic District Zone requires proposals for demolition, new construction, additions, and certain renovation or rehabilitation activities to existing buildings to receive an Architectural Review Certificate.

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

This proposal must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. Information on the proposed project and the review considerations is given below.

New Construction

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

- Style
- Scale *(building to reflect dominant cornice and roof height of adjacent buildings)*
- Elevation of the First Floor
- Floor-to-Floor heights
- Bays, windows and doors *(size, relationship, spacing of)*
- Absolute Size *(compare overall size of new building)*
- Massing *(relationship of solid-to-void)*
- Orientation *(location of primary façade)*
- Proportions *(comparison of height to width of building and elements)*
- Materials
- Forms *(shape of building and roof to be complementary)*
- Siting *(location of building on lot and in relation to street)*
- High density/ large-scale construction

The proposed project must also be reviewed for compliance with the standards established by the *Zoning Ordinance*. The standards include items such as setbacks from property lines, lot coverage, height, etc. This Proposal for the new office buildings does not conform to several of the bulk requirements of the RG-O Zoning District and requires waivers from the Historic District Commission. The *City of Dover Zoning Ordinance* authorizes the Historic District

Commission to waive certain bulk standards when issuing its recommendation to the Planning Commission for an Architectural Review Certificate.

The waivers* requested by the project:

Request	Bulk Standard	Ordinance requirements	Applicant proposal	Building
1	Front Yard Setback	30 feet	5 feet	S. State St. Building Water St. Building
2	Side Yard/ Rear Yard setback	15ft 20ft	< 3 feet	Parking Garage
3	Floor Area Ratio	0.50	0.091 Existing building 0.684 Proposed buildings 0.78 Site total	Entire site

*Note: The overall lot coverage of the site within the RGO Zoning district is limited to 85%. This Site Plan indicates a lot coverage of 84.7%.

STAFF COMMENTS AND RECOMMENDATIONS

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

1. Staff recommends conditional approval of the Architectural Review Certificate for the construction of the project. These conditions are recommended by Staff to improve the project's compliance with the recommended guidelines of the Design Standards and Guidelines. The following are recommended conditions:

    a. Clarify the building footprint versus the building front elevations and entrance door/stairs. The Site Plan indicates an indention in the building façade which does not appear to follow the elevation drawings and there differences in the location of the entry doors to each unit.
    b. Clarify the roof pitch on each unit of the proposed building.
    c. Windows are recommended to be double hung windows with true divided light panes or stimulated divided light system (not snap-in grills). Clarify the window specifications.
    d. The porch-like area (shed roof , columns, and railing) on the east end of the Water Street Building (unit 6) should be extended south to fully cover the access stairs down to the parking garage lower level.
    e. Add details such as engaged columns/pilasters to divide the exposed south wall of the parking garage to avoid the large expanse of blank wall. These column elements could be extended higher to become part of the metal railing system.
    f. The material choice and details of the metal railing system must be provided. It is recommended to divide it intermittently with a larger support posts inserted at sections of the metal railing and to use a black colored/painted metal railing.
    g. The applicant is encouraged to contact the adjacent property owner to the south to discuss removal of the existing chainlink fence with white slats and the opportunity to provide additional landscaping in this area. It is anticipated that site

construction activities for the parking garage and wall along this location will affect the fence; therefore, necessitating a construction easement.

h. The west wall of the parking garage should also include greater detail. Additional detailing or ornamentation is recommended in the form of a column, engaged pilaster, etc. to define and provide added protection at the entrance corners. The header across to top of the lower level garage entrance should be detailed.
i. Size and material details must be provided for the Dumpster enclosure on the upper level of the parking garage. Access to this location may be a concern.

2. Staff requests the Project Engineer to re-calculate the total lot coverage for this project to confirm the 84.7%. The plan appears to have greater impervious lot coverage with the buildings, sidewalks, and parking garage areas. If the lot coverage is greater than 85% a waiver is required.

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

4. The proposed landscaping including tree plantings should be completed with species appropriate to the site conditions especially the planter locations on the upper level of the parking garage and consideration of the impact to the lower level parking garage.

5. The location of mechanical equipment should be identified. The mechanical equipment should be enclosed with appropriate screening devices such as appropriately scaled walls, landscaping, roof mounting, or other similar treatments to screen it from the public right-of-way.

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

7. Documentation of the cross access easement with the adjacent property owner must be provided for the proposed sharing of the driveway access from Water Street to access to this site and its parking garage.

8. The request for a reduction in the required number of parking spaces must be reviewed and approved by the Planning Commission. The Site Plan must comply with the Code requirements unless a waiver is specifically granted.

9. 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 Historic District Commission.

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

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

12. The applicant shall be aware that a Sign Permit is required to proceed with the placement of signage on the property.

Historic District Commission Action Required

The Historic District Commission shall consider the proposal and provide a recommendation to the Planning Commission in regards to the Architectural Review Certification for the project site development plan. The recommendation should reflect consideration of the *Design Standards and Guidelines.*

CITY OF DOVER

HISTORIC DISTRICT COMMISSION MINUTES

March 16, 2006 -- 3:00 P.M
Council Chambers

The City of Dover Historic District Commission met on Thursday, March 16, 2006, in the City of Dover Council Chambers. Members present were Chairman Mr. Jackson, Mr. Scrafford, Mr. McNair, and Mr. Robertson. **Roll Call:** All members present.

Staff members present were Dawn Melson, Scott Koenig, and Janelle Cornwell.

Mr. Jackson called the meeting to order at 3:00 P.M. and asked for any additions or deletions to the agenda.

Mr. Scrafford moved to approve the agenda as presented, seconded by Mr. McNair and the motion was unanimously carried.

Mr. McNair moved to approve the minutes of February 16, 2006 with any necessary corrections, seconded by Mr. Scrafford and the motion was unanimously carried.

COMMUNICATIONS

Ms. Melson stated that included in the packet for the Historic District Commission is a notice on the State Preservation Conference that will be held in Dover on Monday, May 15, 2006. The main venue for the conference will be the Schwartz Center. Other venues include Christ Church. If the Historic District Commission members are interested in attending, please contact Staff. If there are any members of the general public that are interested in attending they may contact the Planning Office at the City of Dover.

OLD BUSINESS

Ms. Melson stated that there were no items for Old Business.

NEW BUSINESS

HI-05-03 State Street Commons at 502, 508, 512, 516-518 South State Street: Architectural Review Certification

Ms. Melson stated that Staff will do a brief overview of the project. Then representatives of the application will be invited to come forward to explain the project.

Ms. Melson stated the project is known as State Street Commons and is located at the southwest corner South State Street and Water Street. There is an existing building on the property known as

502 South State Street. That building will remain on the property as part of the project. The project proposes the construction of two office buildings. One fronting on State Street and the other fronting on Water Street. The office buildings consist of 12,000 S.F. each and they are 2 ½ stories in form. Behind the buildings with access taken off Water Street is a two-level parking garage. The upper level is elevated about 4 feet off the elevation of State Street. The lower level is slightly underground. The parking garage has an exposed wall along the south property line that would be visible as you travel north on State Street. A second wall of the parking garage is somewhat visible from Water Street and visible as you enter the garage.

Ms. Melson gave a brief overview of the drawings. She stated that the corner building is the existing 2-story brick building that has the red roof and has undergone some recent renovations. One building is proposed to the south and the other to the west. They are not connected to the building located at the corner.

Ms. Melson stated that a series of elevations of the buildings were submitted in the packet. The project is broken up into a series of five units. Each series has a different roof treatment and exterior finish treatment and some are brick and others are stucco. There is one unit in the series that includes a horizontal siding pattern. The similar combination of five units is repeated on the Water Street side of the building.

There was an example provided that would see as you would travel into the parking garage between what is the multi-story building on the property to the west. The first entrance is to the lower level and upon continuing back it would be the entrance to the upper level parking deck. The parking deck has a brick wall that is topped with a metal railing. The same treatment also occurs along the south property line.

Ms. Melson discussed another example that consisted of the side elevation that is located adjacent to the office building that exists on the corner. This would be the view along the Water Street office building. This is a general area where a set of stairs goes down into the parking garage. There is an appearance of a porch-like structure to help cover the entrance to the stairs going to the lower level of parking.

Ms. Melson stated that the Historic District Commission would have to consider the *Design Standards and Guidelines for the City of Dover Historic District Zone* and make a recommendation on the Architectural Review Certificate. An Architectural Review Certificate is ultimately granted if it is found "that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district." The Design Standards and Guidelines specifically have some things to consider for new construction being:

- Style
- Scale
- Elevation of the First Floor
- Floor-to Floor heights
- Bays, windows and doors

- Absolute Size
- Massing
- Orientation
- Proportions
- Materials
- Forms
- Siting
- High density/large-scale construction

The other item that the Historic District Commission will need to consider is any waivers that are necessary to implement the project related to the bulk standards. Each zoning district sets up a series of standards for setbacks from property lines, floor area ratio, and the like.

Ms. Melson stated that with this project as with many in the Historic District some relief must be granted to the code requirements related to setbacks. There are three requests to be addressed related to the waivers:

1. Front Yard Setback 30 feet ordinance requirement, and 5 feet applicant proposal.
2. Side Yard Setback 15 ft. & Rear Yard Setback 20 ft. ordinance requirement, and <3 feet applicant proposal. This is due to the location of the parking garage facility.
3. Floor Area Ratio, 0.50 ordinance requirement, and 0.091 existing building that will remain on the site, 0.684 proposed buildings, and 0.78 site total applicant proposal.

As part of the project Staff has highlighted a series of comments and recommendations. Some of these are recommended as part of the review of the Architectural Review Certificate. They are comments that Staff feels that would improve the project's compliance with the recommended guidelines of the Design Standards and Guidelines. The Historic District Commission will look at these today for clarification. The following are recommended conditions:

a. The building footprint versus the building front elevations and entrance door/stairs that was presented. There appears to be a difference in the plan itself.
b. Clarifications were asked for on the roof pitch on each unit of the proposed building.
c. Windows are recommended to be double hung windows with true divided light panes or stimulated divided light system (not snap-in grills).
d. The porch-like area (shed roof, columns, and railing) on the east end of the Water Street Building (unit 6) should be extended south to fully cover the access stairs down to the parking garage lower level.
e. Add details such as engaged columns/pilasters to divide the exposed south wall of the parking garage to avoid the large expanse of blank wall.
f. The material choice and details of the metal railing system must be provided. It is recommended to divide it intermittently with larger support posts inserted at sections of the metal railing and to use a black colored/painted metal railing.
g. The applicant is encouraged to contact the adjacent property owner to the south to discuss removal of the existing chain link fence with white slats and the opportunity to provide additional landscaping in the area.
h. Staff requests the Project Engineer to re-calculate the total lot coverage for this project to confirm the 84.7%.

i. For building construction, the separation distances and other requirements of the building code or fire code must be compiled with. The resolution of these items may impact the site design including such items as building setbacks from the property line, building dimensions and height, building openings, and fire protection needs.
j. The proposed landscaping including tree plantings should be completed with species appropriate to the site conditions especially the planter locations on the upper level of the parking garage and consideration of the impact to the lower level parking garage.
k. The location of mechanical equipment should be identified. The mechanical equipment should be enclosed with appropriate screening devices such as appropriately scaled walls, landscaping, roof mounting, or other similar treatments to screen it from the public right-of-way.

Other comments relate to the process moving forward should the application move forward after today's meeting to the Planning Commission for review. The Planning Commission would focus on the need for a cross access easement. Currently, the access to the parking garage requires you to cross the adjacent property to the west. Documentation will be needed that permission has been granted by the property owner to the west.

Ms. Melson stated that the number of parking spaces for the project is something that will be subject to Planning Commission review. A site development plan has to be reviewed by the Planning Commission because of the location and scale of the project.

Ms. Melson stated that the Planning Commission ultimately will make a decision regarding the Architectural Review Certification for the project because it is a project that falls under their review.

Ms. Melson stated that today the Historic District Commission is asked to consider the proposal and provide a recommendation to the Planning Commission in regards to the Architectural Review Certificate. The Historic District Commission should also reflect consideration of the *Design Standards and Guidelines* for the Historic District of the City of Dover. The Historic District Commission can make use of the comments that Staff has provided in addition to any other comments and conditions they may choose to place in regards to the application.

Applicant Representatives:

Gregg Moore of the Becker Morgan Group, Crystal Cedar, and Doug Liberman of Larson Engineering

Mr. Liberman stated that they did not have any discrepancies with Staff comments or recommendations as presented related to the site issues. One of the items that Ms. Melson noted in her comments regarding site was to re-calculate the total lot coverage for this project to confirm the 84.7%. He stated that this calculation was done and they are at 84.7%. He stated that there will not

be a waiver of the ratio. The coverage ratio is to generate recharge on the green space. All the paving will be directed to the infiltration system.

Gregg Moore stated that again architecturally they had no comments or problems with the recommendations. He stated that they were willing to make the changes that were recommended. He stated that they were aware of the need to address the one elevation where the brick wall for the parking garage needed columns. He stated that they were willing to add the columns and integrate it into the railing system. This would give some relief to the elevation. He stated that he believes the style of architectural that they presented addresses the need and Historic Downtown for townhouse style with varied relief of roofs, and strong materials. In terms of mass and scale, it is consistent with the rest of State Street to the north. He stated that this was their goal.

Mr. Scrafford asked Mr. Moore if it included the coverage for the access from the garage to the building. Responding to Mr. Scrafford, Mr. Moore replied yes. Mr. Scrafford asked if both buildings were included. Responding to Mr. Scrafford, Mr. Moore replied that they actually have cover on the door that is shown on the side elevation and they are willing to extend the cover (canopy).

Mr. Moore asked if anyone had any questions.

Public Hearing

Mr. Jackson closed the regular meeting and opened the Public Hearing at 3:21 p.m.

Mr. Jackson asked if there was anyone wishing to speak from the public to come forward and state their name.

Mr. Joe McDaniel - 54 The Green
Mr. McDaniel stated that he was representing the Friends of Old Dover (Jack Ritter, the president). Mr. McDaniel stated that he was a former board member of the Friends of Old Dover and he was asked to speak before the body and endorse the project.

Ms. Ann Baker Horsey - The Green
Ms. Horsey stated that as a member of the Friends of Old Dover and as a private citizen she liked the project. She had a question in regards to the elevation of the first floor. She stated that upon looking visually and reading the Guidelines the first floor elevation should be 1 ft. 6" to 3 ft. above the sidewalk. She stated that the stoop appears to be higher than that. She asked to take it into consideration. She was unaware of how much of a design change it would be. She stated that in regards to the materials she was assured by Staff that no vinyl siding and some of the other more modern materials would be used if there were other materials that would fit well with the Historic District.

Responding to Ms. Horsey, Mr. Moore replied that they did not have a problem not going with vinyl. He stated that they had decided to use Hardi-plank. He stated that he was fine with the comments.

Also responding, Mr. Liberman replied that in regards to the finish floor elevations, the finish floor of the building is as little as 3 ft. to as much as 3.8 ft. along the north street side. A lot of this information was based from the parking garage underneath. It sets the elevation for the parking deck that would carry through to the first floor elevation of the building. He stated that they tried to break up and minimize the elevation with the location of the stoops and sidewalks as shown along the front of both buildings.

Mr. Jackson asked if they presently were at a limit on pitch getting into and out of the lower level of the parking deck. Responding to Mr. Jackson, Mr. Moore and Mr. Liberman replied that they could look at it for the Planning Commission stage. He stated that there was not much maneuver for lowering the elevation because of the floor ceiling and the lower garage. He stated that they are close enough to the requirements that they are generally in keeping with them. He stated that they were not out of character and the mass and height are very similar to the adjacent buildings on State Street. He stated that they would request that it be left as is.

Mr. Scrafford asked if it was a waiver item. He stated that he did not want to avoid an item and then have to do the application again. Responding to Mr. Scrafford, Mr. Jackson stated that he was comfortable with the item. Mr. Scrafford stated that it reads that the analysis was done on the various places within the community. They are appropriate numbers.

Mr. Scrafford closed the Public Hearing at 3:27 p.m. with no one else wishing to speak, seconded by Mr. McNair.

Ms. Melson stated that Staff would have a question on the motion specifically if that motion refers to inclusion of the Staff recommendations and comments as noted starting on page 4 and including page 5 and 6 of the report and the Commissions action in regards to the three waivers that were noted.

Mr. Robertson stated that the distance from the buildings to The Green is very short and he wanted to know if any consideration had been given by the applicants in regards to putting some type of notification to travelers going north on State Street. Responding to Mr. Robertson, Mr. Moore replied that they could take a look at it but they did not provide any kind of signage. Mr. Moore stated that they may be able to incorporate it into the architecture on the southern end.

Mr. Robertson stated that it may be something worth looking at from the point of view of tourism and information.

Mr. Scrafford stated that something was done when the streets pavement (blocks) were completed. He stated that signs were placed on each end of State Street.

Mr. Scrafford made a motion to approve application HI-05-03 as submitted with changes of Staff recommendations and comments and waivers, seconded by Mr. McNair and the motion was unanimously carried. All members were in favor with no one opposing.

CITY OF DOVER PLANNING COMMISSION
June 20, 2006

The Regular Meeting of the City of Dover Planning Commission was held on Tuesday, June 20, 2006 at 7:00 PM with Chairman Friedman presiding. Members present were Mr. Friedman, Mr. Baldwin, Mr. Holt, Mr. Tolbert, Mr. von Reider, Mr. Nichols, Colonel Welsh, Mr. Benton and Mr. DiMondi (arrived at 7:15 PM)

Staff members present were Mrs. Townshend, Ms. Melson, Ms. Cornwell, and Mrs. Duca. Also present were Mr. Garth Jones, Mr. Joe Mills, Mr. John Griffin, Mr. Gregg Moore, Mr. Conny Malmberg, Mr. Roger Stanley, Mr. Keith Kooker, Mr. Joseph Carbonell, and Mr. Robert Furman. Also speaking during public hearing was Mrs. Robin Alexander, Mr. Richard Kosior, Mrs. Kathy Kosior, and Mrs. Holly Bradford Johnson.

...
Excerpt of application S-06-19 State Street Commons. Starting on Page 4 through Page 8 of original Meeting Minutes....

S-06-19 State Street Commons – Office Buildings at 502, 508, 516-518 South State Street – Public Hearing and Review of a Site Plan and Architectural Review Certificate to permit the construction of two (2) 2 ½ story office buildings of 12,000 S.F. each for a total of 24,000 S.F. The application also includes a two level parking garage providing 73 parking spaces on the site. The existing brick office building at 502 South State Street consisting of 3,222 S.F. will remain. The property consists of four parcels of land totaling 35,061 square feet ± of land zoned RG-O (General Residence and Office Zone) and subject to the H (Historic District Zone). The property is located at the southwest corner of South State Street and Water Street. The owner of record is YOZIMA, LLC. The property addresses are 502 South State Street, 508 South State Street, 512 South State Street, and 516-518 South State Street. Tax Parcels: ED-05-077.09-03-70.00-000, ED-05-077.09-03-71.00-000, ED-05-077.09-03-72.00-000 and ED-05-077.09-03-73.00-000.

Representative: Mr. Conny Malmberg, principle with the Project; Mr. Roger Stanley of Larson Engineering; and Mr. Gregg Moore, Becker Morgan Group.

Ms. Melson stated that the project itself is two office buildings, one fronting on South State Street, and the other fronting on Water Street with a two level parking garage that is buffered by these office buildings. The office buildings, while in appearance look similar to what are townhouses; they are actually individual office buildings and are not residential in nature. They have a mixture of exterior choices with a brick water table, elevated first floor entry, and either wood siding, stucco or a brick finish to them. Overall, each building is a 12,000 square foot building for a total of 24,000 square feet.

Ms. Melson further stated that when you add in the existing building on site, the total building area in square footage is 27,222 square feet. That calculation is important because it is used to then calculate the parking requirements for the site. The site itself is based on parking of one parking space per 300 square feet of floor area and this would total to a required ninety-one (91) parking spaces. The applicant is seeking a waiver this evening to reduce the parking requirement

by twenty (20) percent. Shown currently is a two level parking garage with a total of seventy-four (74) spaces. There is a lower level that has a distinct entry and then an upper level that has its own entry. The entrance is gained off of Water Street in what would be a shared driveway with the adjoining building. Staff has requested documentation of the cross access easement for vehicles to travel across this other property to gain access to the project site.

Ms. Melson further stated that also related to parking spaces is a waiver request for loading. The project would require one loading space and as none is shown on the plan, they have made a request to waive that requirement.

Ms. Melson further stated that this site did go before the Historic District Commission and the Planning Commission received what is the review and recommendation report for it from the Historic District Commission. In that report, the recommendation of the Historic District Commission was for approval with a series of conditions that were outlined in their review. Some of the items involve clarification of some of the building elements and suggestions for that. One of the improvements that the Historic District Commission did recommend was with regards to the exposed wall parking garage to ensure that this element is not a flat blank wall and that there is a pier system that then extends above the base of the wall up into what is the railing area of the wall itself. Other comments focused on other elements of detail for the site and some of the cautions with the process moving forward. They also reviewed several waiver requests related to the bulk standards for the project and as such, they recommended approval for the following waivers: approval of establishing the front setback at five (5) feet, recommending approval of the rear and side yard setback reflected and show on the plan which is less than three feet due to the location of what is the edges of the parking garage, and to approve the floor area ratio of 0.78 for the site.

Ms. Melson further stated other Planning Office comments and review of the project includes a landscape plan which is a mixture of trees that are proposed along the street sides of the building and then within the parking islands on the upper level of the garage. In addition, our comments focus on the documentation of the cross access easement. This property is currently several parcels so a parcel consolidation plan will be necessary. Action on both the requests for the parking space waiver and the loading space waiver will need to be considered tonight by the Planning Commission. Planning Staff is recommending approval of those two waiver requests. One other recommendation from Staff is that they work with the adjoining property owner to the south which is Kent General Hospital/Bayhealth with regards to what is the existing chain link fence that has the white slat system to hopefully remove this fence and just provide additional landscaping in this area. Construction activities on the site related to the garage and the building will impact this fence so we hope that they do coordinate with their neighbor.

Ms. Melson further stated that other agencies commenting include standard comments from the Public Utilities Department related to sewer and water infrastructure on the site, the Electric Department, and the Fire Marshal's Office related to fire protection elements. DelDOT is asking for some additional information regarding traffic generation to consider what is the entrance along Water Street which is a State maintained road in that area. The Kent Conservation District requires a detailed stormwater and sediment management plan. For this project they are proposing an underground system in the southern area of the project.

Mr. Friedman opened a public hearing.

Mr. Richard Kosior – 12 Elm Terrace – Stated that the question he had was with regards to the parking waiver. The City of Dover, especially the downtown area, has a considerable parking issue as it is and the reduction of the required parking spaces per City ordinance will propose a greater burden on Elm Terrace that already exists. Elm Terrace is a narrow residential street area with numerous families that have numerous small children in the area. We are concerned by reducing the available parking spaces by seventeen (17) from what is required by City ordinance that the overflow parking will find its way onto Elm Terrace.

Mrs. Kathy Kosior – 12 Elm Terrace – Stated that this is her concern as well, the parking waiver. We understand that the Planning Commission granted a waiver in March 20, 2000 for the building next door which also had a twenty (20) percent reduction to save seventeen (17) spaces. She believes that they rent some spaces across the street in the Water Street parking lot because they do not have enough spaces. She does not know when they started renting these spaces; however, they obviously need them. If the same thing is done here now, they are going to need spaces sooner or later whether it is later down the road. At some point in time, the Water Street parking lot is gone, which is what is being proposed and the buses move out to their new site and whether a building goes up or not, that parking is gone. Their question is where is everyone going to park and are they going to park on Elm Terrace? It is a very narrow street and their house was built in 1926. This road was not made for SUV's or mini vans. She had addressed this with the City of Dover and they have told her that fire trucks can get through on this street and she believes them as they told her they use to practice on this street. If you are putting up a parking garage, can you have the ninety-one (91) parking spaces that are required by law? Is this going to be a cumulative affect if you keep granting the waivers and people have to park somewhere.

Mrs. Kosior further stated that with regards to the Downtown Dover Parking report which was completed in February 2004, the policy change included: "One of the problematic processes that is leading to growing concerns of future parking capacity has been the recent allowance of new office developments with fewer parking spaces than typically required by code. This leaves the parking system to absorb the shortfall. To this point, the affects of the downtown parking supply have been manageable due to the preferable locations of recent office developments and the initial surplus of parking. It is evident that Dover is quickly reaching the point of where continuation of current trends would become very problematic for downtown parking supply and consequent downtown business interests." She knows that they are in the development area so the City of Dover would have to absorb those costs to provide parking somewhere.

Mr. Friedman closed the public hearing.

Mr. DiMondi stated with regards to parking and the equation that is used to equate the twenty (20) percent waiver, the other half of the equation is existing parking conditions being more than adequately met. What is staff's position regarding existing parking with regards to the testimony that was just heard?

Responding to Mr. DiMondi, Ms. Melson stated that the application that was mentioned for the adjoining office building did receive a nineteen (19) percent waiver of their parking needs. Some of their increased parking usage may be tied to the types of office facilities that are located within that building. Across the board, we have found that certain types of office users have a higher turn-over of parking needs than what our code currently requires.

Mr. DiMondi further asked Mr. Malmberg who is the proposed occupant of these office buildings? How can they be distinguished between those that are obviously creating problems that warrant securing, by lease, additional spaces across the street in the Water Street lot?

Responding to Mr. DiMondi, Mr. Malmberg stated that he did not know if the building proposed would require parking across the street. His understanding is that the mass transit facility is proposing to move to a different location which should free up this parking lot. Between this lot and the Water Street lot, there would be adequate available parking. The user of that building has a higher demand for parking than the typical office.

Mr. Friedman stated that he believes the reason we are giving up the ability to waive the parking is just for that reason. Usage is different for different tenants.

Mr. DiMondi moved to approve S-06-19 State Street Commons – Office Buildings at 502, 508, 516-518 South State Street. The first part of the motion is action in the affirmative with regard to the Site Plan that is approved as submitted subject to all the DAC comments of record with three sets of waivers being acted on in the affirmative: the first being bulk standards as they passed through the Historic District Commission with regard to front, side and rear yard setbacks as well as the floor area ratios as explained in the tabular chart located on page two of the DAC comments; also subject to an affirmative waiver to the applicant's request for a parking space reduction of twenty (20) percent under the powers granted to us pursuant of Article 6, section 3.9 of the ordinance; and an affirmative action with regards to the applicant's request for a waiver of the one loading space requirement this being an exercise of our discretion under Article 6, Section 4.22 based on the strength of the letters submitted by the applicant's engineer as well as the testimony developed tonight. The second part is action with regard to the recommendation from the Historic District Commission in terms of the Architectural Review Certification that is before us subject to the twelve requirements set-forth on pages two and three of the decision of the Historic District Commission Recommendation Report dated March 16, 2006 which is made a part of this motion, seconded by Mr. Nichols. The motion was carried with Mr. von Reider and Mr. Benton opposed.

Mr. von Reider stated that he had a problem regarding the parking situation. It would seem that what we are doing here is maximizing the amount of floor space and not leaving enough parking. The buildings are rather deep; whereas, if the buildings were not so deep, reducing floor space, you would have more space for parking and with your parking requirements being less, you could meet the parking requirements. There is at least a perceived parking problem in this area.

Mr. Benton stated that he was also opposed to this project because of the same reasons as Mr. von Reider.

MEMORANDUM

Department of Planning & Inspections
P.O. Box 475
Dover, DE 19903
Phone: (302) 736-7196 Fax (302) 736-4217

DATE: August 4, 2011

To: MI-11-06

FROM: Planning Office

SUBJECT: Physical Posting Templates

At its meeting of July 20, 2011 the Planning Commission requested that the templates to be used for physical posting requirements as part of the amendments to Article 10 of the *Zoning Ordinance* be revised. In your packet, you will find the Planning Staff's response to those requested changes. While not all of the recommendations could be incorporated due to space, size, and production related issues; Staff believes that the key elements of the requests have been accomplished, inclusive of:

- Less text overall, more concise language
- Inclusion of the application number and further contact information
- A graphic of the City of Dover Seal

Two versions of the posting are included. One relates to Site Plans and the other to Rezonings. Future physical posting templates will be based upon these. Planning Staff seeks approval of the templates as part of the policy adoption for Physical Posting requirements for Public Notice.

NOTICE

Dover Planning Commission Action

Site Development Plan

PROPERTY ADDRESS

APPLICATION

Public comment will be received at a Public Hearing on
Month, DATE 00, YEAR, at 7:00 PM
in the Council Chambers at City Hall at 15 Loockerman Plaza, Dover, DE 19901

Additional information regarding this application is available at the Dover Planning Office, located in City Hall.
(302) 736-7196

DO NOT REMOVE THIS SIGN FROM THESE PREMISES UNTIL AFTER THE ABOVE-LISTED DATE UNDER PENALTY OF LAW

NOTICE

Proposed REZONING

Action

A request to rezone

PROPERTY ADDRESS

from ORIGINAL ZONING to PROPOSED ZONING

Has been filed with the City of Dover Planning Department

Public comment will be received by Planning Commission at a Public Hearing on Month, DATE 00, YEAR at 7:00 PM and by City Council on Month, DATE 00, YEAR, at 7:30 PM in the Council Chambers at City Hall at 15 Loockerman Plaza, Dover, DE 19901

Additional information regarding this application is available at the Dover Planning Office, located in City Hall.
(302) 736-7196

DO NOT REMOVE THIS SIGN FROM THESE PREMISES UNTIL AFTER THE ABOVE-LISTED DATE UNDER PENALTY OF LAW

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the
Dover Planning Commission
August 15, 2011

Applicant/Owner:	Harrington Commercial, LLC
Address:	601 Fulton Street, Dover
Location:	North side of Fulton Street between Ridgely Street and the railroad corridor
Tax Parcel ID #:	ED05-076.08-01-14.00-000
Size:	0.486 +/- acres (21,170 S.F.)
Present Use:	Ambulance services
Proposed Use:	Ambulance services/Contractor's yard
Comprehensive Plan Designation:	Industrial
Present Zoning:	M (Manufacturing Zone)
Proposed Zoning:	C-3 (Service Commercial Zone)
Reason for Request:	To more closely align the zoning of the property with the current/proposed use on the site.
File Number:	Z-11-05

CITY OF DOVER PLANNING

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 4, 2011

APPLICATION: Lands of Harrington Commercial Realty at 601 Fulton Street – Proposed Rezoning from M to C-3

FILE#: Z-11-05 REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Ann Marie Townshend, AICP PHONE#: 736-7196

This rezoning application consists of one parcel of land, of approximately 0.486 acres, owned by Harrington Commercial Realty, LLC. The property is currently M (Manufacturing). The proposed zoning is C-3 (Service Commercial). The subject property is located on the north side of Fulton Street, directly west of the railroad tracks. Tax Parcel: ED-05-076.08-01-14.00-000.

Existing Property:
The property currently houses Prime Care Medical Transport ambulance service in the west side of the building. This was reviewed by the Planning Commission in November 2009 (C-09-08). The east side of the building consists of several garage bays that were not renovated or occupied along with the Prime Care location into this building.

Surrounding Land Uses:
There are a variety of zoning classifications surrounding the subject property, but all are industrial or light industrial in nature. The immediately adjacent property to the north and west is zoned IPM (Industrial Park Manufacturing). The property to the south across Fulton Street is zoned M (Manufacturing), as is the property to the east across the railroad tracks. There are several properties within the adjacent area that are zoned C-3 (Service Commercial).

Comprehensive Plan:
In the *2008 Comprehensive Plan*, the Land Development Plan (Map 12-1 as amended, dated 3/14/2011) recommends that this property be used for Industrial and Public Utilities Uses. Both the existing and proposed zoning classifications are consistent with this land use classification, according to Table 12-1: Land Use and Zoning Matrix.

Request for C-3 (Service Commercial)
The types of permitted uses in the C-3 (Service Commercial) are given Article 3 §15 of the *Zoning Ordinance*. The permitted uses include service establishments including dry cleaning and laundry plants; wholesale, storage, and warehousing establishments; bowling alleys, and animal

hospitals; motor vehicle, boat or farm equipment sales or service; motor vehicle service stations with restrictions; manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products for sale on or off the premises, provided that not more than 25 persons shall be engaged in such activity; and provided further, that any such use shall be subject to the performance standards procedures as set forth in Article 5 §8; newspaper and job printing; and ministorage facilities with restrictions.

Article 4, Section 4.15 of the *Zoning Ordinance* addresses the bulk standards for the C-3 Zone. The bulk standards are as follows:

	C-3 (Service Commercial Zone)
Minimum required:	
Lot area	
Lot width (ft.)	100
Lot depth (ft.)	100
Front yard (ft.)	25
Side yard (ft.)	20
Rear yard (ft.)	10
Side or rear yards which adjoin a residence zone (ft.)	30
Off-street parking	
Per 300 sq. ft. floor area or	1
Per employee (whichever is greater)	1
Maximum permitted:	
Building height	
Stories	2
Feet	30
Floor area ratio	0.5
Lot coverage	0.5

Recommendation of the Planning Staff:

This request is to rezone land from M (Manufacturing) to C-3 (Service Commercial). Staff supports the applicant's request, as the request is consistent with the *2008 Comprehensive Plan* as amended, and there is other C-3 (Service Commercial) zoning in the surrounding area. The C-3 (Service Commercial) and M (Manufacturing) zones allow for many of the same uses; however, all uses within the M (Manufacturing) zone are subject to Conditional Use approval by the Planning Commission.

