PETITION TO AMEND ZONING DISTRICT
Before The Dover City Council
July 11, 2005

Plan Title:	Lands of Eden Hill Farm Z-05-03
Plan Type:	Rezoning to Traditional Neighborhood Design Zone and General Overall Master Plan Review
Applicants/Owners:	Eden Hill Farm Inc. State of Delaware
Applicants/Equitable Owners:	Investment Properties Associates, LLC Dover Medical Properties, LLC
Project Engineers/Architects:	Becker Morgan Group
Location:	834 W. North Street located on the south side of West North Street and west of the railroad corridor and West Street
Tax Parcels:	ED-05-076.00-01-13.00-000 ED-05-076.00-01-14.00-000 ED-05-076.00-01-14.01-000
Area of Rezoning:	272.04 acres +/-
Present Zoning:	IPM (Industrial Park Manufacturing) A (Agriculture)
Proposed Zoning:	TND (Traditional Neighborhood Design Zone) allows for the creation of a walkable, pedestrian friendly mixed use neighborhood with residential, commercial, and professional office areas.
Present Use:	Residence Agricultural land and woodland areas
Proposed Use:	Traditional Neighborhood Design with residential, commercial, office, and open space areas

Findings and Recommendations of the Dover Planning Commission

This petition was considered at the June 20, 2005 meeting of the Planning Commission. The following members were present: Chairman Mr. Friedman, Mr. DiMondi, Mr. Tolbert, Mr. Nichols, Mr. Holt, Mr. VonReider, and Col. Welsh.

The Planning Commission recommends approval of this request (Rezoning application Z-05-03) Lands of Eden Hill Farm, Inc. at 834 West North Street to rezone three (3) parcels consisting of 272.04 acres ± of land from IPM (Industrial Park Manufacturing) and A (Agriculture) to TND (Traditional Neighborhood Design). The subject parcels are located on the south side of West North Street and west of the railroad corridor and West Street.

As part of the Planning Commission recommendation of approval for the rezoning of the subject area to Traditional Neighborhood Design zone (TND), the Planning Commission also recommends acceptance of the General Overall Master Plan including the Master Comprehensive Development Standards Manual (Pattern Book) with its addendum of 6/9/05 for the project in accordance with the conditions of approval outlined in the Development Advisory Committee (DAC) comments. **The motion for approval of the rezoning passed 7-0 of those members present**.

The following information was considered by the Planning Commission in addition to the guidance provided in the *Zoning Ordinance*:

Traditional Neighborhood Design Zone Ordinance
On November 8, 2004 the Dover City Council approved an amendment to the City of Dover Code, Appendix B: *Zoning Ordinance*, Article 3 - District Regulations creating Article 3, Section 28: Traditional Neighborhood Design Zone (TND). (Application MI-04-05) This amendment established the development criteria and procedure for the Traditional Neighborhood Design Zone (TND). The first step of the Traditional Neighborhood Design Zone is an application for rezoning to TND which includes review of a Master Plan. The subsequent steps in the process include review of the Implementation Plan and Site Plans/Subdivision Plans.

As the Zoning Ordinance states, "the intent of the Traditional Neighborhood Design (TND) zone is to create a walkable and pedestrian-friendly, economically viable professional, commercial and mixed use residential neighborhood for people of different ages and incomes that draw from the best architectural and community design features of Delaware and the Delmarva Peninsula from its colonial past to the mid 20th century." The TND zone intends to encourage greater integration of land-uses and diversity of lot sizes than is permitted under other provisions of the *Land Subdivision Regulations* and *Zoning Ordinance* of the City of Dover.

Traditional Neighborhood Design Zone: Step 1-Rezoning & General Overall Master Plan Review
The first step this process is a Rezoning application including review of a General Overall Master Plan. See Procedure in Article 3 §28.4. The application submission for Step 1 consists of the following items.

- Site Plan Map of Existing Conditions providing items listed in *Zoning Ordinance*, Article 10, Section 5.18
- Narrative on the nature of the applicant's interest
- Listing of the development team involved in the proposed development

- General Overall Master Plan consisting of a set of maps composed showing:
    - Plans of existing natural features showing topography, soils, drainage vegetation and potential limitations to development
    - Plans of the proposed building areas, streets, roads, parking, open space and storm water management
    - Overall program of uses including showing general use location, proposed building height, and total gross square feet by use

- Master Comprehensive Development Standards Manual

A document prepared in narrative and graphic form for purpose of showing that the proposed development meets the purpose and intent of the TND and that explains the concepts behind the implementation of the proposed TND on the parcel. The Master Comprehensive Development Standards Manual consists of brief written and graphic descriptions of the proposed approach to each of the items following items:

