

**CITY OF DOVER, DELAWARE
PLANNING COMMISSION
Monday, October 21, 2024 at 7:00 PM**

City Hall Council Chambers, 15 Loockerman Plaza, Dover DE

AGENDA

Written comments are accepted via mail to City of Dover – Planning Commission, P.O. Box 475 Dover DE 19903 and via email at CompPlan@dover.de.us.

IN-PERSON and VIRTUAL MEETING NOTICE

The Planning Commission Meeting for October 21, 2024, will be held as an In-Person Meeting at City Hall in City Council Chambers. The public is welcome to attend in person. The Meeting will also be provided as a Virtual Meeting using Webex, an audio video conferencing system as an electronic means of communication. See participation information below to join by phone or computer.

**PUBLIC PARTICIPATION INFORMATION
City of Dover Planning Commission Meeting of October 21, 2024**

Join by Phone: 1-650-479-3208

Access code: 253 564 18666 (Password: 3683772)

Join Online: <https://bit.ly/PCMeeting10212024>

Webinar Number: 2535 641 8666

Webinar Password: DoverPC

If you are new to Webex get the app now at <https://www.webex.com/> to be ready when the meeting starts. For problems accessing the meeting, please call the Planning Office at (302) 736-7196.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF AGENDA

APPROVAL OF MINUTES

- [1.](#) Adoption of Minutes of September 16, 2024

COMMUNICATIONS & REPORTS

Meeting Reminder: The next Planning Commission regular meeting date November 18, 2024 at 7:00PM.

Update on City Council Actions

- [2.](#) Proclamation of National Community Planning Month - October 2024

Department of Planning & Inspections Updates

OPENING REMARKS CONCERNING MEETING PROCEDURES FOR APPLICATIONS

OLD BUSINESS

Request Extension of Planning Commission Approval: None

Pending Development Application:

- [3.](#) C-24-02 Luther Village IV: Planned Neighborhood Design – Senior Citizen Housing Option on Babb Drive – Update on Waiver Request for Elimination of Rear Emergency Access: The Planning Commission on September 16, 2024 granted conditional approval of the Conditional Use Site Plan/Master Plan for the development of Luther Village Planned Neighborhood Design – Senior Citizen Housing Option consisting of up to 524 age-restricted apartment units in a total of nine phases and including approval of a series of Alternative Design Standards, Waiver Requests, and recommended approval of Subdivision Waiver Requests. Action was deferred on the Waiver Request for the Elimination of Rear Emergency Access. The Master Plan was previously established by Applications C-02-02 and C-13-03 and Luther Village Phases I, II, and III have been constructed. The plan for Phase IV consists of the construction of a three-story apartment building with 72 units (age-restricted) and associated site improvements. The plan also includes a Minor Subdivision to create a 2.79 acre+/- parcel for Phase IV from the overall 33.63 acre +/- tract. The property is zoned RG-2 (General Residence Zone). The property is located east side of John Hunn Brown Road and on the west side of Babb Drive. The owner of record is Martin Luther Foundation of Dover, Inc. Property Address: 101 Babb Drive. Tax Parcels: ED-05-077.06-02-90.00-000, ED-05-077.06-02-90.01-000, ED-05-077.06-02-90.02-000, and ED-05-077.06-02-90.03-000. Council District 2. *Approved Alternative Design Standards for PND: Building Setback from Property lines, Building Spacing, Building Height, Number of Stories, Average Number of Dwelling Units Per Building, Off-Street Parking Reduction. Approved Waiver Requests: Partial Elimination of Curbing and Reduction of Bicycle Parking. Subdivision Waiver Requests (Recommended for Approval): Waiver of Requirement for Two Connections to a Public Street and Waiver of Requirement for Lot Frontage on a Public Street.*

NEW APPLICATIONS

- [4.](#) C-24-04 Prickly Pear Studio LLC Expansion at 872-C Walker Road - Public Hearing and Review of Conditional Use to permit expansion of a makeup/aesthetics studio (Personal Service Establishment) in a tenant space (Unit C) in a 3,623 S.F. office building in Walker Square. The property consists of (0.60 acres) 25,623 S.F. +/- The property is zoned CPO (Commercial and Professional Office Zone) and is subject to the COZ-1 (Corridor Overlay

Zone). The property is located on the south side of Walker Road and east of Saulsbury Road. The owner of record is Yulissa Shaw-YC Properties LLC. and the Applicant is Prickly Pear Studio LLC. Property Address: 872-C Walker Road, Tax Parcel: ED-05-067.19-02-02.08-000 (also listed as ED-05-067.19-02-02.07-003). Council District 4. *Waiver Request: Elimination of Bicycle Parking.*

5. S-24-17 Capital School District Regional Bus Parking Lot - Public Hearing and Review of a Site Development Plan Application for the construction of a Parking Lot for 76 buses and 76 cars with required site improvements to serve as a Regional Bus Parking Lot for the Capital School District. The facility is to be located on the William Henry Middle School Campus. The property is zoned IO (Institutional and Office Zone) and is subject to the COZ-1 (Corridor Overlay Zone). The property consists of 42.58 +/- acres. The property is located on the north side of Forest Street and east of Carver Road. The owner of record is Dover Special School District. Property Address: 65 Carver Road, Dover, DE. Tax Parcel: ED-05-076.07-01-55.00-000. Council District 4.

NEW BUSINESS

ADJOURN

Posted Agenda: October 11, 2024

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(e)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING

**CITY OF DOVER PLANNING COMMISSION
SEPTEMBER 16, 2024**

The Meeting of the City of Dover Planning Commission was held on Monday, September 16, 2024, at 7:00 PM as an In-Person Meeting and also using the phone/videoconferencing system WebEx. The Meeting Session was conducted with Chair Mr. Witham presiding. Members present were Mr. Lewis, Mrs. Maucher, Mrs. Denney, Mr. Baldwin, Dr. Jones, Mr. Reaves, Mrs. Welsh and Mr. Witham. Mr. Roach was absent.

Staff members present were Mrs. Dawn Melson-Williams, Ms. Katherine Oehmke, and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Dr. Jones moved to approve the Agenda as submitted, seconded by Mrs. Welsh and the motion was carried 8-0 with Mr. Roach absent.

APPROVAL OF MEETING MINUTES OF AUGUST 19, 2024

Mrs. Maucher moved to approve the Planning Commission Meeting Minutes of August 19, 2024, seconded by Mr. Baldwin and the motion was carried 8-0 with Mr. Roach absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, October 21, 2024, at 7:00PM in the City Hall Council Chambers.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on September 9 & 10, 2024.

Mrs. Melson-Williams stated that as noted in previous months, we do have a series of job positions that are open. We are looking for staff in the Code Enforcement Section and also in the Planning Office as well. We will soon have a Planner I position that is also open because Ms. Oehmke will be leaving the City next week. Please bear with the Planning Office. Thanks to Ms. Sharon Duca, the Assistant City Manager who is hanging out in the audience tonight for ongoing administrative help with our overall Department. It is much appreciated.

Resolution honoring the service of Mr. Chris Cooper to Planning Commission

Resolution

Whereas, Chris Cooper, became a member of the City of Dover Planning Commission on September 13, 2021, and has served with diligence and distinction in this capacity as an advocate for sound land use planning in the public interest; and,

Whereas, Chris Cooper has played a role in ensuring fundamental fairness and careful forethought in the planning and development of the Capital City through his service on the Planning Commission; and,

Whereas, Chris Cooper completed his term of service on the City of Dover Planning

Commission on July 15, 2024.

Now Therefore Be It Resolved That, the City of Dover Planning Commission does hereby express its sincere appreciation to **Chris Cooper** for his faithful and diligent service to the Citizens of the City of Dover as an active member of the City of Dover Planning Commission and extends its very best wishes to **Chris Cooper**.

Mrs. Denney moved to approve the Resolution for Mr. Chris Cooper for his services to the City of Dover Planning Commission, seconded by Mrs. Welsh and the motion was carried 8-0 by voice vote with Mr. Roach absent.

Mr. Witham thanked Mrs. Maucher for her service as Chair for four consecutive terms. He also thanked Mrs. Denney for her service as Vice-Chair. He thanks Mr. Roach and Mrs. Welsh who have agreed again to serve on the Architectural Review Oversight Subcommittee. He congratulated the rest of the members of the Planning Commission. This responsibility is enormous at times. You are often complimented for your work but the public needs the service of good, qualified people. He thanks them all for agreeing to serve. It would also like to congratulate Mr. Lewis on his membership on this Commission. Hopefully you will enjoy it and if not, at least find it very interesting.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Melson-Williams presented the audience information on policies and procedures for the In-Person Meeting and Virtual Meeting using the WebEx system.

OLD BUSINESS

Requests for Extensions of Planning Commission Approval: None

NEW APPLICATIONS

AX-24-01 Lands of Byler Investments, LLC at 139 Acorn Lane - Public Hearing and Review for Recommendation to City Council of an Annexation Request and Rezoning Request for a parcel of land totaling 14,494 SF+/- located at 139 Acorn Lane. The property is currently zoned RS-1 (Residential Single Family Zone) in Kent County. The proposed Zoning is R-10 (One Family Residence Zone). The property is located on the west side of Acorn Lane between South Hancock Avenue and Shadybrook Drive. The annexation category according to Dover's 2019 *Comprehensive Plan* is Category 1: High Priority Annexation Areas and the land use designation is Residential Medium Density. The property owner is Byler Investments, LLC. Property Address: 139 Acorn Lane. Tax Parcel: ED-00-068.19-01-23.00-000. Proposed Council District 3. Ordinance #2024-28. *The First Reading of this Annexation Request was completed on August 12, 2024. Public Hearing before the Planning Commission is scheduled for September 16, 2024 and City Council on October 14, 2024.*

Representative: None

Mrs. Melson-Williams stated that this is Annexation Application AX-24-01. It is a Request for

Annexation as noted. It is the Lands of Byler Investments LLC and the property is located at 139 Acorn Lane. The image on the screen gives us a street view of the location. It is on the west side of Acorn Lane. There is a house back through that vegetation that you see on the street view. Currently, the property is zoned as RS-1 (Residential Single Family Zone) which is a Kent County zoning classification. They are requesting a zoning of R-10 (One Family Residence Zone). With any Annexation Application, first we have to look at our *Comprehensive Plan*. The *Comprehensive Plan* identifies this property as Category 1: High Priority Annexation Area. As you can see here, its adjoining properties, those that are surrounded in the teal blue color on the screen, are properties that are already in the City. The one with the red box is the subject property. The *Comprehensive Plan* also looks at the appropriate land use category for all properties, including those proposed for annexation. For this property, the land use category is Residential Medium Density. With that land use category of Residential Medium Density, there are variety of residential zoning districts that it could be considered for. The applicant has requested R-10 (One Family Residence Zone) and that is a zoning district that matches up with the land use category of Residential Medium Density. For this project, they did note that the utility services for the project were reviewed by the City's Utility Committee of City Council. She will note that the property is currently served by the City of Dover Electric. They have been in contact with the City's Department of Water/Wastewater and are dealing with a connection of those possible services of water and sanitary sewer. That is actually the reason why they are seeking annexation. It is to gain those services due to current issues with an existing well and septic on the property.

In looking at this, Planning Staff is recommending approval of the Annexation Request at 139 Acorn Lane with the rezoning to R-10 (One Family Residence Zone). It has a single family detached dwelling on the property as well as a detached garage unit; so, that use does fit within that zoning district. Once in the City, they would be expected to abide by the City's regulations regarding land uses. Tonight, the Planning Commission is going to be looking at a series of three criteria in making their recommendation regarding the Annexation and zoning of the property. In our DAC Report, they include the Code excerpt from the *Zoning Ordinance* found in Article 10, Section 5.36. The three main criteria are listed as A-C and those criteria include whether the use permitted by the change would be compatible with the existing uses and zones in the area concerned. They find this property along Acorn Lane where there is other single-family houses as well as some residential neighborhoods on the east side of Acorn Lane. Item B is whether adequate public services and infrastructure exist or can be created or expanded to serve the needs of the location. As noted, they are already on City Electric and water and sewer are available to this location. Criteria C is whether the proposed change is in accordance with the City's *Comprehensive Plan*. She did note that the *Comprehensive Plan* identifies this as a Category 1: High Priority Area for Annexation and then also its Residential Medium Density land use category. The remaining parts of the Development Advisory Committee Report includes information from our other DAC members. They all have no objections to the proposed Annexation and/or Rezoning. Some of them offered advisory comments as to next steps for a particular project. Tonight, the Planning Commission will be making a recommendation on this application. Your recommendation would be forwarded to City Council and City Council will be the one to make the final decision regarding Annexation and Rezoning.

Mrs. Melson-Williams noted that the applicant was not present for the meeting. He did sign the application and was also present at the Application Development Advisory Committee Meeting.

Mr. Witham opened the public hearing and after seeing no one wishing to speak, closed the public hearing.

Mrs. Maucher moved to recommend to City Council approval of AX-24-01 Lands of Byler Investments, LLC at 139 Acorn Lane as it meets the three criteria identified as one, being compatible with existing land uses; second is that there is sufficient infrastructure and public services available; and third that it is consistent with the Comprehensive Plan. It is additionally identified as a High Priority Annexation Area. The motion was seconded by Mrs. Welsh and the motion was carried 7-0 with Mr. Roach absent and Mrs. Denney abstaining. Mrs. Maucher voting yes; based on reasons in her motion. Mr. Lewis voting yes; based on previous statements. Mr. Baldwin voting yes; it fits the existing land use. Dr. Jones voting yes; for the reasons previously stated. Mr. Reaves voting yes; for reasons previously stated. Mrs. Welsh voting yes; for reasons stated in the motion. Mr. Witham voting yes; this application does meet the criteria A-C. The City of Dover would want to annex areas directly adjacent that the City could provide adequate services and those services are being requested.