This recommendation is being made without that benefit of hearing the comments of surrounding landowners and residents. A public hearing is required on this matter and the Planning Commission should give those comments consideration.

ADVISORY COMMENTS TO THE APPLICANT:

1) Prior to establishing any use on the subject property, including within the existing building, the applicant shall contact the Planning Office so that the appropriate review process can be determined and coordinated with other reviewing entities, including the Fire Marshal's Office, Public Utilities, and the Chief Building Inspector.

2) The applicant shall be aware that approval of any rezoning application does not represent Site Development Plan or Record Plan approval. A separate Site Development Plan must be submitted and approved if development activities are proposed on the property.

3) The applicant shall be aware that approval of any rezoning application does not represent a Building Permit or other construction activity permit approval. A separate application submission showing all improvements is required before issuance of permits by the City of Dover.

4) All businesses operating in the City of Dover are required to obtain a City of Dover Business Licenses from the Licensing and Permitting Division located in City Hall.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 28, 2011

CITY OF DOVER
PUBLIC UTILITIES
DEPARTMENT

APPLICATION: LANDS OF HARRINGTON COMMERCIAL: 601 FULTON ST.

FILE #: Z-11-05

REVIEWING AGENCY: City of Dover Public Utilities Department

CONTACT PERSON: Steve Enss - Electric
Sharon Duca, P.E. - 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 / WATER / WASTEWATER

1. Our office has no objection to the rezoning of tax parcel ED05-076.08-01-14.00-000.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service / main to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of water and sewer services and meters will be assessed at that time. Should the existing services no longer be required based upon the proposed use, they must be properly abandoned at the mains in accordance with all City of Dover Public Utilities Department standards and specifications.

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: Lands of Harrington Commercial 601 Fulton St.

FILE #: Z-11-05 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:

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.

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 /Storage Occupancy.

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: July 28, 2011

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APPLICATION: Lands of Harrington Commercial at 601 Fulton Street
FILE#: Z-11-05 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:

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
DEVELOPER APPLICATION MEETING DATE: AUGUST 2011

APPLICATION: Lands of Harrington Commercial

FILE #: Z-11-05

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 re-zoning plan 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.

1. *If at any time expansion or earth disturbing activity (clearing, grubbing tree clearing etc.) takes place and exceeds 5000 square feet; a detailed Sediment and Stormwater Management Plan must be submitted and approved to the Kent Conversation District.*

City of Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 4, 2011

PLANNING COMMISSION MEETING OF August 15, 2011

Plan Title:	McDonald's US-11-02
Plan Type:	Unified Comprehensive Signage Plan
Property Location:	North side of Holiday Boulevard, west of North DuPont Hwy. (U.S. Route 13) south of Scarborough Road (State Route 1)
Property Address:	1788 North DuPont Highway
Tax Parcel:	ED-05-057.01-02-02.00-000
Owner:	K W North, LLC
Site Area:	4.9 acres +/-
Existing Signs:	3 wall signs – to be removed 3 directional signs – to remain 1 pylon sign – to remain
Proposed Signs:	Number: 5 (5 walls sign) Square Feet: 123
Zoning Classification:	C-4 (Highway Commercial Zone)
Roadway Classification:	North DuPont Highway – Urban Principal Arterial

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 4, 2011

CITY OF DOVER PLANNING

APPLICATION: McDonald's Unified Comprehensive Sign Plan

FILE #: US-11-02 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Janelle M. Cornwell, AICP PHONE #: (302) 736-7010

PLAN SUMMARY:

This is an application to the Planning Commission for a Unified Comprehensive Sign Plan Approval. The Plan proposes the placement and installation of five (5) wall signs totaling 123 square feet around the building. The property is zoned C-4 (Highway Commercial Zone). The property is located on the north side of Holiday Boulevard, west of North DuPont Highway (U.S. Route13) south of Scarborough Road (State Route 1). The owner of record is K W North, LLC. The property address is 1788 North DuPont Highway. Tax Parcel: ED-05-057.01-02-02.00-000.

The proposed McDonald's will coincide with the existing Holiday Inn Express and the Sleep Inn that are currently operating on the same parcel. The project area qualifies for the Unified Comprehensive Sign Plan because the site has three or more principle structures under common management (Article 5 §4.8A2).

Previous Submittals

The site originally came before the Planning Commission for a Comprehensive Unified Sign Plan in 2000. At that time the Planning Commission approved signage for the Holiday Inn Express. The existing McDonald's signs were installed prior to the Comprehensive Unified Sign Plan. They also determined that the signage for the third building should come back to the Planning Commission for approval for any signage. (US-00-03)

SIGNAGE REGULATIONS

The *Zoning Ordinance* permits a property on an urban principal arterial three (3) signs: one pylon sign, one monument sign and one wall sign. For a property on an urban local collector two (2) signs are allowed: one wall sign and one monument sign. The following table illustrates the size and types of signs permitted under the *Zoning Ordinance*:

Use	Road Type	Sign Type	# Permitted	Max Size	Max Height	% of Wall	Setback (R.O.W.)	Exclusion Zone
Non-Residential uses in non-	Urban Principal Arterial	Wall Sign	1/frontage	No max	30 ft.	Less than 15 %	N/A	N/A
		Monument or post and	1/entrance	63 SF	10 ft.	N/A	10 ft.	50ft.

Residential districts		panel #or						
		Pylon Sign Or*	1/frontage	75 SF	30 ft.	N/A	15 ft.	150ft.
		Pylon Sign*	1/frontage	100 SF	30 ft.	N/A	31 ft.	150ft.
Use	**Road Type**	**Sign Type**	**# Permitted**	**Max Size**	**Max Height**	**% of Wall**	**Setback (R.O.W.)**	**Exclusion Zone**
Non-Residential uses in non-Residential districts	Urban Local Collector	Wall Sign	1/frontage	32 SF	30 ft.	Less than 15 %	N/A	N/A
		Monument or post and panel # Or	1/entrance	32 SF	7 ft.	N/A	10 ft.	50ft.
		Post	1/frontage	8 SF	7 ft.	N/A	10 ft.	25 ft.

Under the Uniform Campuses and Complexes section of the Sign Regulations (Article 5 §4.8), an applicant may request the Planning Commission to grant additional signage and sign area; however, "the number type and size of sign proposed may not be excessive and must be in proportion to the scale of the building and the uses on the site." For the Unified Comprehensive Signage Plans, there shall be architectural harmony and unity of signs within a united campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the center and the surrounding area. All Comprehensive Signage Plans must comply with all design guidelines found in Article 5 §4.4 of Design Requirements the ordinance, which focus on freestanding signs, material and craftsmanship of sign, wall sign placement, illumination, changeable copy signs and sign lettering size as well as all specific guidelines found in this section.

DESIGN GUIDELINES AND OBJECTIVES FOR COMPREHENSIVE SIGNAGE PLANS

In reviewing the overall sign package, each of the sign locations must be reviewed individually and as a whole. The Planning Commission must take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, business and property owners of the immediate neighborhood in particular and shall ensure that the Unified Campus/Complex has adequate, but not excessive signage.

The Sign Ordinance specifically spells out the guidelines for the Planning Commission to use to approve or disapprove a Unified Comprehensive Signage Plan (*Zoning Ordinance* Article 5 § 4.8 B and C). The pertinent design guidelines and objectives are as follows:

B. Design guidelines for comprehensive signage plans.

1. Unified campuses and complexes applying for a comprehensive signage plan may not be held to the height, size, number and area regulations for signs found in other [sub]sections of this ordinance [section]. However, the number, type and size of signs proposed may not be excessive, and must be in proportion to the scale of the buildings and the uses on the site.

2. All comprehensive signage plans must comply with all design guidelines found in subsection 4.4—Design requirements of this section, as well as all specific design guidelines found in this section.

3. Building signs shall be in harmony with the overall architectural concept for the site, and be compatible with each other and the building facades.

4. The freestanding signs identifying shopping centers and other unified campuses and complexes shall identify the name of the campus or complex and no more than three

separate tenants within the campus or complex unless otherwise approved by the planning commission.

5. There shall be architectural harmony and unity of signs within a united campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the center and the surrounding area.

C. *Planning commission duties.* In reviewing and approving comprehensive signage plans, the planning commission shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, businesses, and property owners of the immediate neighborhood in particular, and shall ensure that unified campuses and complexes have adequate, but not excessive, signage. Specifically, the following objectives shall guide the commission when reviewing such plans:

1.That the size and complexity of the campus or complex warrants the need for extra signage under the provisions of this ordinance [section]

2.That, in respect to the number and type of entrances, the placement of signage at or near those entrances provides superior visibility in order to ensure the safety of the driving public;

3.That the proposed signs are adequate in number to safely direct the public to the use or uses on the site;

4.The proposed signs must not have an adverse impact on the visibility of adjacent signs, and shall be consistent with, or an improvement over, the prevailing type and style of signage in the general area;

5.That the proposed signs will be of a style and color which will complement the architecture of the site, and the area in general.

SUMMARY OF PROPOSED SIGNS

The following tables represent a listing of all signs proposed on the McDonald's.

Exterior Signage (Placed on the building elevations)

Type	Location	Existing/New	Text	Height	Quantity	S.F. Per sign	Total S.F.
Wall	On the sides of the building.	New	McDonald's	Unknown under 30' maximum	2	40.5 SF	81 SF
Wall	On the sides of the building	New	McDonald's logo	Unknown Under 30' maximum	3	14 SF	42 SF
Directional	Near entrances	Existing	Welcome Exit/Enter	Unknown	3	Unknown	unknown
Pylon	Northeast corner of site	Existing	McDonald's logo with changeable copy	29'7"	1	96 SF	96 SF
Total					**9**		**219 SF**

SUMMARY OF SIGNAGE AND RECOMMENDATIONS

SIGNAGE

The applicant is requesting five (5) wall signs. The signs reflect the name and logo for the

restaurant. The five (5) wall signs will be located on three sides of the building. The height of the sign is not indicated; however, the height of the signs will not exceed 30' as the building is less than 30' in height. The percent of the wall area the signs occupy and the percent of the mountable wall area the signs occupy have not been provided; however, staff has no concern with the signs exceeding the percentages as the signs are small and scattered around the building.

There are four existing signs that are to remain. These include the pylon sign and the three (3) directional signs. These signs were previously approved under the original Unified Comprehensive Sign Plan in 2000.

Staff Recommendation for McDonald's Wall signs
Staff recommends approval of the five (5) wall signs. Staff notes that the Planning Commission shall note in their motion that the signs may exceeds the mountable wall area and wall area percentages.

Staff Recommendation for Existing Signs
Staff recommends reaffirmation of the existing directional and pylon signs. Staff notes that the pylon sign exceeds the sign area permitted under the existing Sign Regulations; however, the sign was approved under different Sign Regulations. These signs were also previously approved as part of the original Unified Comprehensive Sign Plan in 2000.

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) This request includes all directional and any other types of signage proposed for the site.

2) Clarify the overall height of the existing pylon sign. The data columns state the sign is 34'; however, the note on the plan states the sign is 29'7".

3) Indicate the sign area and height of the directional signs.

4) Provide over all dimensions of the pylon sign including the changeable copy portion of the sign.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

None

ADVISORY COMMENTS TO THE APPLICANT:

1) In the event, that major changes and revisions to the Signage Plan occur in the finalization of the sign plan contact the Department of Planning and Inspections. Examples include reorientation of signage, relocation of signs, changes in sign area, etc.

These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

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

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

5) Staff requires a final submittal of the Unified Comprehensive Sign Plan, including any revisions and conditions of Planning Commission approval, to be reviewed administratively before applications for Sign Permits will be accepted.

6) The applicant shall be aware that Unified Comprehensive Sign Plan approval does not represent a Sign Permit. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: July 28, 2011

D E L D O T

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APPLICATION: McDonald's USA, LLC: Comprehensive Signage Plan
FILE#: S-11-02 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:

Ensure that the proposed and exist signs are not located within the right-of-way, and are not impeding sight distance.

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: JULY 28, 2011

CITY OF DOVER
PUBLIC UTILITIES
DEPARTMENT

APPLICATION: **MCDONALD'S USA, LLC: COMPREHENSIVE SIGNAGE PLAN**

FILE #: **US-11-02**

REVIEWING AGENCY: **City of Dover Public Utilities Department**

CONTACT PERSON: **Steve Enss - Electric**
Sharon Duca, P.E. - 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. Signs should be placed in a manner that meets NESC requirements.

WATER / WASTEWATER

1. As only wall signs are proposed the Water / Wastewater Utilities have no objection to the proposed signs. Should this change additional review will be required.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER

1. None.

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

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 4, 2011

PLANNING COMMISSION MEETING OF August 15, 2011

Plan Title:	Lands of DDP at 120 South Governors Avenue S-11-11
Plan Type:	Site Development Master Plan Architectural Review Certification (HI-11-04) Minor Subdivision
Property Location:	West side of South Governors Avenue and north of West Loockerman Street
Property Address:	120 South Governors Avenue
Tax Parcel:	ED-05-077.09-01-44.00-000
Owner:	Downtown Dover Partnership
Present Zoning:	C-2 (Central Commercial Zone) H (Historic District Zone)
Existing Use:	Commercial Building – Auto Parts Store and Day Care Center
Proposed Use:	Mixed Use Building #1 11,874 S.F. retail 27 apartments Apartment Building #2 24 apartments
Site Area:	76,896 S.F. +/- (1.7653 ac.)
Building Area:	Existing – 16,783 S.F. (building to be demolished) Proposed – 81,938 S.F. (total for both buildings) Building #1 – 47,042 SF Building #2 – 34,896 SF
Impervious Areas:	Proposed – 85.6%
Waiver Requested:	Side yard setbacks (as associated with Architectural Review Certification)

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 4, 2011

CITY OF DOVER PLANNING

APPLICATION: Lands of DDP at 120 South Governors Avenue

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

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

PLAN SUMMARY:

This application is for a Site Development Master Plan, Minor Subdivision, and Architectural Review Certificate for the construction of a four story 47,042 SF mixed-use building consisting of a retail component and 27 apartments, a four story 34,896 SF apartment building with 24 apartments and ground level parking in the building, and a minor subdivision to create two lots from the existing parcel located at 120 South Governors Avenue. The existing 16,783 SF commercial building on the property is proposed for demolition. The property consists of 1.7653 acres ± and is zoned C-2 (Central Commercial Zone) and subject to the H (Historic District Zone). The property site spans the block between South Governors Avenue and South New Street located north of, but not adjacent to, West Loockerman Street. The owner of record is Downtown Dover Partnership (formerly the Downtown Dover Development Corporation). Property Address: 120 South Governors Avenue. Tax Parcel: ED05-077.09-01-44.00-000.

This project requires Site Development Master Plan Review, Architectural Review Certification and a Minor Subdivision.

PROJECT PROPOSAL:

This proposal involves the construction of a two (2) buildings at 120 South Governors Avenue. The first new building is a four story mixed use building located off of South Governors Avenue. This building provides 11,874 SF of retail space on the first floor and 27 apartments on floors 2-4. The second building located off of South New Street is a four story apartment building with 24 apartments on floors 2-4 and parking on the first floor.

HISTORIC DISTRICT COMMISSION - RECOMMENDATION

For the Lands of DDP at 120 South Governors Avenue project, the Historic District Commission considered the application HI-11-04 on July 21, 2011 regarding an Architectural Review Certificate for the construction of new building and other associated site improvements. **The Historic District Commission has made recommendation on the Architectural Review Certificate. See the attached *Architectural Review Recommendation Report from the Historic District 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* for New Construction found in Chapter 4 of the guidelines.

Bulk Standard Waiver to be requested:
The proposed project must also be reviewed for compliance with the standards established by the *Zoning Ordinance*. The standards include items such as setbacks from property lines, floor area ratio, height, number of stories, etc. This proposal for the building does not conform to a side yard setback requirement of the C-2 Zoning District and requires a waiver as a part of the Architectural Review Certificate. The *City of Dover Zoning Ordinance* authorizes the Historic District Commission to waive certain bulk standards when issuing its recommendation to the Planning Commission for an Architectural Review Certificate. A written waiver request for the encroachment into the side yard setback for the Governors Avenue mixed use building has just been submitted to the Planning Office for consideration.

The waiver was not reviewed by the Historic District Commission for the project at their July meeting during review of this project. The waiver request recently received will be forwarded to the Historic District Commission for their review and recommendation. The next meeting of the Historic District Commission is scheduled for August 18, 2011.

Waiver Request	Bulk Standard	Ordinance requirements	As shown on the plan (Requested)
	Side Yard setback	**None required, but 10 feet minimum if provided.**	**7 foot**

SITE DEVELOPMENT MASTER PLAN
The plan for this campus streetscape enhancement project is submitted for review under the Site Development Master Plan process (See *Zoning Ordinance,* Article 10 §2.58 listed below (Code in place at time of application filing)). This process allows for a series of construction phases to be outlined in a Master Plan for Planning Commission review and approval. Prior to each Phase of construction a Site Plan specific to that phase is submitted for Administrative Site Plan review.

> 2.58 *Site development master plans.* Site development master plans shall depict a generalized site development proposal that reflects general compliance with all applicable provisions of article 10, [sub] section 2.5 above, and shall also reflect the following information on the plan:
>
> (1) [The] plan shall illustrate distinct phase boundaries for each proposed construction phase and shall detail proposed construction and site improvements planned for each phase. Bulk quantities and area totals for each construction phase, and for the total site, shall be tabulated in a data column on the plan.
> (2) Each construction phase shall be enumerated in sequential order on the site development master plan according to the order of construction contemplated by the plan. Phases shall be implemented in accordance with the approved site development master plan.
> (3) Each construction phase represented on the master plan shall be planned and designed to function independent of construction and site improvements contemplated in future

construction phases in all respects, including but not limited to bulk area provisions of the zoning district in which the site is located, off-street parking requirements, site entrances, emergency access requirements, site utilities, and stormwater management improvements.

(4) Any special agreements or conditions of approval relative to the overall development that have been specified by regulatory agencies shall be documented on the site development master plan.

Site construction plans, details, and specifications are not required as part of a site development master plan submission. Final site construction plans, including detailed site grading, paving, utilities, stormwater management, and tree planting and preservation plans shall be submitted for final approval by the planning director, and/or authorized designee, and to other agencies having jurisdiction, on a phase by phase basis in accordance with the approved site development master plan, and all regulations of the City of Dover governing the approval of site plans as set forth in [this] article 10, section 2 of this ordinance.

PHASING

The Site Development Master Plan proposes three (3) phases for the development of the site. Phase 1 is for the construction of Building #1 located off of South Governors Avenue. This phase includes the mixed use building and an Active Recreation Area for the apartments. The phase does not address parking and what will be constructed regarding site improvements. Phase 2 is for the demolition of the existing commercial building. The final phase, Phase 3, is for the construction of Building #2 adjacent to South New Street and an Active Recreation Area. The site improvements and overall parking strategy is not identified as part of the Phasing Plan. The Phasing Plan does not meet the requirements as stated in the *Zoning Ordinance,* Article 10 Section 2.58.

Subdivision

The application includes a minor subdivision to create two lots from the existing 1.7653 ac. +/- parcel. The two new parcels will be 0.7725 acre+/- and 0.9928 acre+/-. The parcels will need to comply with the Bulk Standards for the C-2 Zoning District. The Bulk Standards for the C-2 Zoning District are as follows:

MINIMUM REQUIRED:	C-2 (CENTRAL COMMERCIAL ZONE)
Lot Area	
Lot Configuration- Width (ft.) Depth (ft.)	0 70 ft.
Front yard setback (ft.)	0
Side yard setback (ft.)	None required, but 10 ft. minimum if provided.
Rear yard setback (ft.)	20 ft. above ground floor. At ground floor, 5 ft. required.
Off-Street Parking Spaces : Per 300 SF of floor area Apartments	0.5 for new construction 1 per dwelling unit
Maximum Permitted : Building Height: Stories Feet	 6 stories 60 feet
Floor Area Ratio	4.0

PARKING SUMMARY

In the C-2 (Central Commercial Zone) there is 0.5 off street parking requirement per 300 SF of floor area for new construction. The C-2 Zone requires one parking space for each apartment unit created. The plan proposes 51 apartment units. This requires 51 off-street parking spaces. Based on the square footage of the new commercial area at 11,874 S.F., twenty (20) parking spaces are required. A total of 71 parking spaces are required for the project. The plan indicates 85 spaces on the plan including four (4) handicap parking spaces. The plan exceeds the parking requirement without exceeding the maximum number of parking spaces permitted.

Bicycle Parking

The site is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Based on the number of required parking spaces five (5) bicycle parking spaces are required. The bicycle parking is located near the proposed buildings.

SITE CONSIDERATIONS

Entrance

The site has two points of ingress and egress. The entrance for the mixed use building is located off of South Governors Avenue. The entrance for the apartment building is located off of South New Street. South Governors Avenue is a State maintained road and South New Street is a city maintained road. The two entrance points from the public streets lead to a surface parking lot internal to the site serving both buildings, and also provide access to the ground level parking in Building #2.

Dumpsters

Dumpsters for trash collection are required for the development of the site. Based on the amount of retail space in the proposed mixed use building, two (2) dumpster pads locations are required. Based on the number of apartment units to be located within the proposed mixed use building, three (3) dumpster pads are required. A total of five (5) dumpster pads are required for the project site. The plan provides only one (1) dumpster pad location. The minimum dimensions for a dumpster pad is 12 feet deep and 12 feet wide. The dumpster pad and enclosure is located in the parking lot. The dumpster enclosure detail shall indicate that the proposed materials will match the proposed materials of the building. The method of trash collection will be private. The applicant needs to indicate locations for the other dumpsters on the site. A reduction in the number of provided dumpster locations may be considered; however, one dumpster location is not sufficient for the number of apartments and retail space on the site. The applicant needs to reserve area for dumpster pads not constructed on the site and will be required to be constructed in the future if determined to be necessary by the Planning Director. (Article 5, Section 6.18)

Sidewalks

The site has existing sidewalks along the street frontage of South Governors Avenue and South New Street. The plan does not provide for handicapped accessible ramps at the points of intersection of the entrances/exits. The plan identifies several locations along the street frontages where the sidewalk will be disturbed during construction. The applicant will be required to reconstruct the sidewalk and curb where site improvements/entrance changes are proposed. The applicant is proposing to use brick sidewalk along South Governors Avenue and concrete along

South New Street. Ensure that the sidewalk is accessible for the apartment building entrance on South New Street.

Lighting
Lighting is provided on the plan. A detail identifying the type of lighting that will be used needs to be on the plan. Lighting should also be provided in the covered parking areas of the site. Lighting located along the street shall be consistent with the existing fixtures used in the downtown area.

RECREATION/ OPEN SPACE:
Active Recreation Area for this project is required at a rate of 75 square feet per dwelling unit with a minimum of 2,500 SF provided on site. (*Zoning Ordinance*, Article 5 §10.515) Based on 51 dwelling units, 3,825 S.F. of active recreation area is required. The Plan indicates that 5,210 S.F. +/- of land will be reserved as active recreation space. The Active Recreation Areas are in central locations on the site. The proposed amenities include a garden area with a walking path and benches behind the South Governors Avenue building and a gazebo with picnic tables next to the South New Street building. The gazebo will be removed as it is considered a structure and does not meet the setback requirements for a structure from an adjacent residential use.

South Governors Avenue (Building #1)
The garden area with a brick walking path, benches and grass area is 2,052 SF. The area is accessible from the back of the mixed use building and is landscaped. There are five (5) benches proposed within this area.

South New Street (Building #2)
The area with picnic tables and grass area is 3,158 SF. The area is accessible from the side and rear of the residential building. The landscaped area includes four (4) picnic tables surrounding the gazebo.

The Tree Preservation and Planting Plan and Active Recreation Plans and Details sheet (sheets L-101 and L-102) illustrate how the site will provide recreation amenities to comply with the design specifications described in Article 5 §10 of the *Zoning Ordinance*.

For the Lands of DDP at 120 South Governors Avenue project, the Park, Recreation and Community Enhancement Committee considered the Active Recreation Plan (part of S-11-11) on July 11, 2011. ***The Parks, Recreation and Community Enhancement Committee recommended approval of the active recreation area plan as presented and with staff comments.***

The Planning Commission must act upon the Active Recreation Plan as part of any motion regarding this project, or as a separate motion if necessary. A copy of the Parks, Recreation and Community Enhancement Committee Active Recreation Report is attached.

BUILDING ARCHITECTURE:

Governors Avenue Building (Building #1)
This is a four story masonry building. The exterior materials include brick, stucco and Hardie-

board. Windows are located throughout the building and balconies are provided along sections of the building providing relief on floors 2-4. The first floor is the commercial portion of the building. This area has glass storefront windows and entry ways into the tenant spaces. Awnings are proposed over the retail spaces. The residential portion of the building (floors 2-4) is a mixture of several brick colors, stucco and Hardie-board.

South New Street (Building #2)
This is a four story building (not three story as labeled on the plan drawings). The first floor or ground level is a parking garage of twenty-three spaces. Then there are three floors of apartment units. The first floor utilizes brick as an exterior finish while floors 2-4 utilize brick and several colors of Hardie-board. Balconies are provided on the upper floors. The building has a pitched asphalt shingle roof with four standing seam metal gable roof elements located at the eaveline.

A detailed description of the architecture of the buildings is in the Historic District Commission report that is attached.

TREE PLANTING AND LANDSCAPE PLAN
The submitted plan includes the Landscaping details. Based on the 76,896 S.F. property, a total of twenty six (26) trees are required. The plan proposes the planting of thirty-three (33) new trees to meet the requirement. The proposed trees will be located throughout the site. The proposed trees are a mixture of deciduous trees. The mixture includes River Birch, Willow Oak, Red Maple, and Winterking Hawthorn, and Crepe Myrtle. There are existing street trees along both South Governors Avenue and South New Street.

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 Setback shall be complied with in accordance to the *Zoning Ordinance* unless a waiver for the encroachment of the building into the side yard setback is granted by the Planning Commission upon recommendation of the Historic District Commission. A written waiver request for the encroachment into the side yard setback has been submitted to the Planning Office for consideration. This waiver request will also be considered by the Historic District Commission at their August 18, 2011 meeting.

2) Revise the Phasing Plan to address how each phase will function independently (and cumulatively) with regards to stormwater management, parking, and site improvements.

3) Revise the following items on the Minor Subdivision Plan Sheet:
   a) Revise item #4 in the Site Data Column to indicate that the property is also zoned H (Historic District Overlay Zone).
   b) Clarify the acreage of lot 2. The site data column indicates the size of the lot as 0.7725; however, the plan indicates the size is 0.7724.
   c) Indicate the square footage on the plan.

d) Provide the dimensions of the parcels on the plan.
e) Provide a cross access agreement between the two parcels for shared parking, entrances, etc.
f) Indicate any utility easements.
g) Ensure the proposed buildings do not conflict with the placement of the proposed property lines (i.e. setback issues).
h) Ensure the existing building does not cross a property line.
i) Ensure the placement of the property lines does not create any non-conforming issues with the site.

4) The data column needs to be updated prior to Final Approval. Some of the items which need revising are as follows:
   a) Clarify the number of bicycle parking spaces provided. The required number is five (5) however, the number shown is greater.
   b) Indicate the zoning H (Historic District Zone) under the zoning for the site.
   c) Indicate that trash collection will utilize a private hauler.
   d) Add a note to the Plan to provide information on any waivers granted by the Planning Commission.
   e) Add a note to the plan stating that the Historic District Commission reviewed the application at its July 21, 2011 meeting.
   f) Any changes recommended by the Planning Commission.
   g) Confirm the height of the buildings.
   h) Indicate the decision of the Planning Commission on any waivers granted.

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

6) Governors Avenue is a State maintained road; therefore, work within the right-of-way is subject to DelDOT requirements.

7) South New Street is a City maintained road; therefore, work within the right-of-way is subject to City of Dover Department of Public Services requirements.

8) Provide additional dumpster pad locations on the site.

9) Reserve area for the remaining dumpster pad locations on the site.

10) Provide a note stating that the reserved dumpster pad and enclosure shall be constructed if determined to be necessary by the Planning Director.

11) Provide a separate lighting plan sheet.

12) Provide a separate sign and striping plan sheet.

13) Provide crosswalks across the entrances and exits on the site.

14) Ensure the sidewalks at the intersection of the site entrances/exits are accessible.

15) Provide an accessible access at the rear of Building #2 into the parking garage and/or the active recreation area.

16) Revise the number of stories of Building #2 from 3 to 4 stories on all Plan Sheets.

17) Provide construction details for the following but not limited to: sidewalk ensuring accessibility, curbing, dumpster enclosure ensuring architecture matches the building materials, paving, lighting, bicycle rack, awning height, etc.

18) Provide the following information on the Tree Preservation and Planting Plan:
    a) Ensure that tree planting locations do not conflict with existing or proposed utilities.
    b) Remove the gazebo.
    c) Eliminate two picnic tables and two benches.
    d) Indicate in the Site Data Column that the site is also subject to H (Historic District Zone).

19) The following items should be included on the Active Recreation Plans and Details Plan to clarify the construction of the recreation area improvements:
    a) Provide a list of the proposed features on the Active Recreation Plan (i.e. the number of benches and the details of the items).
    b) Remove the gazebo from the plan.
    c) Revise the bench detail to have a divided bench.
    d) Revise the fence to be an open fence as shown on the Architectural Elevations and compliance with Architectural Review Certification.
    e) Provide a construction detail for the open fence as shown on the Architectural Elevations. Staff notes that the maximum height is 4 feet.
    f) Ensure one picnic table is accessible.
    g) Clarify the use of two picnic table details.

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

1) The Historic District Commission at their meeting of 7/21/11 took action to provide a Recommendation regarding the Architectural Review Certification for the project including a series of comments. These recommendations address the demolition of the existing building, construction of the two new buildings and the associated site improvements. These comments/recommendations may be adopted by reference to the Architectural Review Recommendation Report when taking action on the Architectural Review Certification.

2) Planning Staff as part of the review prepared a series of review comments in regards to the Architectural Review Certification and ways to improve compliance with the Design Standards and Guidelines. A number of these comments were adopted by the Historic District Commission and/or clarified in the Site Plan submission.

3) Staff recommends that any outside HVAC Equipment be designed to minimize the impact on adjacent property owners, adequately screened from public view and the overall visible impact on the streetscape. The location should be depicted on the plan.

4) Staff recommends the site provide the ability for recycling. This could include a separate dumpster pad and enclosure for recycling only.

5) With the building design, the height of the finished floor elevation in relation to the sidewalk and parking lot must be considered in order to achieve accessibility into the building. If additional building elements are required to achieve accessibility, they may require further review by the Historic District Commission.

6) Staff encourages the project to identify areas where the sidewalks or portions of the sidewalks will be constructed of brick or a grass landscape strip will be implemented. The use of brick paving materials for sidewalk construction is a key feature found throughout the Historic District area.
    a. The grass strip should be implemented in the areas of South New Street were the existing curb cut will be removed.
    b. The City's standards for sidewalk format must be met.

ADVISORY COMMENTS TO THE APPLICANT:

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

2) The Planning Commission must act upon the Active Recreation Area Plan as part of any motion to approve this project, or as a separate motion if necessary.

3) The Planning Commission will act upon waiver requests as part of any motion to approve this project, or as a separate motion if necessary. Note: All waivers are at the discretion of the Planning Commission; however, certain waivers are considered upon recommendation of the Historic District Commission. The Commission may approve or deny waiver requests.

4) The applicant is reminded of the requirements for construction phasing of the recreation area as associated with the development of the residential units.

> Article 5 §10.6 Construction Phasing. The recreation and open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that one hundred (100) percent of the recreation and open space areas shall be completed prior to issuing building permits for the final twenty (20) percent of the dwelling units proposed. Building permits shall not be issued for dwelling units unless the requirements of this section are met.

5) There shall be provisions which insure that the common open space land shall continue as such and be properly managed and maintained. The developer shall either retain ownership and responsibility for maintenance of such open land; or provide for and establish one (1) or more organizations for the ownership and maintenance of all common open space i.e. a Homeowners Association. The organization shall be responsible for maintenance, insurance and taxes on the common open space.

6) Other agencies and departments which participate in the Development Advisory Committee

may provide additional comments related to their areas of expertise and code requirements.

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

8) In the event, that major changes and revisions to the Site Development Master Plan or Building Architecture and materials 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.

9) To progress to construction, the submission of a Site Plan of the construction phase project area must be submitted for Administrative Site Plan Review by the Planning Office and other agencies. Article 10 §2.491b (as in Code at time of application filing) sets forth the construction timing in relation to approvals.

   Article 10 §2.491
   (b) For projects which are reviewed and approved by the planning commission as site development master plans, approval of the master plan shall remain valid for a period not to exceed five years from the date of planning commission approval, provided that the authorized construction or use has commenced within one year of approval and is proceeding toward completion, unless an extension of time is applied for by the applicant and granted by the planning commission. In addition, the time between the completion of one phase and the initiation of the next phase shall not exceed a period of two years. Upon approval of a site development master plan by the planning commission, the planning director or authorized designee shall have approval authority over final plans governing each phase of construction as depicted on the master plan

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

11) The applicant shall be aware that Demolition Permits for the building is required to precede with any demolition activities on the property. The permit application must comply with the approvals and conditions granted through the Architectural Review Certification process.

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

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

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

15) The applicant shall be aware that Site Development Master Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover. The Building Permit submission must comply with the conditions of approval of the Architectural Review Certification.