- Historical Precedents and their influence on proposed project
- Circulation (system of streets, alleys, and pedestrian and bicycle routes)
- Building Lots (proposed lot types, sizes and setbacks, building locations)
- Buildings (architectural character of the residential, commercial, office and mixed-use buildings)
- Accessory Structures (fences, sheds, pools, garages, gazebos, etc.)
- Open Spaces
- Landscape Design (hard materials, plant materials, street furniture, etc.)
- Lighting design
- Signage
- Application and Administration of requirements and guidelines

Request for Submission of Implementation Plans by District

The TND code provisions provide for the opportunity to submit separate Implementation Plans by individual use districts (Residential, Commercial or Office). The review of the Implementation Plan is the second step in the TND procedure. The Planning Commission reviews the TND Implementation Plan(s) for compliance with the approved General Overall Master Plan. However, in order to separate Implementation Plan submissions additional information is required at the time of Rezoning and General Master Plan review. "To request such consideration, the submission of the General Overall Master Plan shall include more detail of the design elements of the project, including, but not limited to, architectural standards, design relationships between uses and different scales of buildings, parking and open spaces, and an explanation of how the segregated Implementation Plan conforms to the intent of the approved General Overall Master Plan." (Article 3 §28.42.)

Plan Summary for Application Z-05-03 Lands of Eden Hill Farm:

This application proposes the rezoning of the Lands of Eden Hill Farm, Inc. at 834 West North

Street from IPM and A to TND. The subject area consists of three (3) parcels consisting of 272.04 acres ± of land. The properties are currently zoned IPM (Industrial Park Manufacturing) and A (Agriculture). The proposed zoning classification is TND (Traditional Neighborhood Design). The subject parcels are located on the south side of West North Street and west of the railroad corridor and West Street. The owners of record are Eden Hill Farm, Inc. and the State of Delaware. The equitable owners are Investment Properties Associates, LLC and Dover Medical Properties, LLC. Tax Parcels: ED-05-076.00-01-13.00-000, ED-05-076.00-01-14.00-000 and ED-05-076.00-01-14.01-000.

Surrounding Land Uses:

The area of petition to be considered for rezoning is located on the south side of West North Street between the railroad corridor and the intersection of West North with Saulsbury Road. The land to the west of the subject property is zoned IPM (Institutional Park Manufacturing Zone) and includes Kraft-General Foods facility and other large industrial facilities. To the north across West North Street is the residential area known as Lincoln Park. It is zoned RG-1 (General Residence Zone) and primarily consists of single family dwellings with some multi-family development. To the northeast and east of the subject site adjacent to the railroad corridor are properties zoned IO (Institutional and Office Zone), C-3 (Service Commercial Zone), and C-1A (Limited Commercial Zone). This area includes the area targeted for redevelopment as part of the West Side Redevelopment Plan and existing office buildings, a court building, the Dover Police Station, service establishments, and retail establishments. To the southeast across the railroad corridor and New Burton Road are the residential areas zoned R-8 and R-10 (One Family Residence Zone) known as Sherwood, Woodbrook, and Crossgates. The Puncheon Run is just south of the subject area and further to the south are agricultural lands currently zoned R-20 (One Family Residence Zone).

Comprehensive Planning

The Land Development Plan Map of the *Comprehensive Plan Update 2003* as amended shows this area as Mixed Use. Within Chapter 11: Land Development Plan, the "Mixed Use" land use category is described and includes information on the Eden Hill Farm property specifically. The Plan recognized the potential opportunity for development with a mixed use focus. A series of goals were outlined including: encouraging the creation of neighborhood centers with mixed use development, pedestrian friendly public environments and opportunities for connections to future transit; clustering of activities in walkable distances; and development design ideas for building and parking locations. (See Comprehensive Plan Update 2003 as amended, Chapter 11 – pages 132-134).

Preliminary Land Use Services Review (PLUS)

The Traditional Neighborhood Design Rezoning Application/ Master Plan application was reviewed during December 2004 by the Preliminary Land Use Services as required by the City of Dover's Memorandum of Understanding (MOU). This MOU requires certain types of projects complete the PLUS Review process prior to application submission. See attached PLUS Review comment letter dated January 7, 2005. The applicant has submitted a letter dated June 6, 2005 in response to the PLUS comments. Staff notes that some areas the Master Plan has been further revised since the Draft Master Plan was submitted for the PLUS review; however, the overall concept of the Master Plan remains the same.

