MEMORANDUM

Department of Public Services – Planning & Inspections
P.O. Box 475
Dover, Delaware 19903
Phone: 302.736.7010 Fax: 302.736.4217

Date: February 9, 2009

To: City Council

From: Ann Marie Townshend, AICP

RE: Materials for February 9th Council Meeting and Resolution to Disagreement with State of Delaware Regarding Annexation

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Materials for this evening's Council meeting, Item #11 Final Reading of the Ordinance to Adopt the 2008 Comprehensive Plan. The materials include:

1. Listing of specific requests and final actions taken by City Council,
2. Summary of proposed or Approved changes to text and maps, and
3. Revised Map 13-1 and 13-2, reflecting the agreement with the State of Delaware.

After working with both Dover International Speedway and the State of Delaware, we have determined that the following text and map notes added to the 2008 Comprehensive Plan are agreeable to both Dover International Speedway and the State of Delaware. If you have any questions, please let me know.

Map 13-2 Potential Land use for Annexation Areas– Use a hatch mark, to address the Dover International Speedway and surrounding area, with a note to specify:
"Any development in this area will be subject to the provisions of a master plan to be developed in cooperation with the property owner, the State of Delaware, and the City of Dover. If any of this area annexes prior to plans for development, the land will be zoned A (Agriculture Zone). If annexation is associated with a development application, a zoning district will be applied that is compatible with a master plan associated with the property to be annexed. No amendment to the Comprehensive Plan is required as long as development is proposed in accordance with a master plan developed in coordination with the property owner, the State of Delaware, and the City of Dover." The other lands that "round out" the annexation area will be designated as Agriculture on Map 13-2, except those that are already residentially developed. These will be identified as Residential Low Density.

Text to be added to page 170, at the end of the section on the *Strategies for State Policies and Spending*:
"In addition, the lands owned by Dover International Speedway (and immediately surrounding these lands), immediately north and south of Leipsic Road, are located within the Level 4 area. If any development is planned in this area, it will subject to a master plan developed in cooperation with the property owner, the State of Delaware, and the City of Dover."

Text to be added to page 173 of the Comprehensive Plan at the end of the section on Category 2:
"One area of land included in the Category 2 annexation area is land owned by Dover International Speedway (and lands immediately surrounding these lands) that is located east of State Route 1, immediately north and south of Leipsic Road. Much of this land is used for RV camping associated with NASCAR racing events.

Because of its location east of State Route 1 and adjacent to active agricultural lands (some of which are in agricultural preservation districts or easements), the City is sensitive to the concerns that any development planned in this area be very carefully planned in a way that respects the natural and agricultural environment. While Dover International Speedway has no immediate plans for development in this area, they have expressed interest in possible annexation of this land into the City. As Map 13-2 Potential land Use for Annexation Areas indicates, the appropriate zoning for this land will be determined at the time of annexation. If any of this area annexes prior to plans for development, the land will be zoned A (Agriculture Zone). If annexation is associated with a development application, a zoning district will be applied that is compatible with a master plan associated with the property to be annexed. No amendment to the Comprehensive Plan is required as long as development is proposed in accordance with a master plan developed in coordination with the property owner, the State of Delaware and the City of Dover."

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We, the undersigned, oppose rezoning of 4 and/or 24 Mifflin Road from residential to commercial:

Name	*Address*
RICHARD L. ORNAUER	17 MIFFLIN RD, DOVER 19904
William D Hatton III	15 Mifflin rd Dover 19904
Karl Patterson	19 Mifflin Rd Dover DE 19904
Evelyn Patterson	19 Mifflin Rd. Dover, DE 19904
THOMAS POMPORTO	31 MIFFLIN RD. DOVER 1990
CHARLES SPIERING	120 MIFFLIN RD DOVER DE 19904
Wanda M. Spiering	120 Mifflin Rd. Dover, DE 19904
Wanda Hill	1446 Woodmill Dr Dover DE 19904
Homer Hutchins	1444 Woodmill Dr Dover
Thelma Hutchins	1444 Woodmill Dr. Dover, DE 19904
Allison Montano	1526 Fawn St. Dover, DE 19904
Patricia Guido	1520 Fawn St. Dover DE 19904
Joe Danger	1500 Fawn St. Dover DE 19904
Hayes	1500 Fawn St Dover DE 19904
Lawrence D. Grimm	1509 Fawn St Dover De 19904
Erin P. Parker	1509 Fawn St Dover De 19904