16) The applicant shall be aware that Site Development Master Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 28, 2011

CITY OF DOVER
PUBLIC UTILITIES
DEPARTMENT

APPLICATION: **LANDS OF DOWNTOWN DOVER PARTNERSHIP: 120 S. GOVERNORS AVENUE**

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

REVIEWING AGENCY: **City of Dover Public Utilities Department**

CONTACT PERSON: **Steve Enss - Electric**
Sharon Duca, P.E. - 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. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all water, sewer, and storm sewer lines.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. **Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.**
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

WATER

1. The following notes must be added to the plans:
   a. All water utility components must meet the requirements of the Public Utilities Water Wastewater Handbook, effective date March 22, 2010.
   b. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
   c. 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 Utilities Department specifications and requirements.
   d. The site contractor shall contact the City of Dover Public Utilities Construction Manager at (302) 736-7070 prior to the start of construction. A representative from the City of Dover Department of Public Utilities 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.
2. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan.
3. The plan currently shows the site's proposed eight-inch (8") water line on the site connecting to the existing four-inch (4") water main in New Street and existing four-inch (4") water main in South Governors Avenue. This does not meet fire suppression requirements for multi-story building. Pressure adequacy for these structures is of particular concern. In order to meet these requirements the plans must be revised in one of the following manners:
   a. The eight-inch (8") water main located on the west side of South Governors Avenue (currently depicted as a twelve-inch (12")) must be extended by the applicant, at their expense, to the northern property line to allow for a satisfactory connection onto the site.
   b. The site must be reconfigured to allow for the site's proposed eight-inch (8") water line to connect to the existing eight-inch (8") water main at its current location.
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 buildings. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Public Utilities 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.

WASTEWATER

1. The following notes must be added to the plans:
   a. All wastewater utility components must meet the requirements of the Public Utilities Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information
   b. 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 Utilities Department specifications and requirements.
   c. 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.
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. 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.
4. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease interceptor, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

GENERAL

1. The following note must be added to the plans: All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. The final site plan must be submitted in 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 / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. There are existing lines that must be relocated and there is one buried electric line through the middle of the parcel that was not captured on the plans.

WATER

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

WASTEWATER

1. Prior to plan approval, the sanitary sewer system plans must be submitted to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.

STORMWATER

1. None.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter.

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: Lands of Downtown Partnership 120 S Governors Av

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

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

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

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

CITY AND STATE CODE REQUIREMENTS:

Fire Lanes are ok as shown.

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.

Sprinkler system required. System to be monitored.

Fire Department connection to be located within 50 feet of main entrance.

Fire Department connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.

Fire alarm system required.

Knox Box required.

Standpipes required.

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

Project to be completed per approved Site Plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

After any application has been approved by the Planning Commission, the applicant has a maximum of thirty (30) days to appeal to the Code Board of Appeals Committee.

All comments from this office, approved by the Planning Commission are at the expense of the owner/applicant.

The proposed building will be reviewed under Residential/Business/Mercantile Occupancy.

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: July 28, 2011

D E L D O T

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APPLICATION: Lands of Downtown Dover Partnership at 120 S. Governors Avenue
FILE#: S-11-11 REVIEWING AGENCY: DelDOT

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

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

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

CITY & STATE CODE REQUIREMENTS:

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

2. ADA compliant curb ramps must be provided along the frontage of the site.

3. The proposed development will be releasing storm water into the State drainage system. As a result, a stormwater management report (SWMR) must be provided for review and approval prior to releasing the approval letter for the construction of the entrance.

4. South Governors Avenue will need to be overlaid along the frontage of the site due to all of the proposed patching along the roadway.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

- A light pole is show in the landing area of proposed curb ramp on South New Street. Please ensure that proposed curb ramp is constructed per the ADA Guidelines.

ADVISORY COMMENTS TO THE APPLICANT:

- The existing parking spaces that are in the proximity of the proposed entrance on South Governors Avenue may have to be removed in order to improve sight distance. Show a sight distance triangle with a decision point of 18' maximum from the edge of the travel

way in order to determine the parking space to be removed.

- A Traffic Management Plan B (TMP-B) may be required for this project due to the proposed pipe installation underneath of S. Govenors Avenue. Please contact Mr. Adam Weiser at (302) 659-4073 or via e-mail at Adam.weiser@state.de.us to discuss the MOT Plans for this project.

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
DEVELOPER APPLICATION MEETING DATE: AUGUST 2011

APPLICATION: *Lands of Downtown Dover Partnership*

FILE #: S-11-11

REVIEWING AGENCY: *Kent Conservation District*

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

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

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by our office prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to our office. Construction inspection fees based on developed area and stormwater facility maintenance inspection fees based on the number of stormwater facilities are due prior to the start of construction. Please refer to the fee schedule for those amounts.
2. The following notes must appear on the record plan:
    - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
    - The Kent Conservation District reserves the right to add, modify, of delete any erosion or sediment control measure, as it deems necessary.
    - 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. Green Technologies (bio retention, bio swales etc.) must be considered before traditional facilities can be considered.
2. 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.
3. 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.
4. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been approved.
5. Based on the site characteristics, a pre-application meeting will be required to discuss stormwater management and drainage for this site.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 8/4/2011

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Lands of Downtown Dover Partnership at 120 S. Governors Ave.

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

CONTACT PERSON: Jim Galvin, AICP PHONE #: (302) 387-6030

The Dover/Kent County MPO requested the opportunity to bring the recommendations on issues of our concern to the City. The MPO limits comments to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 8/15/2011

Project Review

S-11-11 Lands of Downtown Dover Partnership at 120 S. Governors Ave.

This proposal was a portion of the Dover Transit Center Neighborhood Plan and has evolved to the submitted plan. The Neighborhood Plan was funded by the Dover/Kent County MPO with participation of the DDP. I participated in most sessions and in the development of the final Plan and Design Book. I also had the opportunity to have input into the design of this site.

The South Governors Ave. location is a few parcels north of West Loockerman Street. It is in the center of the City with all the City services available. Facilities exist for alternative modes of transportation as well as vehicle access. The Project is within walking distance of several transit stops for several bus routes. It has sidewalks at both road frontages and into entrance driveways on both frontages. There are site-based bicycle facilities indicated in the plans.

There is an opportunity to serve a variety of ground floor uses on the Governors Ave side, including cafes, restaurants and small shops. In an effort to promote the concept of 'Complete Streets', the sidewalk has been proposed to be a substantial width along the building front. The MPO feels the tenants should have the opportunity to use sidewalk space for exterior facilities, including tables and chairs.

The site meets the standards the MPO considers important. We have no objections to the plan.

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.

WAIVER REQUEST

ACME SITE / SITE DEVELOPMENT MASTER PLAN
10' MINIMUM SIDE YARD REQUIREMENT

REQUEST: We request a reduction of the 10' minimum side yard requirement to 7' from the south property line for the Governors Avenue mixed use building (Building #1) be approved by the Planning Commission.

EXTENT OF THE REQUEST: Per Article 4, Section 4.14, no side yard setback is required, however, if provided 10' minimum is required. We are requesting a reduction of the 10' minimum side yard setback to 7' from the southern property line for the Governors Avenue mixed use building (Building #1).

BASIS FOR REQUEST:

1. Article 4, Section 4.14 states that no side yard setback is required, however, if provided must be a minimum of 10'. The Governors Avenue mixed use building (Building #1) was not placed on the property line in order to provide pedestrian access to the parking lot located at the rear of the building. This sidewalk is also provided as there is an emergency exit located in the stair tower on the south west corner of the building. It was also necessary to extend a storm pipe along the southern property line in order to provide an adequate outfall of the stormwater management system located in the parking lot at the rear of the building. The building can not be moved any further to the north as a sidewalk is being provided along the north side of the building as well as the entrance to the site and a 10' landscape buffer along the northern property line, thus the request for the reduction.

City of Dover

DATA SHEET FOR RECREATION PLAN REVIEW
PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF July 11, 2011
Planning Commission Meeting of August 15, 2011

Plan Title:	Lands of Downtown Dover Partnership at 120 S. Governors Avenue
Plan Type:	Site Development Master Plan: Active Recreation Area Plan
Location:	West side of College Road north of Loockerman Street
Tax Parcel Number:	ED-05-077.09-01-44.00-000
Owner:	Downtown Dover Development Corp.
Site Area:	1.73 Acres +/-
Proposed Use:	Mixed Use Development 1 Residential Building - 24 residential apartments 1 Mixed Use Building- 27 residential apartments 11,874 SF retail on first floor
Zoning:	C-2 (Central Commercial Zone) H (Historic District Overlay Zone)

Project Summary

The lands of Downtown Dover Partnership at 120 South Governors Avenue will be reviewed as a Site Development Master Plan. The subject property consists of one parcel of land totaling 1.7653 acres +/-. The Site Development Master Plan is to permit the construction of two (2) buildings. The first building located off of South Governors Avenue is a 47,042 SF mixed use building with 27 apartments and 11,874 SF of retail on the first floor. The second building located off of South New Street is a 34,896 SF residential building with 24 apartments.

Active Recreation Area Plan Summary:

As part of the Site Plan review process for this project, the applicant prepared a Conceptual Recreation Plan which illustrates how the property located at 120 South Governors Avenue will provide recreation amenities in accordance with the design specifications described in Article 5, Section 10 of the *Zoning Ordinance*. The Plan indicates that 5,210 S.F. of land would be reserved as Active Recreation Area. The Active Recreation Areas are in central locations on the site. The proposed amenities include a garden area with a walking path and benches behind the South Governors Avenue building and a gazebo with picnic tables next to the South New Street building.

South Governors Avenue

The garden area with a brick walking path, benches and grass area is 2,052 SF. The area is accessible from the back of the mixed use building and is landscaped. There are five (5) benches

proposed within this area.

South New Street

The gazebo with picnic tables and grass area is 3,158 SF. The area is accessible from the side and rear of the residential building. The landscaped area includes four (4) picnic tables surrounding the gazebo.

This active recreation area plan must be reviewed by the Parks, Recreation, and Community Enhancement Committee for a recommendation prior to consideration of the Site Development Master Plan by Planning Commission.

The following table provides information from the submitted Plan (dated 6/17/2011) for the Active Recreation Area to be constructed:

	Required	**Provided on Plan**
Active Recreation Area (Article 5 §10.515)	75 S.F. per dwelling unit with a minimum of 2,500 SF to be provided on site. 51 DU = 3,825 S.F. Requires 3,825 SF	Gazebo and picnic tables = 3,158 SF Garden Area with walking path and benches = 2,052 SF
Active Recreation Amenities (Article 5 §10.15)	Accessible	Located through the development.
Active Recreation Amenities (Article 5 §10.15)	Age Oriented to development	The garden area with benches and the gazebo with picnic tables would serve all ages.
	Parking	The particulars of the proposed active recreation do not have associated parking needs.
	Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street	The garden area and benches are in compliance as required. The gazebo is located within 30’ of a residential lot and is within 25’ of the right-of-way.
	Landscaping	The project shows trees and landscaping around the site and within the various recreation areas.

<u>Staff Recommendations:</u>

The following are comments and recommendations from Staff of the Planning Office following review of the Active Recreation Area to be constructed.

1. The proposed plan meets the area requirements for the Active Recreation Area. The plan is required to provide 3,825 SF of Active Recreation Area and it is proposing 5,210 SF of Active Recreation Area.

2. Staff recommends approval of the walking path, 3 benches, and 2 picnic tables.

3. **The gazebo is located within 25 feet of the right-of-way and is within 30 feet of a residentially used parcel. Upon consultation with the applicant the gazebo will be removed from the plan.**
    a. The removal of the gazebo does not impact the overall square footage of the Active Recreation Area.

4. Staff recommends the addition of paved patio/picnic with a grill area in the location of the gazebo (to be removed).

5. Staff recommends the reduction of two picnic tables and the reduction of two benches.

6. The following items should be included on the Plan to clarify the construction of the recreation area improvements:
    a. Provide a list of the proposed features on the Active Recreation Plan (i.e. the number of benches and the details of the items).
    b. Remove the gazebo from the plan.
    c. Revise the bench detail to have a divided bench.
    d. Revise the fence to be an open fence as shown on the Architectural Elevations.
    e. Ensure one picnic table is accessible.

7. The applicant is reminded of the requirements for construction phasing of the recreation area as associated with the development of the residential units.

    > Article 5 §10.6 Construction Phasing. The recreation and open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that one hundred (100) percent of the recreation and open space areas shall be completed prior to issuing building permits for the final twenty (20) percent of the dwelling units proposed. Building permits shall not be issued for dwelling units unless the requirements of this section are met.

8. There shall be provisions which ensure that the common open space land (including active recreation area) shall continue as such and be properly managed and maintained. The developer shall either retain ownership and responsibility for maintenance of such open land; or provide for and establish one (1) or more organizations for the ownership and maintenance of all common open space i.e. a Homeowners Association. The organization shall be responsible for maintenance, insurance and taxes on the common open space.
    a. Add a note on the Site Plan regarding who is responsible for maintenance, and insurance on the common open space.

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

The Parks, Recreation, and Community Enhancement Committee shall submit to the Planning

Commission a report detailing the recommendations as to the Recreation Area Plan.

Attachments: Active Recreation Plan Set dated June 17, 2011
List of Amenities
Cost Estimate of Improvements

List of Amenities – ACME Site / Site Development Master Plan

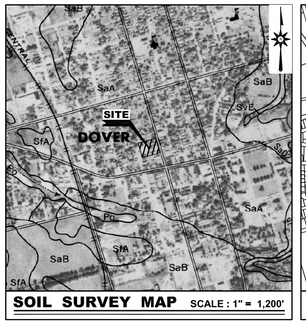
1. Gazebo
2. Picnic Tables
3. Park Benches

PRELIMINARY COST ESTIMATE – ACME SITE / SITE DEVELOPMENT MASTER PLAN
DOWNTOWN DOVER PARTNERSHIP
Proj. No. 2011023.00

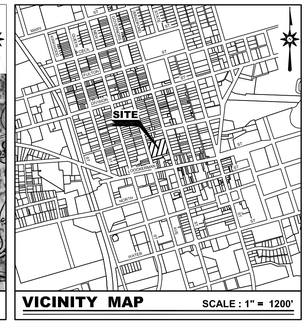
ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST
GAZEBO	EA	$10,000.00	1	$10,000.00
PARK BENCHES	EA	$1,380.00	5	$6,900.00
PICNIC TABLES	EA	$1,510.00	4	$6,040.00
PICNIC TABLE BENCHES	EA	$760.00	8	$6,080.00
TOTAL				**$29,020.00**

GENERAL NOTES :

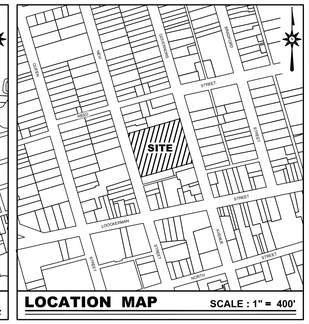
1. BOUNDARY AND TOPOGRAPHIC SURVEY DATA SHOWN HEREON WAS PREPARED BY BECKER MORGAN GROUP, DOVER, DE., IN MARCH, 2011. VERTICAL DATUM IS BASED ON NAVD 88. HORIZONTAL DATUM IS BASED ON DELAWARE STATE PLANE NAD 83, GPS DERIVED FROM N.G.S. HORIZONTAL CONTROL MONUMENTS.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION.
3. THE EXISTING UTILITIES SHOWN WERE TAKEN FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELMARVA (1-800-282-8555) TO VERIFY THEIR EXACT LOCATION PRIOR TO THE START OF ANY CONSTRUCTION. ANY DAMAGE INCURRED TO ANY UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTORS EXPENSE. IF THE CONTRACTOR RELIES ON THE UTILITY LOCATIONS SHOWN HEREON, HE DOES SO AT HIS OWN RISK AND WILL NOT BE ENTITLED TO ADDITIONAL COMPENSATION DUE TO TIME DELAYS FROM SAID RELIANCE.
4. BASED ON FEMA FIRM MAP NO. 10001C0167H (PANEL 167 OF 435), DATED MAY 5, 2003 ,THE PARCEL IS NOT LOCATED WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN.
5. BECKER MORGAN GROUP, INC. CERTIFIES THAT THERE ARE NO FRESH WATER WETLANDS LOCATED ON THE PARCEL..
6. ALL ROADS, PARKING AND OTHER PAVED AREAS WILL BE PRIVATELY OWNED AND MAINTAINED AND ARE NOT INTENDED FOR DEDICATION.
7. DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING EXCAVATION MUST BE REMOVED AND PROPERLY DISCARDED.
8. ALL HANDICAPPED PARKING DEMARCATION, STALLS, AND BUILDING ACCESSIBLE ROUTES SHALL COMPLY WITH THE "AMERICAN WITH DISABILITIES ACT" AND ANSI A117.1-1998 "ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES."
9. THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENT FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
10. BEFORE THE CONTRACTOR CAN BEGIN CONSTRUCTION HE MUST OBTAIN THE PROPER PERMITS AND/OR APPROVALS FROM THE CITY OF DOVER (C.O.D.), DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC), DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT) , KENT CONSERVATION DISTRICT (KCD) AND ALL APPROPRIATE STATE AND COUNTY AGENCIES.
11. ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE ACCORDING TO THE CITY OF DOVER PUBLIC UTILITIES DEPARTMENT AND THE STATE OF DELAWARE (DELDOT) STANDARDS AND CONSTRUCTION SPECIFICATIONS.
12. ALL FIRE LANE DEMARCATION AND FIRE LANE SIGNS SHALL BE IN ACCORDANCE WITH ALL STATE FIRE PREVENTION REGULATIONS.
13. ALL WORK WITHIN CITY MAINTAINED ROAD RIGHT-OF-WAYS SHALL MEET THE REQUIREMENTS AS SET FORTH IN THE CURRENT REVISION OF THE STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION, BY THE DELAWARE DEPARTMENT OF TRANSPORTATION AND ALL CITY OF DOVER REQUIREMENTS.
14. TRAFFIC AND SAFETY CONTROL SHALL BE MAINTAINED DURING CONSTRUCTION IN CONFORMANCE WITH THE CURRENT VERSION OF THE DELAWARE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR CONSTRUCTION AND MAINTENANCE OPERATIONS.
15. STORMWATER MANAGEMENT AND SEDIMENT / EROSION CONTROL SHALL BE IN ACCORDANCE WITH THE CURRENT VERSION DELAWARE SEDIMENT AND STORMWATER REGULATIONS BY THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
16. CONTRACTOR SHALL REFER TO ARCHITECTURAL/STRUCTURAL DRAWINGS OF PROPOSED STRUCTURES FOR ALL DIMENSIONS OF BUILDINGS AND FOUNDATIONS. PROPOSED BUILDING FOOTPRINTS, AS SHOWN ON SITE PLAN, SHOULD ONLY BE USED AS A REFERENCE TO THE ABOVE MENTIONED PLANS.
17. HYDRANT CONNECTIONS BY THE CONTRACTOR ARE PROHIBITED. THIS METHOD MAY NOT BE UTILIZED DURING ANY PHASE OF THE PROJECT.
18. ALL EXISTING SANITARY SEWER LINES, STORM DRAINS, AND WATER LINES NOT USED FOR THE PROPOSED CONSTRUCTION MUST BE PROPERLY ABANDONED AT THE MAINS IN ACCORDANCE WITH THE CITY OF DOVER PUBLIC UTILITIES DEPARTMENT REQUIREMENTS PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
19. 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, CONDENSATE, OR UNPOLLUTED INDUSTRIAL PROCESS WATERS TO ANY SANITARY SEWER". THE CONTRACTOR/DEVELOPER SHALL ENSURE DURING CONSTRUCTION THAT NO ILLEGAL DISCHARGES TO THE SANITARY SEWER SYSTEM ARE CREATED WITH THE SITE IMPROVEMENTS.
20. THE SITE CONTRACTOR SHALL NOTIFY THE CITY OF DOVER PUBLIC UTILITIES DEPARTMENT CONSTRUCTION MANAGER AT 302-736-7070 PRIOR TO THE START OF CONSTRUCTION. A REPRESENTATIVE FROM THE CITY OF DOVER PUBLIC UTILITIES DEPARTMENT MUST OBSERVE 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 TAP 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.
21. IF THE APPROVED PLAN NEEDS TO MODIFIED DUE TO ERRORS OR OMISSIONS OR FIELD CONDITIONS, ADDITIONAL SEDIMENT AND STORM WATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY THE KENT CONSERVATION DISTRICT (KCD),
22. THE KENT CONSERVATION DISTRICT (KCD) RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
23. ALL WATER AND WASTEWATER UTILITY COMPONENTS MUST MEET THE REQUIREMENTS OF THE PUBLIC UTILITIES WATER WASTEWATER HANDBOOK, EFFECTIVE DATE MARCH 22, 2010.



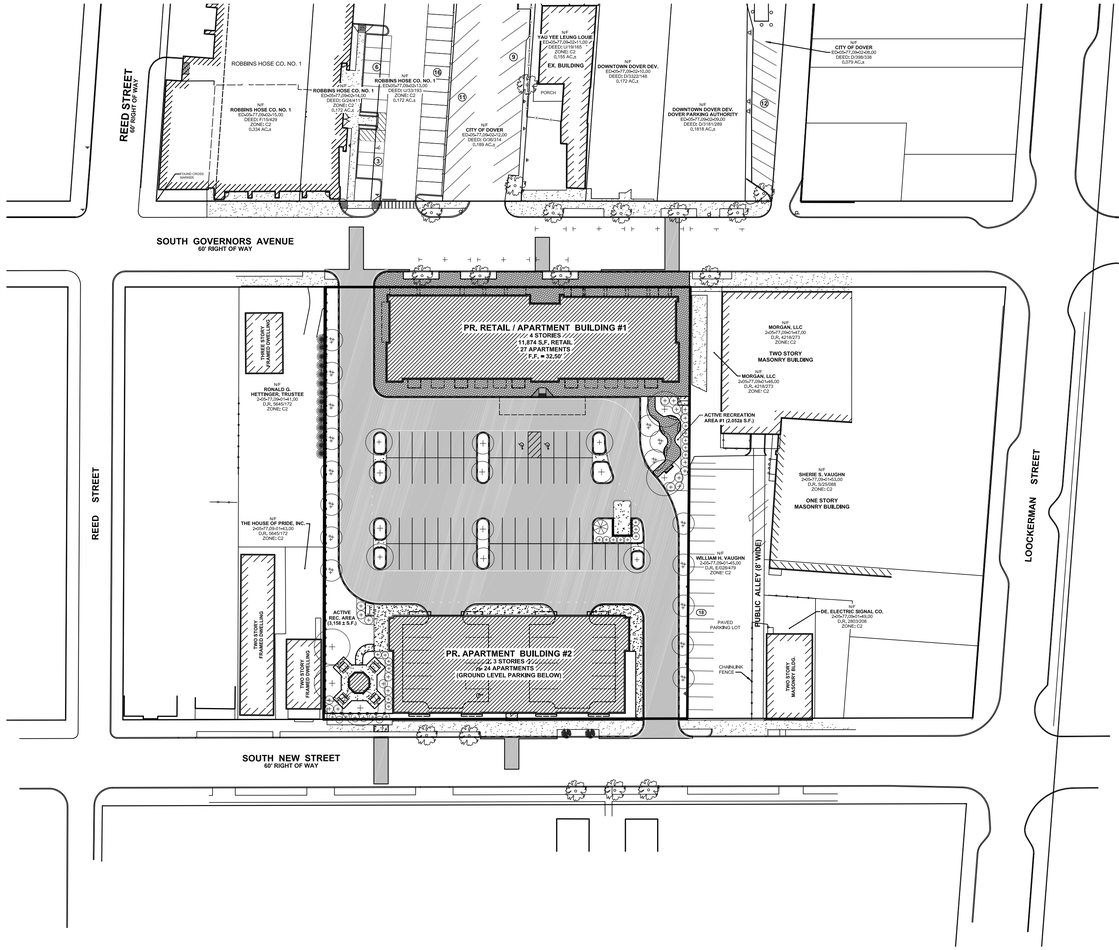
SOIL SURVEY MAP SCALE : 1" = 1,200'



VICINITY MAP SCALE : 1" = 1200'



LOCATION MAP SCALE : 1" = 400'



SITE DATA

1.	OWNER OF RECORD:	DOWNTOWN DOVER DEVELOPMENT CORP. (PARCEL 44.00) 426 SOUTH STATE STREET DOVER, DE 19901
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVENUE DOVER, DE 19904 (302) 734-7950
3.	PROPERTY MAP NUMBER:	2-05-77.09-01-44.00-00001
4.	ZONING CLASSIFICATION:	EXISTING: C-2 / CENTRAL COMMERCIAL ZONE
5.	DEED SUMMARY:	PARCEL 44.00 DEED REF. : 4620/342
6.	PLAT REFERENCE:	P.B. A/45
7.	PRESENT USE:	COMMERCIAL, DAYCARE
8.	PROPOSED USE:	COMMERCIAL, APARTMENTS
9.	TOTAL SITE AREA:	76,896 S.F. / 1.7653 ACRES
10.	PROPOSED BUILDING:	PR. APARTMENT / RETAIL BUILDING #1: 47,042± S.F. PR. APARTMENT BUILDING #2: 34,896± S.F. TOTAL BUILDING S.F. AT COMPLETION: 81,938± S.F.
11.	BUILDING HEIGHT:	PERMITTED: 60 FT. (6 STORIES) PR. APARTMENT / RETAIL BUILDING #1: 60 FT. PR. APARTMENT BUILDING #2: 52.5 FT.
12.	FLOOR AREA RATIO:	81,938± S.F. / 76,896± S.F. = 1.07
13.	IMPERVIOUS COVERAGE:	EXISTING: 75,855± S.F. (1.7414± ACRES) PROPOSED: 65,804± S.F. (1.5107± ACRES)
14.	PARKING CALCULATIONS:	RETAIL (0.5 SPACES / 300 S.F. FLOOR AREA) REQUIRED: 20 (0.5 X 11,874 S.F. / 300 S.F. = 19.79) APARTMENTS (1 SPACE / APARTMENT) REQUIRED: 51 (1 X 51 APARTMENTS) TOTAL REQUIRED: 71 PROVIDED: 85 HANDICAP PARKING SPACES: 4 BICYCLE PARKING (1 SPACE / 20 PARKING SPACES) REQUIRED: 5 (85 PARKING SPACES / 20 = 4.25) PROVIDED: 5
15.	SETBACKS:	C-2 / CENTRAL COMMERCIAL ZONE FRONT: 0 FT. SIDE: NONE REQUIRED, BUT 10 FT, MIN. IF PROVIDED REAR: 20 FT. ABOVE GROUND FLOOR, AT GROUND FLOOR, 5 FT. REQUIRED
16.	ACTIVE RECREATION AREA:	75 S.F. / DWELLING UNIT OR MINIMUM OF 2,500 S.F. REQUIRED: 75 S.F. X 51 DWELLING UNITS = 3,825 S.F. PROVIDED: 5,210 S.F.
17.	LANDSCAPE REQUIREMENT:	ONE (1) TREE PER 3,000 S.F. OF SITE AREA 76,896± S.F. / 3,000 S.F. = 26 TREES REQUIRED PROVIDED: 33
18.	SIGNAGE	FUTURE PERMIT SUBMISSION
19.	OUTDOOR LIGHTING:	LIGHTING SHALL BE 1,5 FOOT CANDLES (MINIMUM) AT GRADE
20.	SOURCE OF WATER:	CITY OF DOVER
21.	SOURCE OF SEWER:	CITY OF DOVER
22.	SOURCE OF GAS:	CHESAPEAKE UTILITIES
23.	SOURCE OF ELECTRIC:	CITY OF DOVER
24.	SURVEY BENCHMARK:	NGS MARKER DNREC (BRASS DISK) VERTICAL: NAVD 88 HORIZONTAL: NAD 83
25.	MONUMENTATION:	EXISTING: 2 FOUND PROPOSED: 8 TO BE SET
26.	SURVEY CLASSIFICATION:	URBAN SURVEY

LEGEND

ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR LOT		
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	N/A
WIRE FENCE		
CHAINLINK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		
EMBANKMENT SIDESLOPES (DOWN)		
CONTOUR	49	55
ELEVATION SPOT SHOT	43.55	25.15 / 25.50 T.C. 25.00 B.C.
BENCH MARK		N/A
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		
CONSTRUCTION NOTE	N/A	

ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	EX. 10"S	10" S
SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
SANITARY SEWER MANHOLE (S.M.H.)		
SANITARY SEWER CLEANOUT		
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT	F.H.	F.H.
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M. W.V.
STORM DRAIN MANHOLE (S.D.M.H.)		
STORM DRAIN LINE (CMP OR RCP)		
CATCH BASIN		
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)		
UNDERGROUND ELECTRIC	U.E.	U.E.
UNDERGROUND TELEPHONE	U.T.	U.T.
UNDERGROUND GAS MAIN	EX. 2" G	2" G
PAVEMENT TO BE REMOVED	N/A	

SHEET INDEX

C-001 COVER SHEET
C-101 EXISTING CONDITIONS / DEMOLITION PLAN
C-201 SITE PLAN
L-101 TREE PRESERVATION AND PLANTING PLAN
L-102 ACTIVE RECREATION PLANS AND DETAILS

OWNERS CERTIFICATION

I, WILLIAM G. NEATON, HEREBY CERTIFY THAT I AM A REPRESENTATIVE OF THE OWNER(S) OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

WILLIAM G. NEATON — DATE

ENGINEERS CERTIFICATION

I, GREGORY V. MOORE, HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

GREGORY V. MOORE P.E. NO. 9311 — DATE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Dover
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

Salisbury
312 West Main St. Suite 300
Salisbury, MD 21801
Ph. 410.546.9100
Fax 410.546.5824

Wilmington
3205 Randall Parkway, Suite 211
Wilmington, North Carolina 28403
Ph. 910.341.7600
Fax 910.341.7506

www.beckermorgan.com

PROJECT TITLE

SITE REDEVELOPMENT LANDS OF

DOWNTOWN DOVER DEVELOPMENT CORP.

120 GOVERNORS AVENUE
CITY OF DOVER
KENT COUNTY, DE

SHEET TITLE

COVER SHEET

0 25 50 100

SCALE : 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

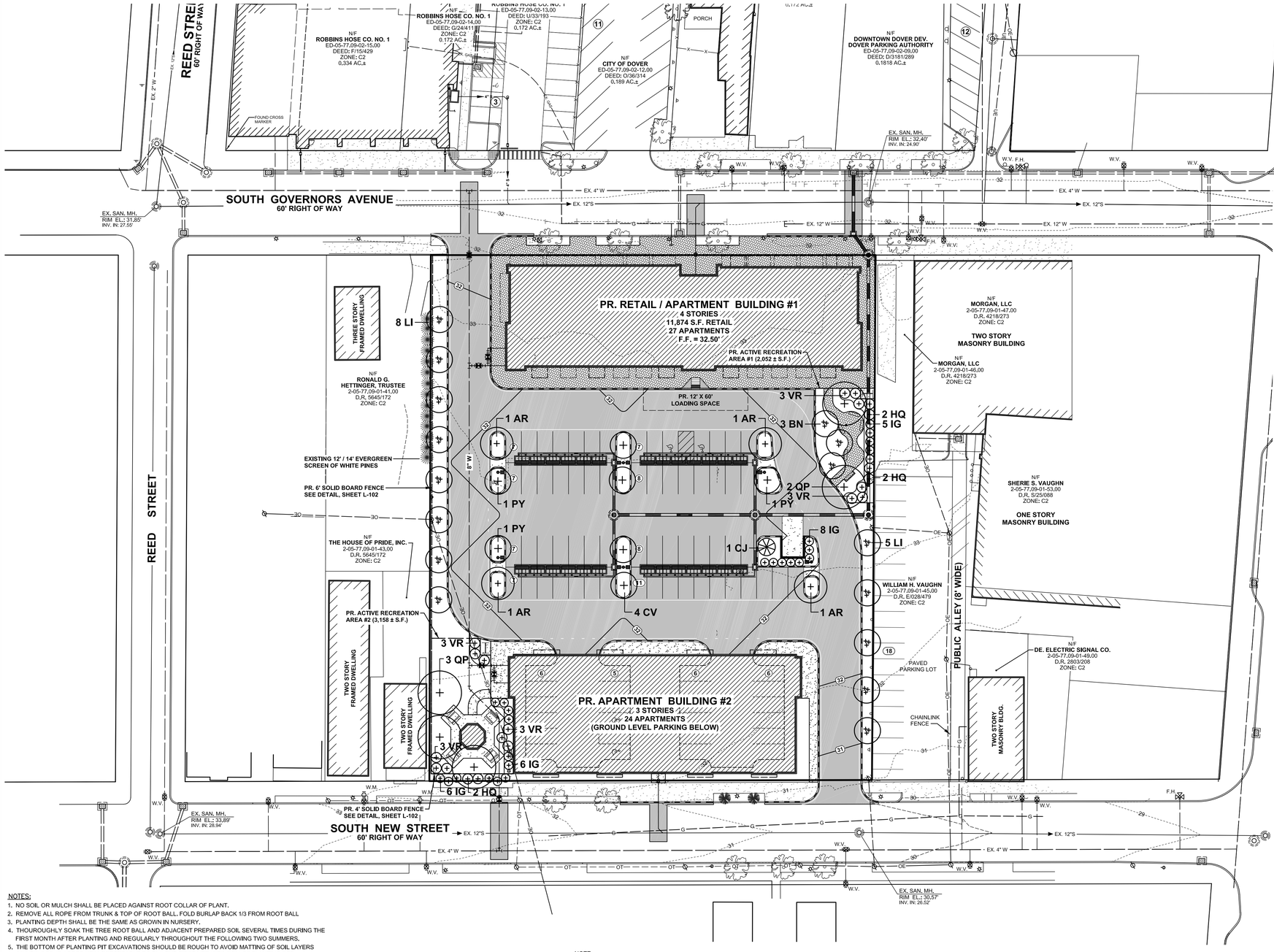
LAYER STATE : C-001

PROJECT NO.: 2011023.00
DATE: 06/17/11
SCALE: 1" = 50'
DRAWN BY: WJG | PROJ. MGR.: GVM

SHEET
C-001

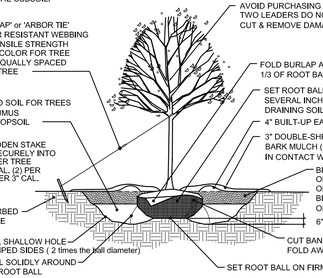
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NOTES:

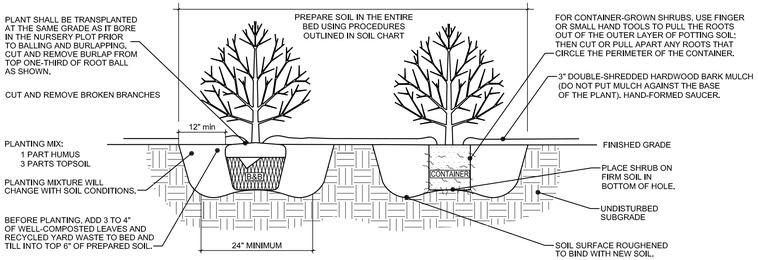
1. NO SOIL OR MULCH SHALL BE PLACED AGAINST ROOT COLLAR OF PLANT.
2. REMOVE ALL ROPE FROM TRUNK & TOP OF ROOT BALL, FOLD BURLAP BACK 1/3 FROM ROOT BALL
3. PLANTING DEPTH SHALL BE THE SAME AS GROWN IN NURSERY.
4. THOUROUGHLY SOAK THE TREE ROOT BALL AND ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.
5. THE BOTTOM OF PLANTING PIT EXCAVATIONS SHOULD BE ROUGH TO AVOID MATTING OF SOIL LAYERS AS NEW SOIL IS ADDED, IT IS PREFERABLE TO TILL THE FIRST LIFT (2 TO 3 IN.) OF PLANTING SOIL INTO THE SUBSOIL.