Determination of Eligibility for TND

The land area must meet certain eligibility requirements to be rezoned to Traditional Neighborhood Design (TND) (See Article 3 §28.3 a,b,c,d). The review of these criteria for the subject application is as follows.

Criteria	**Eden Hill Farm TND proposal**
The land area shall have access to an existing or planned arterial or collector road	Land area has access from West North Street and the proposed continuation of Saulsbury Road. Saulsbury Road and portions of West North Street are considered minor arterials and part of North Street is a collector road.
The land area shall be served by adequate existing or planned infrastructure	Utilities such as water and sewer are in the vicinity of this land area. The proposed project will build additional infrastructure as required. This is subject to the Department of Public Works review.
The land area may contain a single or multiple parcels. The rezoning application for the land area shall be filed jointly by all owners of the involved land area	The land area consists of three parcels of land totaling 272.04 acres. All current property owners and equitable owners are participating in the application submission.
Finding by the Planning Commission and City Council that the proposed TND location is generally consistent with the Comprehensive Plan	The Planning Commission public hearing and review is scheduled for June 20, 2005 with the City Council public hearing and review on July 11, 2005. The Land Development Plan of the Comprehensive Plan Update 2003 identifies this land area with the land use category of Mixed Use.

Request for TND (Traditional Neighborhood Design Zone)

The types of permitted uses with the Traditional Neighborhood Design Zone are outlined in Article 3 §28.5:

28.51 Uses allowed in all areas of the TND:

28.511 All residential uses, accessory uses, and conditional uses currently permitted in the residential zones of the City identified in Article 3, Sections 1, 2, 3, 4, 5, 6, 7 and 9. Proposed conditional uses shall be identified in the application to the Planning Commission.

28.512 Accessory dwelling units in conjunction with detached single-family houses. A maximum of one accessory dwelling unit shall be permitted in conjunction with a detached single-family house.

28.513 Open space.

28.514 Civic uses including, but not necessarily limited to:

a) Government buildings;
b) Education buildings;
c) Libraries;
d) Meeting halls;
e) Museums;
f) Recreational facilities;
g) Places of Worship;
h) Other cultural, civic or social use as designated on the approved Implementation Plan.

28.52 Neighborhood Commercial District: Additional uses permitted in this district include the following subject to the requirements set forth in subsection 28.7:

28.521 Convenience retail stores such as, but not limited to, drug stores, grocery stores, restaurants, variety stores, or combinations thereof. Drive through drug stores shall be allowed if they are of superior design and screening consistent with the intent of the TND zone. There shall be no drive-through restaurants.

28.522 Personal service stores such as, but not limited to, barber shops, beauty parlors, and laundry/dry cleaning establishments.

28.523 Service establishments furnishing services other than of a personal nature, but excluding gasoline filling stations and motor vehicle storage, repair, or service.

28.524 Business, professional, and government offices, banks, philanthropic or not-for-profit offices, and financial institutions. Drive through banks shall be allowed if they are of superior design and screening consistent with the intent of the TND zone.

28.525 Any of these uses mixed with residential uses in the same building.

28.53 Professional Office, Medical, and Financial District: Additional uses permitted in this district include the following, subject to the requirements set forth in subsection 28.7:

28.531 Business, professional, and government offices, banks, philanthropic or not-for-profit offices, and financial institutions. Drive through banks shall be allowed if they are of superior design and screening consistent with the intent of the TND zone.

28.532 Medical and dental offices including clinics, laboratories, and hospital services. Drug stores, eye wear sales, and similar medical related retail uses, along with luncheonettes or delicatessens shall be allowed if designed as an accessory use or tenant space in a medical office building.

28.533 Nursing or extended care facilities offering overnight accommodations

Eden Hill Farm TND General Overall Master Plan Review

The application has provided a Site Plan Map including information on the existing conditions including information on the parcels involved in the proposal, existing buildings, woodland areas, topography, and other data information. See Parcel Plan sheet.

The applicant has supplied a narrative on the nature of the applicant's interest and a listing of the development team involved in the proposed development. Some of this information is also provided with the plan sheets and Master Standards Manual submission.

General Overall Master Plan

The General Overall Master Plan consists of a set of plan maps (Parcel Plan sheet and Master Plan sheet in color) showing: existing natural features, proposed building areas, location of streets/roads, parking options, location of open space, and stormwater management areas. The overall program of uses is identified. Additional information on these topics is also included in the Master Standards Manual (Pattern Book) document.