C-24-02 Luther Village IV: Planned Neighborhood Design - Senior Citizen Housing Option on Babb Drive - Public Hearing and Review of a Conditional Use Site Plan/Master Plan for the development of Luther Village Planned Neighborhood Design – Senior Citizen Housing Option consisting of up to 524 age-restricted apartment units in a total of nine phases. The Master Plan was previously established by Applications C-02-02 and C-13-03 and Luther Village Phases I, II, and III have been constructed. The plan for Phase IV consists of the construction of a three-story apartment building with 72 units (age-restricted) and associated site improvements. The plan also includes a Minor Subdivision to create a 2.79 acre+/- parcel for Phase IV from the overall 33.63 acre +/- tract. The property is zoned RG-2 (General Residence Zone). The property is located east side of John Hunn Brown Road and on the west side of Babb Drive. The owner of record is Martin Luther Foundation of Dover, Inc. Property Address: 101 Babb Drive. Tax Parcels: ED-05-077.06-02-90.00-000, ED-05-077.06-02-90.01-000, ED-05-077.06-02-90.02-000, and ED-05-077.06-02-90.03-000. Council District 2. *Consideration of Alternative Design Standards for PND: Building Setback from Property lines, Building Spacing, Building Height, Number of Stories, Average Number of Dwelling Units Per Building, Off-Street Parking Reduction. Waiver Requests: Partial Elimination of Curbing, Reduction of Bicycle Parking, Elimination of Rear Emergency Access. Subdivision Waiver Requests: Waiver of Requirement for Two Connections to a Public Street and Waiver of Requirement for Lot Frontage on a Public Street. Associated Applications: MI-24-06 Luther Village IV: PND-SCHO Concept Plan and C-02-02, C-13-03, S-03-07, S-07-10, MI-13-08, C-13-03 and C-19-05.*

Representative: Mr. Craig Lynch, Landmark Science and Engineering; Mr. Richard Murphy, President of the Board for Martin Luther Foundation of Dover

Mrs. Melson-Williams stated that this application is C-24-02 Luther Village IV: Planned Neighborhood Design – Senior Citizen Housing Option on Babb Drive. As noted by the Chair, this is focused on Phase IV which is both a Conditional Use Site Plan and Master Plan for this location. The opening picture was the view from Babb Drive of the complex. This location previously has had three phases of construction over the last twenty years. For the project itself,

as shown on the aerial view, they have applications dating back to 2002 when the first concept for development of this as a senior citizen housing complex was put forth. Since that time, three buildings have been built including an additional activity center. The buildings are apartment units. They are age restricted based on the type of application we are considering. The overall tract of land is just under 34 acres in total. The access is from Babb Drive and with each of the phases of construction, they have placed each phase on an individual parcel of land. So with this consideration of Phase IV, there will also be a Minor Subdivision Plan that would create that Phase IV Lot. Overall, the Planned Neighborhood Design – Senior Citizen Housing Option as shown here, shows a series of nine Phases. There are eight apartment buildings. In the past, it has been approved for up to a total of five hundred twenty-four (524) dwelling units. There is also some Activity Room Buildings that interconnect these Apartment Buildings and also a proposal for a Town Center Building in one of the other Phases. At this point, we have a total of one hundred forty-eight (148) dwelling units that have been constructed. Phase IV is focusing on a building that would provide seventy-two (72) dwelling units as an apartment style building. It is in the top center here on this image. It includes a parking lot specifically for it and is interconnected by an extension of the loop road which runs around the outer boundary of the project site. Access as noted, is from Babb Drive. That is in the lower left of the project area. Because it is a Planned Neighborhood Design-Senior Citizen Housing Option, over time they have had to re-up the Master Plan and that is one of the tasks this evening. As part of that, they are looking at a number of things overall for the Master Plan. Our Development Advisory Committee Report did run a tally of units by phase and parking spaces by phase. We can see here in this image of the architecture for Phase IV. It is proposed for a three-story building in brick, continuing the architecture that we currently see there in the complex of brick with windows on all elevations and some annotations to the roof with those dormer styles and turned gables. Also, we can see in this image a kind of covered entry to this specific building. With a PND – Senior Housing Option, we have to look at project density and whether that density is compatible. The Master Plan is depicted in this submission that will give a site density of 14.2 dwelling units per acre. That is with this Plan showing a total of 477 dwelling units for the entire site. As part of the PND, they are also asking for a number of the design standards to also be approved with some Alternatives. Those Alternatives deal with the requirements for parking, the requirements related to building setbacks from property lines, the building spacing, the number of stories and associated building height, and then the average number of dwelling units per building. Again, our Report has outlined what the requirement is and what they have requested. Some of these Requests are made to allow for the interconnection of buildings which means that they are going to end up with a 0 setback from a property line. We are also seeing them go to three stories in this instance. There are at least one of the Phases that has a four-story building. All of that puts a lesser footprint on the ground and allows the construction to go more vertical. Those Alternative Design Standards for the PND will have to be considered as part of your deliberations tonight. She will note that the zoning of the property remains as is. This would be no change to the zoning of the property which is currently zoned as RG-2 (General Residence Zone). The RG-2 (General Residence Zone) does allow for apartments but this process that they are moving through is a more specialized review process for its development.

Some of the other Waiver Requests associated with this project include a Waiver related to the Rear Emergency Access requirement. That is a requirement found in the *Zoning Ordinance* related to the ability to access the rear of the building. For a three-story apartment building, which means either a sixteen (16) foot alley or an eighteen (18) foot secondary fire lane. The Planning

Commission will make a recommendation on that Waiver and then that will be forwarded onto City Council Committee for Final Action. She will note that the Rear Emergency Access provisions can be met through a subgrade drivable surface and that is what has been implemented in other portions of this project. We will have to deal with that this evening. In other notes, the parking reduction was one of those Alternative Design Standards. Basically, in the past this has received a Waiver for a Parking Reduction. They are asking for the parking rate to be set at 1.15 spaces per dwelling unit is a little over 1 per dwelling unit. She thinks they can hear from the applicant a little bit more about how this facility works which is why they are seeking that reduction. It will allow for one parking space per dwelling unit and then there is additional parking that would be able to accommodate visitors and staff at the location. They have asked for a Waiver related to bicycle parking. While their project is showing to be compliant in Phases III and IV, some of the early buildings (Buildings I and II) do not include bicycle parking spaces as that wasn't a requirement of our Code at the time. But since we are looking at the overall Master Plan, we have got to calculate fully the bicycle parking requirement overall. With this area for Phase IV looking to be located on its own individual parcel, there are a couple of Subdivision Waivers that will need to be addressed. In this case, the Planning Commission makes a Recommendation and then City Council/Committee will actually take the Final Action. Those two waivers related to basically creating a lot for Phase IV and result in a request for elimination of the street frontage requirement. Our Code requires that lots have frontage on a public street and obviously Phase IV isn't along the frontage that this property has on Babb Drive or along John Hunn Brown Road. Additionally, the other Requests for Waivers related to that are because of the spacing and building setbacks. The other one that also comes at us from the *Land Subdivision Regulations* is that when a complex reaches the threshold of 150 dwelling units, then a second connection to the existing street must be shown. In the case of this project, the property has one access point that is a divided median access onto Babb Drive. However, the second connection that would be triggered by that 150 dwelling units isn't proposed until Phase V. In order to construct Phase IV, they will need a Waiver of that requirement of two connections of a public street. One of the waivers, she will be happy to report, is something that the Planning Office can grant and that is for the Partial Elimination of Upright Curbing. That has been approved by Staff and it is related to stormwater management and the loop road area of the project.

To wrap all of that up for you, your data pages are probably your best source of all of the series of Waivers. First, we have the considerations of Alternative Design Standards for the PND and that includes things related to the building setbacks, spacing and height and number of dwelling units per building as well as an off-street Parking Reduction. The Waivers requested that the Commission will need to act on are the Reduction of Bicycle Parking and the recommendation related to the Elimination for Rear Emergency Access and then the Subdivision Waivers related to two (2) Connections to a Public Street and the requirements for having a Lot with Frontage on a Public Street. In those cases, they will be making a recommendation that will move onto City Council. The Development Advisory Committee Report includes information from all of our other participating agencies related to utility services, the Office of the Fire Marshal, DelDOT, and with the Kent Conservation District also providing comments. Those are all included by reference and then there are copies of the Waiver Request letters from the applicant.

Mr. Lynch stated that this is a mission of the Martin Luther Foundation of Dover. As Mrs. Melson-Williams has mentioned, they have been carrying on for several decades now. Obviously, if it was

their prerogative they would build out as fast as they could, but they are not setup in that way. They are setup for affordable housing for senior citizens in the community. There is a giant need for this which was elaborated on at the previous (City) Council Meeting. There seemed to be a lot of backing by Council already. To hit a couple of points for your consideration with the Waivers and PND Considerations, a lot of the building setbacks and spacing and those issues are created by the fact that for funding reasons and grants, the properties that are being assessed and built as individual units need to be on their own individual parcel. In order to be eligible for grants and funding for Phase IV, we can't have it be on the remaining 20 plus acres of residual land. That is really a driver for having each building be on a single phase. In keeping in the spirit that they have already put forth in having the community sense for the residents, having those interconnected activity areas is very important to their mission and this continues that. The connection between the two buildings will be open on the lower level and then have an exercise room and break room on the second and third level. So it will continue to pull in some of the outdoor amenities that they have already established with the inside corridors that residents have in the hallways. The building height, number of stories, and the average number of units per building are kind of tied together. As Mrs. Melson-Williams mentioned earlier, it is in keeping with the character of the campus already and it allows for more outdoor space and less pavement to be on the site in that regard. Off-street parking reduction is consistent with the use and the fact that it is senior housing. A lot of the residents are taking public transportation to wherever they need to go and with the nature of the units, there is typically not more than one person per unit. So, that is in keeping with the parking that has already been established on the site. As Mrs. Melson-Williams mentioned, the Planning Office has already okayed the Partial Elimination of Upright Curbing. For the reduction in bicycle parking, there is already bicycle parking on the site that is under-utilized. They plan to give a code compliant bicycle parking area for this phase that they are proposing now. There was not any previously given in Phases I and II but this, in keeping with use, is adequate to provide it in Phase IV. Depending on certain funding allocations, there may be plans to install that for Phases I and II as well. The Waiver requirement for two connections to a public street is kind of the one that is in the grayest area for consideration. The Master Plan considered having two entrances by Phase IV initially, but as you can see on the main overall Plan, the spine road that connects sort of the left half of the site and the right half of the site will not be constructed in this Phase. You will essentially be creating a closed loop if you install this (second) entrance. You would drive farther down Babb Drive, take a left into the development and immediately take another left and go back towards the first entrance and then cross that entrance again. It just might cause confusion or some other unnecessary circumstances. That (second) entrance, in his estimation, does not fit with the reasoning that is in the Code. He understands that with the more units, you can't have everybody funneling to one intersection in one entrance. This actually would not only funnel them to the same entrance but in a roundabout way, that might be confusing or leave someone doing something that they didn't intend to. It was less of a want to not meet the Code but more of a desire to do something that made more sense for the property.

Mr. Murphy stated that in regards to the bicycle parking right now, in the seven projects that they have, they've got about 50% resident use of personal vehicles. So, only about 50% of our residents have a personal vehicle. That's why they are looking for the reduction in parking to 1.15 spaces per unit. As mentioned on the spacing of the buildings, it is important to us that the buildings are interconnected so that the seniors can travel and visit other seniors in another building without having to go out into the weather. As indicated, they use a lot of public transportation and there is

a bus stop right on Babb Drive next to our entrance.

Mrs. Maucher stated that there was some notation about the Elimination of the Rear (Emergency) Access and Staff indicated that there might be some alternatives that you could consider. Has that been done yet? Responding to Mrs. Maucher, Mr. Lynch stated that the Plan that they have put forth to the Commission today is Code compliant with the State Fire Code. For the additional requirement from the City to create that rear access lane, they are speaking with the City's Fire Marshal's Office to look at some other alternatives. The one that Mrs. Melson-Williams was mentioning is in-lieu-of a paved surface. You could put sort of stone underneath that grass can grow through then sort of that lattice structures which they would work with the Fire Marshal's Office to see how they could make that work. Given how the campus is spatially and how you could access the rear of the building without needing to put that fire lane in, they were just asking to consider that.

Mr. Murphy stated that the other advantage to not having to put that rear access lane in, as Mr. Lynch said, is fairly reasonable access (exists) without that. Once that fire lane is in there, we can't put anything on top of it because it needs to be clear for the fire trucks or other emergency vehicles. In other words, it's things like raised garden areas for the seniors. That's a prime location for that because it's right at the rear of the building and they can exit to one of the rear entrances and go out there to tend to their gardens and then come back in. If not, then they have to make it a little bit more remote. As Mr. Lynch stated, it is doable but our preference would be to not have to put that Rear Emergency Access in.

Mrs. Denney stated that she had a question related to that fire lane. Can you help her understand the mean age of the residents in Luther Towers? Responding to Mrs. Denney, Mr. Murphy stated that their Director has advised him that the average age is about 70.

Mrs. Denney stated that she retired a long time ago but her field was medicine. She has a great concern when she saw the request for that Waiver. We all know the older that we get, the slower we move. Then it's for the more fire equipment that can pull right up to that building and get those men helping those senior citizens get down, especially when the fire alarm goes off and you are not allowed to use the elevator. She is thinking that from her perspective, that's really not good safety-wise (to eliminate). When she first read this, she thought "those things are up to the Fire Marshal" and you should just let that sleeping dog lay but she does have a lot of concern about that not being a fire lane. Do you have any alternative ideas? Responding to Mrs. Denney, Mr. Lynch stated that besides paving it or putting in the stone lattice structures, there is not going to be much that would stand up to that heavy equipment. They would be able to get in and out without it, but it would just be up to the Martin Luther Foundation to then repair the damage.

Mrs. Denney stated that she knows that there are certain types of parkable turf. We have also seen those. She has seen many engineers come up with some very creative ways to do parkable turf, but we also know that fire equipment is heavy. She realizes what you are saying and as you are answering the question and thinking that would be a good place for garden boxes, to her, she is thinking that would be a good place to leave wide open for emergency equipment. Again, it really gives her a great deal of concern because it is difficult for some people to get around. She is 75 and she still gets around pretty well; that does give her pause.