TREE PLANTING DETAIL

NO SCALE

NOTE:
Apply approved pre-emergent weed control on all shrub beds prior to mulching.



SHRUB PLANTING DETAIL

NO SCALE

LEGEND

- EXISTING TREE TO REMAIN
- PROPOSED EVERGREEN TREE
- PROPOSED CANOPY TREE
- PROPOSED SHRUBS
- PROPOSED UNDERSTORY TREE
- PROPOSED FENCE

SITE DATA

1.	OWNER OF RECORD:	DOWNTOWN DOVER DEVELOPMENT CORP. (PARCEL 44.00) 426 SOUTH STATE STREET DOVER, DE 19901
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVENUE DOVER, DE 19904 (302) 734-7950
3.	PROPERTY MAP NUMBER:	2-05-77.09-01-44.00-00001
4.	ZONING CLASSIFICATION:	EXISTING: C-2 / CENTRAL COMMERCIAL ZONE
7.	PRESENT USE:	COMMERCIAL, DAYCARE
8.	PROPOSED USE:	COMMERCIAL, APARTMENTS
9.	TOTAL SITE AREA:	76,896 S.F. / 1.7653 ACRES
10.	PROPOSED BUILDING:	PR. APARTMENT / RETAIL BUILDING #1: 47,042± S.F. PR. APARTMENT BUILDING #2: 34,896± S.F. TOTAL BUILDING S.F. AT COMPLETION: 81,938± S.F.

GENERAL LANDSCAPE NOTES:

1. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK."
2. EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
3. ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 7'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE DETAIL SHOWN.
4. PLANT MATERIALS DELIVERED TO THE SITE IN UNCOVERED TRUCKS WILL BE REJECTED.
5. UNACCEPTABLE PLANT MATERIALS: MATERIALS WHICH HAVE DAMAGED OR CROOKED LEADERS, DEFORMED GROWTH HABIT, ABRASIONS OF THE BARK, SUN SCALD, WINDBURN, DISFIGURING NOT COMPLETELY CALLUSED WILL BE REJECTED, IN ADDITION, TREES HAVING THEIR CENTRAL LEADERS HEADED BACK WILL ALSO BE REJECTED. PLANTS WITH LOOSE OR CRACKED ROOT BALL OR CONTAINERS WILL BE REJECTED.
6. ALL PLANTS SHALL BE PLANTED IN TOPSOIL THAT IS THOROUGHLY WATERED AND TAMPED AS BACKFILLING PROGRESSES. NOTHING BUT SUITABLE TOPSOIL, FREE OF DRY SOD, STIFF CLAY, LITTER, STONES IN EXCESS OF ONE (1) INCH DIAMETER, ETC, SHALL BE USED FOR PLANTING.
7. MULCH FOR PLANTING BEDS SHALL BE SHREDDED HARDWOOD BARK MULCH UNLESS OTHERWISE SPECIFIED ON THE PLANS AND SHALL HAVE NO LEAVES, YOUNG GREEN GROWTH, BRANCHES, TWIGS, GREATER IN DIAMETER OF ½", WEEDS, SHAVINGS OR FOREIGN MATERIAL SUCH AS STONES, ETC. SHALL BE MIXED WITH THE MULCH. ALL SHRUB MASSES SHALL BE PLANTED IN CONTINUOUS MULCHED BEDS WITH A LIGHTLY COMPACTED DEPTH OF THREE (3) INCHES. ALL CONTAINER PLANTS ARE TO HAVE ROOTS CUT ON FOUR SIDES AND/ OR SPREAD OUT IN NEW SOIL MIXTURE.
8. ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN AND NOTES.)
9. LANDSCAPE BEDS NOT DEFINED BY CURBS, SIDEWALKS, WALLS OR OTHER STRUCTURES SHALL BE ENCLOSED BY ALUMINUM EDGING UNLESS OTHERWISE INDICATED.
10. AREAS DISTURBED BY LANDSCAPE OPERATIONS SHALL BE GRADED TO MATCH EXISTING TOPSOIL AND SEED OR SOD AS REQUIRED.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
12. NO PLANT, EXCEPT GROUNDCOVERS, SHALL BE WITHIN THREE (3) FEET FROM SIDEWALKS.
13. NO TREE SHALL BE PLANTED CLOSER THAN FIVE (5) FEET FROM ANY STRUCTURE OR BUILDING.
14. NO TREE SHALL BE PLANTED WITHIN TEN (10) FEET OF UNDERGROUND UTILITIES OR FIRE HYDRANTS.
15. ONLY TREES THAT REACH A HEIGHT AND SIZE AT MATURITY OF SMALL TO MEDIUM SHALL BE PLANTED UNDER POWER LINES.
16. THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON, UNLESS THE OWNER AGREES TO MAINTAIN AND WATER THEM.
17. TREES TO REMAIN ON-SITE SHALL BE PROTECTED WITH SNOW FENCE DURING CONSTRUCTION (SEE DETAIL). SNOW FENCING TO BE MAINTAINED DURING CONSTRUCTION BY CONTRACTOR.
18. THE PLANTING PLAN SHALL TAKE PRECEDENCE OVER THE PLANT SCHEDULE SHOULD ANY PLANT QUANTITY DISCREPANCIES OCCUR.
19. NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER AND/ OR THE LANDSCAPE ARCHITECT.
20. ALL NEW TREES SHALL BE GUARANTEED TO SURVIVE FOR ONE FULL YEAR AFTER INSTALLATION (FULL COST). ALL STAKES AND GUYS SHALL BE REMOVED FROM TREES AND SITE AS EARLY AS THREE (3) MONTHS, BUT NO LONGER THAN ONE (1) YEAR AFTER PLANTING.

ACTIVE RECREATION SPACE REQUIREMENTS :

1.	ACTIVE REC. SPACE REQUIREMENT :	75 S.F. / DWELLING UNIT OR MINIMUM OF 2,500 S.F. REQUIRED: 75 S.F. X 51 DWELLING UNITS = 3,825 S.F. PROVIDED: 5,210 S.F.

TREE DENSITY REQUIREMENTS :

1.	WOODLAND PRESERVATION :	50% OF EXISTING WOODLAND AREA REQUIRED: 0
2.	TREE DENSITY REQUIREMENT :	ONE (1) TREE PER 3,000 S.F. OF NON-WOODLAND AREA ON SITE REQUIRED: 26 (76,896 S.F. / 3,000 S.F. = 25.632)
3.	TREES PROVIDED :	EXISTING: 0 TREES PROPOSED: 33 TREES TOTAL: 33 TREES

LANDSCAPE ARCHITECTS CERTIFICATION

I, MATTHEW T. SPONG, R.L.A., HEREBY CERTIFY THAT I AM A LANDSCAPE ARCHITECT IN THE STATE OF DELAWARE, THAT THE LANDSCAPING INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF, REPRESENTS GOOD LANDSCAPING PRACTICES.

MATTHEW T. SPONG, R.L.A., #126-E — DATE

PLANT LIST

KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
AR	4	ACER RUBRUM 'ARMSTRONG'	ARMSTRONG RED MAPLE	2" CAL.	B&B	HEAVY, FULL, VIGOROUS
BN	3	BETULA NIGRA 'HERITAGE'	HERITAGE RIVER BIRCH	6 / 8'	B&B	HEAVY, FULL, VIGOROUS
CJ	1	CRYPTOMERIA JAPONICA 'LOBBI COMPACT'	COMPACT CRYPTOMERIA	5 / 6'	B&B	HEAVY, FULL, VIGOROUS
CV	4	CRATAEGUS VIRIDIS 'WINTERKING'	WINTERKING HAWTHORN	1-1 1/2" CAL.	B&B	HEAVY, FULL, VIGOROUS
HQ	6	HYDRABGIA QUERCIFOLIA 'SNOWFLAKE'	SNOWFLAKE HYRANGEA	#5	CONT.	HEAVY, FULL, VIGOROUS
IG	25	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY HOLLY	18 / 24"	CONT.	HEAVY, FULL, VIGOROUS
LI	13	LAGERSTROEMIA INDICA 'SIOUX'	SIOUX CREPE MYRTLE	6 / 8' CLUMP	B&B	HEAVY, FULL, VIGOROUS
PY	3	PRUNUS X YEDOENSIS	YOSHINA CHERRY	1-1 1/2" CAL.	B&B	HEAVY, FULL, VIGOROUS
QP	5	QUERCUS PHELLOS	WILLOW OAK	2" CAL.	B&B	HEAVY, FULL, VIGOROUS
VR	15	VIBURNUM X RHYTIDOPHYLLOIDES	LEATHERLEAF VIBURNUM	2 / 2-1/2'	B&B	HEAVY, FULL, VIGOROUS

BECKER MORGAN GROUP

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ENGINEERING

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Fax 410.546.5824

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Fax 910.341.7506

www.beckermorgan.com

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LAND, SITE & PARK PLANNING • WETLANDS SCIENCE
Matthew T. Spong, R.L.A., A.S.L.A.
Mark S. Goetzl, A.S.L.A.
Chad D. Carter, A.S.L.A.
P.O. Box 293 Dover, Delaware 19903
Phone: 302-284-6330 Fax: 302-284-6331
Email: lasmail@lasllc.net web: lasllc.net

PROJECT #: 2011-11 COMM #: 1425 DATE: 06-15-2011
DRAWN BY: PS DESIGNED BY: MTS CHECKED BY: MTS
REVISION:

PROJECT TITLE

SITE REDEVELOPMENT LANDS OF

DOWNTOWN DOVER DEVELOPMENT CORP.

120 GOVERNORS AVENUE
CITY OF DOVER
KENT COUNTY, DE

SHEET TITLE

TREE PRESERVATION AND PLANTING PLAN

0 15 30 60

SCALE : 1" = 30'

ISSUE BLOCK

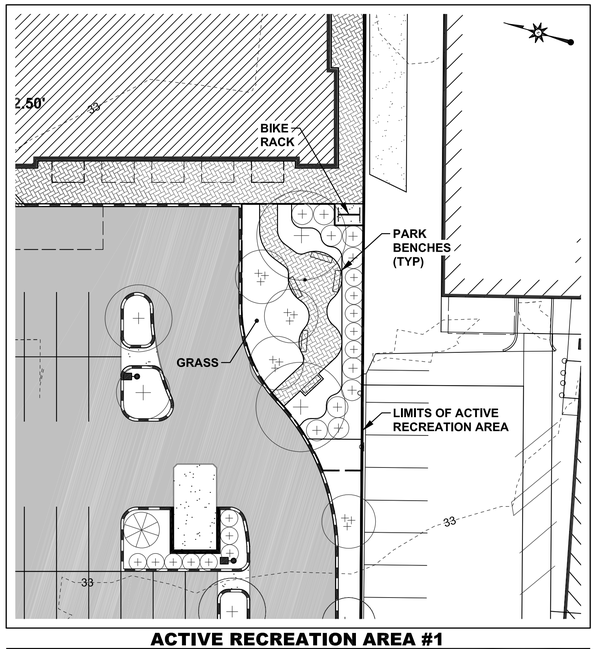
MARK	DATE	DESCRIPTION
LAYER STATE : L-101		

PROJECT NO.: 2011023.00
DATE: 06/17/11
SCALE: 1" = 30'
DRAWN BY: WJG PROJ. MGR.: GVM

SHEET
L-101

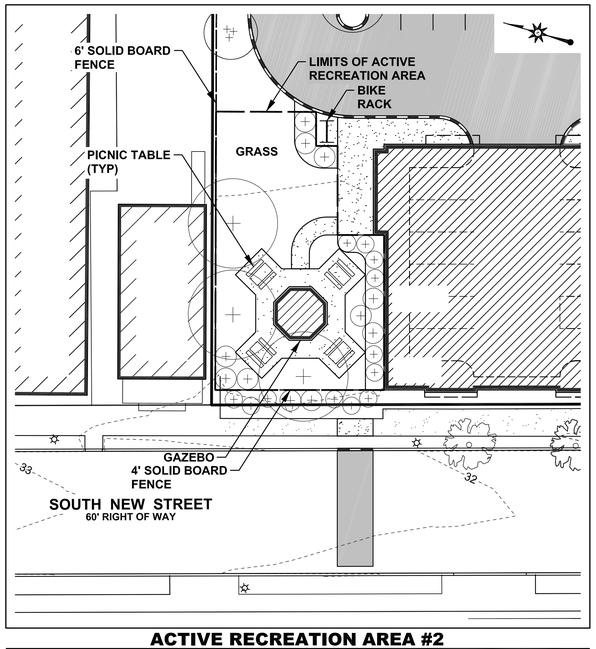
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ACTIVE RECREATION AREA #1

SCALE: 1" = 20'

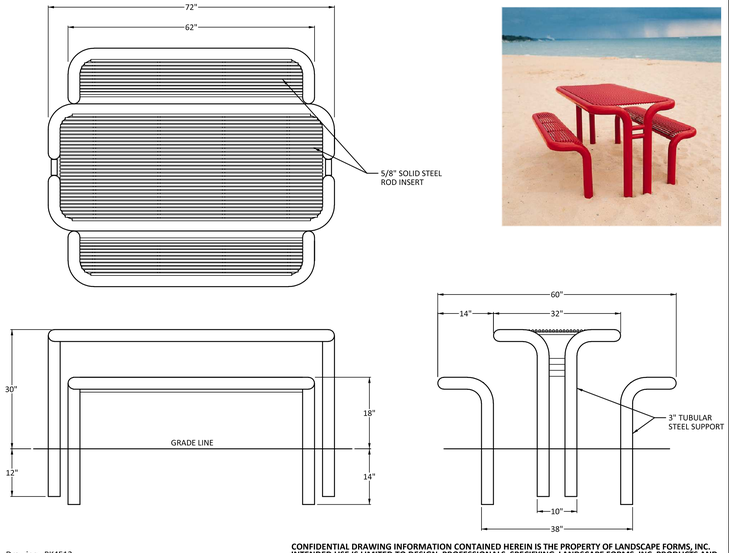


ACTIVE RECREATION AREA #2

SCALE: 1" = 20'

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72" Picnic Table with Seating, Embedded Support — www.landscapeforms.com Ph: 800.521.2546

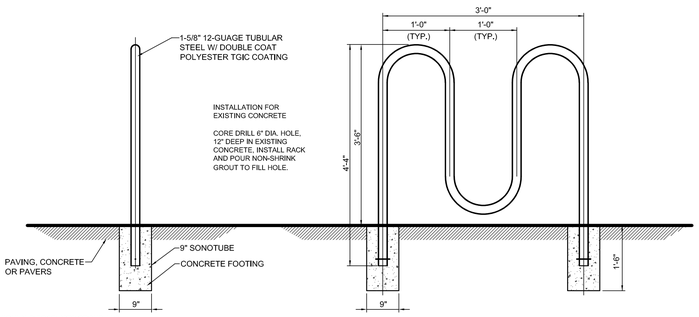


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Date: 01/08/1992
Dimensions are in Inches[mm]

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PICNIC TABLE AND BENCH DETAIL

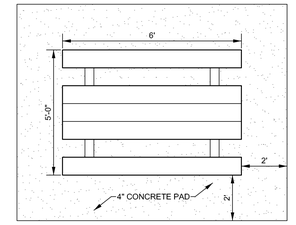
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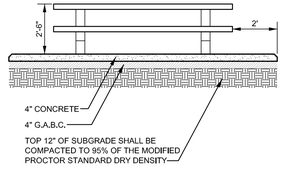


HIGHLAND PRODUCTS GROUP, LLC
WAVE STYLE BICYCLE RACK
ITEM I342-1064

BIKE RACK DETAIL - TYPICAL IN-GROUND INSTALLATION

NO SCALE



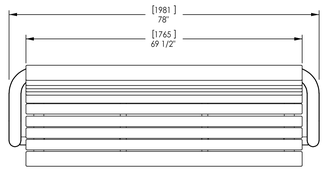


PICNIC TABLE DETAIL

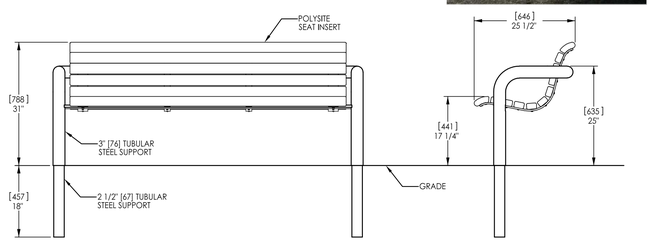
NO SCALE

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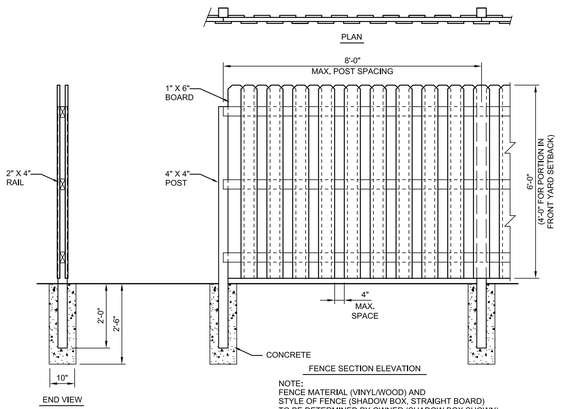


Drawing: PK163-01
Date: 5/13/2010
Dimensions are in Inches[mm]

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PARK BENCH DETAIL

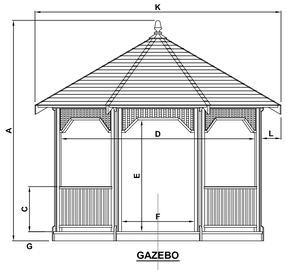
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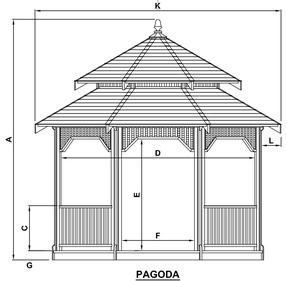
NOTE:
FENCE MATERIAL (VINYL/WOOD) AND STYLE OF FENCE (SHADOW BOX, STRAIGHT BOARD) TO BE DETERMINED BY OWNER (SHADOW BOX SHOWN)

PRIVACY FENCE DETAILS

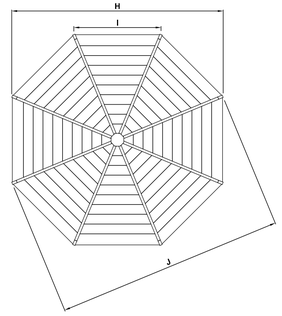
NO SCALE



GAZEBO



PAGODA



	9'	11'	13'	15'
A	148"	155"	161"	170"
B	N.A.	174"	181"	188"
C	36"	36"	36"	36"
D	90"	114"	138"	162"
E	79"	79"	79"	79"
F	32"	42"	52"	62"
G	6.5"	6.5"	6.5"	8"
H	99"	123"	147"	171"
I	40"	50"	60"	70"
J	107"	133"	159"	185"
K	127"	147"	175"	194"
L	15"	12"	14"	12"

NOTES:
1. THIS DRAWING IS FOR SCHEMATIC PURPOSES ONLY, THE CONTRACTOR IS TO COORDINATE WITH OWNER FOR EXACT DETAILS
1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE BUILDING CODES.

GAZEBO AND PAGODA DETAIL

NO SCALE

BECKER MORGAN GROUP

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PROJECT #: 2011-11	COMM #: 1425	DATE: 06-15-2011
DRAWN BY: PS	DESIGNED BY: MTS	CHECKED BY: MTS

DIVISION:

PROJECT TITLE

SITE REDEVELOPMENT LANDS OF

DOWNTOWN DOVER DEVELOPMENT CORP.

120 GOVERNORS AVENUE
CITY OF DOVER
KENT COUNTY, DE

SHEET TITLE

ACTIVE RECREATION PLANS AND DETAILS

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE: L-102

PROJECT NO.: 2011023.00
DATE: 06/17/11
SCALE: AS NOTED
DRAWN BY: WJG | PROJ. MGR.: GVM

SHEET
L-102

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ARCHITECTURAL REVIEW REPORT
Recommendation Report of the Dover Historic District Commission
Meeting of July 21, 2011

Application:	Acme Site Redevelopment Master Plan
Location:	West side of South Governors Avenue over to South New Street, north of West Loockerman Street
Tax Parcel:	ED-05-077.09-01-44.00-000
Owner:	Downtown Dover Partnership (previously known as Downtown Dover Development Corporation)
Present Zoning:	C-2 - Central Commercial District Zone H - Historic District Zone
Present Use:	Commercial building with a retail tenant and a day care center tenant with a parking lot
Proposed Use:	Retail/Apartment Building #1: 11,874 SF commercial/retail space and 27 apartments Apartment Building #2: 24 apartments with ground level parking in building
File Number:	HI-11-04

Project Description:
The Historic District Commission conducted a public hearing and took action to make a recommendation to the City of Dover Planning Commission for an Architectural Review Certificate for the Acme Site Redevelopment Master Plan project. This application consists of a phased project that is to include a retail/apartment building and second apartment building with the demolition of the existing mid-to-late twentieth century commercial building. The project also includes the associated parking, streetscape improvements, landscaping, and stormwater management facilities. The project area consists of one parcel of land totaling 1.7653 acres ± and zoned C-2 (Central Commercial Zone) and subject to the H (Historic District Zone). The property site spans the block between South Governors Avenue and South New Street located north of, but not adjacent to, West Loockerman Street. The owner of record is the Downtown Dover Partnership. The property address is 120 South Governors Avenue. Tax Parcel: ED-05-077.09-01-44.00-000.

RECOMMENDATION OF THE HISTORIC DISTRICT COMMISSION:
The application was considered at the July 21, 2011 meeting of the Historic District Commission. The following members were present: Chairman Dick Scrafford, Mr. Terry Jackson, Mr. Chaz

Salkin, and Mr. George Fisher (Commission member Mr. Joe McDaniel was recused from participating the application review as he is a Board Member of the Downtown Dover Partnership, the property owner). The application was represented by Mr. Gregg Moore, President of the Downtown Dover Partnership; Mr. Bill Neaton, Executive Director of the Downtown Dover Partnership; and Mrs. Arden Bardol, Becker Morgan Group, Inc. Public testimony was received from Mr. Gregg Moore, President of the Downtown Dover Partnership.

Action Taken by Historic District Commission: The motion to recommend approval passed 4-0 of the members present. **The Historic District Commission recommends approval of the Architectural Review Certificate for application HI-11-04 Acme Site Redevelopment Master Plan thus endorsing the concept of the plan presented (at the meeting) finding that this will not be detrimental to the neighborhood on New Street and that Building #2 is compatible with the neighborhood. And to include all other Staff comments and recommendations with the exception of comment Item #4(c) as the Historic District Commission finds that the massing and roof line of Building #2 has been satisfactorily addressed by the applicant in their presentation to the Commission.**

The following are the comments and recommendation for this application regarding project activities and Architectural Review Certification as adopted by the Historic District Commission.

1. **Recommends approval of the Architectural Review Certificate for the demolition of the existing commercial building on the property finding that the building is not significant as it is a modern intrusion into the historic area.**
    a. **As the building has a Cultural Resource Survey record (K-396.203) from the survey completed associated with the National Register nomination for the Victorian Dover Historic District, the appropriate survey forms should be completed to record its demolition (when it occurs).**
    b. **The building footprint will need to be appropriately stabilized if project site construction is not progressing at the time of its demolition.**

2. **Recommends conditional approval of the Architectural Review Certificate for the construction of the Retail/Apartment Building #1 finding the overall building to be of a contemporary design yet compatible with the buildings of this block of the Historic District which includes larger multi-story commercial buildings, the Dover Fire Department building (across Governors Avenue), and existing parking lots.**

3. **These conditions are recommended to improve Retail/Apartment Building #1 project's compliance with the recommended guidelines of the *Design Standards and Guidelines*. The following are recommended conditions:**
    a. **The actual height measurements of the building should be confirmed to ensure compliance with the height (in feet) limitations for the zoning district.**
    b. **Signage identifying the commercial tenants and the apartment building main entry should be integrated into/attached the building.**
    c. **Confirm materials and design of the balcony railing system as a black metal system compliant with the requirements of the Building Code.**
    d. **Confirm the materials for the awnings and their compliance with the clear height provisions.**

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

4. Recommends conditional approval of the Architectural Review Certificate for the Apartment Building #2 as the Historic District Commission finds it to be compatible with the nearby residential neighborhood on South New Street.

a. The applicant's presentation provided information on the proposed building heights to assess its compatibility with nearby residential dwellings and other nearby buildings.
b. The Commission found that building design addresses the pedestrian level scale with the choices of materials and detailing of the first floor and additional information on the roof system satisfied the concerns regarding the overall massing of the building.
c. Comment deleted by Historic District Commission action.
d. See also the statements in Comment #5.

5. These conditions are recommended to improve the Apartment Building #2 project's compliance with the recommended guidelines of the *Design Standards and Guidelines*. The following are recommended conditions:

a. This is a four story building with the first floor occupied by the ground level parking area then floors 2-4 as apartments.
b. Recommend consideration of alternative designs of the building roof form to divide into smaller areas (multiple ridgelines) or other opportunities to provide space for mechanical equipment areas.
c. Recommend consideration of additional design changes to present a building of small parts such as setbacks of upper two floors, greater stepping of the building front façade wall planes, etc.
d. Recommend the use of architectural shingles for the main roof surface.
e. Signage identifying the apartment building main entry should be integrated into the building. It currently appears to be located as a projecting sign over the gable roof of the entry which may be difficult to see.
f. Confirm materials and design of the balcony railing system as a black metal system compliant with the requirements of the Building Code.
g. Any revisions or changes in the identified materials or refinement of the building design may be subject to further review by the Historic District Commission.

6. The following items should be clarified regarding the Building #1 and Building #2 design in order to confirm compliance.

a. Clarify the type of system proposed for gutters and downspouts.
b. Clarify the size of the balcony areas to ensure they are sized for usable space.
c. Clarify the installation format of the Hardie-board siding i.e. exposure width, etc.
d. The applicant should be aware of the implications regarding the type of construction for the building.
e. With the building design, the height of the finished floor elevation in relation to the sidewalk and parking lot must be considered in order to achieve accessibility into the building. If additional building elements are required to achieve accessibility, they may require further review by the Historic District Commission.

7. **Some of the site improvements/amenities were not specifically described with the application information. Please provide information for consideration and discussion.**
    a. **Light fixtures/poles utilized along the streetscape should continue style of the lighting used in the Downtown Loockerman Street areas. A taller two-light style fixture may be more appropriate within the parking lot areas.**
    b. **Identify the materials for the open space areas including surface pavement, benches or other seating, bicycle parking rack, etc.**
    c. **Identify the design and materials of the fence including pillars along South New Street. The materials selected must be appropriate for use within the Historic District. Staff recommends the use of a black metal picket style fencing with a maximum height of four feet.**
    d. **Identify areas where the sidewalks or portions of the sidewalks will be constructed of brick or a grass landscape strip will be implemented. The use of brick paving materials for sidewalk construction is a key feature found throughout the Historic District area.**
        i. **The grass strip should be implemented in the areas of South New Street were the existing curb cut will be removed.**
        ii. **The City's standards for sidewalk format must be met.**
    e. **Any unused curb cuts along the two street frontages must be removed.**

8. **Since the gazebo originally proposed for the area north of Building #2 is to be removed from the plan, Commission recommends consideration of a design for a pergola attached to the north wall of building which could provide a shaded area in proximity of the open space/recreation area.**

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

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

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

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

13. **This site development plan for this project is also subject to the application and review process for Site Development Plan or Site Development Master Plan (Article 10 §2 of the *Zoning Ordinance*) before the Planning Commission. Note: Additional technical items for compliance with the *Zoning Ordinance* and other regulations may be identified during the**

Site Plan Process. Review comments pertaining specifically to the Site Plan set will be issued at that time.

14. **The applicant shall be aware that Building Permits and Demolition Permits are required to proceed with any demolition or construction activities on the property. The permit applications must comply with the approvals granted through the Architectural Review Certification process.**

15. **The applicant shall be aware that a Sign Permit is required to proceed with the placement of signage on the property.**

This Recommendation is forwarded to the Planning Commission for the final action on the revised Architectural Review Certification.

The following information was considered by the Historic District Commission in marking their recommendation including the initial recommendations made by Planning Staff in regards to the application. Discussion at the Historic District Commission meeting also included a presentation of the project;, designation of parking areas; the marketing and phasing of the project; additional information on the building height, materials, and detail;, scale of buildings to adjacent neighborhood areas; the size and massing of Building #2;the potential for adding green space; and materials selected.

Property Information:
The subject site consists a twentieth century commercial building currently divided into two tenant spaces: a retail tenant and a day care center facility. A portion of the existing parking is managed by the Downtown Dover Partnership as a permit parking lot.
The property is located within the boundaries of the National Register of Historic Places listed Victorian Dover Historic District (K-396) but the existing commercial building is considered a non-contributing building. The description of the building from the district nomination describes it as a one story masonry food chain establishment circa 1970. Historically, this block of Downtown was part of an area known as the Comegy's Lots laid out in the 1850s with development occurring 1859-1885. The *1868 Beers Map* shows the subject site primarily vacant with one building owned by L. Geiser and a school building. By 1885, a series of residential dwelling fronting on both Governors Avenue and New Street are in existence. The subject site is just north of the original building location of the Robbins Hose Fire Company building. The *1887 Map of Dover* published by W.B. Roe continues to show a public school in the southern portion of the site with dwellings to the north. Review of the *Sanborn Fire Insurance Map Series* from 1885 – 1944 with updates also documents the history of buildings on the subject site. The 1885 Map shows a two story school building and a Sunday School & Meeting House building with a series of two story residential dwellings with accessory buildings (garages, sheds). By 1897 the school building is replaced by a Methodist Protestant Church building with the residential dwellings remaining. These uses for the subject site continue through the early twentieth century. By mid-twentieth century, the church building is replaced by a one story cinderblock store building adjacent to Governors Avenue. In the late 1960s, the subject site is redeveloped with the existing masonry commercial building setback in the middle of the block; its construction appears to have eliminated approximately nine residential dwellings.

The entire project site is located with the local Historic District Zone (H) and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections.

PROJECT PROPOSAL (Drawings dated 6/14/2011):

This proposal involves the construction of two buildings each addressing one of the street frontages of the subject site. The project has the potential to be developed in phases. The existing multi-tenant commercial building will be demolished.

The first building is the Retail/Apartment Building #1 fronting on South Governors Avenue. This is four story masonry building. The building overall has three main sections: first section giving the appearance of one building; section two as the main entry to the apartment building is setback and utilizes an alternative material pattern and taller roof line; and then the third section which mimics the commercial first floor of section one but has an alternative design of the upper floors which step back and provide a difference format to the balcony placements for the apartment units.

The east/front façade of the commercial retail on the first floor consists of display windows in a glass storefront window system with the glass entry doors for each tenant space. A series of awnings are placed on the building to shade each space. The upper floors, where the apartments are to be located, have grouped sets of windows and balcony areas. The balconies on the top floor are shaded by awnings. On the north and south elevations of Building #1, the first floor storefront windows are continued for part of the side. There are single windows in the stair tower elements as well. These elevations are also divided by changes in the exterior finish and selected detail elements. The west elevation of Building #1 faces the interior of the block and is designed in a similar fashion as the east/front façade. On the first floor smaller awnings shade rear entries to the commercial units and the upper floors continue the window and balcony systems.