The Eden Hill Farm TND Master Plan identifies development areas as a Residential District, Neighborhood Commercial District (with the opportunity for residential uses), and Professional Office, Medical, and Financial District. The *Residential District* includes a total of 665 residential units in the form of single family detached houses, single family detached houses with

carriage houses (second dwelling unit on lot), duplex units, townhouses, and condominium buildings. The lot sizes are developed on a module system which would allow for the mixing of unit types within a given street block. The Residential District has a mix of street sections with sidewalks, pedestrian network, parking options, and landscaping. The street network also includes a service alley system.

The *Neighborhood Commercial District* area located in the northwest corner of the site consists of a variety of building forms with provisions for a grocery store, drug store with drive-thru, bank with drive-thru, retail and office buildings. Several buildings also provide the option for residential uses on the upper floors. A portion of this Commercial District is focused on a 'main street' which connects to the existing street network at West North Street and also links to the internal street network and pedestrian network. Parking in this area includes on street and the traditional parking lot format but with increased landscaping and pedestrian amenities.

The *Professional Office, Medical and Financial District* area is located in the northeast portion of the site and consists of a series of multi-story office buildings. A portion of this office district is focused on a 'main street' which connects to the existing street network at West North Street as a continuation of Clarence Street. The area is also linked to the internal street network and pedestrian network. A large green space is also central to the area. Parking in this area includes on street and the traditional parking lot format but with increased landscaping and pedestrian amenities. The parking space calculation is approximately 1 (one) parking space per 250 square feet of building floor area. A future parking structure is also proposed within this area to serve buildings located on the eastern part of the site.

The overall site exceeds the minimum of 25% open space by creating a community walking trail area, parks, and greens throughout the site and large open space/park area in the southwest portion of the site. The existing historic house of Eden Hill Farm and its tree allees (entrance drives) are preserved within a large public open space area.

Master Comprehensive Development Standards Manual

The Master Comprehensive Development Standards Manual consist of a brief written and graphic description of the owner/developer's proposed approach to each of the items listed in Article 3§28.84. The purpose of this document is "to insure that the owner/developer gives adequate thought to the nature of a TND designation and understands the impacts of such a designation on site development." For this application, the submission includes a document entitled *Eden Hill Farm: Pattern Book* (First Edition – May 6, 2005). An ADDENDUM to the Pattern Book was submitted on June 9, 2005. The Addendum highlights some revisions and clarifications to the *Pattern Book* dated May 6, 2005. The *Pattern Book* presents information on the overall plan, typical urban spaces, and individual buildings.

The following table lists required items to be included in the Master Comprehensive Development Standards Manual (*Zoning Ordinance,* Article 3 §28.84). The *Eden Hill Farm: Pattern Book* (and Addendum of 6/9/2005) presents information on each of these topic areas. Following Master Plan approval, the process will require greater detail on each of these elements as part of the Implementation Plan submission.

Element	**Pattern Book Reference**

Historical Precedents – a discussion and illustration of local and regional precedents in the design of the City of Dover's traditional neighborhoods, communities, buildings, and landscape and how they will be reflected in the proposed development.	Section A, pages 1-9 Also building examples in Sections C, D, and E
Circulation – classification and illustration of a system of streets, alleys, and pedestrian and bicycle routes that creates an integrated network serving the TND development and links it to adjacent areas. Detailed design standards and illustrations for each component of the system are required. A plan of the circulation systems shall be included	Section B, pages 10-38 Section B2 - Street Types Section B3 - Pedestrian Way Section C - concepts for driveway access in residential district Also Master Plan Map
Building Lots – a classification and illustration of the full range of proposed lot types, sizes and setbacks, locations of potential accessory buildings, and access by auto and foot. A plan of their location throughout the development shall be included.	Section C, pages 39-62 for Residential District Section C.1 – Lot Types Section E, pages 74-91 for Commercial and Office Districts Also Master Plan Map
Buildings – a classification of the full range of buildings, residential, commercial, office or mixed, to be constructed including detailed guidelines addressing their architectural character and essential required elements, such as size, composition and massing, windows, doors, porches, roof design, fenestration, and all materials. A plan of their location by use type throughout the development shall be included.	Section C, pages 39-62 and Section D, pages 63-73 for Residential District Section E, pages 74-91 for Commercial and Office Districts Also Master Plan Map
Accessory Structures – detailed design guidelines for accessory structures including, but not limited to, fences, sheds, pools, garages, gazebos shall be included and compatible with the TND design principles.	Section D6, pages 71-73 for garages and carriage houses in residential district Also Section C – lot layout examples by building type Section F.4, page 95 - Fences
Open Spaces - a classification of a system of landscaped open spaces (in addition to private yards) with a plan of the network created by the open spaces and pedestrian and bicycle circulation systems.	Section B, pages 10-38 Section B.4 – Open Space (Active and Passive) Section C.7-C.14 Also Master Plan Map
Landscape Design – a palette of hard (paving) and plant materials along with street furniture, major focal elements and ornamentation shall be provided. These shall be located on a plan of the development. Details of plant species and hard materials shall be included.	Section F, pages 92-97 Section F.2 – Site Furnishings Section F.3 – Hardscape Section F.5 – Landscape
Lighting Design – Placement of public and private lighting throughout the development and design of the lighting fixtures, globes, illumination patterns and intensities.	Section F.1, page 92 – Lighting Also Section B.2 – Street Types
Signage – Provide the design, size, height and placement of all signs for public and private uses in the neighborhood. Include standards for street signs, parking signs, fire lanes, and signs for businesses in residential, office and	Section E.13, page 91 Section F.2, page 93 – Street name signs

