PETITION TO ANNEX AND ZONE PROPERTY

Before Dover City Council
March 26, 2007

Applicant:	Christopher J. & Rebecca R. Raubacher Home Builders of Delaware
Owner:	Christopher J. & Rebecca R. Raubacher 123 W. Loockerman Street Dover, DE 19904
Location:	1600 N. Little Creek Road
Size:	+/-2.1240 acres
Tax Parcel #:	ED-00-068.20-01-13.00; ED-00-068.20-01-14.00
County Zoning:	BN (Neighborhood Business)
Proposed Zoning:	C-PO (Commercial Professional Office)
Present Use:	Residential dwelling and commercial storage
Proposed Use:	Office Building
Comprehensive Plan Designation:	Category 1 – Lands Identified for Annexation; Residential Land Use designation, however, comprehensive plan allows for considering surrounding land uses and zoning in considering zoning for annexed parcels, regardless of map designation
Cost-Rev Analysis:	The Cost-Revenue analysis showed a positive cash flow to the City of approximately $3,134 over ten years.
File Number:	AX-07-01

The City of Dover Planning Commission held a public hearing on this application on February 20, 2007. At this time, the Planning Commission recommended approval of the annexation with the requested C-PO zoning with six votes in favor and one vote in opposition.

Surrounding Land Uses:

The land to the east of the subject parcels is zoned IL (Limited Industrial) in Kent County and is the site of American Vending Corporation. The land immediately west of the subject parcels is zoned RM-1 in the City of Dover and is the location of Rojan Meadows PND subdivision. The subject parcels are located across North Little Creek Road (SR 8) from the exit ramp from SR 1. The Lexington Glen subdivision, zoned R-8 in the City of Dover, is located west of the SR 1 ramp.

Comprehensive Plan:

The Annexation and Growth Map contained within the current certified Comprehensive Plan designates this land as Category #1 – Lands Identified for Annexation. The map indicates Residential Land Use designation, however, the Comprehensive Plan allows for considering surrounding land uses and zoning in considering zoning for annexed parcels, regardless of map designation

Cost-Revenue Analysis:

The Cost-Revenue Analysis showed a positive cash flow to the City of approximately $3,134 over ten years.

Other Considerations:

Although the Annexation and Growth Map within the Comprehensive Plan indicates a land use designation of Residential, the location adjacent to American Vending Corporation and across from the State Route 1 exit ramp, the requested C-PO zoning is compatible with the surrounding land uses. The C-PO zone allows for a transition between the more intense IL (Limited Industrial) zoning in Kent County to the residential zoning of Rojan Meadows.

The subject parcels were proposed for annexation in May 2006 (AX-06-04) with the C-PO (Commercial/Professional Office Zone) zoning. At that time, the Planning Commission recommended R-8 (One Family Residence Zone) zoning, and the applicants withdrew their annexation request. The property owners have proceeded with securing a BN (Neighborhood Business) zoning in Kent County and are in the process of selling the property. The equitable owners (the Home Builders Association of Delaware) approached the City regarding annexation. The Home Builders Association is planning to build their offices at this location. Annexation would provide the opportunity for the landowners to have access to City utilities.

Recommendation of the Planning Staff:

Because this is a Category 1 designated area in the Comprehensive Plan, staff recommends approval

of the annexation. In the previous application, staff recommended in favor of the requested C-PO zoning. Because of the ability of the applicant to construct the office building in Kent County under current zoning, as well as the property's location across from the highway ramp and adjacent IL (Limited Industrial) zoning in Kent County, staff recommends approval of the proposed C-PO zoning.