The predominant exterior finish materials for the building are brick, a stucco treatment, and Hardie-board (a fiber-cement product). Variation in the wall detailing is provided through the use of multiple brick colors, use of different materials for different sections of the building, and multiple colors of Hardie-board. Brick detailing and changes in the veneer mark the foundation/base on the building and the transitions between the floors with banding. A multi-part cornice line indicates the transition to the flat roof. The storefront window openings appear to use clear glass. At the apartment level, the windows are matched to transom windows above and are divided light windows set in groupings of three to five windows.

The second building is the Apartment Building #2 fronting on South New Street. It is also considered a four story building (not three story as labeled on the plan drawings). The first floor or ground level is a parking garage of twenty-three spaces. Then there are three floors of apartment units. The first floor of Building #2 is clad in brick with decorative grillwork in the window-like openings which allow light and air into the parking level. On the west elevation (façade facing South New Street) the main entry is centered under a covered area with a gable front roof. Also on this façade are two sets of false garage doors in a double carriage style door design .The upper floors are clad in Hardie-board laid in a horizontal pattern with some banding

details. The windows are paired in sets of two with matching transoms above. The balconies are accessed by sets of double doors and a located in the four bays of the building which step out towards South New Street. Overall, Building #2 is topped with a large turned gable roof with a single ridge running the length of the building. Four smaller gable roof topping the balcony bays punctuate the large roof at its eaveline. Standing seam metal roofing is utilized for these smaller roof structures. The north and south elevations on the sides of this building continue the exterior finish pattern of brick on the first floor with Hardie-board above but with single windows. The rear elevation facing the interior of the parcel uses the same exterior finish pattern; however, the window and balcony pattern is slightly different. For this elevation, the projecting bays include windows only and the balconies are located in the plane of the main building wall. Again a gable roofed entry is centered on the elevation and is flanked by the larger parking garage entry openings (two-way traffic).

The project also includes site improvements ranging from parking lot reconfiguration to landscaping. The mid-block space between the two buildings is designed to serve as the parking lot for the buildings and includes several islands planted with trees. The parking area is accessible from both South Governors Avenue and South New Street. There are two areas of landscaping and hardscape which serve as recreation areas for the apartments. The area near South New Street includes a fence parallel to the street. The gazebo shown in this submission has been removed from the project due to lack of compliance with setback requirements for such structures as associated with recreation areas. The location of mechanical equipment to serve the buildings is not shown on the plans/drawings.

See attached concept site plan drawing and series of color renderings of each proposed building, detailed information on building forms, locations, and material choices.

Review of DESIGN STANDARDS AND GUIDELINES

The subject project site is located in the Dover Historic District Zone within the Loockerman historic context. The Loockerman historic context is described on pages 2-7 through 2-8 . Location within the Dover Historic District Zone requires proposals for demolition, new construction, additions, and certain renovation or rehabilitation activities to existing buildings to receive an Architectural Review Certificate.

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

This proposal must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. For the demolition of the existing mid-late twentieth century building on the site, the review considerations are those

associated with "Demolition." For the new retail/ apartment building and the apartment building, the applicable review considerations are those associated with "New Construction." Information on the proposed project and the review considerations is given below.

Demolition

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

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

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

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

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

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

New Construction

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

- Style
- Scale *(building to reflect dominant cornice and roof height of adjacent buildings)*
- Elevation of the First Floor
- Floor-to-Floor heights
- Bays, windows and doors *(size, relationship, spacing of)*
- Absolute Size *(compare overall size of new building)*
- Massing *(relationship of solid-to-void)*
- Orientation *(location of primary façade)*
- Proportions *(comparison of height to width of building and elements)*
- Materials
- Forms *(shape of building and roof to be complementary)*
- Siting *(location of building on lot and in relation to street)*
- High density/ large-scale construction

The proposed project must also be reviewed for compliance with the standards established by the *Zoning Ordinance*. The standards include items such as setbacks from property lines, lot

coverage, height, etc. This proposal for Building #1 and Building #2 appears to conform to the bulk requirements of the C-2 Zoning District including setbacks, building height, floor area ratio, and lot coverage. The *City of Dover Zoning Ordinance* authorizes the Historic District Commission to waive certain bulk standards when issuing its recommendation to the Planning Commission for an Architectural Review Certificate if necessary to achieve architectural compatibility in the Historic District.

STAFF COMMENTS AND RECOMMENDATIONS

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

1. Staff recommends approval of the Architectural Review Certificate for the demolition of the existing commercial building on the property finding that the building is not significant as it is a modern intrusion into the historic area.
    a. As the building has a Cultural Resource Survey record (K-396.203) from the survey completed associated with the National Register nomination for the Victorian Dover Historic District, the appropriate survey forms should be completed to record its demolition (when it occurs).
    b. The building footprint will need to be appropriately stabilized if project site construction is not progressing at the time of its demolition.

2. Staff recommends conditional approval of the Architectural Review Certificate for the construction of the Retail/Apartment Building #1 finding the overall building to be of a contemporary design yet compatible with the buildings of this block of the Historic District which includes larger multi-story commercial buildings, the Dover Fire Department building (across Governors Avenue), and existing parking lots.

3. These conditions are recommended by Staff to improve Retail/Apartment Building #1 project's compliance with the recommended guidelines of the *Design Standards and Guidelines*. The following are recommended conditions:
    a. The actual height measurements of the building should be confirmed to ensure compliance with the height (in feet) limitations for the zoning district.
    b. Signage identifying the commercial tenants and the apartment building main entry should be integrated into/attached the building.
    c. Confirm materials and design of the balcony railing system as a black metal system compliant with the requirements of the Building Code.
    d. Confirm the materials for the awnings and their compliance with the clear height provisions.
    e. Any revisions or changes in the identified materials or refinement of the building design may be subject to further review by the Historic District Commission.

4. Staff recommends that action on the Architectural Review Certificate for the construction of the Apartment Building #2 be deferred to allow additional information and an alternative design to be submitted. This multi-unit residential building with its contemporary design must strive to be compatible with the nearby single family detached

dwellings and duplex dwellings of predominately two story buildings. The current design appears to be very large in overall form, scale, and proportion.

a. The submission does not provide information on the proposed building heights (eave, ridge, mean) or streetscape views to assess its compatibility with nearby residential dwellings and other nearby buildings.
b. While the building design attempts to address the pedestrian level scale with the choices of materials and detailing of the first floor, the overall massing of the building is a concern. The main roof design appears to add significant additional height to the building which may only cover a large attic space.
c. The building has a very suburban design feel and not one that is responsive to the neighborhood around it other than its placement close to the street.
d. See also the statements in Comment #5.

5. These conditions are recommended by Staff to improve and achieve the Apartment Building #2 project's compliance with the recommended guidelines of the *Design Standards and Guidelines*. The following are recommended conditions:
    a. This is a four story building with the first floor occupied by the ground level parking area then floors 2-4 as apartments.
    b. Recommend an alternative design of the building roof form to divide into smaller areas (multiple ridgelines) to look more residential than commercial. This could also provide an opportunity for mechanical equipment areas.
    c. Recommend additional design changes to present a building of small parts such as setbacks of upper two floors, greater stepping of the building front façade wall planes, etc.
    d. Recommend the use of architectural shingles for the main roof surface.
    e. Signage identifying the apartment building main entry should be integrated into the building. It currently appears to be located as a projecting sign over the gable roof of the entry which may be difficult to see.
    f. Confirm materials and design of the balcony railing system as a black metal system compliant with the requirements of the Building Code.
    g. Any revisions or changes in the identified materials or refinement of the building design may be subject to further review by the Historic District Commission.

6. The following items should be clarified regarding the Building #1 and Building #2 design in order to confirm compliance.
    a. Clarify the type of system proposed for gutters and downspouts.
    b. Clarify the size of the balcony areas to ensure they are sized for usable space.
    c. Clarify the installation format of the Hardie-board siding i.e. exposure width, etc.
    d. The applicant should be aware of the implications regarding the type of construction for the building.
    e. With the building design, the height of the finished floor elevation in relation to the sidewalk and parking lot must be considered in order to achieve accessibility into the building. If additional building elements are required to achieve accessibility, they may require further review by the Historic District Commission.

7. Some of the site improvements/amenities were not specifically described with the application information. Please provide information for consideration and discussion.
    a. Light fixtures/poles utilized along the streetscape should continue style of the lighting used in the Downtown Loockerman Street areas. A taller two-light style fixture may be more appropriate within the parking lot areas.
    b. Identify the materials for the open space areas including surface pavement, benches or other seating, bicycle parking rack, etc.
    c. Identify the design and materials of the fence including pillars along South New Street. The materials selected must be appropriate for use within the Historic District. Staff recommends the use of a black metal picket style fencing with a maximum height of four feet.
    d. Identify areas where the sidewalks or portions of the sidewalks will be constructed of brick or a grass landscape strip will be implemented. The use of brick paving materials for sidewalk construction is a key feature found throughout the Historic District area.
        i. The grass strip should be implemented in the areas of South New Street were the existing curb cut will be removed.
        ii. The City's standards for sidewalk format must be met.
    e. Any unused curb cuts along the two street frontages must be removed.

8. Since the gazebo originally proposed for the area north of Building #2 is to be removed from the plan, Staff recommends consideration of a design for a pergola attached to the north wall of building which could provide a shaded area in proximity of the open space/recreation area.

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

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

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

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

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

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

15. The applicant shall be aware that a Sign Permit is required to proceed with the placement of signage on the property.

Historic District Commission Action on July 21, 2011

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

City of Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 4, 2011

PLANNING COMMISSION MEETING OF August 15, 2011

Plan Title:	Dove View S-11-12
Plan Type:	Site Plan
Property Location:	West of Saulsbury Road and on the north side of Forrest Avenue
Property Addresses:	101-405 Doveview Dr.
Tax Parcel:	ED-05-076.07-01-30.00-000
Owner:	CRM Mid-Atlantic, LLC
Present Zoning:	RG-5 (General Residence for Mid Rise Apartments Zone) COZ-1 (Corridor Overlay Zone) a portion of
Existing Use:	2 partially constructed buildings
Proposed Use:	3 Apartment Buildings (Total 144 units)
Site Area:	6.7326 ac. +/-
Building Area:	Existing – 30,590 S.F. Proposed – 15,295 S.F. Total – 45,885 S.F.
Impervious Areas:	Existing – 54.7% Proposed – 64.5%
Waivers Requested:	None

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 4, 2011

CITY OF DOVER PLANNING

APPLICATION: Dove View at Dove View Drive

FILE #: S-11-12 REVIEWING AGENCY: City of Dover Planning

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

PLAN SUMMARY:

This Plan is for review of the Site Plan for Dove View. The plan includes the construction of a four story 43,885 SF apartment building and other associated site improvements including the completion of two partially constructed apartment buildings for a total of 144 apartment units. The property is 6.73 acres ± and is zoned RG-5 (General Residence Zone for Mid-Rise Apartments) and subject to the COZ-1 (Corridor Overlay Zone). The property site is located west of Saulsbury Road and north of Forrest Avenue (Delaware Route 8). The owner of record is CRM Mid-Atlantic, LLC. The property addresses are 101-405 Doveview Drive. Tax Parcel: ED-05-076.07-01-30.00

Previous Applications

The site was previously approved as a Planned Neighborhood Design: Senior Citizen Housing Option known as DoveView (C-06-02) for four (4) buildings with 192 dwelling units. This plan was reviewed by the Planning Commission on August 22, 2006 and Final Plan Approval was granted on October 23, 2007. Construction commenced on two of the proposed apartment buildings. Construction ceased on the site for more than a year and the Site Plan and Building Permits have expired. There are two partially constructed buildings on the site.

The Planning Commission reviewed a rezoning request for the property from IO (Institutional Office Zone) to RG-5 (General Residence for Mid Rise Apartment Zone) and subject to COZ-1 (Corridor Overlay Zone) on February 22, 2011 and City Council approved the rezoning request on April 11, 2011.

PARKING SUMMARY- Waiver Request

In the RG-5 (General Residence Mid Rise Apartment Zone) two and a quarter (2¼) parking spaces are required for every dwelling unit and one parking space for every 200 SF of office area. The plan proposed 144 apartment units. This requires 324 off-street parking spaces and one (1) parking space for the office. A total of 325 parking spaces are required. The plan indicates 325 spaces on the plan including eight (8) handicap parking spaces. The site meets the parking requirement.

Bicycle Parking
The site is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Based on the number of required parking spaces seventeen (17) bicycle parking spaces are required. The plan proposes nineteen (19) bicycle parking spaces. The locations of the bicycle racks are located throughout the site near each building.

SITE CONSIDERATIONS
Entrance
The site has two points of ingress and egress. The main entrance for the apartments is located off of Forrest Avenue. This entrance is a shared entrance between the apartments, bank, pharmacy, and vacant land to the west. The second entrance is located off of Saulsbury Road. Cross access to the property to the west (Modern Maturity Center) is to be provided as a walking path.

Dumpsters
Dumpsters for trash collection are required for the development of the site. Based on the number of apartment units to be located within the proposed mixed use building, six (6) dumpster pads are required. The plan proposes six dumpsters throughout the site. The site is also proposing two dumpster pads that may be used for recycling.

Sidewalks
The site has existing sidewalks along the street frontage of Forrest Avenue and along the main entrance drive. Sidewalk is proposed around all three apartment buildings with connections into the site toward the stormwater management area. A sidewalk is located around the stormwater management area that is used as part of the Active Recreation Area.

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

RECREATION/ OPEN SPACE:
Active Recreation Area for this project is required at a rate of 150 square feet per dwelling unit or 10,000 SF whichever is greater. (Article 5 §10.514) Based on 144 dwelling units, 21,600 S.F. of active recreation area is required. The Plan indicates that 21,621 S.F. +/- of land will be reserved as active recreation space. This active recreation space consists of three areas on the site. The first is located in the southwest portion of the site. This area includes two horseshoe pits with picnic tables. The second area is located in the northeast portion of the site. This area consists of a swing set, shuffleboard court and picnic tables. The final active recreation area is located central to the site and consists of the walking path around the stormwater management area including picnic tables and benches.

The Landscape Plan (sheet L-101) illustrates how the building will provide recreation amenities to comply with the design specifications described in Article 5 §10 of the *Zoning Ordinance*.

At their meeting of July 11, 2011 the Parks, Recreation and Community Enhancement Committee recommended approval of the Active Recreation Plan for the Dove View project (part of S-11-12).

The Planning Commission must act upon the Active Recreation Plan as part of any motion regarding this project, or as a separate motion if necessary.

BUILDING ARCHITECTURE

The submission Plan includes the requisite Architectural Elevation drawings. The three buildings will be four story buildings. All three buildings will have the same architecture. The proposed architecture is the same as the previous application and partially constructed. The exterior finish on the first floor is stone veneer. The stone veneer is also located on the second floor on the stair towers. The exterior finish on floors 2-4 are two colors of vinyl siding. Balconies will be provided on floors 2-4. The pitched roof will have asphalt shingles. There are gable roof elements located along the roof line. There are windows placed throughout the building and trim work is located between the different exterior materials.

TREE PLANTING AND LANDSCAPE PLAN

The submitted plan includes the Landscaping details. Based on the 293,272 S.F. property, a total of 98 trees are required. The plan proposes the planting of 96 new trees with two (2) existing trees to remain to meet the requirement. The proposed trees will be located throughout the site. The proposed trees are a mixture including: Willow Oak, Red Sunset Maple, Sweetbay Magnolia, River Birch, and Flowering Dogwood.

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 data column needs to be updated prior to Final Approval. Some of the items which need revising are as follows:
   a) Indicate the zoning COZ-1 (Corridor Overlay Zone) under the zoning for the site.
   b) Any changes recommended by the Planning Commission.
   c) Indicate that trash collection will utilize a private hauler.
   d) Indicate the amount of open space provided on the site.
   e) Indicate that lighting shall be provided at a minimum of 1 ½ foot candles at grade.

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

3) Revise the location of the cross access with the Modern Maturity Center to align with the access on the Modern Maturity Center property.

4) Provide a separate lighting plan sheet.

5) Provide a separate sign and striping plan sheet.

6) Provide a crosswalk going east west across DoveView Drive.

7) Provide a crosswalk from the west side of the main entrance across the drive aisle.

8) Label the road as DoveView Drive.

9) Provide construction details for the following but not limited to: sidewalk ensuring accessibility, curbing, dumpster enclosure ensuring architecture matches the building materials, paving, lighting, etc.

10) Provide the following information on the Landscape Plan:
    a) Ensure that the benches and picnic tables are not on the slopes of the stormwater management area.
    b) Clarify the 25% open space calculation does not include the parking islands.
    c) Provide a Landscape Architect or Certified Nursery Professional Certification.

11) Provide plan sheets of the Landscape and Recreation Plan and Landscape and Recreation Plan Details as part of the Site Plan Set (as submitted for review by the Parks, Recreation and Community Enhancement Committee).

12) The following items should be included on the Landscape and Recreation Plan to clarify the construction of the recreation area improvements:
    a) Provide a list of the proposed features on the Active Recreation Plan (i.e. the number of benches, picnic tables, etc.).
    b) Revise the square footage of the shuffleboard area on Landscape and Recreation Plan Sheet to state 6,763 SF.
    c) Provide accessibility to one picnic table in both the horseshoe and shuffleboard areas.
    d) Provide accessibility to one horseshoe pit and the shuffleboard court.
    e) Identify the protective ground covering material under the swing set.
    f) Provide a sidewalk connection from the sidewalk near the horseshoe pits area to the sidewalk at the end of the west side of the entrance drive.
    g) Provide an accessible picnic table.
    h) Provide one swing on the swing set be for a small child.
    i) Replace the Ash trees with another type of tree as Ash trees are subject to disease.

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

1) Staff recommends that any outside HVAC Equipment be designed to minimize the impact on adjacent property owners, adequately screened from public view and the overall visible impact on the streetscape. The location should be depicted on the plan.

<u>ADVISORY COMMENTS TO THE APPLICANT:</u>

1) An Environmental and Structural Engineering report on the two existing building shall be submitted as a part of the Building Permit. A Building Permit will not be issued without this documentation.

2) The Planning Commission must act upon the Active Recreation Area Plan as part of any motion to approve this project, or as a separate motion if necessary.

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

4) The applicant is reminded of the requirements for construction phasing of the recreation area as associated with the development of the residential units.

> Article 5 §10.6 Construction Phasing. The recreation and open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that one hundred (100) percent of the recreation and open space areas shall be completed prior to issuing building permits for the final twenty (20) percent of the dwelling units proposed. Building permits shall not be issued for dwelling units unless the requirements of this section are met.

5) There shall be provisions which insure that the common open space land shall continue as such and be properly managed and maintained. The developer shall either retain ownership and responsibility for maintenance of such open land; or provide for and establish one (1) or more organizations for the ownership and maintenance of all common open space i.e. a Homeowners Association. The organization shall be responsible for maintenance, insurance and taxes on the common open space.

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

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

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

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

10) The applicant shall be aware that Demolition Permits for each building are required to proceed with any demolition activities on the property if necessary. The permit application must comply with the approvals and conditions granted through the Architectural Review Certification process.

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

12) The applicant shall be aware that Site Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover. The Building Permit submission must comply with the conditions of approval of the Architectural Review Certification.

13) The applicant shall be aware that Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 28, 2011

APPLICATION: **DOVE VIEW APARTMENTS: 101 DOVEVIEW DRIVE**

FILE #: **S-11-12**

REVIEWING AGENCY: **City of Dover Public Utilities Department**

CONTACT PERSON: **Steve Enss - Electric**
Sharon Duca, P.E. - 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. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all water, sewer, and storm sewer lines.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

WATER

1. The following notes must be added to the plans:
   a. All water utility components must meet the requirements of the Public Utilities Water Wastewater Handbook, effective date March 22, 2010.
   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 Utilities Department specifications and requirements.
   c. The site contractor shall contact the City of Dover Public Utilities Construction Manager at (302) 736-7070 prior to the start of construction. A representative from the City of Dover Department of Public Utilities 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.
2. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. This includes domestic services lines.
3. The previous plans for this site were approved with two (2) one and one-half inch (1-1/2") meters for each building due to the peak demand and plumbing configuration information provided. Should this information change for any of the three (3) buildings on the proposed plan information must be submitted to our office to verify the meter size. Please also note that none of the buildings have had meters installed yet and the plans must be revised accordingly. The proposed water meters 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.
4. The domestic service, fire main connection and valves must be clearly shown for each building. The plans must coincide with field conditions as to what utility work remains to be completed.
5. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Public Utilities 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.

WASTEWATER

1. The following notes must be added to the plans:
   a. All wastewater utility components must meet the requirements of the Public Utilities Water Wastewater Handbook, effective date March 22, 2010.
   b. 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 Utilities Department specifications and requirements.
   c. 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.
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. This includes sanitary sewer laterals. In particular, both sanitary sewer laterals are not shown for the existing building to the north on the current plan as originally approved. In addition, the lateral that is shown is depicted with a connection angle of less than ninety

degrees (90°) which is not an acceptable connection or as approved on the original plans. This must be addressed on the current plan set as a necessary revision during redevelopment. The line must be reinstalled correctly to avoid backups and other maintenance issues.

3. 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.

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.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. The final site plan must be submitted in 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 / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. The Electric division noticed that the new plan no longer has four buildings. We just want to confirm that a fourth building is not planned in the future.
2. Most of the conduit has been installed for the electric infrastructure.
3. The original design requested that dover would install security lighting. Please confirm that the new developer will be providing site lighting.

WATER

1. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Public Utilities Department directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
2. A majority of the water utility infrastructure has been installed for this site. As such the following apply:
   a. Should any alteration be proposed, which includes but is not limited to the methodology to providing fire service to the buildings, revised plans must be submitted for review and approval with resubmission required to the Office of Drinking Water.
   b. All applicable items necessary for construction, such as construction details and notes, must be included on the current plan set for all water utility infrastructure work which remains to be completed.
   c. All water utility infrastructure must be retested in accordance with the Water / Wastewater Handbook.

WASTEWATER

1. A majority of the wastewater utility infrastructure has been installed for this site. As such the following apply:
   a. Should any alteration be proposed revised plans must be submitted for review and approval with resubmission required to DNREC, Surface Water Discharges Section.
   b. All applicable items necessary for construction, such as construction details and notes, must be included on the current plan set for all wastewater utility infrastructure work which remains to be completed.
   c. All wastewater utility infrastructure must be retested in accordance with the Water / Wastewater Handbook

STORMWATER

1. None.

GENERAL

1. The plan set references that the contractor should utilize Miss Utility to verify the exact location of the utilities on the site. Please note that the City of Dover will only locate electric, water and wastewater infrastructure that has been dedicated to the City of Dover. Until such time it is the property owner's responsibility to locate and protect these facilities.
2. The applicant is advised that depending upon the size of any existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
3. 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.

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: Dove View Apartments 101 Doveview Drive

FILE #: S-11-12 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

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

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

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

CITY AND STATE CODE REQUIREMENTS:

Fire lanes are ok as shown.

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.

Sprinkler system required. System to be monitored.

Fire Department connection to be located within 50 feet of main entrance.

Fire Department connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.

Fire alarm system required.

Knox Box required.

Standpipes required.

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

Project to be completed per approved Site Plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

The two existing buildings will require a report from a licensed fire Protection Company stating that the installed fire protection will perform as required and can be used as part of the project.

It is required that any and all amended construction documents be prepared by a *registered and licensed design professional*. The owner is to engage and designate on the building *permit* application the *registered and licensed design professional in responsible charge*.

The *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building inclusive of any repairs for the same.

Work shall be installed in accordance with *approved and amended construction documents*, and any changes made during construction that are not in compliance with the amended and *approved construction documents* shall be resubmitted for approval and as stated here.

Research testing and reports by approved agencies are required for submission that confirm or deny the integrity of the building(s) existing conditions including and not limited to quality, strength, effectiveness, *fire resistance*, durability and life safety. Reports are required that confirm or deny the presence of mold. If mold is confirmed as being present, then reports and methods to remediate and resolve must be approved and inspected by the appropriate agencies having jurisdiction. The same is then required to be submitted to the City of Dover.

ADVISORY COMMENTS TO THE APPLICANT:

After any application has been approved by the Planning Commission, the applicant has a maximum of thirty (30) days to appeal to the Code Board of Appeals Committee.

All comments from this office, approved by the Planning Commission are at the expense of the owner/applicant.

The proposed building will be reviewed under Residential Occupancy.

The City of Dover uses the 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: July 28, 2011

DELDOT

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APPLICATION: Dove View Apartments at 101 Doveview Drive
FILE#: S-11-12 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. ADA compliant curb ramps must be provided along the frontage of the site. Also, pedestrian connection with the Modern Maturity Center must be provided.

3. 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. In addition, the existing subdivision generates 668 trips per day, and the proposed subdivision will generate 1016 trips per day. The Department will allow a payment towards an Area-Wide Study Fee for the additional 348 trips, in lieu of performing the TIS. The Area-Wide Study Fee is calculated at $10 per daily trip, and it would be payable to DelDOT prior to the issuance of a Letter of No Objection. Payment of the TIS would exempt the developer from performing the study, but would not exempt them from participation in off-site improvements or a Traffic Operational Analysis if one is required during the review of the entrance plans. If the developers would like to pay the fee in lieu of doing a TIS, the developer should contact me at (302) 760-2145.

4. Deceleration lanes will be need on Salisbury Road (KCR 156) for this project.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

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

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741 2600 EXT. 3 • FAX (302) 741 0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
DEVELOPER APPLICATION MEETING DATE: AUGUST 2011

APPLICATION: *Doveview Apartments*

FILE #: S-11-12

REVIEWING AGENCY: *Kent Conservation District*

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

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

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by our office prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to our office. Construction inspection fees based on developed area and stormwater facility maintenance inspection fees based on the number of stormwater facilities are due prior to the start of construction. Please refer to the fee schedule for those amounts.
2. The following notes must appear on the record plan:
    - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
    - The Kent Conservation District reserves the right to add, modify, of delete any erosion or sediment control measure, as it deems necessary.
    - 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 original approved plans included the proposed apartment building. The approved plans have expired (approvals are valid for 3 years) the project must be reviewed, re-approved and all fees must be submitted prior to any land disturbing activity.

2. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been approved.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 8/4/2011

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Dove View Apartments at 101 Doveview Drive.

FILE #: S-11-12 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Jim Galvin, AICP PHONE #: (302) 387-6030

The Dover/Kent County MPO requested the opportunity to bring the recommendations on issues of our concern to the City. The MPO limits comments to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 8/15/2011

Project Review

S-11-12 Dove View Apartments at 101 Doveview Drive.

This proposal was the subject of a rezoning application a few months ago. The MPO doesn't typically comment on rezoning applications. The facility has access to both Saulsbury Road and Forrest Ave/DE 8. Forrest Ave. is a state bicycle route that currently is not improved for bicycles. It is a project in the MPO's draft regional bicycle plan. There are transit stops at the Modern Maturity Center immediately to the west and at Gateway West across Forrest Ave. from the site. As a condition of a Modern Maturity approval, pedestrian access has been required to the subject site. There are sidewalks leading for the residential area to DE 8 but not to Saulsbury Road along the access drive. The only other stretch of missing sidewalk in the area is at the frontage of the subject site along Forrest Ave/DE 8.

Sidewalks should be installed at both frontage locations and interior connections as a condition of approval.

With the recommendations above, the site meets the standards the MPO considers important. We have no objections to the plan with the recvommendations.

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

DATA SHEET FOR RECREATION PLAN REVIEW
PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF July 11, 2011
Planning Commission Meeting of August 15, 2011

Plan Title:	Dove View Apartments
Plan Type:	Site Development Plan: Active Recreation Area Plan
Location:	North side of Forrest Avenue just west of Saulsbury Road
Tax Parcel Number:	ED-05-076.07-01-30.00-000
Owner:	CRM Mid-Atlantic, LLC
Site Area:	6.7326 Acres +/-
Proposed Use:	3 Residential Apartment Buildings- 144 apartments
Zoning:	RG-5 (General Residence for Mid-Rise Apartments Zone) COZ-1 (Corridor Overlay Zone)

Project Summary

Dove View apartments will be reviewed as a Site Development Plan. The subject property consists of one parcel of land totaling 6.8326 acres +/-. The Site Development Plan is to permit the construction of three (3) residential buildings with 144 apartments. This application is for the completion of the two existing buildings and the construction of a third building for a total of 144 apartments. Two of the buildings were partially constructed as a part of an expired Conditional Use Site Plan known as DoveView Planned Neighborhood Design- Senior Housing Option. (C-06-02)

Active Recreation Area Plan Summary:
As part of the Site Plan review process for this project, the applicant prepared a Conceptual Recreation Plan which illustrates how the Dove View development will provide recreation amenities in accordance with the design specifications described in Article 5, Section 10 of the *Zoning Ordinance*. The Plan indicates that 24,541 S.F. of land would be reserved as Active Recreation Area. The Active Recreation Areas are in central locations on the site. The proposed amenities include a walking path with benches and picnic tables around the stormwater management pond, and area with horseshoe pits with picnic tables, and an area with a shuffleboard court, swing set, and picnic table.

This active recreation area plan must be reviewed by the Parks, Recreation, and Community Enhancement Committee for a recommendation prior to consideration of the Site Development Master Plan by Planning Commission.

The following table provides information from the submitted Plan (dated 5/11/2011) for the Active Recreation Area to be constructed:

	Required	**Provided on Plan**
Active Recreation Area (Article 5 §10.514)	150 S.F. per dwelling unit or 10,000 SF whichever is greater to be provided on site. 144 DU = 21,600 SF Provided: 24,541 SF	Shuffleboard, swing set and picnic tables area = 6,763 SF Walking Area with benches and picnic tables = 13,125 SF Horseshoe pits with picnic tables = 4,653 SF
Active Recreation Amenities (Article 5 §10.15)	Accessible	Located through the development.
Active Recreation Amenities (Article 5 §10.15)	Age Oriented to development	The walking area with benches and picnic; the horseshoe pits with picnic tables; and shuffleboard court with swing set and picnic tables would serve all ages.
	Parking	The particulars of the proposed active recreation do not have associated parking needs.
	Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street	All of the active recreation areas are in compliance as required.
	Landscaping	The project shows trees and landscaping around the site and within the various recreation areas.

Staff Recommendations:
The following are comments and recommendations from Staff of the Planning Office following review of the Active Recreation Area to be constructed.

1. The proposed plan meets the area requirements for the Active Recreation Area. The plan is required to provide 21,600 SF of Active Recreation Area and it is proposing 24,541 SF of Active Recreation Area.

2. Staff recommends approval of the walking path, benches, picnic tables, horseshoe pits, shuffleboard court and swing set.

3. Staff recommends denial of all of the grass area (as delineated on the plan) around the walking path as active recreation area as this area is part of the stormwater management area. The walking path itself is counted towards the active recreation area. The walking path is calculated by itself. (Article 5 Section 10.155) The area in the immediate

proximity of the benches and picnic tables should count towards the active recreation area.

4. Staff recommends that one swing on the swing set be for a small child.

5. The following items should be included on the Plan to clarify the construction of the recreation area improvements:
    a. Provide a list of the proposed features on the Active Recreation Plan (i.e. the number of benches, picnic tables, etc).
    b. Revise the square footage of the shuffleboard area on Landscape and Recreation Plan Sheet to state 6,763 SF.
    c. Provide accessibility to one picnic table in both the horseshoe and shuffleboard areas.
    d. Provide accessibility to one horseshoe pit and the shuffleboard court.
    e. Identify the protective ground covering material under the swing set.
    f. Provide a sidewalk connection from the sidewalk near the horseshoe pits area to the sidewalk at the end of the west side of the entrance drive.
    g. Provide an accessible picnic table.

6. The applicant is reminded of the requirements for construction phasing of the recreation area as associated with the development of the residential units.

    > Article 5 §10.6 Construction Phasing. The recreation and open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that one hundred (100) percent of the recreation and open space areas shall be completed prior to issuing building permits for the final twenty (20) percent of the dwelling units proposed. Building permits shall not be issued for dwelling units unless the requirements of this section are met.

7. There shall be provisions which ensure that the common open space land (including active recreation area) shall continue as such and be properly managed and maintained. The developer shall either retain ownership and responsibility for maintenance of such open land; or provide for and establish one (1) or more organizations for the ownership and maintenance of all common open space i.e. a Homeowners Association. The organization shall be responsible for maintenance, insurance and taxes on the common open space.
    a. Add a note on the Site Plan regarding who is responsible for maintenance, and insurance on the common open space.