commercial districts.	
Application and Administration – a presentation of the manner in which the Comprehensive Development Standards Manual requirements and guidelines will be administered and enforced on behalf of the developer. The roles and responsibilities of the developer, builders and homeowners and/or homeowners' association in overall administration of Comprehensive Development Standards Manual requirements shall be addressed.	Forward, page I Sections D and E: Architectural Patterns with Required, Encouraged, and Prohibited elements

Recommendation of the Planning Staff:

The Planning Staff recommends that the rezoning from IPM (Industrial Park Manufacturing zone) and A (Agriculture zone) to TND (Traditional Neighborhood Design zone) be approved. In general, the Master Plan and Master Comprehensive Design Standards Manual (Pattern Book dated May 6, 2005 with Addendum of June 9, 2005) comply with the purpose and intent of the Traditional Neighborhood Design zone by presenting a proposal for a mixed use development with residential, commercial, office, and open space uses.

The Planning Staff finds that the Master Plan submission contains sufficient detail to allow for the submission of Implementation Plans by district.

Planning Staff offers comments regarding the applicant submission as follows:

Comments of Planning Staff for City and State Code Requirements:

1) Clarify the building format and sizes of Buildings #7 and #8 within the Neighborhood Commercial District as they appear to exceed the maximum building footprint requirements.

2) Remove proposal for 'speed table' at trail crossing of streets (i.e. Ridgley Boulevard). These items are prohibited by the *Dover Code of Ordinances* Chapter 7 Fire Prevention and Protection Section 7-4 Speed Reduction Devices. (Pattern Book page 34). *Note: Pattern Book Addendum of 6/9/2005 item #9 indicates that the speed table(s) will be eliminated.*

3) Provide additional information for the Professional Office, Medical, and Financial District (Section E.12) on the precedents, building design elements, etc. Currently Section E does not clearly indicate if items E.1-E.11 also refer to the Office District in addition to the Commercial District.

4) The Master Plan and Master Comprehensive Design Standards Manual will need to be amended to reflect any changes recommended by the Planning Commission and City Council included in their approvals.

Comments of Planning Staff as Recommendations to meet Code objectives:

1) The location of Signers Park appears to be somewhat isolated to the rear of a series of residential parcels. Staff recommends revising the location to provide greater street frontage for this park.

2) Staff encourages the incorporation of a greater mix of uses especially in the Commercial District and the Office District so that residential development is included in these areas as well.

3) A series of proposed street names where included on the Master Plan to assist in presenting information on the overall proposal. Initial comments regarding these street names have been received from the Kent County GIS/Mapping/911 Addressing Section. Approval of this rezoning application and Master Plan will not finalize the street names for the Eden Hill Farm development. Additional review and consideration of the street names will follow as part of the Implementation Plan submissions. The City Planning Staff will work with the applicant to revise street names as necessary to avoid duplication or confusion with existing streets in the City of Dover or the immediate vicinity of Kent County.

4) Currently the Master Plan Pattern Book refers to the Dover *Zoning Ordinance* for the sign requirements. Staff recommends development of requirements specific to this Traditional Neighborhood Design project. *Note: Pattern Book Addendum of 6/9/2005 item #16 indicates that the guidelines for signage will be developed during the Implementation Phase of the project.*

Planning Staff Advisory Comments to the Applicant:

1) The applicant shall be aware that approval of the rezoning to the Traditional Neighborhood Design Zone does not represent final Subdivision or Site Plan approval. The next step in the application process is the submission and review of the Implementation Plan.