Mr. Witham asked what would be in the increase in terms of traffic into the community as a consequence of constructing Phase IV? You obviously must have an experience as to what the traffic flow is right now on the previous phases that are constructed. Responding to Mr. Witham, Mr. Lynch stated that it is his understanding that it won't really increase the maintenance burden. Your maintenance staff is already top notch. From a staff perspective, he doesn't know that it has much of an impact, maybe one to two additional staff members. Obviously, the residents have about a 50% vehicle rate; so, at 72 units, it would be 36 additional vehicles. The trips per day for this use is probably lower than your typical one who is getting up and going to work every day or something of that nature. They are very similar in size and use. It's probably an additional 1/3 more if you split up the first three phases. It would be similar to that.

Mr. Witham stated that he heard there was a bus stop. Is there just one bus stop for all phases and is that enough to serve all of these residents? Responding to Mr. Witham, Mr. Murphy stated that there are other transportation modes. They have their own bus that they use to take residents to doctor appointments, on shopping trips, and that type of stuff. They can schedule with that van that runs throughout the week.

Mr. Witham stated that perhaps Staff can tell him, does this type of construction with the type of residential units that you are constructing, would this normally require a Traffic Study or not? Responding to Mr. Witham, Mrs. Melson-Williams stated that Babb Drive is a City street as is the immediate roads connecting to it. The project, as part of our Development Advisory Committee does go to DelDOT and they have asked some questions about what the traffic generation is. Some of which may have been addressed years ago when this project first came to fruition back in 2002. But the City would not require a Traffic Impact Study. She thinks there are a number of options once you leave this site about how you move away from it, but they will have to be working with our colleagues at DelDOT regarding any requirements that they may have for looking at this. This always gets a little difficult when the first street off the project site is a City street which then may lead to a DelDOT street network. The closest DelDOT roads in this case are going to be S. Little Creek Road and then ultimately getting to Bay Road and S. DuPont Highway connections there. So, the initial reaction is no, the City wouldn't require a Traffic Impact Study. They think that probably from a DelDOT perspective, there are a lot of options before you interact with the DelDOT street.

Mr. Witham stated that he thinks they mentioned that the average occupancy for each unit currently at Luther Village. Is it one or one and a half? Responding to Mr. Witham, Mr. Lynch stated one.

Mr. Witham stated that it would correspond with the fact that you have a reduced need for bicycles, motor-scooters, or other modes of transportation. Are all of the buildings going to be connected? Responding to Mr. Witham, Mr. Murphy stated that these four will be and then the next four will be connected when they are built. There will be no internal connector between the two fours because the loop road will split between the two developments.

Mrs. Maucher stated that back to the Rear (Emergency) Access, you said there was alternative access that you thought might be adequate. Is that from the front and from the side? Could you describe that a little bit better? Responding to Mrs. Maucher, Mr. Lynch stated that his statement

was that the areas behind and to the side of the building will be accessible. They won't be excessively steep or made of some other material that the equipment couldn't get to. Not considering design alternatives, just in the absence of the fire lane itself being engineered, there is no reason to believe that emergency equipment couldn't get there.

Mrs. Welsh stated that you are saying there would be access but it's not going to be paved and it's not going to have the lattice structure, correct? Responding to Mrs. Welsh, Mr. Lynch stated that it wouldn't be demarked. His comment was regarding the ability for the emergency vehicles to get to the rear of the building in an emergency. It's would not be hindered by any sort of landscaping or steep hills or anything like that, that might cause them more harm or hindrance to get to the rear of the building.

Mrs. Welsh stated that she is still understanding that there is no substructure basically that would support the weight of the vehicle. Responding to Mrs. Welsh, Mr. Lynch stated that close to the building it would probably be pretty compacted by the structure of the building.

Mr. Murphy stated that you would be able to drive a fire truck there and the fireman would have ready access to it. The thought process there is that the building is going to be fully sprinklered. The need for them to have access for the fire truck to the back of the building is less. The firefighters can still easily access that portion of the building to get people out it just wouldn't have their fire truck in the back of the building.

Mrs. Welsh stated and possibly no ladder, correct? Responding to Mrs. Welsh, Mr. Murphy stated no, no ladder truck.

Mr. Witham opened the public hearing.

Ms. Priscilla Carter – Luther Village 101 Babb Drive Dover, DE 19901

Ms. Carter stated that she lives at 101 Babb Drive. When she (Mrs. Denney) said there were people who were 70 years old, there are people that at 80 and 90 up in there. She just wants to make sure she understands because she is new at this. She wants to understand how they are going to connect this other building to get into the building. Responding to Ms. Carter, Mrs. Melson-Williams stated that you can drive around the on loop road and the loop road right now, gets you to Building 3. Their project would actually extend that loop road. Then there is also a connection point from Building 3 that would connect to Building 4. It's kind of probably at the end of one of the hallways. Building 3 is an "L" shaped building and one of its end points would connect to Building 4. The Phase IV would use the entrance that is currently from Babb Drive onto the property to reach the loop road.

Mr. Witham closed the public hearing.

Mrs. Maucher stated that they need to approve the Alternative Design Standards for PND: SCHO, correct? Responding to Mrs. Maucher, Mrs. Melson-Williams stated that is correct.

Mrs. Maucher moved to recommend approval to City Council for C-24-02 Luther Village IV: Planned Neighborhood Design - Senior Citizen Housing Option on Babb Drive inclusive of the

three sub-bullets which are the reduction in building setbacks, building spacing reduced to accommodate enclosed connections, and the increase in building height, number of stories, and average number of units. She would also recommend approval of the Request for Reduction in Parking, approval of the Reduction of Bicycle Parking, and to include the Waiver Request for the Elimination the Requirement for Two Connections to a public Street, and also finally the Waiver Request for the Street Frontage for the Parcel.

She understands that there is some angst about the rear access. She's not sure if that one needs to be pulled out and voted on separately. Responding to Mrs. Maucher, Mrs. Melson-Williams stated that it is up to her, if she wants to include that in the overall motion or if she wants to act on that separately.

Mrs. Maucher stated that she would prefer to act on that separately.

Mrs. Melson-Williams stated that Mrs. Maucher ran through all of the Waiver Requests but in regards to the Conditional Use Site Plan/Master Plan for Phase IV and this project, what action are you suggesting? Responding to Mrs. Melson-Williams, Mrs. Maucher stated that she recommends approval of that.

Mr. Witham asked for clarification on what they are removing from the motion to be for separate consideration. Responding to Mr. Witham, Mrs. Maucher stated that she wanted to pull out the Elimination of Emergency Rear Access and vote on it separately.

Mrs. Maucher moved to recommend approval to City Council for C-24-02 Luther Village IV: Planned Neighborhood Design - Senior Citizen Housing Option on Babb Drive inclusive of the three sub-bullets which are the reduction in building setbacks, building spacing reduced to accommodate enclosed connections, and the increase in building height number of stories, and average number of units. She would also recommend approval of the Request for Reduction in Parking, approval of the Reduction of Bicycle Parking, and to include the Waiver Request for the Elimination the Requirement for Two Connections to a public street, and also finally the Waiver Request for the street frontage for the Parcel, and to remove the Waiver for the Elimination of Emergency Rear Access in order to vote on it separately, seconded by Mrs. Denney and the motion was carried 8-0 by roll call vote with Mr. Roach absent. Mrs. Maucher voting yes; based on DAC comments in the Staff Report and also recognizing the urgent and desperate need for this sort of housing in the City. Mr. Lewis voting yes; thank you to the applicant for being here and presenting what you are doing and the progress that is being made already. Mrs. Denney voting yes; this project is one that we need more and more of in our community. She thinks that it is a good plan overall despite her feelings about the back which is not included in this (motion). Mr. Baldwin voting yes; based on the aforementioned statements. Dr. Jones voting yes; she would just like to say that those are wonderful facilities. She has been to several events there. Very well designed and very well kept; so, thank you so much for all of your efforts. Mr. Reaves voting yes; for reasons previously stated. Mrs. Welsh voting yes; she agrees with some previous comments by Dr. Jones. It seems to be a well thought-out design. It is definitely a needed residential area for the area. She believes that the designer did a great job with the presentation and the design of the facility. All in all, it is a very favorable addition to the community. Mr. Witham voting yes; based on the DAC comments and both the oral presentation by Staff tonight as well as the written presentation to the

Commission in the documents themselves. It seems to him that this is a great movement forward given the fact that we have a desperate need for this type of housing in this community. He does want to point out that although he supports the motion itself, there are remaining questions that have to be considered by the applicant as they go forward.

Mrs. Maucher moved to approve the Request for the Elimination of Rear Emergency Access for the apartments and that it be approved based on DAC comments and the Staff Report.

Mr. Witham stated that the Staff Report doesn't indicate that (meaning approval). It recommends the additional discussion with the City's Fire Marshal. Responding to Mr. Witham, Mrs. Maucher stated that based on the Staff Report and the oral discussion from the applicant this evening about access and consideration, she will vote that it be approved.

Mrs. Welsh stated that she would like to clarify if she understands the motion. Responding to Mrs. Welsh, Mrs. Maucher stated that the motion is to approve the Waiver Request for the Rear (Emergency) Access. She would think that if the motion was to deny it and that was approved, then she thinks there would have to be another vote.

Mrs. Welsh asked if she is saying to approve it in accordance with the DAC comments as well as the presentation from the applicant this evening. She read the DAC comments to say "further discussion with the Fire Marshal." So that is what you are saying, is that you are encouraging further discussion with the Fire Marshal's Office; is that correct? Responding to Mrs. Welsh, Mrs. Maucher stated no, the motion is to approve the Waiver Request.

Mr. Witham asked if it would be more appropriate to defer action until after there is discussion with the Fire Marshal. Would you be willing to amend your motion? Responding to Mr. Witham, Mrs. Maucher stated that is a fine idea. We could table action on this Waiver Request until the next meeting if that is sufficient time for the applicant.

Mrs. Maucher moved to defer consideration of the Waiver Request for the Elimination of the Rear Emergency Access until the Planning Commission Meeting of October, seconded by Mrs. Welsh and the motion was carried 8-0 by roll call vote with Mr. Roach absent. Mrs. Maucher voting yes; just to allow the applicant and the Fire Marshal to have further discussion about that Rear Access. It is a concern. She pulled out that Waiver Request because she didn't want to see the full application fail in the event that something couldn't be done. Mr. Lewis voting yes; having said that and knowing that he will be out of the country for the next meeting, when you say that it was doable to do it, he would lean on doing it. You build these things with the hope that you never have to use them. He is in favor of having it. Mrs. Denney voting yes; she would like to hear more information from the Fire Marshal's Office. As she thinks everyone understands, her fear is that trying to get that many seniors out of the building. Suppose the fire is towards the front of the building and they have to get out from the back. Frankly, in her history of medicine and dealing with many, many seniors, kitchen fires happen. Put a pot on the stove and go to the bathroom and then think, "I meant to get this out of the closet." The first thing you know is a fire happens. Sprinklers are great but they don't move people and they don't separate the smoke from the people. Again, we are talking about seniors. Mr. Baldwin voting yes. Dr. Jones voting yes; due to concerns that have already been expressed by other Commissioners. Mr. Reaves voting yes; until the next

meeting. Mrs. Welsh voting yes; hoping that a solution will be worked out that will be safety conscious for everyone's concerns. As Mr. Murphy said, we don't want to have to use it but that is something that there needs to be there as a safety factor just in case we ever do need it. Mr. Witham voting yes; based upon the comments of the Commissioners and based upon the recommendations of Staff and the written comments.

C-24-03 Church of the Nazarene Building Addition at 1430 McKee Road - Public Hearing and Review of a Conditional Use Site Plan for a building addition for a total size of 9,707 SF to the Place of Worship (Church) building. The subject property is zoned R-8 (One Family Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property totaling 2.72 acres is located at the southwest end of the cul-de-sac section of McKee Road. The owner of record is Washington Advisory Board Church of the Nazarene. Building Address: 1426 McKee Road and Property Address: 1430 McKee Road. Tax Parcel: ED-05-067.00-01-17.00-000. Council District 1. *Waiver Request: Partial Elimination in Upright Curbing.*

Representative: Mr. Kevin Minnich, Minnich Engineering Inc.

Ms. Oehmke stated that this is a Conditional Use Site Plan for the Church of the Nazarene at 1426 McKee Road. This is zoned R-8 (One Family Residence Zone) which allows for churches as a Conditional Use. This is an addition so it's increasing their footprint; therefore, increasing their non-conformity or their Conditional Use need. This property is 2.72 acres. It is owned by the Washington Advisory Board-Church of the Nazarene. The existing building (footprint) is 1,846 SF. The total square feet of the new building will be 9,707 SF. They have requested a Waiver for partial elimination of upright curbing. This property was annexed in August 1969. Depending on what records you look at, it was built anywhere from 1970 to 1987. You can see on the screen that it is in the COZ-1 (Corridor Overlay Zone). That is the green swipe that you see across the screen. It covers most of the property and it's zoned R-8 (One Family Residence Zone). All of the properties around it are also zoned R-8 (One Family Residence Zone) which is a residential zone of roughly 8,000 SF for each property. The two green circles that you see on either side of the property indicate a vacant building. Those are residential buildings that are just not occupied currently. It's in the COZ-1 (Corridor Overlay Zone) which has some more stringent design requirements. The maximum setback from the main road is only fifty feet. The entrance requirement is 24 foot wide. There is a parking lot landscaping requirement of 25% in the landscaped islands and peninsulas within the parking lot itself. The landscaping needs to be 12 feet between the parking lot and the building. The building needs to also be surrounded by sidewalk so people can walk freely between the parking lot and the building. The landscaping also has to be provided on the non-frontage of each side of the property. It needs to have some windows on the front facing of the building. She showed a view from Google Streetview of the current entrance. It looks like it has an entrance and an exit. There is a re-vamp of this in the Plan. This is the rendering of the side of the building and you can see the red line showing where the existing building is. It is a large addition. It's covered in a metal roof, and it has a nice front porch. What you don't see in this drawing is that they also have in the Plan a wheel chair lift. You can see on the left side of this drawing, that is where the existing building is. It's a pretty significant addition. The impervious coverage is only going from 11.7% to 17.8% because it is a rather large property. R-8 (One Family Residence Zone) does allow for 35% coverage. You can see from the floor plan of the basement that it's including some office spaces, some bathrooms and some gathering places.