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

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

Attachments: Active Recreation Plan Set dated May 11, 2011.
List of Amenities
Cost Estimate of improvements

BECKER MORGAN

ARCHITECTURE
ENGINEERING

PLANNING OUR
CLIENTS' SUCCESS

Dove View Apartments / List of Amenities

Dover, Delaware
2010122.00

- One (1) Shuffleboard Court
- Two (2) Horseshoe Pits
- One (1) Swing Set
- Eight (8) Picnic Tables
- Six (6) Park Benches
- Concrete Walking Path

ARCHITECTURAL & ENGINEERING
309 SOUTH GOVERNORS AVENUE
DOVER, DE 19904
302 734 7950
FAX 302 734 7965

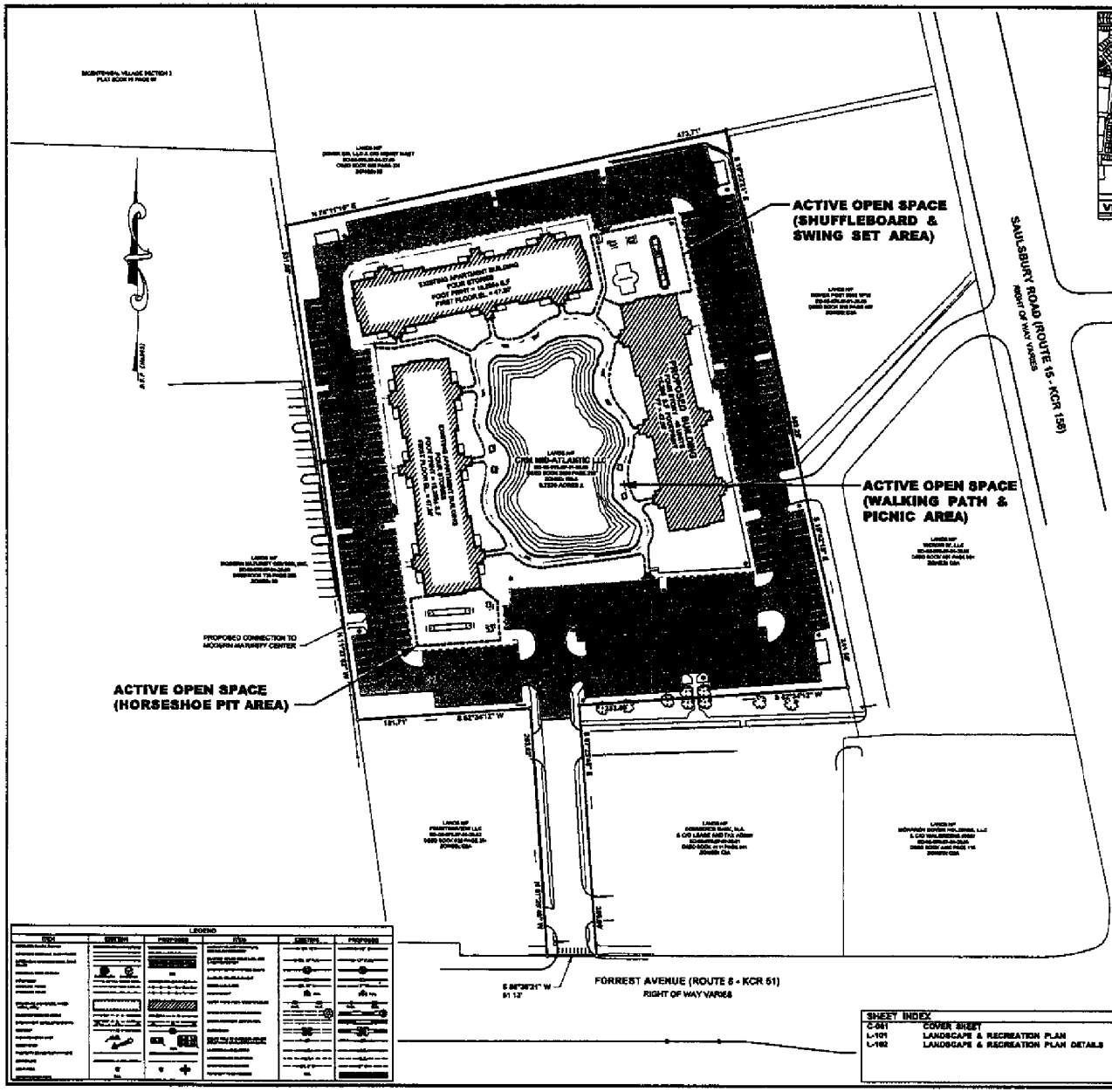
PORT EXCHANGE
SUITE 300
312 WEST MAIN STREET
SALISBURY, MD 21801
410 546 9100
FAX 410.546.5824

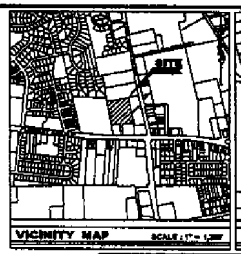
ARCHITECTURE & PLANNING
SUITE 211
3205 RANDALL PARKWAY
WILMINGTON, NC 28403
910 341.7600
FAX 910.341.7506

www.beckermorgan.com

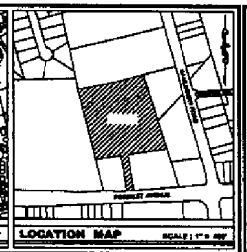
PRELIMINARY COST ESTIMATE - Dove View Apartments
CRM Mid-Atlantic, LLC.
Proj. No. 2010122.00

ITEM	*UNIT*	*UNITS COST*	*QUANTITY*	*TOTAL COST*
SWING SET	EA.	$1,500.00	1	$1,500.00
HORSESHOE PITS	EA.	$200.00	2	$400.00
SHUFFLEBOARD COURT	EA.	$3,000.00	1	$3,000.00
PARK BENCHES	EA.	$500.00	6	$3,000.00
PICNIC TABLES	EA.	$650.00	8	$5,200.00
WALKING PATH	E.A.	$31,000.00	1	$31,000.00
			TOTAL:	**$44,100.00**





VICINITY MAP SCALE: 1" = 1,000'



LOCATION MAP SCALE: 1" = 400'

SITE DATA

1.	OWNER OF RECORD:	CRANSTON ATLANTIC LLC Age 2 Forest Street 20 Front Plaza, Ground Floor Atlanta, GA 30309
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP, INC. 309 SOUTH BOUNDARY AVENUE DOVER, DELAWARE 19904 PHONE: (302) 734-7950
3.	PROPERTY MAP NUMBER:	SM-00-07600-01-0500
4.	ZONING CLASSIFICATION:	RG-2 / CITY OF DOVER
5.	DEED REFERENCE:	DEED BOOK 3000, PAGE 210
6.	PLAT REFERENCE:	PLAT BOOK 10, PAGE 26
7.	PRESENT USE:	APARTMENTS
8.	PROPOSED USE:	APARTMENTS
9.	TOTAL SITE AREA:	9.7500 ACRES ±
10.	EXISTING BUILDING:	BUILDING: 18,284 S.F. x 3 = 55,852 S.F. (84 DWELLING UNITS) ACCESSORY: 0 S.F.
11.	PROPOSED BUILDING:	BUILDING: 55,200 S.F. (92 DWELLING UNITS) ACCESSORY: 0 S.F. TOTAL: 55,200 S.F. (176 DWELLING UNITS)
12.	BUILDING COVERAGE:	EXISTING: 18,284 S.F. (3.84 ACRES, 39.37%) PROPOSED: 18,284 S.F. (3.84 ACRES, 39.37%)
13.	PARKING CALCULATIONS:	APARTMENTS: 2.25 SPACES PER DWELLING UNIT) REQUIRED: 2.25 x 176 DWELLING UNITS = 396 SPACES PROVIDED: 396 SPACES PROVIDED FOR OFFICE USE) HANDICAP PARKING SPACES: 8
14.	ACTIVE OPEN SPACE:	REQUIRED: 400 S.F. PER UNIT x 176 UNITS = 70,400 S.F. PROVIDED: 71,471 S.F.
15.	SETBACKS:	APARTMENT COMPLEX FRONT: 25 FT. SIDE: 20 FT. REAR: 20 FT.
16.	LANDSCAPE REQUIREMENT:	50 TREES SHRUBS: 2,200 S.F. ± 6 TREES / 1,000 S.F. = 50.2k = 50 TREES 50 PROVIDED
17.	SIGNAGE:	FUTURE PERMIT SUBMISSION
18.	OUTDOOR LIGHTING:	MINIMUM 1.0 FOOTCANDLES AT GRADE
19.	BUILDING HEIGHT:	PERMITTED: 3 STORIES PROPOSED: 3 STORIES
20.	SOURCE OF WATER:	CITY OF DOVER
21.	SOURCE OF SEWER:	CITY OF DOVER
22.	SOURCE OF GAS:	CHESAPEAKE UTILITIES
23.	SOURCE OF ELECTRIC:	CITY OF DOVER
24.	SURVEY DATUM:	DEED REFERENCE: MAGNETIC, 24 ELEVATION: NAVD88 HORIZONTAL: NAD83 STATE PLANE
25.	MONUMENTATION:	CONCRETE: 2 FOUND
26.	TOTAL DISTURBED AREA:	9.00 ACRES ±

GENERAL NOTES

1. BOUNDARY SURVEY DATA SHOWN HEREON WAS PREPARED BY BECKER MORGAN GROUP, DOVER, DE, IN JANUARY OF 2011. VERTICAL DATUM IS BASED ON ENVIRONMENTAL DATUM IS BASED ON THE ARRANGE FOUR PLANE NAD 83, SPS ZONE(S) FROM NAD, HORIZONTAL CONTROL ESTABLISHED.
2. THE BOUNDARY LINES PLOTTED AND REFERENCED HEREON WERE PLOTTED FULLY OBTAINED, EVIDENCE ENCOUNTERED IN THE FIELD IN CONJUNCTION WITH INFORMATION PROVIDED FROM DEEDS OF RECORD AND ADJACENT DEED RECORD INFORMATION.
3. NO TITLE EVIDENCE WAS FURNISHED TO OR PREPARED BY THE PREPARER HEREOF. PROPERTY SHOWN HEREON IS SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR AS ARE ENCOUNTERED BY REGULATION OF ANY PUBLIC AGENCY.
4. THE EXISTING UTILITIES SHOWN WERE TAKEN FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELAWARE (1-800-282-8555) TO VERIFY THEIR EXACT LOCATION PRIOR TO THE START OF ANY CONSTRUCTION. ANY DAMAGE INCURRED TO THESE UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTORS EXPENSE. IF THE CONTRACTOR RELIES ON THE UTILITY LOCATIONS PROVIDED HEREON, HE SHOULD DO AT HIS OWN RISK AND WILL NOT BE ENTITLED TO ADDITIONAL COMPENSATION DUE TO THAT RELIANCE FROM SAID RELIANCE.
5. THIS PARCEL IS NOT WITHIN THE 500 YEAR FLOOD PLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. OF 260, DATED MAY 5, 2003.
6. BECKER MORGAN GROUP CONFIRMS THAT THERE ARE NO FRESH WATER WETLANDS LOCATED within THE SURVEYED AREA.
7. THE SOIL CLASSIFICATION FOR THE SITE IS ind. SASSAFRAS SERIES. HYDROLOGIC SOIL GROUP B
8. ALL ROADS, DRIVEWAYS AND SIDEWALKS PAVED AREAS WILL BE PRIVATELY OWNED AND MAINTAINED AND ARE NOT INTENDED FOR DEDICATION.
9. DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING WOOD AND TRASH, ON CONSTRUCTION SITES. ANY SUCH WASTE FOUND DURING EXCAVATION MUST BE REMOVED AND PROPERLY DISPOSED.
10. ALL HANDICAPPED PARKING DESIGNATION, STALLS AND SURFACE ACCESSIBLE routes SHALL COMPLY WITH THE "AMERICAN WITH DISABILITIES ACT"
11. THE DRAWING DOES NOT INCLUDE ANY ASPECT OF CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE IN STRICT CONFORMITY THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO ADJUSTMENT
12. BEFORE THE CONTRACTOR CAN BEGIN CONSTRUCTION HE MUST OBTAIN THE PROPER PERMITS AND/OR APPROVALS FROM THE CITY OF DOVER PLANNING, KENT CONSERVATION DISTRICT (K.C.D.), DELAWARE DEPARTMENT OF TRANSPORTATION (DelDOT), AND ALL OTHER APPLICABLE STATE AND COUNTY AGENCIES.
13. ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE ACCORDING TO THE CITY OF DOVER AND THE STATE OF DELAWARE STANDARDS AND SPECIFICATIONS, AND THE CITY OF DOVER DEPARTMENT OF PUBLIC WORKS CONSTRUCTION SPECIFICATIONS.
14. WORKING CONDITIONS BY THE CONTRACTOR ARE PROHIBITED. THIS METHOD MAY NOT BE UTILIZED DURING ANY PHASE OF THE PROJECT.
15. THE SITE CONTRACTOR SHALL CONTACT THE CITY OF DOVER PUBLIC UTILITIES CONSTRUCTION MANAGER AT (302)736-7070 PRIOR TO THE START OF CONSTRUCTION. A REPRESENTATIVE FROM THE CITY OF DOVER DEPARTMENT OF PUBLIC UTILITIES MUST OBSERVE AND APPROVE ALL WORK RELATING TO THE CITY'S WATER AND WASTEWATER UTILITY.
16. THIS PROJECT WAS PREVIOUSLY APPROVED BY THE CITY OF DOVER PLANNING COMMISSION ON AUGUST 20, 2003.

OWNERS CERTIFICATION

WE, CRA MID-ATLANTIC, LLC HEREBY ADVISE THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

CRA MID-ATLANTIC, LLC — DATE

ENGINEERS CERTIFICATION

I, DARRYL K. ADAMS, HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER OR SURVEYOR OF DELAWARE, THAT THE INFORMATION HEREON AND HEREIN PROPERLY SHOWN AT SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF INFORMATION USED CONFORMING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DARRYL K. ADAMS — P.E. NO. 11599 — DATE

SHEET INDEX

C-001	COVER SHEET
L-101	LANDSCAPE & RECREATION PLAN
L-102	LANDSCAPE & RECREATION PLAN DETAILS

LEGEND

EXISTING	PROPOSED	EXISTING	PROPOSED

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Dover
309 S. Governors Ave.
Dover, DE 19904
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Fax 302.734.7965

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Salisbury, MD 21801
Ph. 410.546.9100
Fax 410.546.5824

Washington
2200 Research Parkway, Suite 211
Willamette, North Carolina 28443
Ph. 910.341.7688
Fax 910.341.7996

www.beckermorgan.com

PROJECT TITLE

DOVE VIEW APARTMENTS

FORREST AVENUE
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

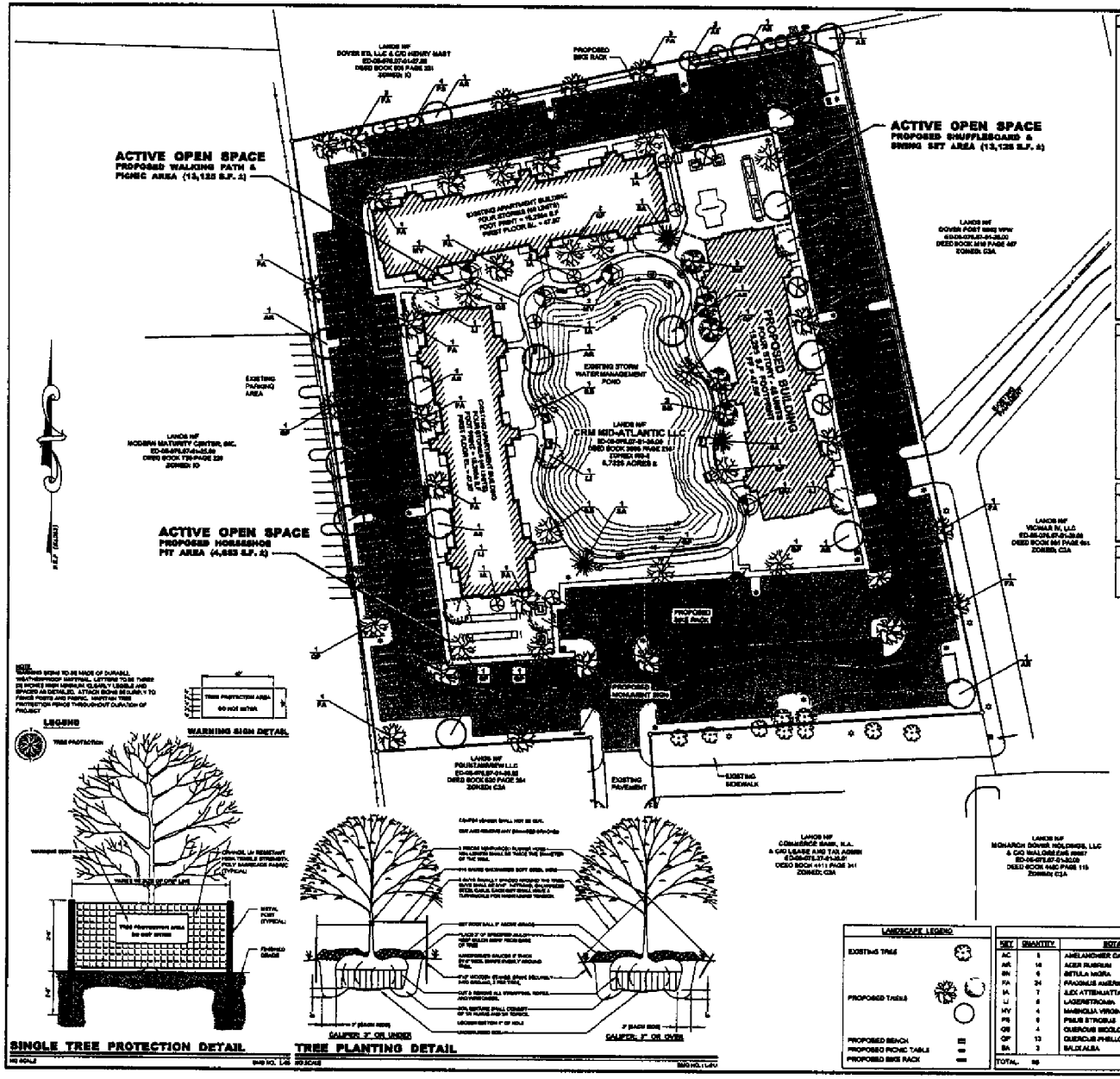
COVER SHEET

SCALE: 1" = 50'

MARK	DATE	DESCRIPTION

PROJECT NO. 2010122.00
DATE: 06/11/2011
SCALE: 1" = 50'
DRAWN BY: S.T.J. PROJ. MGR.: G.S.L.

SHEET
C-001



GENERAL LANDSCAPE NOTES

1. QUALITY, MEASUREMENT OF PLANTS, SPACING OF PLANTS, AND SIZE OF TREE PITS SHALL BE IN ACCORDANCE WITH THE MINIMUM STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERY MEN "AMERICAN STANDARDS FOR NURSERY STOCK."
2. EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
3. ALL DECIDUOUS GRADE TREES SHALL STANDER A MINIMUM OF 7'6" ABOVE FINISHED GRADE. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE DETAIL DRAWING.
4. PLANT MATERIALS DELIVERED TO THE SITE AND NOT PLANTED WITHIN TWELVE HOURS WILL BE REJECTED.
5. UNACCEPTABLE PLANT MATERIALS: MATERIALS WHICH HAVE DAMAGED OR CROOKED LEADERS, DEFORMED GROWTH HABIT, SUNSCALD OF THE BARK, SUBSTANTIAL ABRASIONS, DISFIGUREMENT, NOT HAVING A WELL DEVELOPED ROOT SYSTEM, DISEASED, INSECT INFESTED, DEFORMED OR OTHERWISE UNSATISFACTORY SHALL BE REJECTED. IN ADDITION, THOSE HAVING BEEN CENTER LEADERS REMOVED SHALL ALSO BE REJECTED. PLANTS WITH LOOSE OR CRACKED ROOT BALLS OR DISTURBED WILL BE REJECTED.
6. ALL PLANTS SHALL BE PLACED IN TOPSOIL THAT IS THOROUGHLY WATERED AND TAMPED AS BACKFILLING PROGRESSES. BOTANICAL NOT SUITABLE TOPSOIL FROM SITE OF GOOD, HEAVY CLAY LOAM, STONES OF DIAMETER OF ¾" MAXIMUM, DEBRIS OR FOREIGN MATERIAL, SHOP AS STONES, ETC. SHALL BE MIXED WITH THE BACKFILL. ALL PITS SHALL BE PLANTED IN CONTAINING MULCHED BERM WITH A LIBERTY COMPACTED DEPTH OF THREE (3) INCHES. ALL CONTAINER PLANTS ARE TO HAVE ROOTS CUT OR FOUR SIDES AND OR SPREAD OUT IN NEW SOIL MIXTURE.
7. MULCH FOR PLANTED BEDS SHALL BE SHREDDED HARDWOOD BARK MULCH UNLESS OTHERWISE SPECIFIED ON THE PLANS AND SHALL HAVE BEEN AGED, FREE OF LIVE WEEDS, YOUNG GREEN GROWTH, TWIGS, DEBRIS IN DIAMETER OF ¾" MINIMUM, SAWDUST OR FOREIGN MATERIAL, SHOP AS STONES, ETC. SHALL BE MIXED WITH THE MULCH. ALL PITS SHALL BE PLANTED IN CONTAINING MULCHED BERM WITH A LIBERTY COMPACTED DEPTH OF THREE (3) INCHES. ALL CONTAINER PLANTS ARE TO HAVE ROOTS CUT OR FOUR SIDES AND OR SPREAD OUT IN NEW SOIL MIXTURE.
8. ALL AREAS NOT SHREDDED MULCHED OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE SECTION 5 REGARDING EQUIPMENT, PLANT AND SEEDING.)
9. LANDSCAPE BEDS NOT DEFINED BY CURBS, SIDEWALKS, WALLS OR OTHER STRUCTURES SHALL BE ENCLOSED BY MULCHED BERMS UNLESS OTHERWISE INDICATED.
10. AREAS DISTURBED BY LANDSCAPE OPERATIONS SHALL BE GRADED TO MATCH EXISTING TOPSOIL AND SEED OR SOD AS REQUIRED.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY HAVE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO CONTACT "MISS UTILITY" LOCATIONS OF ALL UTILITIES.
12. NO PLANT SHRUBS OR GROUNDCOVERS, SHALL BE WITHIN THREE (3) FEET FROM SIDEWALKS.
13. NO TREE SHALL BE PLANTED CLOSER THAN FIVE (5) FEET FROM ANY STRUCTURE OR BUILDING.
14. NO TREE SHALL BE PLANTED WITHIN TEN (10) FEET OF UNDERGROUND UTILITIES OR FIRE HYDRANTS.
15. ONLY TREES WITH A HEIGHT AND SIZE AT MATURITY OF SMALL TO MEDIUM SHALL BE PLANTED UNDER OVERHEAD LINES.
16. THE CONTRACTOR SHALL WARRANT ALL PLANTS THROUGHOUT THE GUARANTEE PERIOD AFTER PLANTING, AND THEN WHEREVER OR MORE OFTEN IF NECESSARY TO MAINTAIN THE FIRST DESIGNED SEASON, UNLESS THE OWNER AGREES TO WAIVING AND WATER TREES.
17. TREES TO REMAIN GREATER THAN 6" DIAMETER SHALL BE PROTECTED WITH SILT FENCE DURING CONSTRUCTION (SEE DETAIL). SILT FENCING TO BE MAINTAINED DURING CONSTRUCTION BY CONTRACTOR.
18. THE PLANTING PLAN SHALL TAKE PRECEDENCE OVER THE PLANT SCHEDULE SHOULD ANY PLANT QUANTITY DISCREPANCIES OCCUR.
19. NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL BY THE OWNER AND OR THE LANDSCAPE ARCHITECT.
20. ALL NEW TREES SHALL BE GUARANTEED TO BE ALIVE AND FREE FROM DISEASE FOR ONE FULL YEAR AFTER FINAL ACCEPTANCE. ALL STAKES AND GUYS SHALL BE REMOVED FROM TREES AND SITE AS SOON AS POSSIBLE BUT NOT LONGER THAN ONE (1) YEAR AFTER PLANTING.

SITE DATA

1. OWNER OF RECORD:
2. SURVEYOR / SURVEYOR:
3. PROPERTY MAP NUMBER:
4. ZONING CLASSIFICATION:
5. PRESENT USE:
6. PROPOSED USE:
7. TOTAL SITE AREA:
8. EXISTING BUILDING:
9. PROPOSED BUILDING:

OPEN SPACE REQUIREMENTS

1. PASSIVE OPEN SPACE REQUIREMENT:
2. ACTIVE OPEN SPACE REQUIREMENT:

TREE DENSITY REQUIREMENTS

1. TREE DENSITY REQUIREMENT:
2. TREES PROVIDED:

LANDSCAPE LEGEND

EXISTING TREE
PROPOSED TREES
PROPOSED BENCH
PROPOSED PICNIC TABLE
PROPOSED BIKE RACK

PLANT LIST

KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
AC	1	AMELANCHIER CANADENSIS	SHRUBCHERRY	5/6'	B&B	
AR	10	ACER RUBRUM	RED SUNSET MAPLE	2" CAL.	B&B	
BN	6	BETULA NIGRA	RIVER BIRCH	7/8'	B&B	
FA	24	FRAXINUS AMERICANA	AUTUMN APPLAUSE ASH	2" CAL.	B&B	
IK	7	ILEX ATTENUATTA	FOSTER'S HOLLY	5/6'	B&B	
LI	8	LAGERSTROMIA	WHITE CREPE MYRTLE	5/6'	B&B	
MV	4	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	5/6'	B&B	
PS	6	PINUS STROBUS	EASTERN WHITE PINE	6/8'	B&B	
QB	4	QUERCUS BICOLOR	SWAMP WHITE OAK	2" CAL.	B&B	
QP	13	QUERCUS PHELLOS	WILLOW OAK	2" CAL.	B&B	
SA	3	SALIX ALBA	WEEPING WILLOW	2" CAL.	B&B	

TOTAL: 86

SINGLE TREE PROTECTION DETAIL

TREE PLANTING DETAIL

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Dover
309 S. Governors Ave.
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Wilmington
1385 Kendall Parkway, Suite 211
Wilmington, North Carolina 28403
Ph. 910.341.7000
Fax 910.341.7006

www.beckermorgan.com

PROJECT TITLE

DOVE VIEW APARTMENTS

FORREST AVENUE
CITY OF DOVER
KENT COUNTY, DELAWARE

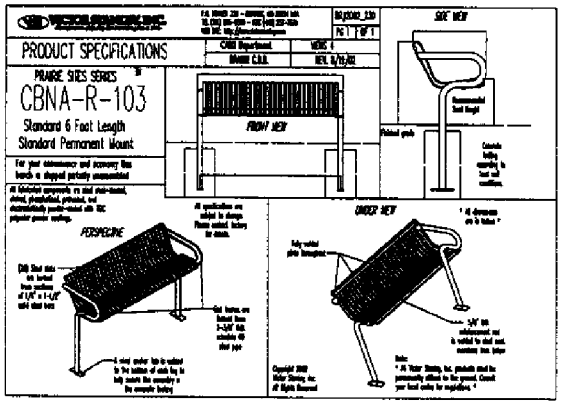
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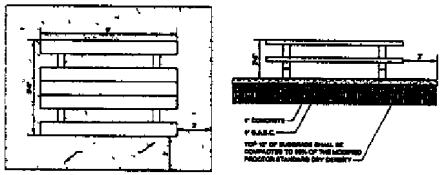
LANDSCAPE & RECREATION P.

SCALE 1" = 40'

MARK	DATE	DESCRIPTION

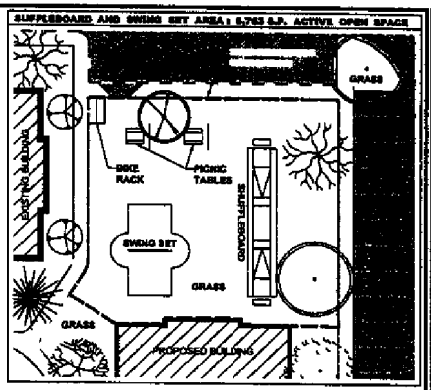
PROJECT NO.: 2018122.00
DATE: 06/11/2019
SCALE: 1" = 40'
DRAWN BY: BJJ | PROJ. MGR.: B.B.A.
SHEET
L-101

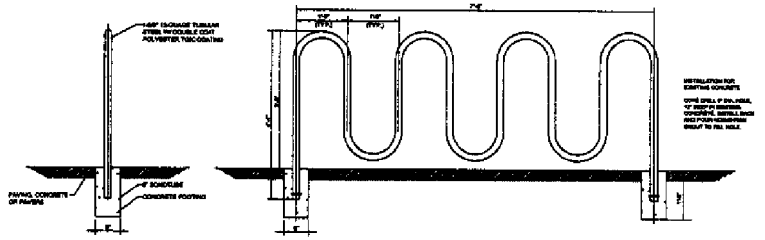




PICNIC TABLE DETAIL

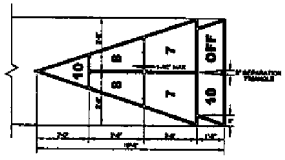
NO SCALE





9 SPACE BIKE RACK DETAILS - TYPICAL IN-GROUND INSTALLATION

NO SCALE

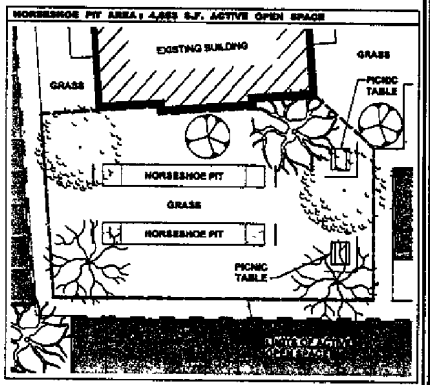


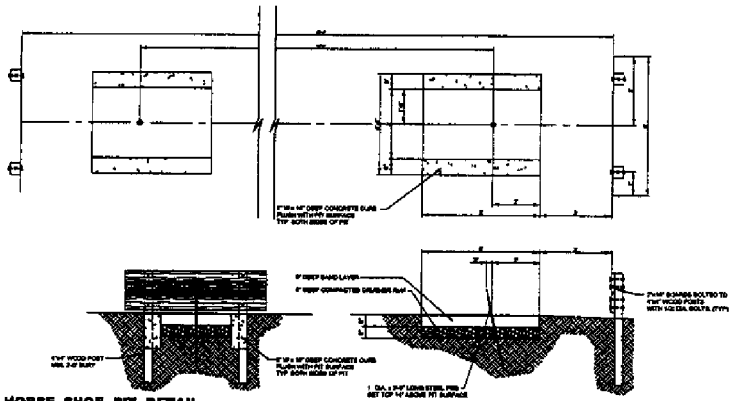
NOTES

1. COURT TO BE CONSTRUCTED OF CONCRETE WITHOUT EXPANSION JOINTS
2. ALL DIMENSIONS ARE TO CENTERS OF LINES AND TO EDGE OF BOUNDARY
3. COURT DIMENSIONS ARE LISTED IN FEET AND INCHES. TOTAL DIMENSIONS ARE 60' X 30'.
4. A SLOPE OF 0.50% - 0.75% IS ACCEPTABLE. COURT SHOULD BE SLOPED SIDE TO SIDE.

SHUFFLEBOARD CONCRETE PAD DETAIL

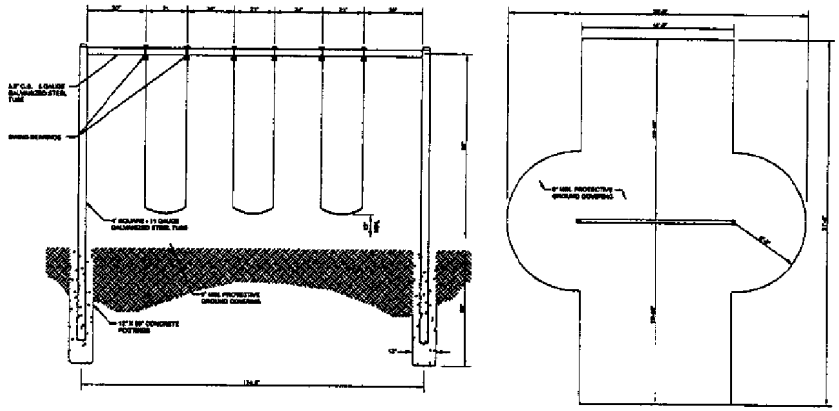
NO SCALE





HORSE SHOE PIT DETAIL

NO SCALE



THREE-UNIT SINGLE POST SWING DETAIL

NO SCALE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

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Fax 410.548.5254

Wilmington
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Wilmington, North Carolina 28403
Ph. 910.341.7000
Fax 910.341.7006

www.beckermorgan.com

PROJECT TITLE

DOVE VIEW APARTMENTS

FORREST AVENUE
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

LANDSCAPE & RECREATION PLAN DETAILS

NO.	DATE	DESCRIPTION

PROJECT NO. 2010122.00
DATE 04/11/2011
SCALE: AS SHOWN
DRAWN BY: SJT CHECKED BY: RLL

SHEET

L-102

City of Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 4, 2011

PLANNING COMMISSION MEETING OF August 15, 2011

Plan Title:	Wesley College Master Plan for Streetscape Campus Enhancements S-11-13
Plan Type:	Site Development Master Plan
Property Addresses:	Multiple Addresses
Location:	Wesley College Campus generally located north of Division Street between North Governors Avenue and North State Street
Tax Parcels:	Street and Alley Right-of-ways (to be abandoned) Multiple Adjacent Parcels
Owner:	Wesley College
Site Area: Project Area:	14.3 acres+/- (total campus area) 3.4 acres +/-
Present Use:	College campus crossed by a series of public streets and alleys
Proposed Use:	College campus with streetscape enhancements from the abandonment of designated streets and alleys
Sewer & Water:	City of Dover
Zoning Classifications:	IO (Institutional and Office Zone) RGO (General Residence and Office Zone) H (Historic District Zone)
Waivers Requested:	None

CITY OF DOVER PLANNING

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 4, 2011

APPLICATION: Wesley College Master Plan for Streetscape Campus Enhancements: Site Development Master Plan

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

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

PLAN SUMMARY:

This Plan is for review of a Site Development Master Plan for the site planning and streetscape campus enhancements associated with the abandonment of designated sections of North Bradford Street, Fulton Street, Cecil Street, and several alleys in the Wesley College campus area. The submission includes the Record Plan for vacated right-of-way and a Master Plan consisting of five phases of site improvements including pedestrian amenities, paving, landscaping, and parking lot reconfiguration/construction. This project is located in the area of the Wesley College campus generally located north of Division Street between North Governors Avenue and North State Street. The properties are zoned IO (Institutional and Office Zone) and RGO (General Residence and Office Zone) with a property subject to the H (Historic District Zone). The applicant is Wesley College. Property Addresses: Multiple. Tax Parcels: Multiple. Council Districts 3 and 4.