1509 Fawn Street

Pearl Cupes 1513 Fawn Street Dover, Del. 19904

We, the undersigned, oppose rezoning of 4 and/or 24 Mifflin Road from residential to commercial:

Name	Address
Dawn Ford	44 Mifflin Rd.
Angeline Clifford	50 Mifflin Rd.
Thomas A. McCabe	80 Mahan Rd.
John McCann	1445 Woodmill Drive
Diane McAfee	1445 Woodmill Dr
Cassandra Beaver	1529 Fawn St
Mark E Butts	1527 Fawn Street
Cierra Gass	1525 fawn street
Chris Thomas	1525 Fawn Street
David Sullivan	1523 fawn street
Lisa Brown	1523 fawn street
Kate Heberman	1519 Fawn Street
Walter D Johnson	1507 FAWN ST
Vilee Edwards	1505 FAWN ST
Gloria Vansant	1505 fawn St
Jennifer Holter	15 MIFFLIN RD

We, the undersigned, oppose rezoning of 4 and/or 24 Mifflin Road from residential to commercial:

Name	*Address*
Eleanor Parker	101 Mifflin Rd Dover DE 19904
Anne J. Lewis	213 Mifflin Rd. Dover DE 19704
Roger & Reing	213 Mifflin Rd Dover DE 19904
Michelle Evans	231 Mifflin Rd Dover DE 19904
[illegible]	251 Mifflin Rd. Dover DE 19904
[illegible]	251 Mifflin Rd Dover DE 19904
[illegible]	278 Mifflin Rd Dover DE 19904
Janet Carter	248 Mifflin Rd, Dover, DE 19904
Jeff Daniels JR'	238 Mifflin Rd. Dover, DE
[illegible]	228 MIFFLIN RD. DOVER, DE
Judi Stanley	196 Mifflin Rd. Dover, DE 19704
[illegible]	27 MIFFLIN RD DOVER DE 19904
[illegible]	27 Mifflin Rd Dover DE 19904
Kiersene A. Brauer	17 Mifflin Rd Dover De 19904

D-C

December 20, 2007

Ann Marie Townshend, Director
City of Dover Planning & Inspections
PO Box 475
Dover, DE 19903

RE: **Comprehensive Plan Update**
HUB ASSOCIATES / LOOCKERMAN EAST
2005186.01
Dover, Delaware

Dear Mrs. Townshend:

Hub Associates are working with Becker Morgan Group, Inc. to prepare a master site plan to redevelop our site located on the southwest corner of Loockerman Street and US Rt. 13. We have had several meetings with Dawn Melson-Williams to discuss the project scope, determine permitted uses based on zoning, and review different scenarios to obtain site plan approval from the city.

Loockerman East consist of demolishing the existing hotel to construct a new hotel, renovating and adding to the existing Friday's building, and constructing two retail buildings. This project will provide significant benefits to the city, and improve safety and traffic circulation through the site by eliminating several access points.

There are five parcels that comprise the project area; four parcels are zoned highway commercial (C-4); the remaining parcel is zoned commercial / professional office development (CPO). According to the city's comprehensive plan, the land use for two of the parcels on Loockerman Street is designated as medium residential. We understand the city is in the process of updating the comprehensive plan, which is scheduled for completion in the fall 2008. The purpose of this letter is to request the city consider changing the land use designation for tax map parcels ED-05-077.06-01-63.00-000 and ED-05-077.06-01-64.00-000 from medium residential to commercial. If the land use designation is changed, then we would request to rezone parcel 64.00 to commercial.