The kitchen in the lower right hand corner is existing, it is a warming kitchen. There are offices for staff, coatrooms, etc. The next slide shows the property as it exists right now. You can see that there is some parking at the back and some handicapped parking along the sides and up to the front entrance. That is a slight variance from the COZ-1 (Corridor Overlay Zone) but this property was annexed before the zoning took place so it is grandfathered in. The next slide shows the proposed plan. They have added parking at the back and you can see that there are these permeable pavement blocks at the back end of the property. At the back end of the property, you can see with the green line that's where the woodlands are existing so it allows for water drainage into the woodland areas.

Mr. Minnich stated that he has read through the DAC Report and they feel that they can meet any requirements that are in that Report. He met with DelDOT by a virtual meeting for a Pre-application Meeting. They did go over the entrance because the entrance is in need of some repair. He thinks with the improvements to the site that the entrance condition will get better. They discussed what would be required at the entrance. They would channelize the entrance a little better and also put some frontage sidewalk along there with a connection to the new building location. They did look at that. They have some testing going on for the pervious pavement for the Kent Conservation District in the Stormwater Regulations. Staff did a great job picking out all of his typos from one sheet to the next; he feels like it is all doable. They have some changes to make to the Landscape Plan. There were some things that they didn't see as far as buffering.

Mr. Reaves asked if this site was directly on McKee Road. Responding to Mr. Reaves, Mr. Minnich stated that it's on the portion that dead-ended. When you go past the church building, you are maybe a couple of properties from where it cul-de-sacs. It is on the old alignment of McKee Road. He thinks that they made note that a couple of the properties are vacant next to the church.

Dr. Jones asked if there was another church right near there. Responding to Dr. Jones, Mr. Minnich stated that there is, it's two properties down.

Dr. Jones asked if they were vacant. Responding to Dr. Jones, Mr. Minnich stated that they are not vacant. The property adjacent to us is.

Dr. Jones stated that given the expansion on the current facility, she surmises that the congregation is expected to really grow or they are hoping that it grows. Responding to Dr. Jones, Mr. Minnich stated that they have already grown and that's what the problem is and now they need the room. There may be someone online from the church that could answer that question.

Mr. Witham asked if the parking lot was going to be expanded. Responding to Mr. Witham, Mr. Minnich stated yes.

Mr. Witham stated that this may have been said already but how is it going to be expanded? How many additional parking spaces? He assumes that it would be enough to cover the growth of the church. Responding to Mr. Witham, Ms. Oehmke stated that the current parking lot has thirty-six (36) spaces including two (2) handicapped spaces and the proposed parking lot contains fifty-five (55) spaces with two (2) handicapped spaces which exceeds the requirement.

Mr. Witham opened the public hearing and after seeing no one wishing to speak, closed the public hearing.

Mrs. Welsh moved to approve C-24-03 Church of the Nazarene Building Addition at 1430 McKee Road inclusive of the waivers which she believes that since it's upright curbing, it has been approved by the DAC, seconded by Dr. Jones and the motion was carried 8-0 by roll call vote with Mr. Roach absent. Mrs. Welsh voting yes; she believes it's a very well done design and it seems to be very necessary for the continued association of the church. Mr. Lewis voting yes; for reasons previously stated and thank you Mr. Minnich for being here tonight and good luck with the project. Mrs. Maucher voting yes; based on DAC comments. Mrs. Denney voting yes; she thinks it's a needed project. She is always happy to see when our different religious facilities are expanding within our community. She thinks it's well thought-out and well-planned. Mr. Baldwin voting yes. Dr. Jones voting yes; it is a welcomed addition to that area. Mr. Reaves voting yes; for reasons previously stated. Mr. Witham voting yes; based on the DAC comments and based upon the presentation of the applicant, it looks like it's a needed development for Dover.

S-24-13 Flex Use Facilities Commercial Warehouse Business Park - Public Hearing and Review of a Site Development Plan Application for the construction of Phase 1 consisting of a 54,000 SF Flex Warehouse and site improvements. Later proposed phases of the project involve construction of a 42,000 SF Flex Warehouse, and a 123,750 SF Flex Warehouse (a total of 219,750 SF) with site improvements. The property is zoned M (Manufacturing Zone) and is subject to the AEOZ (Airport Environs Overlay Zone): Accident Potential Zones I & II and Noise Zone A. The property consists of 19.74 acres. The property is located on the north side of Lafferty Lane approximately one quarter mile west of Horsepond Road. The owner of record Devreco, LLC. Property Address: 350 Lafferty Lane. Tax Parcel Number: ED-05-077.16-02-05.00-000. Council District 2. Waiver Request: Partial Elimination of Upright Curbing. For Consideration: Performance Standards Review Application. For Future Consideration: Tree Mitigation Plan (Tree & Woodland Planting).

Representative: Mr. Kevin Aydelotte, Parker & Associates; Mr. Brett Davis, Dover Industrial (virtual); Mr. Travis Martin

Ms. Oehmke stated that this is the Flex Use Facilities Commercial Warehouse Business Park. It is a Site Development Plan on the north side of Lafferty Lane approximately a quarter mile west of Horsepond Road; addressed as 350 Lafferty Lane and owned by Devreco, LLC. We are getting this application presented in phases; this will be Phase I. Phase I will be approximately 7.5 acres. It is zoned M (Manufacturing Zone) and in the AEOZ (Airport Environs Overlay Zone): Accident Potential Zones I & II. There is a very small section of the Noise Zone A. On the screen is the map of the site. The pink or purple that you see is the area that we are considering this evening. Of the three buildings, we are considering the first building which is 54,000 SF and the two stormwater ponds. It will also include parking for the first building and part of the second building. They have requested a Waiver for Upright Curbing. The Tree Mitigation is going to be for Part II for the woodlands area that they are working on with Kent Conservation District at the back end of the lot. They have also provided a Performance Standards Review Application due to the Manufacturing Zone. The two stormwater management areas will collect the water on both sides of the property. There are three dumpster areas for the whole Plan, one for each building. There

are three bike racks, again, one for each building. There are sidewalks connecting all three buildings to the sidewalks along the frontage of Lafferty Lane. On the far right side, there is a small building for Frito Lay that was a Plan from 2022. It has a shared entrance off of Lafferty Lane for both Frito Lay and these three buildings. This was part of a larger plan that was reviewed by the Planning Commission and DelDOT for that entrance. This parking summary at the top is for the whole Plan. Phase I which we are looking at tonight, includes one hundred thirty-one (131) spaces. The next slide showed renderings of the spec buildings. There are doors and windows on the front sides and then loading docks at the back.

Mr. Aydelotte stated that he will let Mr. Brett Davis introduce everything and then he is here for any technical questions.

Mr. Davis stated that tonight is only about Phase I of this project. Please note that anything you are looking at on the site outside of that there is definitely a lot to work through, and it very possibly will not look like what you see in the latter phases. Whether good or bad, please note that those are definitely a sidebar conversation. What they are really going for tonight is this first building that is closest to Lafferty Lane. We have about 54,000 SF. It is a flex warehouse. They don't have anyone in stone yet but are just really looking to bring jobs to the area. We are settling on the property Wednesday of next week and financing is already in place. They would be building this spec so we would be taking a bit of a risk, but they are excited to get this project rolling. They heard some thoughts from Mrs. Melson-Williams and the rest of team; and that's why you are seeing a much more simplified plan. The one stormwater pond is already in existence, and you will note that there is a second pond being built in Phase I. The reason to do that is because they received a Site Readiness Grant from the State of Delaware and there is a very specific timeline. It requires that they do our site improvements essentially all at once. They are actually overbuilding the stormwater in anticipation that later they hope to build more buildings but that's just because it's really how the money works for the grant. It is also worth noting that with this Phase I they will have some additional paved area in the rear. One of the things that was brought up to us was having 18-wheeler parking. There is definitely enough pavement for that and then they've made sure that in the latter phases, they will also make sure that we have that. It is a pretty straight forward project. He will say that they are looking at pretty tall, clear span spaces. It can be chopped up anywhere from the smallest that they would like to do which is 5,000 SF and then as large as allowing one user to take the whole thing. It is worth noting that they will have fiber brought to the site as one as our businesses. They will be providing internet onsite and eventually throughout the area. They are super excited and would love to hear your feedback.

Mr. Martin stated that he had no additional comments. He thinks Mr. Davis presented things exactly as they intend.

Dr. Jones asked what a flex warehouse was. Responding to Dr. Jones, Mr. Aydelotte stated that it's a use that can be retail, office space, or warehouse distribution. It is not defined because they are looking to just bring jobs and tenants.

Mr. Davis stated to speak to what they are expecting, in their other complexes these are service businesses a lot of the time. Again, it's not clearly defined right now but this is designed as warehouse space. A great couple of examples, and they are not saying this is definitely what is

going there, but something like Travis Martin's business where it's an HVAC and plumbing business. They can utilize the warehouse portion and there might be a small office use but overall it's definitely somebody that is storing materials, moving them in or out, or has some need for large open space. This is not a strip center by any means. This is not going to be any of those types of uses. This is the light industrial style warehouse.

Mrs. Maucher stated that it's been a long time since she has been over in that area. What's the access to Lafferty Lane? Is it only off of South Little Creek Road? She thought that you could get to it off of Route 13 at one point. Responding to Mrs. Maucher, Mr. Aydelotte stated that he would have to look back at the map to see.

Mrs. Welsh stated that you can get there off of Bay Road. There is a light there too.

Mr. Witham stated that this application is only for Phase I, correct? Responding to Mr. Witham, Mr. Aydelotte stated correct.

Mr. Witham asked if they would be coming back before the Commission for Phase II. Responding to Mr. Witham, Mr. Aydelotte stated yes.

Mrs. Melson-Williams stated that the original submission was the layout of the entire site with the total of three buildings and that's how it started its review process. As part of the DAC review, there was a number of questions about the complete build out. So, the applicant chose to revise their Plan to focus on Phase I which is why it took us a little bit to finish up the Report because that happened right at the end. We are focusing on Phase I. If in their finalization of Phase I they need to come back for any of the waivers that they don't end up addressing, they will have to do that. But certainly moving into the later phases, there is potential for the Tree Mitigation Plans that may be necessary. We are going to ensure that Phase I is fully compliant with our Code, which right now, the only Waiver Request that was officially identified was the Partial Elimination of Upright Curbing. Because this is the M (Manufacturing Zone), it also has for your consideration that Performance Standards Review Application where they attest to that they will not have any of those "objectionable elements" list. Then any future development beyond Phase I is going to have to come back through the process here because there are a number of things to sort out.

Mr. Witham opened the public hearing.

Mr. Zack Prebula – Kent Economic Partnership at 555 Bay Road Dover, DE 19901

Mr. Prebula stated that they fully support this project. Recently, they commissioned what they call the Rockport 2.0 Study which identified warehousing, logistics and manufacturing as the target industries within Kent County along with Dover to create jobs for the area and this project directly correlates with that. Also, anything that they can do to move this project closer forward to a completion date in order to increase our opportunities of attract businesses and creating jobs in the area is for the benefit of the City. With that being said, they ask the Commission to please support this project.

Ms. Jozelle Rowan – 392 Lafferty Lane Dover, DE 19901 (virtual)

Mrs. Melson-Williams stated that Ms. Rowan noted that they were here for this application. She

asked how long will Phase I take? Responding to Ms. Rowan, Mr. Davis stated that without making too many assumptions about the application process itself, their goal would be if they are able to start moving dirt and things within the next couple of months with a goal of being under full construction towards the end of the year. He is not trying to set in stone the application process, but if that is a realistic timeframe (60-90 days) then they would be looking at completing the first building probably sometime in Q3 of 2025.

Mrs. Melson-Williams stated that the second question from the same participant is, will any of the phases affect the houses across the street? She believes that there are some residences on the same side of the road just to the west of this location. Then there are some to the south closer to Horsepond Road, but she doesn't believe that there are any directly across the street from this location. Responding to Ms. Rowan, Mr. Davis stated that they did place a very dense tree line shown at the top of the map. To us, that is the only portion that would be visible from any neighboring residential property. The goal is to obstruct that view over time with a tree line. So the answer to the question is no, they have no goal. They are not adding any new cut-ins to Lafferty Lane. Most of what you are seeing in Phase I is all cleared areas and it will match a similar style to what is at the Frito Lay facility. It is not the same but they are both generally metal buildings and both one story so they will look very similar. It will be almost nearly identical to the other warehouse that is directly across the street. Their goal is to block any view and match the neighboring facilities.

Mr. Aydelotte added that as Mr. Davis stated, they do have pretty dense vegetation along the western edge of the property that adjoins the residential section. But also per the Code, there is an opaque barrier. We do also have 172 feet of 6 foot privacy vinyl stockade (fence) as well. The vegetation is part of the tree density so we didn't request that for mitigation but it would also satisfy the City's Code with the barrier as well.

Mr. Davis stated that the fence being the general physical obstruction so that we are not having anything into their property. Then eventually the goal would be for those trees to grow tall enough that you won't see the building. They are definitely taller than the 6 foot fence as you can imagine but over time, he believes that they can separate from the residential portion.

Mrs. Melson-Williams stated that Ms. Rowan noted in the chat "thank you for the responses and thanks for bringing more jobs."

Ms. Davis stated that their information is provided as part of this application and if Ms. Rowan has any further questions at all during this process or any concerns that come up from our construction, he will make that he provides her his cell phone number directly so that if anything comes up, they will make sure that they are able to be good neighbors.

Mr. Witham closed the public hearing.

Mr. Reaves moved to approve S-24-13 Flex Use Facilities Commercial Warehouse Business Park (Phase I) and also approve the Waiver for the Partial Elimination of Curbing, seconded by Mrs. Denney and the motion was carried 8-0 by roll call vote with Mr. Roach absent. Mr. Reaves voting yes; he approves this motion based on the reasons stated in the DAC comments and also the

presentation of the applicants. Mr. Lewis voting yes; for reasons previously stated and he wishes to thank the presenters both here and online. Mrs. Maucher voting yes; based on the DAC comments and she also recognizes the Performance Review Standards Application and she agrees with its content. Mrs. Denney voting yes; she thinks this is a great plan for this location and looking forward hoping that we will have many takers for the warehouse areas over there. Mr. Baldwin voting yes; for reasons stated. Dr. Jones voting yes; for reasons previously stated. Mrs. Welsh voting yes; for all of the reasons previously stated. Mr. Witham voting yes; based upon the applicant's presentation and also the DAC comments.