Previous Application

This project is associated with MI-10-06 Request for Street and Alley Abandonment: Wesley College. Wesley College requested that the City abandon portions of the specific streets and alleys in the vicinity of Wesley College in anticipation of implementation of a Wesley College Master Plan.

The street and alley abandonment request was reviewed by the Planning Commission on April 19, 2010 and reviewed by the Utility Committee of City Council on May 24, 2010 and June 28, 2010 (with Public Hearing). Resolution #2010-05 adopted by City Council on July 12, 2010 set the public hearing on the abandonment request. Following a Public Hearing on August 9, 2010, the City Council August 9, 2010 approved Resolution #2010-07 that approved the alley and street abandonments for seven (7) areas along with a series of conditions. See the motion to adopt the Resolution and the attached copy of the Resolution.

The motion for adoption of the proposed Resolution #2010-07, vacating and abandoning the alleys and streets on the condition that the Wesley College Plan include the replacement of existing parking and an increase in total parking, that the utility easements remain in effect, that public access easements for Fulton and Cecil Streets be part of the plan, that the timing of the street and alley closures be coordinated with the site plan approval, and that the aforementioned DAC comments generated by this process and those included in the DAC Application Review

Commentary (see Exhibit #9 to the July 12, 2010 Council Minutes) are included as part of the plan, and that public access easements be provided through the campus along Fulton and Cecil Streets, was carried by a unanimous roll call vote (Mrs. Russell and Mr. Ruane absent) and Council adopted Resolution #2010-07, as follows.

The specific conditions of the Resolution included: the City retains a utility easement on the streets and alleys; public access easements are to be established for Fulton Street and Cecil Street through the campus; set the timing of the abandonment to coincide with physical construction in accordance with a site plan approved by the Planning Commission; required the establishment of permanent utility easements for public electric, water, wastewater, and storm sewer infrastructure; required that all on-street parking displaced by project must be replaced in-kind prior to its removal; and compliance with comments from the DAC Report including agency comments.

The specific areas approved for abandonment are listed in the chart below.

Area #1	100 block of North Governors Avenue Alley West: Alley between North Governors Avenue and North New Street from Cecil Street to Fulton Street
Area#2	Southern portion of the 200 block of North Governors Avenue Alley East: A portion of alley between North Bradford Street and North Governors Avenue, north of Cecil Street
Area #3	Portion of unit block of North Bradford Street: A portion of North Bradford Street between W. Division and Fulton Streets
Area #4	Unit block of Fulton Street: Fulton Street between North Governors Avenue and North State Street
Area #5	Portion of Unit block of Cecil Street: A portion of Cecil Street between North Governors Avenue and North State
Area #6	Portion of 200 block of North Bradford Street: A portion of North Bradford Street between Cecil and Mary Streets
Area #7	Northern portion of the unit block of North State Street Alley West: A portion of alley between North State Street and North Bradford Street, south of Fulton Street and north of W. Division Street

The current submission also includes Area #8 a segment of Fulton Street Alley South which runs between North Bradford Street and the North State Street Alley West. It runs through an area that is currently an existing parking lot. **This alley segment (Area #8) was not been approved for abandonment with Resolution #2010-07. If this alley was abandoned previously, documentation of such action must be submitted. If not then, a specific request for its abandonment must be submitted and complete the review and abandonment process.**

SITE DEVELOPMENT MASTER PLAN

The plan for this campus streetscape enhancement project is submitted for review under the Site Development Master Plan process (See *Zoning Ordinance*, Article 10 §2.58 listed below (Code in place at time of application filing)). This process allows for a series of construction phases to be outlined in a Master Plan for Planning Commission review and approval. Prior to each Phase of construction a Site Plan specific to that phase is submitted for Administrative Site Plan review.

2.58 *Site development master plans.* Site development master plans shall depict a generalized site development proposal that reflects general compliance with all applicable provisions of article 10, [sub] section 2.5 above, and shall also reflect the following information on the plan:

(1) [The] plan shall illustrate distinct phase boundaries for each proposed construction phase and shall detail proposed construction and site improvements planned for each phase. Bulk quantities and area totals for each construction phase, and for the total site, shall be tabulated in a data column on the plan.
(2) Each construction phase shall be enumerated in sequential order on the site development master plan according to the order of construction contemplated by the plan. Phases shall be implemented in accordance with the approved site development master plan.
(3) Each construction phase represented on the master plan shall be planned and designed to function independent of construction and site improvements contemplated in future construction phases in all respects, including but not limited to bulk area provisions of the zoning district in which the site is located, off-street parking requirements, site entrances, emergency access requirements, site utilities, and stormwater management improvements.
(4) Any special agreements or conditions of approval relative to the overall development that have been specified by regulatory agencies shall be documented on the site development master plan.

Site construction plans, details, and specifications are not required as part of a site development master plan submission. Final site construction plans, including detailed site grading, paving, utilities, stormwater management, and tree planting and preservation plans shall be submitted for final approval by the planning director, and/or authorized designee, and to other agencies having jurisdiction, on a phase by phase basis in accordance with the approved site development master plan, and all regulations of the City of Dover governing the approval of site plans as set forth in [this] article 10, section 2 of this ordinance.

PROJECT SUMMARY: Multiple Phases

Record Plan

A Record Plan set (three sheets) presents the overall right-of-way areas approved to be vacated. City Council has approved the abandonment of Areas #1-7. Area #8 must be requested and reviewed. The Record Plan will also need to show the locations of the utility easements for public electric, wastewater, storm sewer infrastructure and the location of the public access easements for Fulton and Cecil Streets through the campus. The Record Plan will indicate the disbursement of the vacated right-of-way into tax parcels from the City of Dover to Wesley College.

Project Proposal:

The project consists of a series of site improvements including pedestrian amenities, paving, landscaping, and parking lot reconfiguration and parking lot construction. The street and alley areas approved for abandonment are the principal locations of the enhancements along with other immediately adjacent areas. The project involves removal of currently paved areas and sidewalk areas then with paver covered areas, landscaped open space, a rain garden, etc. constructed in its place.

The proposed plan will consist of several phases of construction focused on specific areas of the Wesley College campus. The following phases have been identified for the project as listed below. The vacated areas (of the street and alley rights-of-ways) are listed for each phase.

- Phase 1: Area #3 and Area #7 (and Area #8) – Reconfiguration of existing parking access and circulation.

- Phase 2: Area #3 and Area #7 - Creation of pedestrian plaza area at the South Circle entrance of the DuPont College Center. Elimination of parking spaces and reconfiguration parking spaces along vacated areas of Fulton Street.
- Phase 3: Area #3 and Area #7 – Reconfiguration and expansion of existing parking lot at the rear of the Alumni House, Student Financial Planning Offices, and Enrollment House properties.
- Phase 4: Area #5 and Area #6 – Creation of pedestrian plaza area at North Circle entrance of DuPont College Center. Elimination parking spaces and reconfiguration of parking along remaining segment of Cecil Street.
- Phase 5: Area #6 – Reconfiguration of parking spaces in area between two dormitory buildings from angled parking to regular head-in parking.

The Plan submission includes the series of drawings. These drawings present Existing Conditions with Demolition Plan, Site Plans of enhancements, general Landscape Plans, and the Phasing Plan.

SITE CONSIDERATIONS

PARKING SUMMARY

The abandonment of these public streets and subsequent improvements will displace a significant number of existing on-street parking spaces currently utilized by students, staff, employees, and visitors to Wesley College. A specific plan to accommodate the displaced parking has been submitted which consists of reconfiguration of several existing parking lots to improve access and vehicle circulation and also consists of construction of an expanded parking lot. The plan indicates that there is a total of 249 existing parking spaces and that the proposed number of parking spaces will be 249 parking spaces. (Note: There are other existing parking lots on the Wesley College campus that are unaffected by the project activities and are not included in these tallies.) From Staff's calculations it appears a total of sixty-five (65) "on-street" parking spaces and seven (7) parking lot spaces will be displaced with the improvements (total of 72 spaces). These 72 displaced spaces are accounted for by thirty-seven (37) space claimed in existing parking lots (spaces reclaimed in Campus Community School parking lot for College use) and thirty-five (35) parking spaces will be gained in the construction of new parking spaces. The specific location of handicapped accessible parking spaces is not indicated.

There are a number of areas that while they appear to be "streets" in the design layout, they are to be considered parking lot areas as the previous street right-of-way has been vacated. The only public street segments that remain in this campus vicinity are the segment of North Bradford Street just off West Division Street and the segment of Cecil Street between North State Street and the Lands of Yost/North State Street Alley West. See comments for recommendation on the on-street parking for Cecil Street (remaining public street segment).

Bicycle Parking

The minimum bicycle parking is one (1) bike space for every twenty (20) parking spaces. Based on the number of parking spaces, a minimum of thirteen (13) bicycle parking spaces are required. The Plan currently does not indicate the location of bicycle parking racks.

Sidewalks

The site has an existing system of sidewalks along the public street frontages of North State Street, Cecil Street, Fulton Street, North Bradford Street, and North Governors Avenue. The sidewalk system then internally links to various buildings and parking lots. A significant portion of this project will augment the pedestrian system with walking plaza areas to the north and south of the H.B. DuPont College Center building in the areas where Cecil and Fulton Streets are being vacated.

Other Site Elements

The location of site lighting is not shown on the plan.

TREE PLANTING AND LANDSCAPE PLAN

The submitted plan includes the concept for landscaping the project area. It is presented for the South Project Area and the North Project Area (with the DuPont College Center being the dividing line). Information on the trees within close proximity to the vacated rights-of-way and the enhancement areas is provided. Staff notes that the Wesley College campus includes other trees that are not documented on the plan sheets.

It is unclear of the specific area used to calculate the tree planting requirement for the project. The campus area generally located north of Division Street between North Governors Avenue and North State Street to just north of Cecil Street includes a significant number of existing tree plantings. Staff recommends that the area as depicted on the phasing plan (Phases 1-5) which includes the vacated rights-of-way and the adjacent areas where improvements are proposed be utilized as the site area for the tree planting calculations. One tree is required for every 3,000 square feet of this site area. Existing trees within this area can be counted towards compliance with this planting requirement.

The plan does show a number of existing trees, most of which are to be retained. The plan shows a series of smaller trees to be relocated as part of project activities. The proposed tree plantings are a mix of deciduous and ornamental trees that will line the pedestrian plaza areas or infill other lines of street trees. The specific species selected will be identified with the Site Plans for each Phase. For the South Project Area a total of sixty-six (66) existing trees are shown with nine (9) trees to be removed, seven (7) to be relocated, and twenty-four (24) new trees to be planted. For the North Project Area a total of thirty-two (32) existing trees are shown with three (3) trees to be removed and thirteen (13) new trees to be planted.

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:

Record Plan

1) Area #8 (Fulton Street Alley South) was not been approved for abandonment with Resolution #2010-07. Documentation of its previous abandonment must be submitted or a specific request for its abandonment must be filed and the proper review procedure completed for this Area #8. The applicant has been advised as to the process for consideration of the request.

2) The recordation of the vacated rights-of-way shall coincide with the conditions outlined in the Abandonment Resolution #2010-07.

3) The data column (Record Plan Sheet 1) needs to be updated prior to Final Approval. Some of the items which need revising are as follows:
   a) Check owner of record information.
   b) Remove tax parcels numbers which are not affected by this action to vacate right-of-way: ED-05-77.05-01-14.00 and 16.00 and 17.00; ED-05-76.08-05-51.00; and ED-05-76.08-02-78.00 and 79.00.
   c) Add tax parcel for tennis court parcel.
   d) Clarify ownership and parcel status of ED-05-77.05-01-29.00 and 30.00 and 31.00. Also update associated Site Plan sheets providing this information as well.
   e) Correct the zoning classification to be City of Dover zoning.

4) A series of notes must be provided on the Record Plan addressing the following: information on the Resolution to vacate the right-of-way, public utility easements, and public access easements. The location of these utility and access easements must be shown on the Record Plans.

5) Add appropriate certification notes and signature lines for the City and property owners.

6) While labeled by vacated area, these labels are difficult to associate with the subject areas; we recommend a different format to the labeling.

7) The property lines and building footprint information appears to be missing from the parcels at the northeast corner of West Division Street and North Bradford Street. Revise Sheet 1 and Sheet 3.

8) Sheet 2 of Record Plan:
   a) Add reference to distance from Mary Street for the beginning point of Area #2 as Mary Street is not shown on the plan sheet.
   b) Need to show all of Parcel 41.00 on the east side of North Bradford Street (student dorm building).

9) Sheet 3 of Record Plan:
   a) The meaning of label L-6 not listed (south end of North State Street Alley West).
   b) Update Sheet Title (it is not a Topographic Road Survey).

10) The applicant will need to work with City Staff and the City Solicitor's Office in regards to the format for this Record Plan set and any associated documents to convey the right-of-way from the City of Dover to Wesley College. This includes the format of new parcels, easement locations, the timing of abandonment, terminology, etc.

<u>Site Development Master Plan</u>

11) Each plan sheet must include a north arrow, graphic and written scales. Several of plan sheets are either missing these items or have conflicting information in the title block.

12) The data column (Sheet C-001) needs to be updated prior to Final Approval. Some of the items which need revising are as follows. Also listed are other necessary revisions to the plan sheet.
    a) Update Property Map Number listing to include all impacted parcels. Also check parcel numbers listed as first and last numbers are not part of this project.
    b) Remove statement about SWPOZ as no parcels are impacted by this zoning overlay.
    c) Check spelling in column.
    d) In Item #12, the parking does not reflect a total of all parking available in this portion of campus, but only appears to be the parking in the impacted areas.
    e) Clarify the tree planting calculation.
    f) In General Notes #11, add Kent Conservation District.
    g) In General Notes #12, update to reference to Department of Public Utilities.
    h) Update the Sheet Index. Some sheets are repeated in the listing. It is also noted that the plan set submitted does not consist of all the plan sheets proposed.
    i) Overall drawing of campus area: Not all parcel lines are shown, missing line work; use different hatch pattern for building footprints of non-Wesley properties.
    j) Update location map to include all parcels impacted by abandonment and project activities.
    k) Any changes recommended by the Planning Commission.

13) Sheets C-101 and C-102:
    a) Clarify the line work for the existing parking spaces as many are difficult to see due to overlap or line weight or the lines appear to be missing. As displacement of existing parking is a key element to be accounted for this information must be clearly provided.
    b) Check the ownership of the property north of the Bellmeyer Honors House as a different owner is listed on the Record Plan.
    c) Check that the trees marked for removal or relocation on the Landscape Plan are correctly reflected here. Also reference the Landscape Plan for any tree protection measures.
    d) Identify the type of parking on the west end of Parcel 27. If this is motorcycle parking, then identify if a newly designated parking area will be established for this vehicle type.
    e) Update label for the North State Street Alley West and the right-of-way size.
    f) Correct any labeling overlaps.

14) Sheets C-201, C-202, and C-203:
    a) Identify location of traffic circulation signage i.e. Do Not Enter, One Way, etc.
    b) Identify the location of the handicapped parking spaces and ensure access to nearby sidewalk systems.
    c) Remove extra hatch marks from location of demolished building.
    d) Notes for labels G-8 through G-10 are not listed.
    e) Check type of curb prosed at terminus of North Bradford Street at curved of parking lot entrance and plaza area.

15) The remaining segment of North Bradford Street near Division sheet shall have two way travel. Clarify the travel of one way north for the drive aisle that continues north along the frontage of Zimmerman Hall. The addition of traffic control signage at the parking lot connection may be necessary.

16) The RGO zoning district has a maximum of 85% lot coverage per parcel. Provide the lot coverage calculations for the parcels fronting on North State Street where parking lot reconfigurations and construction on proposed.

17) Confirm that the existing sidewalks in the campus areas leading to the enhancement project area in good repair and make any repairs necessary.

18) Ensure handicapped access ramps are shown at the required points of intersection of streets, parking lot entrances, intersections of sidewalks with parking lot drive aisles, etc.

19) A number of existing street signs and traffic control signs (i.e. one way, do not enter) will need to be removed at locations where public streets have been vacated and the traffic circulation pattern has changed (segment of North Bradford Street that will become two way travel), etc.

20) Construction details including the height and materials for items such as sidewalks, light fixtures, fencing, bollards, traffic control signage, striping, etc. must be included in the Site Plan sets for each phase.

21) Landscape Plan Sheets L-101 and L-102:
    a) The tree planting requirement must be clarified and the site area clearly shown on the plan. Staff has determined the specific site area to be utilized for this calculation (see narrative above).
    b) Ensure that tree planting locations do not conflict with existing or proposed utilities. Confirmation with the Electric Department for the planting of trees near overhead power lines will be necessary.
    c) Remove the Tree Mitigation Chart. The trees proposed for removal by these plans are not considered as "unauthorized clearing" which necessitate tree mitigation measures with the rates listed.
    d) Identify tree protection measures for trees in or close to construction activities.
    e) Landscape certification note will need to be added.
    f) Add tree protection and planting details.
    g) Mark trees 50 and 51 to be removed on drawing.
    h) Add location of existing trees on the Admissions Parking lot parcel.
    i) Identify where relocated trees will be placed.
    j) Correct label of Bulk Table on sheet L-1012.

22) The Phasing Plan has several reprints of labels. Also any public street segments that have been vacated as part of the abandonment process should not be labeled by their "street" name. This also occurs on other plan sheets.

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

1) Staff recommends that the Applicant work with City Staff regarding parcel consolidation. It appears that a number of parcels in the ownership of Wesley College could be consolidated

so that buildings do not cross property lines i.e. the dormitory buildings north of Cecil Street or the parking lot area east of North Bradford Street.

2) Staff recommends the reconfiguration of the on-street parking on the remaining public street segment of Cecil Street. At the western terminus of the public street just west of the North State Street Alley West intersection, a turn-around should be established. Also the angled parking on the south side of the street should be reversed so that exiting the parking space can be achieved by backing then immediately proceeding eastbound on Cecil Street to North State Street. Any additional parking spaces displaced by this revision must be accounted for.

3) Staff recommends providing bicycle parking opportunities near each of the campus buildings to adequately address the bicycle parking needs of each building. The code requirement of thirteen bicycle parking spaces (based on the parking spaces of this project) will not be sufficient to address bicycle parking needs and to encourage a multi-modal campus.

4) Planning Staff notes that Parcel ED-05-77.05-01-35.00-000 (Enrollment House) is located within the H (Historic District Zone). Construction activities in the Historic District require Architectural Review Certification. A parking lot will be expanded into the rear yard area of the parcel. However, due to the lack of visibility (public view) from North State Street (the public way), Staff finds that the Architectural Review Certification review is not required for the parking lot.

ADVISORY COMMENTS TO THE APPLICANT:

1) This project requires additional coordination with various City departments to address utility infrastructure access, the need to maintain emergency access, and the development (and approval) of a Record Plan documenting a transfer of ownership of the vacated rights-of-way and the associated easements.

2) Abandonment of public streets and alleys by Resolution #2010-07 does not constitute approval for physical alteration of such streets and alleys. Any modification or ground-disturbing activity must be reviewed through the appropriate site plan process and receive all requisite approvals by regulatory agencies.

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

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

recordation. Each phase of construction is subject to the Administrative Site Plan review Process.

6) To progress to construction, the submission of a Site Plan of the construction phase project area must be submitted for Administrative Site Plan Review by the Planning Office and other agencies. Article 10 §2.491b (as in Code at time of application filing) sets forth the construction timing in relation to approvals.

> Article 10 §2.491
> (b) For projects which are reviewed and approved by the planning commission as site development master plans, approval of the master plan shall remain valid for a period not to exceed five years from the date of planning commission approval, provided that the authorized construction or use has commenced within one year of approval and is proceeding toward completion, unless an extension of time is applied for by the applicant and granted by the planning commission. In addition, the time between the completion of one phase and the initiation of the next phase shall not exceed a period of two years. Upon approval of a site development master plan by the planning commission, the planning director or authorized designee shall have approval authority over final plans governing each phase of construction as depicted on the master plan.

7) For construction of structures, the requirements of the building code or fire code must be complied with. Consult with the Chief Building Inspector for these requirements. The resolution of these items may impact the site design.

8) Construction and demolition will have an effect on the visitors to this area, adjacent property owners, and nearby streets. Any work requiring the closing or rerouting of students, residents, employees or visitors to the adjacent properties and streets should be coordinated as to offer the least amount of inconvenience. Careful consideration will need to be given to construction staging/ storage areas, and parking availability for this project.

9) With the vacation of several street segments, the property addresses for several buildings will need to be reviewed and revised as necessary to clarify emergency response/911 addressing.

10) A number of the trees to be removed are significant in size. Consider actions for salvage and re-use of the tree wood for special projects, fundraisers, etc.

11) The applicant shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections and permits are required. Building Permits will be utilized to track project activities.

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

13) The applicant shall be aware that Site Development Master Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 28, 2011

CITY OF DOVER
PUBLIC UTILITIES
DEPARTMENT

APPLICATION: **WESLEY COLLEGE MASTER PLAN: STREETSCAPE CAMPUS ENHANCEMENTS**

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

REVIEWING AGENCY: **City of Dover Public Utilities Department**

CONTACT PERSON: **Steve Enss - Electric**
Sharon Duca, P.E. - 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

1. Owner is responsible for locating all water, sewer, storm sewer lines and private electric.
2. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
3. Owner is responsible for site and/or street lighting.
4. Meter locations will be determined by City of Dover Engineering Department.
5. 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.
6. 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.
7. 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.
8. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
9. 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. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. The consultant should continue to work with the Public Utilities Department to ensure this information is accurate on the plan.

WASTEWATER

1. 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. The consultant should continue to work with the Public Utilities Department to ensure this information is accurate on the plan.

STORMWATER

1. 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.

GENERAL

1. In accordance with Council Resolution #2010-05 utility easements must be established as per the Public Utilities comments from the DAC report dated April 1, 2010. As such the vacated right-of-way plan can only be recorded in conjunction with easement establishment.
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 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

1. The Public Utilities Department is currently evaluating water infrastructure in the project area to ensure that any requiring upgrade or replacement will be addressed prior to the improvements proposed. Our office recommends that as a condition of approval the Department be permitted to install all identified improvements in accordance with the Water / Wastewater Handbook which may include relocating and upgrading meters outside of existing buildings. All relocations would be coordinated with the College if the Department determines that any are required.

WASTEWATER

1. The Public Utilities Department is currently evaluating wastewater infrastructure in the project area to ensure that any requiring upgrade or replacement will be addressed prior to the improvements proposed. Our office recommends that as a condition of approval the Department be permitted to install all identified improvements in accordance with the Water / Wastewater Handbook which may include relocating or adding cleanouts one foot (1') outside the utillty easement line. All relocations would be coordinated with the College if the Department determines that any are required.

STORMWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. The electric division is currently working with Becker Morgan to determine utility relocation.

WATER

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

WASTEWATER / STORMWATER

1. None.

GENERAL

1. The applicant is advised that depending upon the size of existing water services and sanitary sewer laterals to be abandoned, flowable fill may be required.

2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter.

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: Wesley College Streetscape

FILE #: S-11-13 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:

1. Any bollards used shall be approved by the Fire Department.

2. Trees and bushes shall not be planted as to block Fire Department aerial and ground ladder access to the building.

3. Project to be completed per approved Site Plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:
NONE

ADVISORY COMMENTS TO THE APPLICANT:

1. 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.

2. All comments from this office, approved by the Planning Commission are at the expense of the owner/applicant.

3. The proposed building will be reviewed under Occupancy.

4. 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.

5. 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: July 28, 2011

D E L D O T

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APPLICATION: Wesley College Master Plan for Streetscape Campus Enhancements
FILE#: Z-11-05 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. As noted in the letters dated July 25, 2011 from both the City Officials and the applicant, the Department has concurred with the supportive approaches to rescind from the original comment about performing traffic count at numerous intersections. As a result, the Department has no comments for the first two phases of this project.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

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

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
DEVELOPER APPLICATION MEETING DATE: JANUARY 2011

APPLICATION: *Wesley College Master Plan*

FILE #: S-11-13

REVIEWING AGENCY: *Kent Conservation District*

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

The reasons and conditions applied to this project and their sources are itemized below:

Source: Delaware Sediment and Stormwater Regulations

Requirements:

1. As the disturbance for this site will exceed 5,000 square feet, an application for a Standard Plan for Erosion and Sediment Control must be submitted to and approved by the Kent Conservation District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place.
2. The following notes must appear on the 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, or 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. All drainage ways and storm drain should be contained within drainage easements and clearly shown on the plan to be recorded by Kent County.
4. Include any onsite and offsite utility work on the plans.

Comments:

1. **The proposed improvements are planned on existing impervious areas. The proposed improvements can be approved as Standard Erosion and Sediment and Stormwater Control Plan.**

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 8/4/2011

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Wesley College Master Plan for Streetscape Campus Enhancements

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

CONTACT PERSON: Jim Galvin, AICP PHONE #: (302) 387-6030

The Dover/Kent County MPO requested the opportunity to bring the recommendations on issues of our concern to the City. The MPO limits comments to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 8/15/2011

Project Review

S-11-13 Wesley College Master Plan for Streetscape Campus Enhancements

This proposal was the subject of a street and alley abandonment application in April, 2010. The MPO encourages pedestrian facilities. The proposed facilities will accommodate bicycles as well, also promoted. There are transit stops on South State Street and South Governors Ave to connect into the City's and regional transit system.

With the recommendations above, The site proposal meets the standards the MPO considers important. We have no objections to the plan.

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.

BECKER MORGAN GROUP

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PLANNING OUR
CLIENTS' SUCCESS

July 21, 2011

Ann-Marie Townshend, AICP, Director
City of Dover
Department of Planning and Inspections
P.O. Box 475
Dover, DE 19903-0475

RE: **DelDOT Traffic Counts and TIS requirements**
WESLEY COLLEGE SITE DEVELOPMENT MASTER PLAN
Dover, Delaware
2009132.01

Dear Ms. Townshend:

On behalf of Wesley College we are submitting in writing our rationale for our request to eliminate the traffic counts for the Wesley College Streetscape Master Plan requested by the Delaware Department of Transportation (DelDOT). Currently both Cecil and Fulton Streets connect State Street and Governors Avenue within the City of Dover. With varying pavement widths both streets provide different methods of on street parking for the college and through traffic connecting Governors and State Street. The Streetscape Project proposes the vacation and closure of these streets in order to create a safer and more walkable campus for its students.

Previously DelDOT requested Wesley perform, as part of the above referenced project, traffic counts which DelDOT would utilize in a digital model of the traffic circulation for the area surrounding campus. This digital model would be incorporated into a Traffic Impact Study (TIS) performed by DelDOT. Through further discussions with DelDOT, the request of counts for the initial four intersections grew to twelve (12) intersections. Additionally, vehicle origin and destination data was requested for vehicles traveling down Cecil and Fulton Streets.

It is our position that the vacation and closure of the streets does not meet the warrants for a traffic impact study set forth by the DelDOT Standards and Regulations for Subdivision Streets and State Highway Access (Sec. 2.3.1). Listed below are the warrants for a traffic study set forth in Sec 2.3.1 and the reasons why the Wesley's project does not meet the warrant.

2.3.1.1 – When a proposed land use change or development will generate 400 trips per day…
Wesley College is not adding a new building, nor is it increasing the student population by 400 students, therefore 400 trips cannot be produced by the closure of the streets.

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FAX 910 341 7506

www.beckermorgan.com

BECKER MORGAN GROUP

ARCHITECTURE ENGINEERING

2.3.1.2 – when a new access entrance for an existing land use is proposed for a state maintained roadway....
No new accesses for the college are proposed for either State Street or Governors Avenue.

2.3.1.3 – When in a local land use process, DelDOT finds that a development and/or change in zoning is proposed for an area where roadways or intersection operate below LOS D in a developed area....
There is to be no zoning change associated with the campus improvements.

2.3.1.4 – When requested by a local land use agency that has more stringent TIS warrant requirements than those provided in this section,....
A TIS has not been requested by the City of Dover.

2.3.1.5 – When in the opinion of the DelDOT, it is in the public interest to obtain further traffic information of a proposed development.

As you can see from the responses above, with the exception of 2.3.1.5, which gives DelDOT the right to impose a traffic study at will, the project does not meet any of the warrants for a traffic impact study set forth in the DelDOT Standards and Regulations for Subdivision Streets and State Highway Access.

Currently neither Governors Avenue nor State Street contain turn lanes to assist with the flow of traffic onto Cecil or Fulton Streets. Due to the location of these streets within the City's network their Right-of-ways do not contain the space for turning movement improvements without a greater impact to the local residents. Additionally we feel the closure of Cecil and Fulton Streets to through traffic will facilitate an improvement to traffic flow on both Governors Avenue and State Street. By reducing the amount of potential left and right hand turns down these streets by non-students, any congestion due to these movements will be reduced.

In addition to reducing the amount of turning traffic on Governors and State, the Campus Community Charter School is located in Longwood Hall on campus. Currently the School is scheduled to vacate the building sometime in the spring or summer of 2012. Once the school vacates the building we feel that traffic will be further improved in the area by the reduction in overall traffic in the area during the peak hours of operation.

As you can see from our review of the DelDOT regulations a TIS for this project is not required. With this letter, on behalf of Wesley College, we would ask that the City support our request to eliminate the traffic count request made by DelDOT.

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Please feel free to contact us if you should have any further questions or comments.

Sincerely,

BECKER MORGAN GROUP, INC.

Jonathan N. H. Street
Civil Designer

JNS/

Enclosures –

Cc: Dr. William Johnston, Wesley College
Eric Nelson, Wesley College

2009132.01aq-COD-ltr.doc

City of Dover

July 25, 2011

Julio Seneus
Delaware Department of Transportation
Division of Planning
P.O. Box 475
Dover, DE 19903

RE: Wesley College Site Development Master Plan
DelDOT TIS Requirements and Traffic Counts

Dear Mr. Seneus:

Please see the attached letter from Jonathan Street of Becker Morgan Group, submitted on behalf of Wesley College. As you are aware, there have been a number of discussions regarding whether the streetscape project proposed by Wesley College meets the warrants for a traffic impact study. Earlier discussion between Wesley College and DelDOT indicated that DelDOT would require that Wesley College perform traffic counts at several intersections, and that DelDOT would input these counts into a digital model to determine necessary improvements to the street network surrounding Wesley College.

I concur with the letter submitted by Mr. Street, indicating that the streetscape project proposed by Wesley College does not meet the threshold criteria that would indicate that a traffic impact study is required. The improvements proposed by Wesley College would eliminate two access points to North Governors Avenue and North State Street, and the proposal would not expand the school's facilities or increase the number of vehicle trips to and from the college. The streetscape project is aimed at making the Wesley College campus more conducive and safer for pedestrians. If traffic counts and a traffic analysis are performed, I would question what would be gained by this. Wesley College is located in the City's downtown and is surrounded by residential neighborhoods on a traditional street grid. Any improvements to intersections relating to accommodating vehicles would have the potential to detract from the character of the downtown area and create obstacles for the many pedestrians who utilize the street network. The improvements proposed by Wesley College would improve the safety of the area for pedestrians and eliminate conflicts between pedestrians and vehicles utilizing the Wesley College campus.

In closing, I request that DelDOT eliminate the requirement that traffic counts be performed for the Wesley College streetscape project because the project does not meet the thresholds for a traffic impact study under DelDOT's regulations and because any improvements identified

would detract from the character of the downtown area. If you have any questions, please feel free to contact me. I look forward to seeing you at the Development Advisory Committee meeting on Thursday.

Sincerely,



Ann Marie Townshend, AICP
Director, Planning & Community Development
(302) 736-7196

cc: Jonathan Street, Becker Morgan Group
William Johnston, President, Wesley College
Eric Nelson, Wesley College
Scott D. Koenig, P.E., Interim City Manager
Todd Sammons, DelDOT Planning
Mike Strange, DelDOT Planning
Marc Cote, DelDOT Planning
Bill Brockenbrough, DelDOT Planning

RESOLUTION #2010-07

A RESOLUTION VACATING AND ABANDONING CERTAIN ALLEYS AND STREETS SITUATED IN THE CITY OF DOVER.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

Section 1. The Council of the City of Dover hereby vacates and abandons the following streets and alleys:

Area #1	The 100 block of North Governors Avenue Alley West, being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, being an improved public alley running north to south between Cecil Street and Fulton Street, lying on the westerly side of and running parallel to North Governors Avenue, said alley being 10 feet wide and approximately 341 feet in length and comprised of 3,410 square feet, more or less.
Area #2	The southern portion of the 200 block of North Governors Avenue Alley East, being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, being an unimproved public alley running north to south, said portion of alley located between Mary Street and Cecil Street but not adjacent to and lying on the easterly side of and running parallel to North Governors Avenue, unimproved alley being a varying width (10-15 feet) and approximately 100 feet in length, comprised of 3,410 square feet, more or less. The portion of the alley is located approximately 173 feet east of the center of Governors Avenue and 302.6 feet south of the southerly right of way line of Mary Street to the point of beginning, thence extending approximately 100 feet in a southerly direction and terminating at lands of Wesley College.
Area #3	A portion of the unit block of North Bradford Street, being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, said portion of street commencing at the southerly side of Fulton Street and running south toward Division Street but not adjacent to, being 60 feet wide and approximately 363 feet in length, comprised of approximately 21,600 square feet (0.496 acres). The portion of said street starting at the southern right of way of Fulton Street and extending approximately 363 feet in a southerly direction to the northerly right of way line of an unnamed alley.
Area #4	The unit block of Fulton Street, being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, a public street running east to west between South Governors Avenue and North State Street and being 60 feet wide and approximately 680 feet in length, comprised of 40,800 square feet (0.936 acres) more or less.