2) The Master Plan and Master Comprehensive Design Standards Manual documents have a series of editing, grammatical and visual image corrections (spelling, numbering, mislabels, missing photos, text repeats, etc.) that will need to be corrected. *These corrections do not impact the overall concept and intent of the TND Master Plan*. Planning Staff will work with the applicant to identify and make these corrections.

3) At the present time, the West Dover Connector is a concept and not a street name. Revise references and labels appearing in the Master Plan and Pattern Book accordingly. We would anticipate that the road name of Saulsbury Road would continue south of North Street for the proposed road located parallel to the west property line of the project site.

4) Staff encourages the Residential District to include a mix of unit types within a street block. The Pattern Book notes that the opportunity is there through the use of the lot modules established in the plan. The Implementation Plan for this district can provide more examples of how to accomplish this mix of units.

5) Staff recommends that the Site Elements and Landscape Features include additional discussion of the concept and intent for these items including lighting, furniture, paving products, fencing, etc. similar to the approach taken the architectural patterns of building elements. We would caution the applicant about the naming of specific manufacturers and products by model number. *Note: Pattern Book Addendum of 6/9/2005 items #17, 18, and 19 indicates that the references to manufacturers will be revised to "approved manufactures or equal."*

6) Some items identified for clarification in future Implementation Plan submissions:
   a) Identify the dedication intention for the public streets to the State of Delaware and/or to the City of Dover and also finalize street names
   b) Identify the public streets and private circulation systems (i.e. parking lot, drive aisles) within Neighborhood Commercial district and Professional Office district
   c) Provide the Phasing of each development district and associated elements such as street network, building sites, parking areas, stormwater management and open space
   d) Explain the elements of the residential lot layout i.e. buildable area, setbacks, porch zone, etc.
   e) Identify the Ownership and maintenance of the Open Space areas (active and passive open space areas) and the Community Center
   f) Responsibility for Landscape Plantings including those tree plantings in right-of-ways, open spaces, etc.
   g) Clarify the Administration of the Design Elements including the associated responsibilities and procedures. One section includes references to an ARB (Architectural Review Board). (Pattern Book- Section F2 and F4 and *Note: Pattern Book Addendum of 6/9/2005 item #15 indicates that this reference will be revised).*

Public Comments:

The application was represented by the project engineer Mr. Gregg Moore, Becker Morgan Group and owner Deb Scheller, Eden Hill Farms, Inc. It is also noted that other members of the development team were present in the audience at the meeting. Mr. Moore shared a PowerPoint presentation of the residential, commercial, and office areas including three-dimensional animations of example streets in each district.

The following individuals appeared and spoke in regards to the rezoning application. (See the Draft Planning Commission Meeting Minutes for additional information.)

- Carol Jason, 833 North Street: She was concerned with access locations and traffic along North Street and the potential views of back of buildings.
- Sandy Kinkus, 365 Fiddlers Green: She was concerned about the impact to the existing neighborhood, stormwater management as related to the Puncheon Run, accessibility of parks, and street widths for fire trucks.
- Janice Sibbald, 144 Blue Beach Drive: She commented on the beautiful plan but is concerned that the connection from existing neighborhoods to Schutte Park was not shown on plan. She also had questions on the community center and park area parking locations.
- Cheryl Precourt, 260 Kesselring Avenue: She commented on it as a great idea; however, she is concerned with the West Dover Connector issue and potential increase in traffic.

Agency Comments from DAC Report:

- Department of Public Works has no objection to the proposed rezoning. The Department provided several advisory comments regarding design of the future development as related to landscaping, streets, and utilities.

- The Dover Office of the Fire Marshal provided comments regarding fire protection measures necessary for the development's design and construction activities.
- The City Electric Department has no objections to rezoning.
- DelDOT has no objection to the rezoning. They provided advisory comments related to traffic analysis.
- The Kent Conservation District has no objection to rezoning. They provided advisory comments regarding stormwater management planning and drainage for future development.
- The Kent County GIS/Mapping/911 Addressing Division provided initial comments regarding the proposed street names.