S-24-14 Legislative Hall Parking Garage at 425 East Avenue - Public Hearing and Review of a Site Development Plan Application and associated Architectural Review Certification to permit construction of a new Parking Garage for Legislative Hall to be located at the corner of East Avenue/E. Water Street and Martin Luther King Jr. Boulevard South. The proposal includes a three-story, 127,500 SF Parking Garage with 344 vehicle parking spaces and other site improvements. The 5.28 +/- acre property includes an existing surface parking lot and an office/credit union building (to remain). The property is zoned IO (Institutional and Office Zone) and is subject to H (Historic District Zone). The property is located at the southeast corner of Martin Luther King Jr. Boulevard South and East Avenue/E. Water Street. The owner of record is the State of Delaware. Property Address: 425 East Avenue and existing building addressed as 150 E. Water Street. Tax Parcel: ED-05-077.10-01-02.00-000. Council District 2. *The project was the subject of HI-24-04 for Historic District Commission Review and Recommendation on the Architectural Review Certification and V-24-01 for Board of Adjustment Review and Approval of variances related to development in the Flood Hazard Area.*

Representative: Ms. Dana Dunphy, Century Engineering; Mr. Daniel Ridgely, Studio JAED

Mrs. Melson-Williams stated that this is a Site Development Plan and has associated with it, an Architectural Review Certification. That is because this property at the corner of Martin Luther King Jr. Boulevard South and its intersection with East Avenue is the location. It is zoned IO (Institutional and Office Zone) and also located within the H (Historic District Zone). The screen shows the overview shot of the property. The property is probably most familiar to people as the building that is currently on the property is the Del-One Federal Credit Union building along with some other office space in that building and then a surface parking lot area. The project proposes the development of a parking garage structure at the location of that surface parking location. The address of 425 East Avenue is what they have come up with for this property location. There has been some question because the Del-One Federal Credit Union building is 150 East Water Street. The street name is something that our Department of Public Works has been trying to sort out for this project. But overall, we are looking at a project to construct a Parking Garage structure. The existing office/bank building and its associated drive-thru will remain in place. She showed a graphic on the screen that shows the location of this. The arrows that are shown on the East Avenue side of the building demark where pedestrian and vehicle entry into the building will be. It will be from that East Avenue/Water Street portion; the short end of the building. Internally to the building is then where you would find the series of ramps that carry you up three levels and provide the parking areas. The parking really has two sections; one that will be secured parking and then one that would be general public parking. You can see from elevation views shown on the screen, the approaches to the building. It is a three story brick building. It follows in line with the predominate architecture that we see in the Capital Complex

of brick and the window patterning. In this case, is not into interior office space but into the parking levels themselves. This project because it's in the Historic District, it went to the Historic District Commission earlier this summer. As a result of that, there was a recommendation made regarding the Architectural Review Certification which is the process that a project goes through to ensure that in this case, new construction in the Historic District is meeting the *Design Standards and Guidelines* for the Historic District Zone. The Commission, when considering this, had the opportunity to look at the architecture of the building in great detail of the brick and the various building feature elements as part of it. The Historic District Commission did recommend approval of that Architecture Review Certification. They did have a minor comment related to what is located on the east side of the building where the proposed generator is. In this Plan view, it's in the upper right corner. The Commission had some comments about the enclosure wall and the associated fencing in that area. They specifically were interested in the brick wall around the generator and with the fencing, because it would be visible. The material choice for that fencing would need to be appropriate to the Historic District and recommended a type of more decorative fence rather than pursuing something along the lines of like chain-link for example. With this project, it also made a visit to the Board of Adjustment. This property is partially located within the Special Flood Hazard Area or what is known more commonly as the 100-Year Flood Plain. In our Report, they identified information about what our Code says about these flood hazard areas. If you are looking at this diagram image on the screen, one of the lines that looks almost like a topo line that clips the right hand corner of a surface parking area is the part of the location that is within the Flood Plain. This property has frontage on the St. Jones River so the eastern portion of this site is where we find it subject to the Flood Hazard Area. With the Board of Adjustment, they actually granted approval to two Variances related to the Flood Plain. One Variance allows a lesser reduction of impervious surface. Our Code requires any impervious surfaces that are currently, as part of a predevelopment condition in the Flood Plain, that that impervious surface level should be reduced. The Code also allows the Planning Commission to change that amount of reduction of impervious surface if only 33% or less of the property is in the Flood Plain. The Variance that was granted recognized the fact that 48.7% of this parcel is in the Flood Plain. They granted the ability for the Planning Commission to consider that reduction anyway. They have it in their Plan; so you can see that the building itself is not within the Flood Plain. There is a portion of what would be a surface parking lot related to service and security measures to the east and southern corner of the building that will remain in the Flood Plain. Portions of the existing parking lot are found in this area but they have tried to eliminate some of that pavement area. In fact, they are also seeking that Waiver for relief of the upright curbing in that area to continue some of these stormwater management ability for things to flow into the grassy area. Overall, we are dealing with a Parking Garage that is a total of estimated 344 vehicle parking spaces. They are providing bicycle parking spaces as part of the project. There is an opportunity for that along the exterior of the building. Their project will also be subject to tree planting requirements. There are some existing trees that will have to be relocated because of the project and replanted elsewhere but it appears that there is an approach to getting the required tree plantings with the project. Planning Staff did also recommend approval of the Architectural Review Certification for the project. As part of that, she will note that the building placement is one of the Alternative Design Standards that the Historic District Commission addressed. That allows the placement of the building much closer to the street than what the IO (Institutional and Office Zone) setbacks would set it up to be. The building in this case will be less than that ten (10) foot setback along

its two street frontages but it brings the building closer to the street. There is a brick sidewalk planned along those street frontages. Obviously, there will be improvements to that as part of this project. There is existing brick sidewalk in this area of the Capital Complex. Along with they will be making some pedestrian improvements to clarify where pedestrians should be crossing the streets in this area as this Garage is intended to serve Legislative Hall and then other buildings here in the Capital Complex. Tonight for the Planning Commission, they are looking at a Site Plan for review and then consideration for approval of the Architectural Review Certification. In regards to that, there was a separate Recommendation Report that was forwarded to you from the Historic District Commission meeting along with the minutes of the Historic District Commission meeting and the graphic set that they had for review.

Ms. Dunphy stated that they are here to talk about the Legislative Hall Parking Garage Project. As you can see, the area that they are proposing the garage to be placed on is the location of the existing parking lot that shares the parcel with Del-One. For the existing site, they have the determination that the address is 425 East Avenue. The existing use of this lot right now is the existing parking lot as well as the Del-One Credit Union. There is water, sewer and electric available to the site. As part of this project, with the Parking Garage being on top of the parking lot. There are a force main line and a sanitary sewer line that is currently under the parking lot that they are working through relocating. They have been in contact with the City as well as the County and have started the process of re-designing that to relocate those lines. With the proposed Parking Garage, they are proposing new brick sidewalks along East Avenue as well as Martin Luther King Jr. Boulevard. They are doing the relocations of the sanitary sewer line and the force main lines. They did request a Waiver for the Partial Elimination of Curbing along the outer edge of the existing parking lot that will be permeable pavement now and also along a portion of the drive aisle from the Del-One drive through area to the back lot that will be used for Del-One and the Capital Police. Internal to the Parking Garage, there is a total of approximately 338 spaces. 248 spaces are for the public. Then there are 87 restricted for the Legislators; they will have their own entrance which is the northern entrance and it will be restricted. The southern entrance is for the public access. There will be 6 ADA spaces. They will also have 5 ADA van spaces as well as EV charging spaces. She showed a few architectural renderings for the site of the new Garage on the screen, showing the restricted entrance, the public entrance as well as the vestibule area.

Mr. Lewis asked how flexible those spaces are that she enumerated with the public and the EV. Is there the potential to add more EV spaces if necessary if the need arises or are they pretty much set in stone? Responding to Mr. Lewis, Ms. Dunphy stated that she is going to pass that question to the architect.

Mr. Ridgely stated that the parking count is pretty fixed at this point. It has been designed in great detail. For the EV stations however, what they are doing is they have designed the power infrastructure to accommodate many EV stations within the building. However, the implementation of those EV stations is considered a future item so that's not in the scope currently. When the building is built, that will be something that the State is going to consider as a future project to install those.

Mrs. Maucher asked if the restricted parking is only for when they are in session or are those all

of the time? Responding to Mrs. Maucher, Mr. Ridgely stated that the area that is designated for Legislators is restricted all of the time. You need a special electronic key to get in.

Mr. Witham asked how many public spaces there would be again. Responding to Mr. Witham, Ms. Dunphy stated approximately 248 spaces.

Mr. Witham asked if those spaces were going to be open 24 hours a day. Responding to Mr. Witham, Mr. Ridgely stated no, the interior of the building will be closed at certain hours but they are actually finalizing how they are going to do that. There will be a parking attendant on staff within the building. There is an office right next to the public vehicle entrance that's on the south side or the bottom right as the rendering shows it. That entrance will have two overhead doors, one for entry and one for exit. Those doors can be closed so that the facility can be closed.

Mr. Witham stated that as you know, parking in this area has always been an issue because of the number of government offices including Court facilities that exist in this area. Although he is aware of the fact that there is a new Family Court Building that is going up just southwest of the Kent County Courthouse, that building is placed on a parking lot that was in existence prior to that construction. The Courthouse itself lost a lot of parking spaces. He speaks with some degree of experience given his background. Has the State considered the fact that, and he would urge the State to consider this, is to work out an MOU at some point with the Courthouse. Speaking as the Resident Judge, which he used to be, the Resident Judge is in charge of the Courthouse. Because of the fact they have a number of jury's that come on a regular basis, we always have problems with parking. That is why he asked about the public spaces. He urges something to be worked out with the Courts with respect to some use of the public spaces if that's possible. Responding to Mr. Witham, Mr. Ridgely stated thank you that is noted.

Mrs. Welsh stated that while she was reading the proposal and with the discussion tonight just now about the parking lot being closed at certain times, she believes that in the Report it said that it is basically going to be closed when the Legislature was not in session which is approximately 6 months. Has there been any consideration about security when it's not in use? She has a little glimmer of concern about vandalism to the facility. It is a beautiful design and it looks great with Legislative Hall. She thinks it's totally in tune with the historical feel of the Capital Complex. She is just thinking about something that is not attended to for 6 months. Responding to Mrs. Welsh, Mr. Ridgely stated that is a great question. They have spent a lot of time thinking about security here. They are going to have a full security system with cameras and the egress doors will have no hardware on the exterior. One of the challenges that they had to face architecturally was in order to be a parking garage, there is a minimum open area requirement for the building. What you see here with the windows, there will actually not be glazing in most of those windows. They will look like a window with muntins and the trim and all of that but behind it will be a wire mesh for security and safety. The muntins will be reinforced with steel cables to prevent vandalism. They appear to be a Federalist style window but they are actually open air. Regarding security, Capital Police is across the street and they will have 24/7 monitoring of the interior of the facility. They will have a parking attendant on staff at all times when it's open.

Mrs. Welsh stated that the window idea is kind of clever and she likes that idea. Responding to Mrs. Welsh, Mr. Ridgely stated thank you. They had to come up with some clever ideas to keep it in context. Parking garages are typically built of pre-cast concrete but they are applying the

brick within the manufacturing process of that pre-cast and then they are adding detail like the decorative cornices and synthetic slate roofing and trim around the entrances to match the context of the Federalist style.

Mrs. Welsh asked if the exterior walls were going to be pre-fab concrete with a brick motif on the outside. Responding to Mrs. Welsh, Mr. Ridgely stated that was correct.

Mrs. Maucher that Legislative Mall can be reserved for special events. Again, the parking issues and having a perfectly good parking structure closed and not available for events (is a concern). She would presume that the Credit Union customers would be using that as well since you are taking part of their parking. She just wonders how it is intended to work. Responding to Mrs. Maucher, Mr. Ridgely stated that he and Ms. Dunphy are not very involved in the operation that will take place after it's built. Their jobs are to design it. But their understanding is that the public will be exactly that; for public use. When the doors are open, on the public side there is not designed an arm that comes down and you have to pay inside. It is actually free.

Mr. Lewis asked if the Legislators would be required to park in there. Responding to Mr. Lewis, Mr. Ridgely stated that he doesn't believe that they are required to but there will be some advantages to parking in there. There is a second project which the Commission will see in the coming months where they are designing an addition to Legislative Hall. Part of that project is an underground tunnel that connects this building to Legislative Hall.

Mr. Lewis stated that he asked that is because if they were to be required to park there, that would leave a lot of open spaces where they currently park. There are labeled diagonal spaces on Martin Luther King Jr. Boulevard North that would open up that whole road.

Mr. Witham stated that he suspects that the underground tunnel will be a great incentive for them to use the parking garage. Responding to Mr. Witham, Mr. Ridgely stated that he suspects that he is correct.

Mr. Witham opened the public hearing.

Mr. Ryan Dunphy – Delaware Senate – 411 Legislative Avenue Dover, DE 19901

Mr. Dunphy stated that he has nothing to add, he just wants to thank Ms. Dunphy and Mr. Ridgely on all of their work on this project. They look forward to hopefully moving this project forward and thanks the Commission for their time.

Mr. Witham closed the public hearing.

Mrs. Welsh moved to approve S-24-14 Legislative Hall Parking Garage at 425 East Avenue as presented. It is a much needed facility and the design is flawlessly incorporated into the design of the Legislative Hall. She is very pleased to see that and she hopes it's done down to the miniscule brick as it's proposed. She would also like to comment that the project was subject to HI-24-04 of the Historic District Commission's review and recommendation on the Architectural Review Certification and V-24-01 for the Board of Adjustment review and approval as noted.

Mr. Witham stated that he assumes Mrs. Welsh's motion includes approval of the variances

related to the development in the Flood Plain area. Responding to Mr. Witham, Mrs. Melson-Williams stated that the variances were granted. It basically allows for the Planning Commission to except a lesser amount of reduction in the impervious surface coverage.