Area #5 A portion of the unit block of Cecil Street, being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, said portion of street commencing at the easterly side of South Governors Avenue and running east towards North State Street but stopping short of, being 60 feet wide and approximately 443 feet in length comprised of 26,580 square feet (0.61 acres) more or less. The portion of said street, starting at the easterly right of way line of North Governors Avenue extending 443 feet east to a point approximately 90' east of the easterly right of way line of North Bradford Street.

Area #6 A portion of the 200 block of North Bradford Street, being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, said portion of street commencing at the northerly side of Cecil Street and running north toward Mary Street but stopping short of and being 60 feet wide and approximately 194 feet in length comprised of 11,650 square feet (0.267 acres) more or less.

Area #7 The northern portion of the unit block of North State Street Alley West, being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, an improved public alley running north to south, said portion of alley being between Fulton Street and West Division Street but not adjacent to and lying on the westerly side of and running parallel to North State Street, being 17 feet wide improved alley and approximately 275 feet in length, comprised of 4,675 square feet, more or less. The portion of said alley being located approximately 221 feet west of the centerline of North State Street, starting at the southern right of way line of Fulton Street extending approximately 275 feet in a southerly direction to the northerly property line of lands now or formerly of Francis A. Stratford.

Section 2. Since no person has been deprived of property by the vacating and abandoning of the aforesaid streets and alleys, no compensation is awarded.

Section 3. The City shall retain a utility easement for the entire length and width of the aforesaid streets and alleys and all costs of conveyance shall be borne by the property owners.

Section 4. Approval of the request is based upon the conditions that public access easements for Fulton and Cecil Streets be included as part of the Plan; that public access easements be provided through the campus along Fulton and Cecil Streets; and that the following Development Advisory Committee (DAC) comments generated by this process be included as part of the Plan, as follows:

1) Timing of the abandonment - Staff recommends that abandonment be timed such that the City maintain ownership and maintenance of the subject streets and alleys until such time that they are physically altered by construction in accordance with a site plan approved by the Planning Commission.

2) Utility Easements - All public electric, water, wastewater, and storm sewer infrastructure must be located within permanent utility easements in accordance with the recommendations set forth in the Public Utilities comments from the DAC report dated April 1, 2010.

3) Parking – All on-street parking displaced by the abandonment must be replaced in kind (in addition to any additional off-street parking required in accordance with site plan application submissions) prior to removal of on-street parking in the areas proposed for abandonment.

4) DAC Comments - Planning Office Advisory Comments 1-4 from Page 6 of the Report (prepared for May 24th meeting) and the attached agency comments from the Department of Public Utilities, Delaware Department of Transportation (DelDOT), Kent Conservation District, and the Fire Marshal's

5) All specific conditions developed by the Utility Committee as a request of public testimony and/or their deliberations must be added.

Section 5. This resolution shall be effective upon the filing of a revised plot plan of the aforesaid streets and alleys.

ADOPTED: AUGUST 9, 2010

City of Dover

DATA SHEET FOR CONDITIONAL USE SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 4, 2011

PLANNING COMMISSION MEETING August 15, 2011

Plan Title:	Royal Farms C-11-05
Plan Type:	Conditional Use Site Development Plan
Applicant/Owner:	Roadway Express, Inc.
Equitable Owner:	F&B Properties, LLC.
Location:	Northeast corner of Saulsbury Road and West North Street
Address:	293 South Saulsbury Road
Tax Parcel:	ED05-076.11-01-43.00-000
Site Area:	3.64 acres ±
Zoning:	C-2A (Limited Central Commercial Zone) COZ-1 (Corridor Overlay Zone)
Present Use:	Vacant (formerly shipping/trucking)
Proposed Use:	Retail with gasoline pumps
Sanitary Facilities:	City of Dover
Water Supply:	City of Dover
Waivers Requested:	Partial elimination of curbing

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 4, 2011

CITY OF DOVER PLANNING

APPLICATION: Royal Farms at 293 South Saulsbury Road

FILE #: C-11-05 REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Michael J. Albert, AICP PHONE #: 302-736-7196

PLAN SUMMARY

This is a Conditional Use Site Plan Review to permit the construction of a 5,786 S.F. retail store building, a 1,407 S.F. car wash building, eight doubled-sided gasoline pumps under two canopy structures, and other associated site improvements. The property is zoned C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). In the C-2A Zone, the establishment of gasoline pumps is an accessory use requiring conditional use approval. The project consists of one (1) parcel of land totaling 3.64 acres +/-. The site is located on the northeast corner of Saulsbury Road and West North Street. The owner of record is Roadway Express, Inc. The equitable owner is F&B Properties, LLC. Property Addresses: 293 S. Saulsbury Road. Tax Parcel: ED05-076.11-01-43.00-000.

CONDITIONAL USE

The application is a Conditional Use Site Plan for a proposed retail store building, a car wash building, and eight double-sided gasoline pumps under two canopy structures. The establishment of gasoline pumps is an accessory use requiring conditional use approval from the Planning Commission. (*Zoning Ordinance,* Article 3 Section 12.141)

> 12.1 *Uses permitted.* No building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following:
>
> 12.11 All uses permitted in the neighborhood commercial C-1 zone, with no limitation on size of establishments.
>
> 12.12 Residences conforming to the regulations set forth in article 3, section 2.
>
> 12.13 Banks or businesses, professional or governmental offices.
>
> 12.14 Other retail and service establishments, but excluding:
>
> 12.141 Gasoline filling stations and motor vehicle storage, repair, or service, except that gasoline pumps shall be permitted as an accessory use, subject to conditional use approval by the planning commission pursuant to article 10, section 1.

This Conditional Use Site Plan is subject to the requirements of Article 10 §1 further discussed below.

With Conditional Use Site Plan applications, the Planning Commission reviews the proposed project to determine whether or not the intended use is appropriate in type and scale for the immediate neighborhood. The Commission must also consider whether or not the proposed use will have an adverse impact on the future orderly development of the surrounding area. The following sections of the *Zoning Ordinanc*e (Code in place at time of application filing in July 2011.) which relates to the role of the Commission in reviewing Conditional Use Site Plan applications are particularly relevant when reviewing this application:

> Article 10 §1.1 *[Accessibility for fire and police protection.]* That all proposed structures, equipment or material shall be readily accessible for fire and police protection;
>
> Article 10 §1.2 That the proposed use be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the zone in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties;

PARKING SUMMARY

The minimum parking requirement for this project is one (1) parking space for 300 S.F. of floor area or one parking space per employee, whichever is greater. Based on the square footage of 7,193 S.F., a total of 24 parking spaces are required. The site is providing 30 parking spaces. There are two (2) handicap parking spaces shown on the plan. The site exceeds the parking requirement. In accordance with Article 6 § 3.11 of the *Zoning Ordinance*, parking areas may only exceed the parking requirement by 25%. As shown on the plan the project does not exceed the 25% maximum.

Bicycle Parking

Bicycle parking shall be provided for parking spaces at a rate of one (1) bicycle parking space for every twenty (20) parking spaces. Based on the 24 required parking spaces, two (2) bicycle spaces are required. The site is in compliance with the required bicycle parking.

BUILDING ARCHITECTURE

The proposed building will feature a primarily flat roof with three pitched features facing towards the road intersection. A brick/EFFIS mix is the primary wall feature with canopied windows towards the building edges. The pitched portions of the roof show a red/brown metal color and the roof line is white with a similar red/brown trim. Revised architectural renderings should be provided in order to give a clearer view of the materials and composure of the building.

A car wash building is proposed for the site; however, no materials have been provided to depict the building. The Applicant must provide architectural elevations for the proposed car wash.

There are two proposed canopies associated with this gas station use that will be located over the two pumping areas. Further detail is required in regards to these structures including elements such as materials used, roof type and angle, and roof line décor. The Applicant must provide architectural elevations for the proposed canopy structures.

SITE CONSIDERATIONS

The site is located within the COZ-1 (Corridor Overlay Zone). The Corridor Overlay Zone as a planning and growth management tool is designed to foster and attractive, efficient, and economically vibrant commercial corridor along Route 8 and Saulsbury/McKee Roads. To this end, more stringent standards are applied to development taking place in the corridor.

The plan as presented is in compliance with the requirements listed below.

- The gas pump canopy and associated pumps are considered to be a principal structure for this use. The location of the gas pump canopy along Saulsbury Road is located along the maximum front yard setback meeting the front-yard setback requirement. The building must sit parallel to the road with the longest side facing the road; the design achieves this concept.
- The plan achieves the following for the parking lot layout/arrangement: the number of spaces versus islands (10 feet width) and median placements, and the sizing thereof.
- Site access related to number and spacing is in compliance for access to the corridor complies with COZ-1 requirements.
- The building complies with the 35-foot height limitation.
- A minimum of 25% of the lot consists of landscaped open space.
- Street frontages are required to have a landscaped open space of 25 feet and provide one tree per 50 (fifty) feet of frontage.
- Non-frontages (side and rear yards) are required to have landscaped open space of 15 feet when adjacent to residential uses and to provide one tree per 75 (seventy-five) feet.
- The building shall have a corridor elevation with specific architectural features.

The plan as presented does not comply with the following requirements of the COZ-1:

- A landscaped buffer of 6 feet and sidewalk of 6 feet for a minimum total of 12 feet is required between the building and parking/drive aisles is not met.
    - The applicant has requested a waiver from this provision of the *Zoning Ordinance;* however, no authority exists within the *Zoning Ordinance* for the Planning Commission to provide such relief from the requirement.
    - As per the most recent DAC meeting, the Applicant understands the requirement and that the provisions of this requirement cannot be waived. The Applicant has agreed to amend the plans during the Check Print process leading up to Final Plan approval. The Applicant will provide information to the Planning Commission on a means by which to appropriately implement this requirement for this project.

Site Access

The site will have full access from Saulsbury Road and right-turn in and out access from West North Street. A copy of a Traffic Analysis Report is part of the application file.

Pedestrian Access

A sidewalk connection from Simon Circle is present on the east side of the property. This connection does not currently connect with the proposed site. The plans should be altered to allow for the existing pedestrian access to enter the site. This will necessitate the relocation of the proposed car wash. The car wash should be, at a minimum, moved north on the site, out of the way of the pedestrian access. The stacking of vehicles awaiting entrance into the wash may be accomplished by allowing them to stack near the proposed loading area.

- As per the most recent DAC meeting, the Applicant has agreed to reconfigure the pedestrian access and to relocate the car wash. The plans shall be amended during the Check Print process leading up to Final Plan approval and the Applicant will provide information to the Planning Commission on a means by which to appropriately implement this requirement for this project

Lighting
Adequate lighting needs to be provided throughout the site. The plan indicates security lighting along the front of the buildings. The lighting should be deflected away from other properties. The design/style of the fixtures should be provided on the Site Detail Plan sheet. A minimum of 1½ foot candles at grade is required.

Dumpster
Retail buildings require one (1) dumpster pad for the first 8,000 S.F. of building area and one (1) for each additional 16,000 S.F. of building area or a fraction thereof. Based on this calculation one (1) dumpster pad is required for the building. The Site Plan currently indicates two (2) dumpster pads. The dumpster enclosures are required to match the construction materials of the proposed buildings.

Sidewalk
Sidewalk is required along all street frontages. Sidewalk is present along. Saulsbury Road and West North Street. Sidewalks should be barrier free to allow for access throughout the development.

Waiver Request: Curbing
The parking areas and access drives are required to be curbed (Article 6 §3.6). Curbing is throughout the site with several breaks or omissions to convey stormwater to the appropriate management facility. A copy of the Preliminary Stormwater Report is on file as part of the application. A waiver request for the elimination of curbing for drainage into the stormwater management area has been submitted to the Planning Office for consideration by the Planning Commission.

Loading Spaces
For retail and service establishments, one loading berth is required for buildings ranging from 8,000 S.F. to 25,000 S.F. The total building S.F. for this site is under the requirement for a mandatory loading space; however, the plans show one loading space on the northern portion of the parking facility. No loading spaces are specifically delineated on the plan.

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 size of the site 53 trees are required. The Plan is required to provide a multitude of plantings for various reasons including the standard planting requirement, a buffer to separate the use from adjacent residential properties, and a frontage planting requirement for the COZ-1. One additional consideration of this project is that numerous plantings and trees already exist on the site.

The plan as provided meets the requirement to provide one tree per 50 feet of frontage and one tree per 75 feet of rear and side yard property boundaries. Plantings that are designated as a part of requirement are counted towards the required fifty-three (53) plantings for this site.

Opaque Barrier

Most of the previously planted buffer area required to buffer the commercial use from the adjacent residential properties is still present. Additional plantings are being placed along the property boundary in order to fill in any gaps or deficiencies. The plan is in compliance with this requirement. The required fence element is included on the plans as well, fulfilling this requirement. Plantings that are designated as a part of this buffer may not count towards the required fifty-three (53) plantings for this site.

While it appears that the plan as proposed fulfills the tree planting requirement of one tree for every 3,000 S.F. of land area, due to the other planting requirements and the presentation of the planting schedule, it is difficult to confirm this count. The plans must be revised to separate out any plantings that are designated as part of the residential landscape buffer and place those counts in a separate planting schedule, as they cannot be counted toward the tree planting requirement for the site. The remaining plantings for the land area requirement should have their own planting schedule that shows the number of proposed and preserved trees. To ensure that all requirements are met, further clarity is needed.

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

CITY AND STATE CODE REQUIREMENTS:

1) Curbing shall be constructed with in accordance with the *Zoning Ordinance* unless a waiver is granted by the Planning Commission. A written waiver request has been submitted to the Planning Office for consideration by the Planning Commission.
   a) If a waiver should be granted for this site, any portions of eliminated curbing must relate to stormwater management. Portions of the northern and southern drive aisle boundaries lack curbing along with a potential entrance location for the future commercial pad site as designated on the plan. Curbing for these areas may be required even if a waiver is granted depending on their connection with stormwater management on the site.

2) Update the Project Data column with the following information:
   a) Any conditions or changes approved by the Planning Commission.
   b) Indicate if any waivers are granted by the Planning Commission.

3) **As shown, the site does not comply with the requirements of Article 3, Section 27.63(c)(ii).** This requirement states that:

> There shall be a landscaped buffer area of at least 12 feet in width between the building and parking lot and drive areas. The buffer area shall include provisions for a sidewalk of at least six feet and no greater than eight feet in width. The buffer area and sidewalk shall be grade separated from the parking lot by concrete curbing of at least six inches in height.

The plans must be amended to include this provision. A waiver request to eliminate this requirement was submitted along with this application; however, the *Zoning Ordinance* does not provide a mechanism by which relief from this requirement may be granted.

4) The fence component of the opaque barrier must be reduced to four feet in height within the 40 foot minimum setback along S. Saulsbury Road. The Fence Component and Landscape Buffer Plantings will not be required to be implemented south of the adjacent pedestrian access from Simon Circle. If they are implemented, the fence must be reduced to four feet in height in the setback.

5) Architectural elevations for the proposed car wash and for the two canopy structures must be submitted to the Planning Commission for review.

6) Revised architectural renderings should be provided in order to give a clearer view of the materials and composure of the store building.

7) Plan Sheet S-1
   a) Several Key Notes as listed do not appear on the plan. The plan should be checked for consistency and notes that do not apply to this project should be removed.
   b) The proposed "Red Box" kiosk is not an aspect of approval for this plan and should be removed for Final Approval. A separate business license is required for the operation of these kiosk elements.

8) Landscape Plan
   a) The Landscape Plan should be reorganized for clarity.
   b) A Planting Schedule for items related to the landscape buffer on the east and north property lines should be created separately.
   c) For purposes of the required tree plantings and corridor plantings, a different Planting Schedule should be used. This schedule must clearly denote the number and location of proposed and existing trees.
   d) Revise the Data Column for this sheet accordingly.

9) Provide construction details for the following items but not limited to: barrier free sidewalk, dumpster pad, curbing, traffic control signage, lighting fixtures, handicap signage, bike racks, etc. Where traffic and pedestrian control details are concerned, please use DelDOT approved detail drawings. Ramps and associated pedestrian elements of the site plan must comply with applicable ADA requirements.

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

1) The pedestrian access from Simon Circle should be integrated into the site allowing for better access of adjacent residents. To accomplish this, the following items are suggested by Staff:
   a) The proposed car wash should be relocated further north on site. Stacking should occur along the proposed loading area portion of the drive aisle.

b) The existing pedestrian access should extend from Simon Circle into the site allowing for pedestrian movement.
c) A crosswalk connection from the pedestrian access should extend out from the pedestrian access once implemented.

2) Staff recommends that the car wash egress be re-evaluated to avoid potential conflicts with traffic movement into the site from North Street. Moving the car wash north on the site would reduce this potential conflict.

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

4) Staff recommends that the existing trees along West North Street that are marked for removal should instead be preserved.

5) Recommendation on Waiver Requests:
a) Partial Elimination of Curbing: Staff recommends approval of the request to permit depressed curbing to allow for drainage into the stormwater management areas by the depression of curbing in areas where necessary for conveyance. The extent of curbing to be eliminated as shown on the plans exceeds what is necessary for stormwater management. If this waiver is granted, the plans must be altered to reduce the amount of depressed curbing to only depict areas of depressed curb.

ADVISORY COMMENTS TO THE APPLICANT:

1) In the event that the remainder of the site is subdivided and developed at a later time, each proposed lot will be required to conform to the requirements for plantings and open space.

2) In the event that changes and revisions to the Conditional Use Site Plan occur in the finalization of the Conditional Use Site Plan contact the Planning Office. Examples include reorientation of building, 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, and/or other agencies and commissions making recommendations in regards to the plan.

3) Following Planning Commission approval of the Conditional Use Site Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff 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.

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

requirements.

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

6) 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.

7) The applicant shall be aware that Conditional Use Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 28, 2011

CITY OF DOVER
PUBLIC UTILITIES
DEPARTMENT

APPLICATION: **ROYAL FARMS : 293 SOUTH SAULSBURY ROAD**

FILE #: **C-11-05**

REVIEWING AGENCY: **City of Dover Public Utilities Department**

CONTACT PERSON: **Steve Enss - Electric**
Sharon Duca, P.E. - 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. The Electric Division has no comment regarding the conditional use proposed for the subject property.
2. 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/.
3. The roadway and curbing must be in.
4. The right-of-way must be within 6" of final grade.
5. The property corners must be staked.
6. Owner is responsible for locating all water, sewer, and storm sewer lines.
7. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
8. Owner is responsible for site and/or street lighting.
9. Meter locations will be determined by City of Dover Engineering Department.
10. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
11. 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.
12. 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.
13. 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.
14. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
15. 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.

16. 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. The following notes must be added to the plans:
    a. All water utility components must meet the requirements of the Public Utilities Water / Wastewater Handbook, effective date March 22, 2010.
2. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that it is a twelve-inch (12") water main located in North Street.
3. Water usage projections (peak demand in gpm 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. This meter must be installed in a pit per the City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
4. The site will require the installation of a fire hydrant as per the Fire Marshal's requirements. This will require the minimum of a six-inch (6") tap off of the water main in Saulsbury Road. As the northern portion of the site is likely being reserved for a future use, our office recommends that an eight-inch (8") tap be made to ensure that a fire suppression system could be provided to that use should it be required.

WASTEWATER

1. The following notes must be added to the plans:
    a. All wastewater utility components must meet the requirements of the Public Utilities Water Wastewater Handbook, effective date March 22, 2010.
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. The manhole located in front of this property along North Street is actually a terminal manhole. Please contact our office regarding this.
3. The minimum sanitary sewer lateral size is six-inch (6"). The existing lateral size must be field verified to be of adequate size in order to be utilized. If it is not, a new line must be installed.
4. 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. The apparent grease interceptor must be a minimum 1,000 gallon, two chamber model, meeting all Kent County ordinance requirements. A construction detail for the proposed grease interceptor, as well as the proposed location, must be provided on the plan.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. The final site plan must be submitted in 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 / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None

WATER

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

WASTEWATER / STORMWATER

1. None

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter.

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: Royal Farms at 293 Saulsbury Road

FILE #: C-11-05 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

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

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

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

CITY AND STATE CODE REQUIREMENTS:

Proposed building is one story. Primary fire lanes are required to be 24 feet wide and cover the side of the building that has the primary entrance and exit. Secondary fire lanes can be reduced to 16 feet wide. Both can be no closer than 10 feet to the building and no farther than 50 feet from the building. Fire lanes shall cover 50% of the proposed building. Show fire lane markings on drawing.

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 public way.

As building is not sprinkler, all portions of the exterior of the first floor shall be within 400 feet of a fire hydrant. Show location of fire hydrant on site to cover both new and future building.

Project to be completed per approved Site Plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

After any application has been approved by the Planning Commission, the applicant has a maximum of thirty (30) days to appeal to the Code Board of Appeals Committee.

All comments from this office, approved by the Planning Commission are at the expense of the owner/applicant.

The proposed building will be reviewed under Mercantile Occupancy.

The City of Dover uses the 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: July 28, 2011

D E L D O T

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APPLICATION: Royal Farms at 293 South Saulsbury Road
FILE#: C-11-05 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. Per Section 3.6.5 of the Standards and Regulations for Subdivision Streets and State Highway Access Adopted February 15, 2010, an 80-foot wide right-of-way (40-feet from the centerline) is required for a minor arterial. According to the Kent County Classification Maps, KCR 156 (Saulsbury Road) 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 40-feet of right-of-way dedication from the innermost edge of the through lane for public use.

3. Per Section 3.6.5 of the Standards and Regulations for Subdivision Streets and State Highway Access Adopted February 15, 2010, an 80-foot wide right-of-way (40-feet from the centerline) is required for a major collector. According to the Kent County Classification Maps, KCR 73 (W. North Street) is classified as a major collector road. If the existing right-of-way does not have the proper width along the frontage of the site, the department will require the right-of-way dedication for public use.

4. The proposed development will be releasing storm water into the State drainage system. As a result, a stormwater management report (SWMR) must be provided for review and approval prior to releasing the approval letter for the construction of the entrance.

5. The right turns deceleration lanes into the site that will be constructed as part of this project along the frontage roads must be shown on the plans.

6. A concrete median island will be required across from the proposed access on North

Street to prevent weaving. Also, the developer shall perform all of the off-site improvements as noted and recommended in the Traffic Analysis Report (TAR) letter dated August 4, 2011.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

- This project falls within the limits of the “Saulsbury Road Extension" project. As a result, the Department recommends that you coordinate the construction of the off-site improvements such as deceleration lanes, striping, and curb ramps construction along frontage roads with the Department. Please contact Mr. John Gaines at (302) 760-2335 or via e-mail at John.Gaines@state.de.us. They will be able to assist you with the necessary coordination between the two projects. "Coordination needs to occur prior to approval and construction. This coordination should continue into construction.

- Provide a pedestrian connection to the adjacent residential subdivision.

ADVISORY COMMENTS TO THE APPLICANT:

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

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
DEVELOPER APPLICATION MEETING DATE: AUGUST 2011

APPLICATION: *Royal Farms Saulsbury Road*

FILE #: C-11-05

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. Green Technologies (bio retention, bio swales etc.) must be considered before traditional facilities can be considered.
2. 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.
3. 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.
4. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been approved.
5. Based on the site characteristics, a pre-application meeting will be required to discuss stormwater management and drainage for this site.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 8/4/2011

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Royal Farms at 293 South Saulsbury Road

FILE #: C-11-05 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Jim Galvin, AICP PHONE #: (302) 387-6030

The Dover/Kent County MPO requested the opportunity to bring the recommendations on issues of our concern to the City. The MPO limits comments to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 8/15/2011

Project Review

C-11-05 Royal Farms at 293 South Saulsbury Road

This proposal is to replaces a truck depot at the corner of Saulsbury Road and North Street with a full service convenience store with fuel pumps.

Saulsbury Road in this area is cited in the MPO's draft Regional Bike Plan as an area that requires attention. The Bike Plan is expected to be adopted by the MPO Council in September, 2011. There is a multi-use path on the opposing side of North Street. There are no bicycle facilities on Saulsbury Road beyond the intersection with DE 8. It may not impact the subject site but is included in the Plan recommendations. As stated above, the City of Dover requirements for bicycle facilities are considered to be the minimum by the MPO and should not be waived.

The site is adjacent to an apartment complex. It is incumbent on the developer/owner to provide relatively safe pedestrian access to the site. To accomplish this, the MPO recommends a pedestrian connection with the Simon Circle complex approximately across from the sidewalk at the front of the building. The access may require relocation of the car wash facilities on the site. The MPO encourages pedestrian facilities. The proposed facilities will accommodate bicycles as well, also promoted. There are transit stops in the immediate area for DART routes 102 and 113 adding to the potential for pedestrians that may access the proposed improvements. This site has the potential to be accessed by the greatest number of pedestrians in the greater 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.

C-11-05

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

SHAILEN P. BHATT
SECRETARY

August 4, 2011

Ms. Ann Marie Townshend
Director
Department of Planning & Inspections
City Hall - The Plaza
P.O. Box 475
Dover, DE 19903-0475

Dear Ms. Townshend:

This letter is to address the Traffic Analysis Report (TAR), dated July 2011, prepared by Duffield Associates, Inc. for the redevelopment of 293 South Saulsbury Road (SKR5886). The property is located on the northeast corner of South Saulsbury Road and North Street and was previously developed as a truck terminal. The developer, F&B Properties, LLC, proposes to redevelop it as a 5,786 square foot convenience store with gasoline pumps (16 vehicle fueling positions) and a 4,600 square foot bank.

The TAR differs significantly from the Traffic Impact Study contemplated at the November 17, 2010 scoping meeting. However it does conform to DelDOT's Standards and Regulations for Subdivision Streets and State Highway Access and provides sufficient information for us to determine that the proposed site access can be safely accommodated. If the City requires more information, for example projected levels of service at the site access and nearby intersections, please let me know.

Essential to our consideration of the subject redevelopment is DelDOT's West Dover Connector (WDC) project, a planned extension of South Saulsbury Road south past Webbs Lane and then east to intersect US Route 13 immediately south of Rodney Village. While the TAR characterizes the WDC as in a planning phase, preliminary plans are being developed and construction is budgeted for Fiscal Year 2014. The WDC is being designed to have two through lanes in either direction, with the transition from the existing section (one through lane each way) occurring between North Street and Forrest Avenue. As such, it will be essential to coordinate the plans for proposed development with the plans for WDC.

Both the TAR and the preliminary site development plan, dated June 13, 2011, contemplate full access on South Saulsbury Road and right-turn-only access on North Street. Based on our review of the TAR, and subject to changes as development of our plans for the WDC continue, the improvements contemplated on page 4 of the TAR appear sufficient to provide access to the proposed development.

DelDOT

With that said, we have the following concerns about the preliminary site development plan:

1) The triangular island at the North Street entrance may need to be extended into the right turn lane. Further coordination is needed in this regard.

2) Also on North Street, a median island should be provided, consistent with our WDC plans but extending farther east, to reinforce the left turn prohibition at the site entrance.

3) The proposed improvements on South Saulsbury Road show a second through lane, consistent with our WDC plans, but label it as a right turn lane. Initially, it may serve as such, but with construction of the WDC, that lane will be a through lane past the site entrance and a separate right turn deceleration lane will be needed. Further coordination will be needed to determine who should do that work and when.

4) While the plan appropriately shows the closure of the Dover Housing Authority's western access on North Street and the construction of a right turn deceleration lane past that point, it is also important to provide a sidewalk connection linking the sidewalk in front of the houses to the sidewalk along North Street to provide pedestrians with a safe, hard-surface route from the complex to the proposed development and beyond

If you have any questions concerning this letter, please contact me at (302) 760-2134.

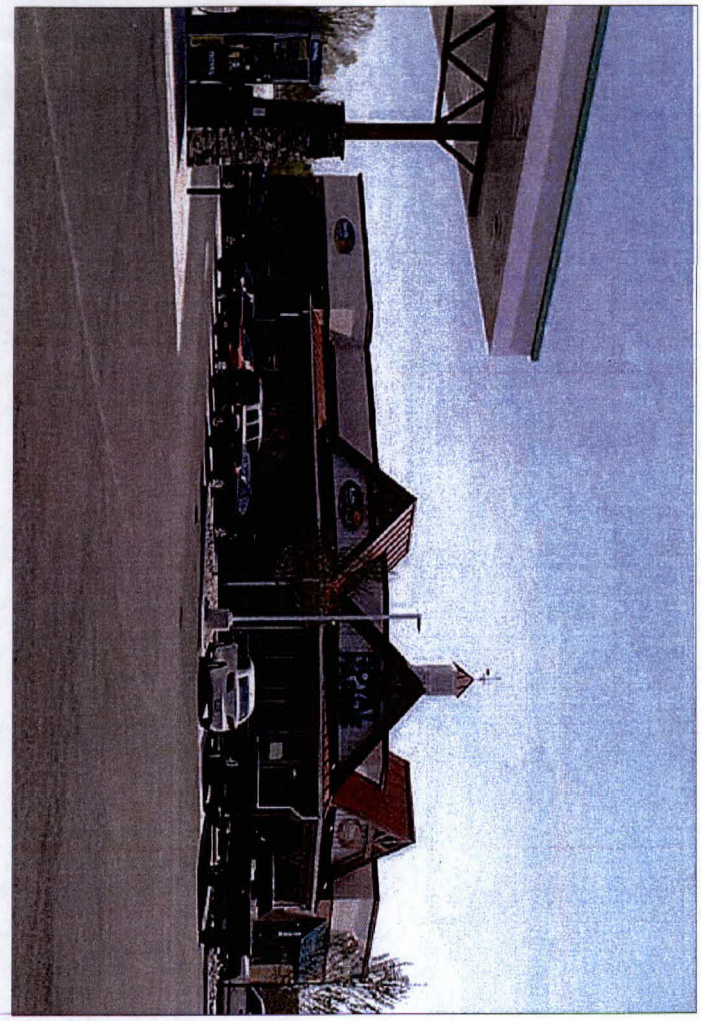
Sincerely,

T. William Brockenbrough, Jr., P.E.
County Coordinator

TWB:km
cc: DelDOT Distribution
Ms. Constance C. Holland, Office of State Planning Coordination
Mr. Michael J. Kaszyski, Jr., P.E., Duffield Associates, Inc.
Mr Mir A. Wahed, P.E., Johnson, Mirmiran, & Thompson
Mr Andrew J. Parker, P.E., McCormick Taylor

DelDOT Distribution

Frederick H. Schranck, Deputy Attorney General
J. Brett Taylor, Chief of Community Relations, Public Relations
Natalie Barnhart, Director, Transportation Solutions (DOTS)
Michael Strange, Acting Director, Division of Planning
Michael H. Simmons, P.E., Assistant Director, Project Development South, DOTS
Donald D. Weber, P.E., Chief Traffic Engineer, Traffic, DOTS
Mark Luszcz, P.E., Assistant Chief Traffic Engineer, Traffic, DOTS
Thomas E. Meyer, P.E., Traffic Studies Manager, Traffic, DOTS
Theodore G. Bishop, Assistant Director, Development Coordination
Thomas Greve, P.E., Central District Engineer, Maintenance & Operations
Jennifer Pinkerton, P.E., Chief Materials & Research Engineer, Maintenance & Operations
John Gaines, P.E., Project Manager, Project Development South, DOTS
William J. Dryden, Transportation Planner, Project Development South, DOTS
Kristen I. Melendez, P.E., Traffic Studies Engineer, Traffic, DOTS
Lisa Collins, Service Development Planner, Delaware Transit Corporation
Marc Coté, P.E., Subdivision Engineer, Development Coordination
Todd J. Sammons, P.E., Kent Subdivision Engineer, Development Coordination
Julio Seneus, P.E., Project Engineer, Development Coordination
Marco K. Boyce, R.L.A., Planning Supervisor, Statewide & Regional Planning
Troy E. Brestel, Project Engineer, Development Coordination
W. Paul Hogge, Project Engineer, Development Coordination



DATE: 20 JUNE 2011	ROYAL FARMS ELEVATION	DESIGNED BY: JGF	DUFFIELD ASSOCIATES Consultants in the Geosciences 5400 LIMESTONE ROAD WILMINGTON, DE 19808-1232 TEL. (302)239-6634 FAX (302)239-8485 OFFICES IN DELAWARE, MARYLAND PENNSYLVANIA AND NEW JERSEY E-MAIL: DUFFIELD@DUFFNET.COM
SCALE: N.T.S.		DRAWN BY: EJP	
PROJECT NO. 8661.CA	DOVER ~ KENT COUNTY ~ DELAWARE	CHECKED BY:	
SHEET: 1 OF 1		FILE: 8661CA-ELEV-R0	

File Copy
C-11-09