Attachments to the Report:

- Development Advisory Committee Application Review Commentary (comment sheets) from the following:
  Department of Public Works
  Dover Office of the Fire Marshal
  City Electric Department
  Delaware Department of Transportation (DelDOT)
  Kent Conservation District
  Kent County GIS/Mapping/ 911 Addressing Division

- *Comprehensive Plan Update 2003*, excerpt from Chapter 11: Land Development Plan
- Pattern Book Addendum Letter dated June 9, 2005
- Development Team Summary
- Narrative of Applicants Interest
- PLUS Review Comment Letter from Office of State Planning Coordination, dated January 7, 2005
- PLUS Comment Response Letter from applicant, dated June 6, 2005

- General Overall Master Plan Review materials. (Due to project size and scope these materials are provided by hard copy only.):
  - Parcel Plan Sheet
  - Master Plan Sheet (in color)
  - Master Comprehensive Development Standards Manual (Pattern Book)

The complete application submission is available for review at the Department of Planning & Inspections and will be display at the City Council meeting.

CITY OF DOVER PUBLIC WORKS

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: June 2, 2005

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APPLICATION: **Lands of Eden Hill Farm, Inc. @ 834 W. North Street**

FILE#: Z-05-03 **REVIEWING AGENCY: City of Dover Public Works**

CONTACT PERSON: Scott Koenig or Andrew Riggi **PHONE#: 736-7025**

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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 AND STATE CODE REQUIREMENTS:

1. Our office has no objection to the proposed re-zoning of the site.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

Although more information than is typically required has been submitted as part of the package for this site, the information contained within raises various questions and concerns to our department. The following should be addressed by the applicant prior to the next submission for this site.

1. Landscaping

    a. Overall, the plan is well done. We particularly like the wide medians within some of the streets and the larger areas between the curb and sidewalk which allow for larger canopy trees to grow. The applicant should note, however, that our office typically requires ten to fifteen feet (10'-15') of separation between trees and utilities. The applicant must take into consideration all utilities located within the right-of-way, should trees be proposed to be located therein, to ensure that there is not an unnecessary disturbance of services due to root systems.

    b. Future plan submissions must designate which public areas are to be maintained by the City. This includes parks, open space and right-of-ways. The level of landscaping proposed for this site will require the procurement of additional departmental staff and equipment in order to maintain these areas in order to ensure that the current level of service provided within the City is not decreased.

    c. We strongly recommend that areas to be maintained by the City not contain large mulched areas containing groundcovers, shrubs or perennials. The Grounds Division of the Department of Public Works is primarily set up to maintain turf and trees and the City Manager has agreed that our current Beautification Program has reached its limit in work load. The high maintenance level required of mulched areas would place an even higher burden on our office.

    d. Our office recommends the use of Red Maples (cultivars 'October Glory' with lesser 'Red Sunset') and Sugar Maple (cultivars 'Green Mountain' with lesser 'Legacy') for deciduous canopy trees.

    e. Our office discourages the use of Ash trees as they have a high level of pests and other problems. These

species should be substituted with 'Green Vase' Zelkova or 'Greenspire' Littleleaf Linden.

f. Our office highly recommends the use of Oriental Spruce (Picea orientalis) for evergreen trees.

g. Our office discourages the use of Redbud as an ornamental understory tree. We have not had success with this tree as it is not very hardy. This species should be substituted with the 'Okame' Cherry.

h. Our office recommends incorporating Cherry trees into the design. The following selections have done well in the City: Yoshino, 'Kwanzan' and 'Accolade'. We typically incorporate these trees into most of our projects citywide in order to meet our long term goals.

2. Streets

a. The plan must clearly designate as to which streets are to be dedicated to the City and which streets are to be dedicated to the State.

b. The following roads are shown containing curbed planter islands: Type 6 Roads, residential Allee Streets (Sheet 16 of the Pattern Book) and Type 8 Roads, commercial Main Streets (Sheet 20 of the Pattern Book). Our office highly discourages the use of these planter islands due to their high tendency to be hit by passing traffic.

c. On Sheet 19 of the Pattern Book, alleys within the Commercial District are referred to as Type 4. On Sheet 20 of the Pattern Book, alleys within the Commercial District are referred to as Type 9. This conflict must be resolved prior to the next submission.

d. On Sheet 23 of the Pattern Book, Type 10 Roads within the Professional Office, Medical & Financial District are shown in plan view as having a two-way traffic pattern but within the description it is noted that they are to have a one-way traffic pattern. This conflict must be resolved prior to the next submission.

e. On Sheet 25 of the Pattern Book, Type 11 Roads, commercial Connector Roads, are shown in plan view as having an eight feet (8') wide planter strip but within the description it is noted that they are to have a ten feet (10') wide planting median/island on both sides of the road. This conflict must be resolved prior to the next submission.