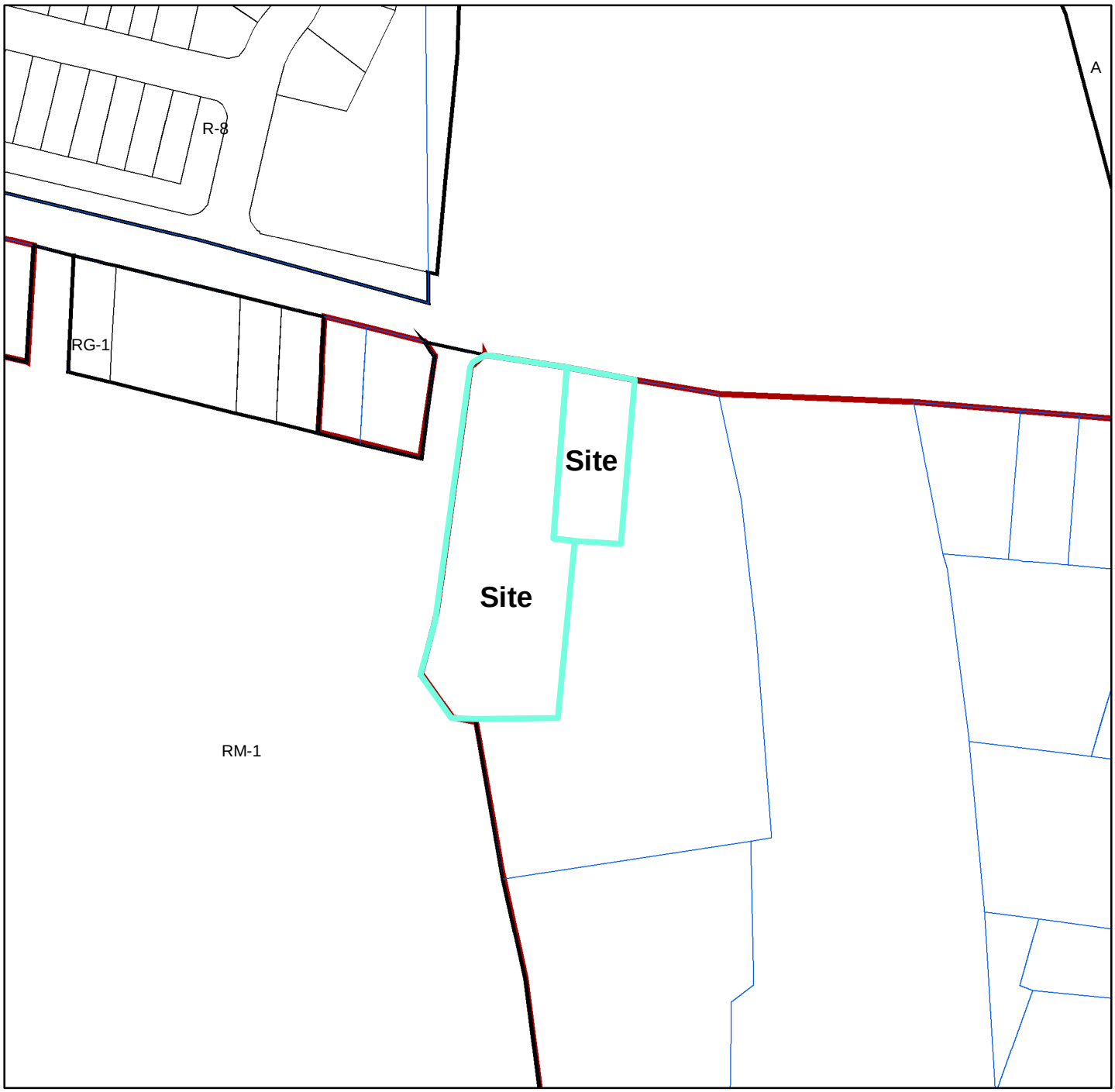
If annexed, the subject parcels would be subject to the requirements of the AEOZ (Airport Environs Overlay Zone).

The staff recommendation was made prior to the public hearing. Following the public hearing on February 20, 2007, Planning Commission recommended approval of the annexation with the requested C-PO zoning.

City of Dover

Department of Planning & Inspections

Application No.: AX-07-01



Plan Title: Lands of Raubacher Properties at North Little Creek Road
Plan Type: Annexation
Tax Parcels: ED00-068.20-01-13.00-000, ED00-068.20-01-14.00-000
Site Area: 2.12 ac
Owner: Christopher J. & Rebecca R. Raubacher
Current Zoning: BN
Proposed Zoning: CPO
Date: 1-22-07

0 140 280 560 Feet

Legend

- Dover Parcels
- Zoning
- Dover Boundary
- Kent County Parcels