Mr. Witham asked if it should be part of this motion or a separate motion. Responding to Mr. Witham, Mrs. Melson-Williams stated that it can be part of this motion for the Architectural Review Certificate, your motion would need to include the Final Action on that. She thinks Mrs. Welsh referenced the action taken by the Historic District Commission, but the Final Action on an Architectural Review Certificate in this case is the Planning Commission.

Mr. Witham further asked if they were going to add on the Waiver of the area. Responding to Mr. Witham, Mrs. Melson-Williams stated that there are two Waivers related to area. One is really tied into the Architectural Review Certification which allows the placement of the building closer to the street frontage than the typical setback in the IO (Institutional and Office Zone). The other one is related to the impervious surface that will remain in the Flood Plain area. She thinks that if you are referencing their Application as presented, that would be accepting both of those.

Mrs. Welsh moved to approve S-24-14 Legislative Hall Parking Garage at 425 East Avenue as presented. It is a much needed facility and the design is flawlessly incorporated into the design of the Legislative Hall. She is very pleased to see that and she hopes it's done down to the miniscule brick as it's proposed. She would also like to comment that the project was subject to HI-24-04 of the Historic District Commission's review and recommendation on the Architectural Review Certification and V-24-01 for the Board of Adjustment review and approval as noted, seconded by Mrs. Denney and the motion was carried 8-0 by roll call vote with Mr. Roach absent. Mrs. Welsh voting yes; for reasons stated in the motion. Mr. Lewis voting yes; he would like to thank the presenters for this rendering they provided. It is very helpful in imagining the project and thank you to Staff for their diligence for getting us the information as quickly as possible. Mrs. Maucher voting yes; based on DAC Comments. Mrs. Denney voting yes; this is a well-planned and well thought-out project and it's rewarding to see that this will be coming here. Mr. Baldwin voting yes. Dr. Jones voting yes. Mr. Reaves voting yes; for reasons previously stated. Mr. Witham voting yes; based upon the DAC Comments plus the information heard today from the applicant. He thinks that this is a wonderful project and the design is superb. It is well within the Historic District and he is sure that this design will give the other projects a standard to follow in terms of the looks and presentation.

NEW BUSINESS

Annual Meeting of the Planning Commission (Nomination and Election of Officers and Appointments to Subcommittees)

Mrs. Melson-Williams stated that on the Agenda there was an update on the appointment of the Architectural Review Oversight Subcommittee of the Planning Commission, specifically the update on the design professionals. There were two individuals suggested as design professionals to join the appointed Planning Commission members on this Subcommittee. Planning Staff did reach out to Dr. RJ Chandler and Ms. Sarah Keifer in regards for an opportunity for them to serve as design professionals on that Subcommittee. She has heard back from Dr. Chandler who

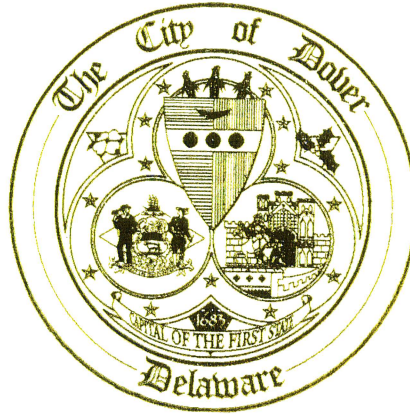
said yes so she can report that he is interested in continuing to serve. She will report in the future when she hears back from Ms. Keifer regarding that. At this point, it is really an update. Those are the people that the Commission members suggested as part of the action taken at the August meeting.

Mrs. Welsh moved to approve the appointment of Dr. Chandler to the Architectural Review Oversight Subcommittee, seconded by Mrs. Maucher and the motion was carried 8-0 by voice vote with Mr. Roach absent.

Meeting adjourned at 10:03 PM.

Sincerely,

Kristen Mullaney
Secretary



PROCLAMATION

***WHEREAS**, change is constant in every community and affects all of us and planners help navigate this change through insights and expertise that assist in providing better choices for how we work and live; and*

***WHEREAS**, community planning provides an opportunity for all residents to be involved in making choices that determine the future of their community and requires public officials and citizens who understand, support, and demand excellence in plan development and implementation; and*

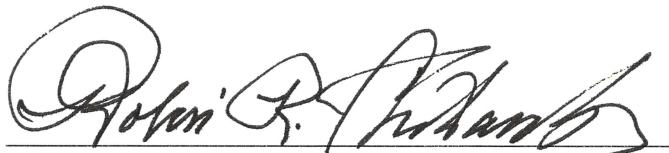
***WHEREAS**, the American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions of planners who are uniquely qualified to identify solutions to our community's difficult housing, transportation and land use questions; and*

***WHEREAS**, the celebration of Community Planning Month gives us the opportunity to recognize the participation and dedication of appointed planning commission members as well as the valuable contributions of our planning staff including their continued commitment to public service.*

***NOW THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE**, do hereby proclaim the month of October 2024 as*

COMMUNITY PLANNING MONTH

in the City of Dover and encourage all citizens to join me in recognizing the participation and dedication of the staff of the City of Dover Department of Planning and Inspections and their help in creating a community with lasting value.


 ROBIN R. CHRISTIANSEN
 MAYOR

C-24-02 Luther Village IV: Planned Neighborhood Design – Senior Citizen Housing Option on Babb Drive – Update on Waiver Request for Elimination of Rear Emergency Access:

The Planning Commission on September 16, 2024 granted conditional approval of the Conditional Use Site Plan/Master Plan for the development of Luther Village Planned Neighborhood Design – Senior Citizen Housing Option consisting of up to 524 age-restricted apartment units in a total of nine phases and including approval of a series of Alternative Design Standards, Waiver Requests, and recommended approval of Subdivision Waiver Requests. Action was deferred on the Waiver Request for the Elimination of Rear Emergency Access. The Master Plan was previously established by Applications C-02-02 and C-13-03 and Luther Village Phases I, II, and III have been constructed. The plan for Phase IV consists of the construction of a three-story apartment building with 72 units (age-restricted) and associated site improvements. The plan also includes a Minor Subdivision to create a 2.79 acre+/- parcel for Phase IV from the overall 33.63 acre +/- tract. The property is zoned RG-2 (General Residence Zone). The property is located east side of John Hunn Brown Road and on the west side of Babb Drive. The owner of record is Martin Luther Foundation of Dover, Inc. Property Address: 101 Babb Drive. Tax Parcels: ED-05-077.06-02-90.00-000, ED-05-077.06-02-90.01-000, ED-05-077.06-02-90.02-000, and ED-05-077.06-02-90.03-000. Council District 2. *Approved Alternative Design Standards for PND: Building Setback from Property lines, Building Spacing, Building Height, Number of Stories, Average Number of Dwelling Units Per Building, Off-Street Parking Reduction. Approved Waiver Requests: Partial Elimination of Curbing and Reduction of Bicycle Parking. Subdivision Waiver Requests (Recommended for Approval): Waiver of Requirement for Two Connections to a Public Street and Waiver of Requirement for Lot Frontage on a Public Street.*

The following Items are provided:

- Original Development Advisory Committee Report with Comments, Waiver Requests, Site Plans, and Architecture as distributed for the September 16, 2024 Planning Commission Meeting.
- The Applicant had discussions with the City's Office of the Fire Marshal and as a result has chosen to withdraw the Waiver Request for the Elimination of the Rear Emergency Access. See attachments:
 - Letter of Waiver Request Withdrawal dated October 8, 2024
 - Site Plan Sheet depicting plan for rear emergency access (installation of subgrade emergency access lane).



October 8, 2024

C 1243-7

Planning Commission
City of Dover, Delaware
15 Loockerman Plaza
Dover, DE 19901

**SUBJECT: LUTHER VILLAGE, SUBGRADE EMERGENCY ACCESS LANE
DOVER DELAWARE**

To Whom It May Concern:

I am writing to formally rescind the waiver request heard at the September 16, 2024 Planning Commission Meeting regarding the requirement to install a Subgrade Emergency Access Lane behind the building in Phase 4 of Luther Village. The request was tabled at the meeting until further discussion with the Dover Fire Marshal's office could occur. After this discussion, it has been agreed that Phase 4 of the Luther Village project will install the Subgrade Emergency Access Lane, in accordance with all applicable code requirements. This will be ensured by way of the Dover Fire Marshal's Office's approval of the plan.

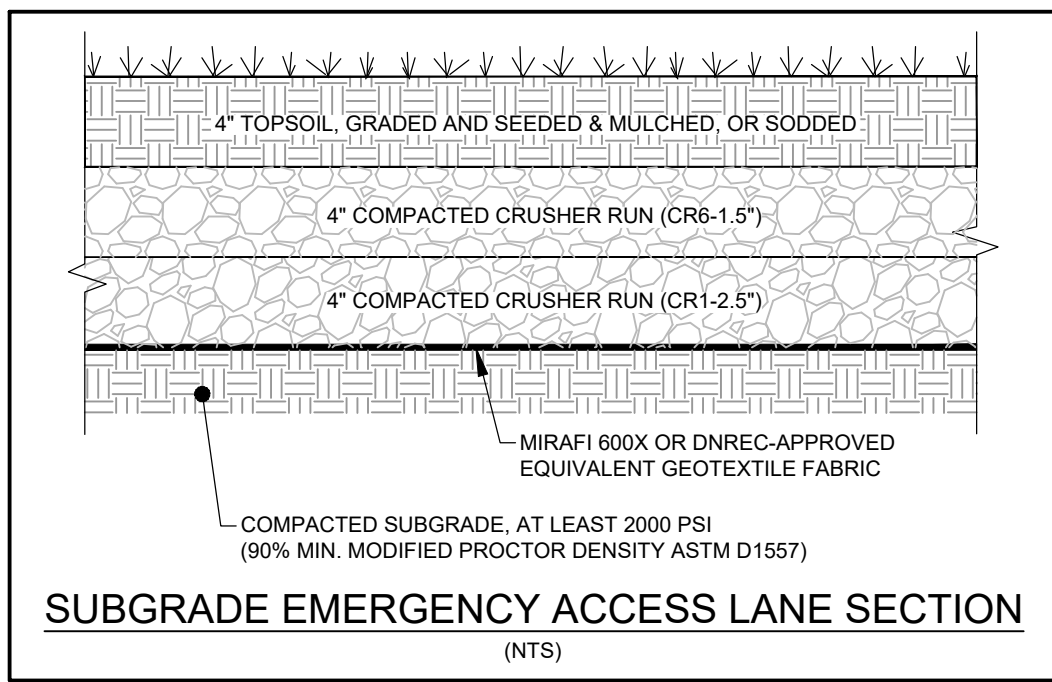
Please do not hesitate to contact my office with any inquiries.

Very truly yours,

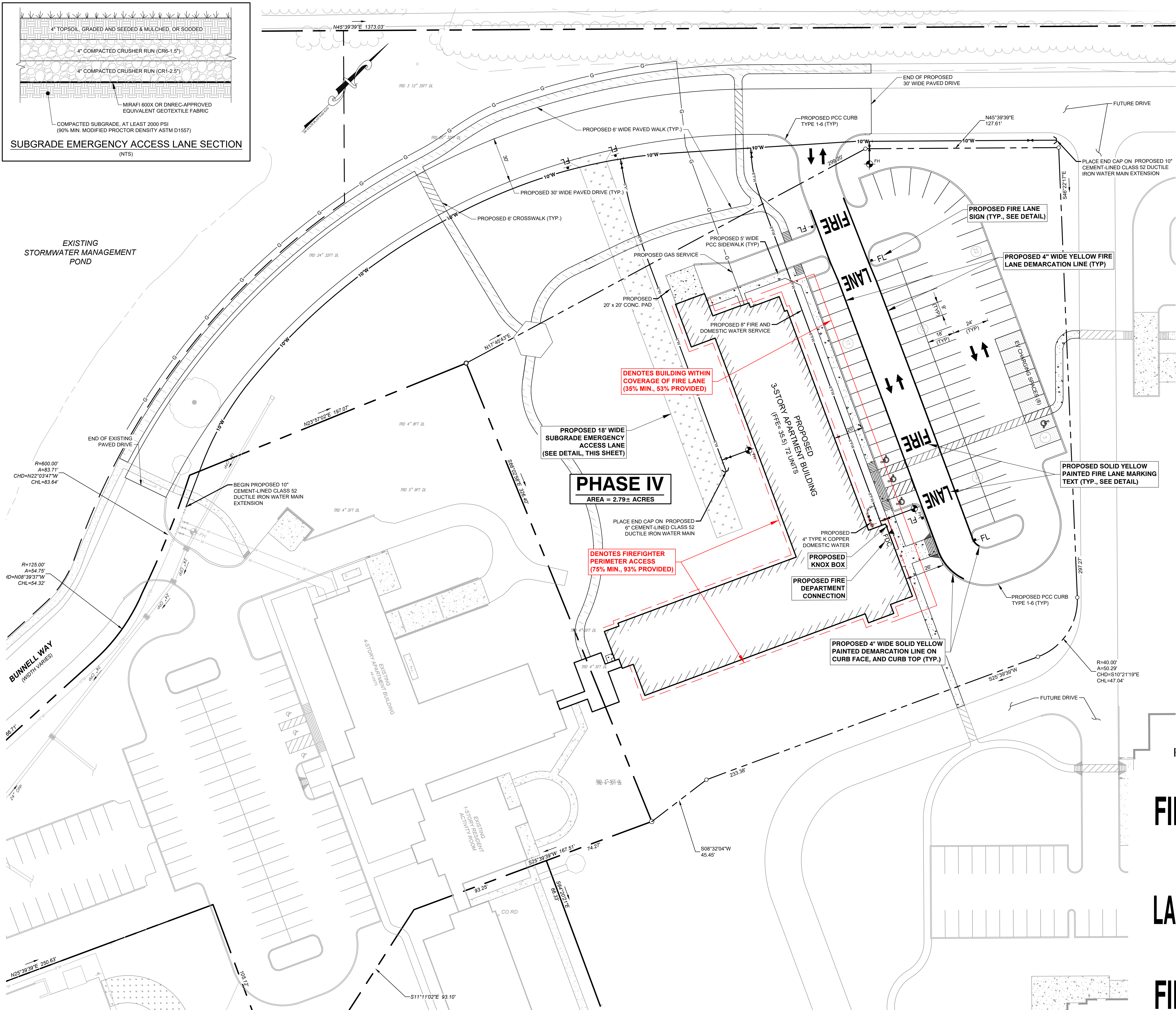
A handwritten signature in blue ink, appearing to read "CML", is written over a faint, larger blue signature.