There is another parcel on Loockerman Street adjacent to our property that is currently zoned R-10 with a land use designation of medium residential. The property is identified as tax map parcel ED-05-077.06-01-65.00-000. We may pursue purchasing this property to square off the Loockerman East project. Therefore, we request the city consider changing the land use designation to commercial.

Please do not hesitate to contact me to discuss this matter in more detail.

Sincerely,

Thomas Kramedas
President

2005186.01ltr.ltr.doc

McDowell, Traci

From: Patricia K Coughlin/William C Coughlin [capeescape11@comcast.net]
Sent: Monday, February 02, 2009 12:23 PM
To: tmcdowell-bcw
Subject: Fwd: 514-516 Loockerman street

----- Please forward this to Councilpersons Hogan, Williams, Russell

Please add william c Patricia K Coughlin to the list for tonight's meeting

Please, please do not allow the destruction of our neighborhood known as Eastover Hills. Designation of the south side of the 500 Hundred block of East Loockerman as commercial will cause our homes and our investment in our homes to suffer severe consequences. We are the people who invested our trust in your decisions and to allow this intrusion of commercialism in an established, pristine, older residential area is wrong. We tolerate the noise , the dangerous traffic patterns the car alarms, the screaming patrons at all hours of the night, the buses idling for hours in the parking lot of Fridays Restaurant and the Comfort Inn Motel as it is. Parking on loockerman on weekend nights is already a problem.

How this zoning issue has evolved is a mystery and why it was allowed is a mystery. Residents of Loockerman Street were never notified that the residential home at 514 Loockerman was rezoned as CPO or commercial. I complained to Ms. Townsend in writing the summer of 2007 about the property being used as a motel. I checked the tax record card at the planning board and it was R10 same as my house. No one was informed of a change in zoning for the property. If there is a residential home being rented out room by room is there not a rental license needed, are there not safety inspections that need to be done? Certainly the property is taxed differently. These are all issues which need to be addressed. A map change is not the answer. There are Zoning questions here that need to be addressed.

We live here, we all maintain our homes we have invested our money in this neighborhood. The DuPont Highway is Commercial let them build on the highway. Why would you allow a developer to infringe on the right of the people to preserve their home and an established beautiful residential street. Loockerman Street is a gateway to Historic Downtown Dover. Most of the Homes here were built in the early 1930's and remain well cared for and well landscaped and occupied .....Why would you allow this to be destroyed?

Please reopen the issue pertaining to 514- 516 E Loockerman Street and perhaps explain how and why this was allowed to happen. We were informed at the 11th hour about the first meeting and did not have any facts at hand to introduce to the council. Most of the neighbors were unable to attend that meeting. There are mistakes on the maps the maps are very confusing for the average citizen to understand.

William C & Patricia K Coughlin

2 February 2009

To the members of the City of Dover City Council:

We, the residents of Elm Terrace and South State Street, wish to express our concerns over the proposed re-mapping of parcels of property along the eastern side of South State Street between Elm Terrace and Water Street and to extend down the rest of the South State Street Corridor to Wyoming Avenue. Per the draft copy of the City of Dover Land Development Plan, numerous parcels along that stretch are to be remapped from their existing zoning code to a new designation of mixed use. Our main concern is that no one seems to be sure what mixed use actually represents. We can't get a clear explanation from any of the city offices. And when we approached our district councilmen, neither of them was able to obtain a clear definition. Even when referring to the draft Comprehensive Plan, the explanation of mixed use is virtually non-existent. While each of the other Land Use Categories lists in depth as to what zoning districts are included, the only comment given for mixed use is that each parcel will be looked at individually. **Why open the door all the way?** By not specifying the zoning districts that fall under mixed use, you are allowing future rezoning petitions for any type of zoning code if that property falls within the mixed use category. We feel that before the city adopts a new land use category, it should be clearly defined with inclusions, exclusions, limitations, etc. None of these currently exist. We also would like a better explanation of how this new ~~zoning~~ land use category could impact local residents.