f. All on street parking spaces are to be designed and marked as per the Manual for Uniform Traffic Control Devices (MUTCD). The MUTCD requires that parking space tick marks be located eight feet (8') off the curb, provide a twenty-two to twenty-six feet (22'-26') long parking space, and be spaced eight feet (8') apart.

g. Our office recommends that lighting be incorporated into the alley design within the Residential District.

h. The Townhouse Lot design (Sheets 49 and 50 of the Pattern Book) show a significant amount of paving within the rear yards. Our office highly recommends that driveway entrances to these units, off the alleys, be designed with a minimum width of twelve feet (12') and a maximum width not to exceed fifty percent (50%) of the lot width for the associated townhouse unit. This requirement will assist in maintaining the buffer between the alley and the parking area for each lot.

3. The developer is responsible for reimbursement to the City for sewer and water utilities extended to the property with the DelDOT North Street Improvement 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.

DOVER FIRE MARSHAL

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C MEETING DATE: June 9, 2005

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APPLICATION: Eden Hill

FILE#: Z-05-03 REVIEWING AGENCY: Dover Fire Marshal

CONTACT PERSON: Dave Truax PHONE#: 736-7011

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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. During construction every building shall be accessible to Fire Department apparatus by way of access roadways with all weather driving surface of not less than 20 feet of unobstructed width to withstand the live loads of fire apparatus and having a minimum of 13 feet 6 inches vertical clearance. Dead-end Fire Department access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of Fire Department apparatus.

2. Water supply for fire protection either temporary or permanent shall be made available as soon as combustible material accumulates. There shall be no delay in the installation of fire protection equipment. Where underground water mains and hydrants are to be provided, they shall be installed, completed, and in service prior to construction work.

3. Building permits will not be issued until the area has been inspected for the condition of the roadway and fire protection water is available.

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

5. Address numbers of at least 4 inches in height must be placed on the street side of each residence.

6. Plan to show hydrants 600 feet on center.

7. More detail needed on each type of building.

8. Site Plan needed for each individual non-single family dwelling.

9. Review with Fire Department overall access to site.

10. Review street width and speed reduction device with Fire Department.

RECOMMENDATIONS SUGGESTED FOR 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 t 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 City of Dover uses the 2003 NFPA Life Safety Code, 2003 International Building Codes, latest editions of all other International Codes and NFPA Codes and the 2003 Delaware State Fire Prevention Regulations.

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 MEETING
APPLICATION REVIEW COMMENTARY

JUNE 2, 2005 - 10:00 A.M. - CAUCUS ROOM

DOVER ELECTRIC

APPLICATION: LANDS OF EDEN HILL FARM, INC. - 834 WEST NORTH STREET

FILE NO.: Z-05-3 **REVIEWING AGENCY**: CITY OF DOVER ELECTRIC

CONTACT PERSON: STEPHEN A. ENSS **PHONE #:** 736-7091

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:

The Electric Department reviewed the plans for rezoning and has no objections. The Electric Department will offer comments during the Planned Neighborhood phase of the project.

RECOMMENDATIONS SUGGESTED FOR AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

If you should have any questions or need to discuss any of the above comments, please contact Stephen Enss at 736-7091 or contact the Planning Department at 736-7010 as soon as possible.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: June 2, 2005

DELDOT

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APPLICATION: Lands of Eden Hill Farm, Inc.

FILE#: Z-05-03 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Richard A. Woodhall PHONE#: 760-2262

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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:

We have no objection to the rezoning.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

DelDOT fully supports the concept plan but will require a traffic analysis or TIS at the subdivision level.

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: May 26, 2005

APPLICATION: Eden Hill Farm

FILE #: Z-05-03 **REVIEWING AGENCY:** *Kent Conservation District*

CONTACT PERSON: *Jared C. Adkins, P.E.* **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. The Kent Conservation District has no objection to the rezoning of this 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. 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.
2. **This project outfalls to both the Puncheon Run and the Tar Ditch drainage systems which both have a well documented history of flooding downstream from this site. A downstream drainage study will be required for this project to determine the impacts of the site development on those systems. Stormwater management requirements for this site will be based on the results of the drainage study and may involve over-managing the stormwater discharges from this site in order to minimize downstream flooding.**
3. **It appears that the existing stormwater facility near the northeast corner of the project is to be expanded. Since this facility was constructed by DelDOT, confirmation will be requested that DelDOT will allow this project to utilize that facility and clarification of who will be responsible for its maintenance.**
4. 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.
5. 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.
6. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been approved.
7. Based on the site characteristics, a pre-application meeting will be required to discuss stormwater management and drainage for this site.