Craig M. Lynch, P.E.
Project Engineer

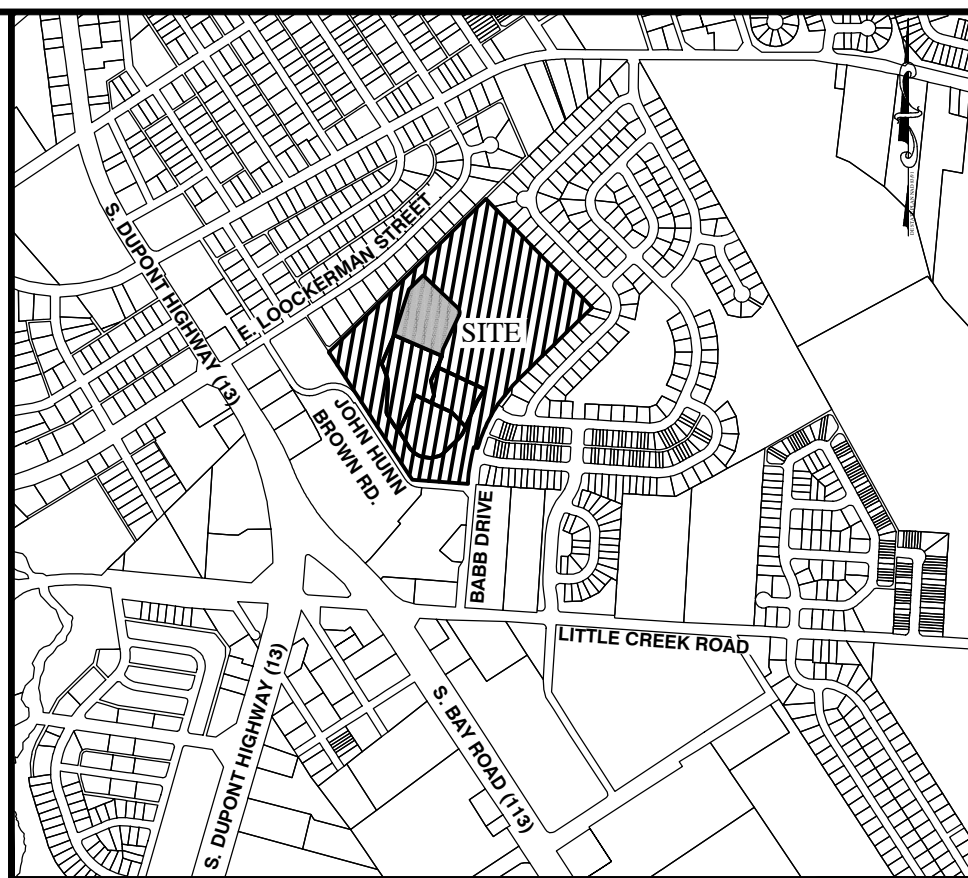
cc: Richard J. Murphy, Board President, Martin Luther Foundation of Dover, Inc.



EXISTING
STORMWATER MANAGEMENT
POND



PLAN VIEW
SCALE 1" = 30'



LOCATION MAP
1" = 1200'

GENERAL DATA:

- TAX PARCEL NUMBERS: 05-77-06-02-90-00, 05-77-06-02-90-01, 05-77-06-02-90-02
- POSTAL ADDRESS: 400 BABB DRIVE
- GROSS AREA: 33.63± ACRES
- BUILDING USE: SENIOR CITIZEN APARTMENTS
- CITY OF DOVER
- PROP. BLDG. HEIGHT / HEIGHT OF HIGHEST FLOOR: 42'-9 1/2' / 21'-4 1/2'
- BUILDING CONSTRUCTION TYPE: 2B
- BUILDING AREA TOTAL: 58,185± SF
- FIRST FLOOR: 20,205± SF
- SECOND FLOOR: 18,990± SF
- THIRD FLOOR: 18,990± SF
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS AND PER THE APPROVED FIRE MARSHAL RECORD TYPE PLAN.
- PROPOSED BUILDING WILL HAVE AN AUTOMATED SPRINKLER SYSTEM.
- A LOCK BOX CONTAINING KEYS FOR FIRE DEPARTMENT ACCESS TO AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED. CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND SEE PLAN FOR LOCATIONS OF BOX ON THE BUILDING OR PLACE AS DIRECTED BY FIRE CHIEF.
- ALL STANDPIPE AND SPRINKLER CONNECTIONS SHALL BE MARKED AND IDENTIFIED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS PART V, SECTION 5-11.
- FIRE HYDRANTS SHALL BE COLOR-CODED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS, PART III, SECTION 3-4.
- ALL PROPOSED FIRE HYDRANTS AND WATER MAINS SHALL BE INSTALLED IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE DELAWARE STATE FIRE PREVENTION REGULATIONS (DSFPR REGULATION 702, CHAPTERS 6 & 7).
- ALL REQUIRED MEANS OF EGRESS SHALL HAVE AN EXIT DISCHARGE CONSISTING OF NON-SLIP SURFACE, AND LEADING TO AND TERMINATING AT A PUBLIC WAY.

LEGEND

- PROPOSED PCC CURB TYPE 1-6
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- PROPOSED FIRE LANE COVERAGE
- PROP. SIGN FOR SUBGRADE EMERG. ACCESS

OWNER/DEVELOPER:
MARTIN LUTHER FOUNDATION OF DOVER, INC.
430 KINGS HIGHWAY
DOVER, DE 19901
(302) 674-1408

APPLICANT:
LANDMARK SCIENCE & ENGINEERING
200 CONTINENTAL DRIVE, NEWARK, DE 19713

FIRE

LANE

FIRE

FIRE LANE MARKING DETAIL
(N.T.S.)



NOTES:

- THE SIGN SHALL HAVE A WHITE SCOTCHLITE BACKGROUND WITH RED SCOTCHLINE LETTERS, EXCEPT FOR THE WORD "NO" WHICH SHALL HAVE THE COLOR SCHEME REVERSED.
- ALL LETTERING SHALL BE 3 INCHES IN HEIGHT, EXCEPT FOR THE WORD "PARKING" WHICH SHALL BE 2 INCHES IN HEIGHT.
- THE SIGNS SHALL BE LOCATED AT EACH END AND 150' ON CENTER ALONG FIRE LANES.
- THE SIGNS SHALL BE LOCATED NO LESS THAN 6" BUT NO HIGHER THAN 8" ABOVE THE PAVEMENT.

TYPICAL FIRE LANE SIGN
(N.T.S.)

CHECKED CML		REVISIONS		1. ADD ADDITIONAL HYDRANT BEING BUILT	
FIRE MARSHAL RECORD TYPE PLAN FOR LUTHER VILLAGE IV CITY OF DOVER - EAST DOVER - HUNDED - KENT COUNTY, DELAWARE					
OWNER/DEVELOPER MARTIN LUTHER FOUNDATION OF DOVER, INC. 430 KINGS HIGHWAY DOVER, DE 19901 (302) 674-1408					
200 CONTINENTAL DRIVE NEWARK, DE 19713 PHONE (302) 323-9377 WWW.LANDMARK-SE.COM INFO @ LANDMARK-SE.COM					
P.O. BOX 299 PERMITSVILLE, MD 21853 PHONE (410) 326-1993 FAX (410) 323-9461 INFO @ LANDMARK-SE.COM					
Landmark Science & Engineering					
THIS DRAWING DOES NOT INCLUDE CONSTRUCTION SAFETY ALL CONSTRUCTION MUST BE DONE IN ACCORDANCE WITH THE THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA) 29 CFR 1910.1000 AND THE FEDERAL REGISTER THE RULES AND REGULATIONS THEREOF APPLICABLE					
DRAWN BY: RWS	SCALE: 1" = 30'	DESIGN BY: CML/RWS	DATE: 10/07/2024	CHECK BY: CML	SHEET: CF-01 OF 01
GRAPHIC SCALE 0 15 30 60				COMMISSION: C1243-7	
NAME: Fire & Water.dwg				CF-01	
124 LANDMARK SCIENCE & ENGINEERING					



DATA SHEET FOR CONDITIONAL USE SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF September 4, 2024

PLANNING COMMISSION MEETING OF September 16, 2024

Plan Title:	Luther Village Phase IV Luther Village Planned Neighborhood Design – Senior Citizen Housing Option C-24-02
Plan Type:	Conditional Use Site Plan Master Plan and Site Plan Phase IV Minor Subdivision Plan for Phase IV
Associated Plans:	C-02-02 Conditional Use Master Plan for PND-SCHO S-03-07 Luther Village PND-SCHO: Phase 1 S-07-10 Luther Village PND-SCHO: Phase 2 C-13-03 Luther Village PND-SCHO: Master Plan and Phase 3 C-19-05 Luther Village Parking Lot Expansion
Owner:	Martin Luther Foundation of Dover, Inc.
Site Area:	Luther Village Total Area – 33.63 +/- acres Phase 4 – 2.79 acres (proposed parcel)
Present Use:	Planned Neighborhood Design Senior Citizen Housing Option Residential (Phases 1, 2, and 3 - Apartment Buildings and Resident Activity Room Building) Agricultural Land
Proposed Use:	Same with Phase IV – Apartment Building and Amenity Building Connection
Overall Project:	Planned Neighborhood Design Senior Citizen Housing Option Apartment Buildings with Town Center building Nine Phases: 8 Apartment Buildings (up to 524 units) Resident Activity Room Building (3,566 S.F.) in Phase 3 Town Center Building (16,000 +/- S.F.)
Number of Dwelling Units:	Phase 1 (complete) - 68 dwelling units (1 apartment building) Phase 2 (complete) - 32 dwelling units (1 apartment building) Phase 3 (complete) - 48 dwelling units (1 apartment building) Total Built - 148 dwelling units Phase IV proposed at 72 dwelling units (1 apartment building) Total of all phases – 477 dwelling units shown (524 authorized)

Off Street Parking: Phase 1 – 68 parking spaces including 3 handicapped, 1 loading space
 Phase 2 – 36 parking spaces including 3 handicapped, 1 loading space
 Phase 3 – 68* parking spaces including 3 handicapped, 1 loading space
 (*3 spaces removed for pedestrian access route – new total to be 65 spaces)
 Parking Lot Expansion – 34 parking spaces including 2 handicapped
Phase IV – 82 parking spaces including 4 handicapped, 1 loading space
 Future Phases - 290 parking spaces including 13 handicapped, 4 loading spaces

Sewer & Water City of Dover

Zoning Classification: RG-2 (General Residence Zone)
 PND-SCHO (Planned Neighborhood Design: Senior Citizen Housing Option)

PND Considerations: Alternative Design Standards Approved Previously for PND:
 Building Setback from Property Line (Side and Rear)
 Building Spacing
 Building Height
 Number of Stories
 Average Number of Dwelling Units Per Building
 Off-Street Parking Reduction

Waivers Requested: Partial Elimination of Upright Curbing
 Reduction of Bicycle Parking
 Elimination of Rear Emergency Access

Subdivision Waivers Requested: Wavier of Requirement for Two Connections to a Public Street
 Waiver of Requirements for Lot Frontage on a Public Street

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: September 4, 2024

APPLICATION: Luther Village Phase IV - Luther Village Planned Neighborhood Design: Senior Citizen Housing Option

FILE #: C-24-02REVIEWING AGENCY: City of Dover PlanningCONTACT PERSON: Dawn E. Melson-Williams, AICPPHONE #: (302) 736-7196

I. PLAN SUMMARY:

Application C-24-02 is for Review of a Conditional Use Site Plan/Master Plan for the development of Luther Village Planned Neighborhood Design – Senior Citizen Housing Option consisting of up to 524 age-restricted apartment units in a total of nine phases. The Master Plan was previously established by Applications C-02-02 and C-13-03 and Luther Village Phases I, II, and III have been constructed. The plan for Phase IV consists of the construction of a three-story apartment building with 72 units (age-restricted) and associated site improvements. The plan also includes a Minor Subdivision to create a 2.79 acre+/- parcel for Phase IV from the overall 33.63 acre +/- tract. The property is zoned RG-2 (General Residence Zone). The property is located east side of John Hunn Brown Road and on the west side of Babb Drive. The owner of record is Martin Luther Foundation of Dover, Inc. Property Address: 101 Babb Drive. Tax Parcels: ED-05-077.06-02-90.00-000, ED-05-077.06-02-90.01-000, ED-05-077.06-02-90.02-000, and ED-05-077.06-02-90.03-000. Council District 2. *Consideration of Alternative Design Standards for PND: Building Setback from Property Lines, Building Spacing, Building Height, Number of Stories, Average Number of Dwelling Units Per Building, Off-Street Parking Reduction. Waivers to be Requested: Partial Elimination of Upright Curbing, Reduction in Bicycle Parking Requirement, and Elimination of Rear Emergency Access Requirement. Subdivision Waiver Requests: Waiver of Requirement for Two Connections to a Public Street and Waiver of Requirement for Lot Frontage on a Public Street.*

The phase of the project was recently the subject of MI-24-06 Luther Village IV: PND-SCHO Concept Plan considered at City Council in June 2024 for Referral to the Planning Commission.

Previous Applications:

The subject site for Luther Village is located east of John Hunn Brown Road and west of the continuation of Babb Drive in Dover, Delaware. This area is northeast of and adjoining the Dover Crossing Shopping Center (Target and Safeway). The subject site was originally part of a 122.3+/- acre property previously proposed as the Amberfield Subdivision. A Minor Lot Line Adjustment Plan recorded on May 30, 2002 created a thirty-four (34) acre parcel for the Luther Village PND: Senior Citizen Housing Option project. The remaining area was later approved for

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a separate residential development with the application for Clearview Meadow: Planned Neighborhood Design (C-04-01 and SB-04-04).