Without any specific requests for rezoning, we feel that changing the land use map is premature, and will open up the possibility of rezoning requests that do not fit in with the area's current character and residential use. We therefore request that the parcels of land on South State not be re-categorized as mixed.

Sincerely,

The residents of Elm Terrace and South State Street

Petition to not allow the re-designation in the City of Dover land use map for parcels along the South State Street Corridor

Petition summary and background	Per the draft copy of the City of Dover Land Development Plan, numerous parcels along the South State Street Corridor are to be remapped from their existing ~~zoning~~ code to a new designation of mixed use. Our main concern is that no one seems to be sure what mixed use actually represents. We can't get a clear explanation from any of the city offices. And when we approached our district councilmen, neither of them was able to obtain a clear definition. We feel that before the city adopts a new ~~zoning~~ designation, it should be clearly defined with inclusions, exclusions, limitations, etc. None of these currently exist. We also would like a better explanation of how this new ~~zoning~~ Mapping designation could impact local residents.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to not re-designate property along the South State Street Corridor as mixed use.

Printed Name	Signature	Address	Comment	Date
Kathy Kosior	Kathleen Kosior	12 Elm Terrace		2-1-09
Rick Kosior		12 Elm Terrace		1FEB09
Kara Markoya	Kara Markoya			
Steve Markoya		535 South State St		2/1/09
Amanda Downes	Amanda Downes	19 Elm Terrace		2/1/09
LEED. ANDERS	Leed. Anders	91 ELM TERRACE		2/1/09
Kathleen Unterkofler	Kathleen Unterkofler	22 ELM Terrace		2/2/09
JAY UNTERKOFLER	Jay Unterkofler	22 Elm TERRACE		02/02/09
Amanda George	Amanda George	57 Elm Terrace		02/02/09

Printed Name	Signature	Address	Comment	Date
Lisa Little	Lisa Little	26 Elm Terrace		2-2-09
Virginia Border	Virginia Border	803 S. State St		
FRANCES HETTINGER	Frances Hettinger	63 Sackonackin Ave Dover 19901		2/2/09
HARRY HETTINGER	Harry Hettinger	63 Sackonackin Ave		2/2/09
NANCY LETTO	Nancy Letto	68 Sackonackin AVE		
Jacqueline M. McNeil	Jacqueline M. McNeil	46 Sackonackin Ave.		2/2/09
Kyle Salmon		20 Sackonackin Ave.		2/2/09
HOWARD PERRY	Howard E. Perry	33 SACKONACKIN AVE.		2/2/09
ANNE PERRY	Anne P. Perry	33 Sackonackin Ave		2-2-09
Cathy Anne Hower	Cathy Anne Hower	41 Sackonackin Ave		2/2/09
Paul Border	Paul Border	803 S. State ST		2-2-09
Rose Bryan	Rose Bryan	600 S. State St.		2-2-09
Laurie Willet	Laurie Willet	807 S State.		2-2-09
M ANN SHORT	Mary Ann Short	33 Sackonackin Ave		2-2-09



Raymond F. Book, III, MS, CPA/PFS
Scott R. Brown, CPA/PFS
Ronald P. Vascik, Jr., CPA
Christine Lawrence, CPA
Emily McCauley, MS, CPA
D. LeVerne Beiler, CPA, CVA

Raymond F. Book, Jr., CPA
1926-1996

January 30, 2009

Planning Commission
City of Dover
15 E. Loockerman Street
Dover, DE 19901

RE: State Farm Building
210 Beiser Blvd.

To Whom It May Concern:

I represent the owners of 220 Beiser Boulevard in Dover. Our building is occupied by the accounting firm of Book & Associates. We have been approached by Worship Christian Center regarding their possible acquisition of the State Farm Building for their place of worship. We fully support this and support any rezoning that will allow them to complete the purchase. We will also permit their members to park in our lot on Sundays, if needed.

Please contact me directly if you have any further questions.

Very truly yours,

Raymond F. Book
R. F. Book Realty, LLC