The Master Plan (C-02-02) approved by the Planning Commission in June 2002 and the updated Plan (C-13-03) approved in May 2013 established the Luther Village Planned Neighborhood Design-Senior Citizen Housing Option Plan to encompass a total of nine (9) development phases with eight (8) apartment buildings and a town center building for the senior citizen community. The Planning Commission subsequently has reviewed each phase of construction and three phases are completed to date. Luther Village Phase 1 (Application S-03-07) involved the southwest portion of the Luther Village site for a 68-unit three story apartment building, an active recreation walking trail area and with the stormwater management located in the northwest corner of the site. Luther Village Phase 2 (Application S-7-10) consists of a 32-unit two story apartment building. Luther Village Phase 3 (Application C-13-03) consists of a 48-unit four story apartment building and a one story 3,566 SF resident activity room building. The buildings are interconnected.

Application C-19-05 involved construction of an additional parking lot on the Luther Village Phase 3 parcel. The parking lot identified for guest parking takes access from the on-site loop road. It is to consist of thirty-four (34) parking spaces including two handicapped spaces. The project includes an identified pedestrian connection to the Phase 3 apartment building and the Resident Activity Room Building.

II. PROJECT DESCRIPTION

Application (MI-24-06) at City Council on June 10, 2024:

Due to lack of recent construction activity, the Plan approval for the overall Master Plan for the Luther Village Planned Neighborhood Design-Senior Citizen Housing Option has lapsed. The MI-24-06 submission restarted the process for approval of the project Master Plan with a Sketch Plan Narrative Letter dated May 21, 2024 and a Concept/Sketch Plan set showing the overall Luther Village PND-SCHO (as existing and proposed). MI-24-06 depicted the layout for continuation of the internal loop drive, the existing and proposed apartment buildings, a town center building, parking, stormwater management, walking trails systems, etc. MI-24-06 was reviewed by City Council on June 10, 2024 with action taken to refer it on for Planning Commission review.

Conditional Use Site Plan/Master Plan C-24-02:

The Luther Village Planned Neighborhood Design-Senior Citizen Housing Option Project. continues to encompass a total of nine (9) development phases with eight (8) apartment buildings and a town center building for the senior citizen community. The project was previously approved for 524 apartment units; this Plan shows 477 apartment units. Each phase typically consists of an apartment building, associated parking lots, stormwater management elements, active recreation areas such as walking trails, and open space landscaping. The Master Phasing Plan on Sheet CR-01 (dated 8/1/2024) also depicts the layout for continuation of the internal loop drive, apartment buildings, town center building, parking, stormwater management, etc. for the entire site.

This application also provides the details for Phase IV (4). For Luther Village Phase IV, a 72 unit (age restricted) three story apartment building with a three-story resident amenity room building

is proposed which connects Phase IV to the Phase 3 Building.

III. ZONING REVIEW

The PND: Senior Citizen Housing Option is permitted all zoning classifications (with the exception of the M, IPM and C-4 zoning classifications) as a conditional use. Article 3 §24.1b notes that “preference shall be given to those projects which are within close proximity to public transit services, and which are situated within one-quarter (1/4) mile of a grocery store, pharmacy, restaurant, physician offices, senior center or similar convenience service establishment.” The PND: Senior Citizen Housing Option is intended to “...encourage the development of high-quality housing opportunities design to accommodate the particular needs of senior citizens” by allowing the Planned Neighborhood Design Option through the Conditional Use process. The PND must present a community design that is in accordance with the goals and policies of the Comprehensive Plan.

Review Process for Planned Neighborhood Design: Senior Citizen Housing Option:

The applicant is seeking an approval under the Planned Neighborhood Design Ordinance for the Senior Citizen Housing Option (see *Zoning Ordinance*, Article 3, Section 24.1 (b)). The Ordinance sets forth a two or three-step review and approval process. In the first step, the developer meets with the City Council and presents a general sketch plan to determine whether or not the proposed project is of such a design and type that warrants further review by the Planning Commission.

On June 10, 2024, the City Council reviewed project and determined that further review is warranted. The second step is a more detailed Conditional Use Site Plan review and public hearing process before the Planning Commission. (Note: A third review step with the Planning Commission may be required depending on the type, physical size, and complexity of the project application. This is not required for this project.) The submittals of site development plans to the Planning Commission for each phase of the project are reviewed for consistency with the approved Master Plan (Conceptual Plan).

The current application to the Planning Commission represents the second step in the review process for the Luther Village PND-SCHO to re-establish the Conditional Use/Master Plan and for the review of the specific Site Plan Review for Phase IV. The Master Plan was previously approved with Applications C-02-02 and C-13-03.

It is important to keep in mind that a PND proposal does not involve a rezoning of the land. The Planned Neighborhood Design – Senior Citizen Housing Option is plan specific. The land would remain zoned RG-2 (General Residence Zone). The PND option allows for a greater variety of housing types and allows for commercial uses while requiring open space. Also, by the *Zoning Ordinance* provisions, in the PND: SCHO the units shall be deed restricted to require that the head of household for each housing unit be at least 55 years of age or older.

Comprehensive Plan Recommendations

The City of Dover 2019 *Comprehensive Plan as amended* recommends that this property be utilized for Residential High Density development. As described in the *Comprehensive Plan*, High

Density involves a development pattern of eight or more dwelling units (pages 12-6 and 12-7). The Luther Village project is noted as an example of development for Residential High Density. The proposed Luther Village project involves a site density of over 14 dwelling units per acre.

The *Comprehensive Plan* also establishes stated goals for various types of land uses within the City limits. The stated goal for Residential Land Uses is “to develop and maintain an adequate supply of housing of varying type, size, and densities that are aesthetically pleasing and located within neighborhoods designed or redesigned to promote convenience, conservation, and access to the greater community, but which are properly buffered through distance and landscaping from incompatible land uses” (see page 12-3). A Policy is to “encourage high density residential development in infill areas that are near essential services, public transit, and employment opportunities.” One of the goals outlined in Chapter 11 – Housing & Community Development is to “Encourage Balanced Housing Opportunities for all Residents of the City” which also includes references to affordable housing.

The *Comprehensive Plan* also acknowledges the fact that the residents aged 65+ is a rapidly growing segment of the population that will require more specialized services (page 3-5). This trend was also identified in previous Comprehensive Plans and in response, a previous Comprehensive Plan implementation strategy recommended the development of a Zoning Code amendment permitting Senior Citizen housing developments near the community services and transit routes that senior citizens depend upon. As a result, the Planned Neighborhood Design: Senior Citizen Housing Option Ordinance was developed and adopted by City Council on July 14, 1997. Multiple projects have utilized these provisions including the Luther Village project’s Phases 1, 2, and 3. This project for Luther Village IV is being developed following the Senior Citizen Housing Option of the Planned Neighborhood Design.

IV. MASTER PLAN REVIEW DETAILS

Master Plan of Luther Village PND: SCHO Site

This project proposes to develop 33.63 acres +/- with a series of eight (8) apartment buildings and a two-story town center building for the senior citizen community. This continuation of the Luther Village PND-SCHO project proposes the construction of apartment buildings as the housing unit style. Overall, this complex would provide up to 524 dwelling units. The phasing plan provides the following details for the complex:

Phase	1 Complete	2 Complete	3 Complete	IV (4) Proposed	5	6	7	8	9	TOTAL SHOWN	Other	Total
Number of units (Apartment units)	68	32	48	72	Town center	68	63	63	63	477	47 Pending	524
Parking Spaces (Handicapped Spaces)	68 (3)	36 (3)	68 (3) + 34 parking expansion	82 (3)	33 (2)	68 (3)	63 (3)	63 (3)	63 (3)	578 (26)	Pending	578
Loading Space	1	1	1	1	0	1	1	1	1	8	-----	8

Site Layout:

The apartment buildings are arranged in two main areas: four scattered interconnected buildings (Phases 1-4) and a quad of buildings and the two-story town center building facing a central open courtyard space (Phases 5-9). A series of sidewalks and walking paths link the buildings of the site. Several of the future buildings are connected by elevated, enclosed walkways. Currently, the Phase 1, 2, and 3 Buildings are connected with a first floor passageway. The Phase 3 Apartment Building has a one-story resident Activity Building connecting to the Phase 2 Building. The Phase 4 Building will connect to the Phase 3 Building with a three-story Resident Amenity Building. A perimeter loop road provides circulation around the complex. A secondary connector road divides the two main areas of buildings providing direct access to the Town Center building (Phase 5). Each building phase includes a parking lot area and open space areas for landscaping. One stormwater management area has been constructed at the northwest corner of the property. A second management area is to be located in the eastern quad of buildings.

Project Density:

With the Senior Housing Option, the “project density shall be generally compatible with the development pattern and existing or potential zone densities of the surrounding area.” The Master Plan for this project shows a site density of 14.2 dwelling units/acre (477 dwelling units on 33.63 acres). Previously, it was approved for up to 524 dwelling units for a site density of 15.6 dwelling units/acre. Article 3 §24.47 states that “the applicant shall demonstrate to the satisfaction of the planning commission that the project density proposed is compatible with the development pattern and density potential of the surrounding area.” The project adjoins commercial development to the west which includes a grocery store, general merchandise store, and several restaurants. Surrounding residential areas include single family dwellings in the Edgehill neighborhood (2.5 dwelling units/acre) and County Village Apartments (15.3 dwelling units/acre). The adjacent Clearview Meadow subdivision which includes single family, duplex, and townhouse units proposed a project density of 3.43 dwelling units/acre. The existing Luther Towers complex on Kings Highway has a site density of 34.2 dwelling units/acre.

Request for PND: Alternative Design Standards

This Plan seeks to continue with adjustments to the required design standards of a Planned Neighborhood Design: Senior Citizen Housing Option. Article 3 §24.5 of the *Zoning Ordinance* permits the Planning Commission to grant such adjustments and reads as follows:

Article 3 §24.5. The design standards and dimensional requirements (bulk and parking regulations) shall be in accordance with article 4, sections 4.10 and 4.11, except that the planning commission may relax any of these requirements where the developer can demonstrate that such action is desirable and consistent with the objectives of this ordinance and the comprehensive plan.

The following table presents the Design Standards of the *Zoning Ordinance* for a Planned Neighborhood Design in comparison to the plan’s design for Alternative Design Standards for Luther Village. Luther Village is being developed with the conventional housing type of garden apartments thus Article 3 §24.52i refers to the bulk standards given in Article 4 § 4.11. (Note: Previously, it appears the project was considered as an assisted living facility under the

provisions of Article 3 §24.52ii. which includes different bulk standards.) **The Design Standards where adjustments are requested are highlighted.**

Housing Type	Garden Style Apartments	
	Required	Requested
Average Lot Area	1,800 S.F. per dwelling unit	1,800 S.F. per dwelling unit
Minimum Lot Area	1,800 S.F. per dwelling unit 1 acre per building	1,800 S.F. per dwelling unit 1 acre per building
Lot Width	100' per building	100' per building
Lot Depth	125' per building	125' per building
Off-Street Parking	2	1 per dwelling unit with extra parking available. See discussion of parking waiver request.
Building Setback from Street	50 feet	50 feet Not applicable (Applicant seeking wavier to allow lot without street frontage.)
Building Setback from Property Line Front Yard Setback Side Yard Setback Rear Yard Setback	50 feet	<50 feet Phase IV Apartment Building setbacks vary. They are 32 feet at a side yard and with 0 feet at the Amenity Building interconnection point.
Building Spacing	50 feet	<50 feet (estimated at 45 feet)
Building Height Number of Stories	35 feet 2 stories	Height noted at 43 feet 3 stories
Lot Coverage	60%	60%
Average Number of Dwelling Units Per Building	24	Average = 54.5 Proposed Complex consists buildings of 32, 48, 63, 68, and 72 units

V. CONDITIONAL USE REVIEW

With Conditional Use 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 Ordinance* which relate to the role of the Commission in reviewing Conditional Use applications are particularly relevant when reviewing this application:

ARTICLE 10. PLANNING COMMISSION

Section 1. - Approval of conditional uses.

On application and after public notice and hearing, the commission may authorize the issuance by the city planner of permits for any of the conditional uses for which this ordinance requires, in the district in which such use is proposed to be located. In approving any such use, 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 of the immediate neighborhood in particular, and may prescribe appropriate conditions and safeguards as may be required in order that the results of

its action may, to the maximum extent possible, further the expressed intent of this ordinance and the accomplishment of the following objectives in particular:

- 1.1 *Accessibility for emergency response.* That all proposed structures, equipment or material shall be readily accessible for fire, ambulance, police, and other emergency response;
- 1.2 *Harmony of location, size and character.* That the proposed use shall 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;
- 1.3 *Residential zones.* That, in addition to the above, in the case of any use located in, or adjacent to, a residential zone:
 - 1.31 The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, the said residential district or conflict with the normal traffic of the neighborhood; and
 - 1.32 The location and height of buildings, the location, nature and height of walls and fences, the nature and extent of landscaping, and other improvements on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

If the Planning Commission approves a Conditional Use, the use is granted as a Conditional Use Permit. Such permits may be permanent, subject to limitations outlined in *Zoning Ordinance*, Article 10 §1.41, or be required by the Commission to undergo periodic renewal, using the procedure described in Article 10 §1.42. Any Conditional Use Permit, permanent or not, may be revoked using the procedure described in Article 10 §1.43 if the conditions prescribed by the Commission in conjunction with the issuance of the Conditional Use Permit have not been, or are no longer being complied with.

Approved as Planned Neighborhood Design: Senior Citizen Housing Option project:

The Luther Village project was previously approved in 2002 and 2013 under the Planned Neighborhood Design Ordinance for the Senior Citizen Housing Option and a Master Plan for development established (see *Zoning Ordinance*, Article 3, Section 24.1 (b)); this was Application C-02-02 and C-13-03. A PND proposal does not involve a rezoning of the land; remains zoned RG-2 (General Residence Zone). Also, by the *Zoning Ordinance* provisions, in the PND: SCHO the units shall be deed restricted to require that the head of household for each housing unit be at least 55 years of age or older. As part of the PND: SCHO approval process a series of Alternative Design Standards were established related to the bulk standards addressing setbacks, spacing, off-street parking, building height, dwelling units per building, etc.

VI. BUILDING ARCHITECTURE

The plan submittal shows the architecture of the Phase IV Apartment Building. (See color renderings of elevations.) For Phase IV, the Apartment Building is a three-story apartment building consisting of 72 units. The existing buildings on the site are a three-story building

(Phase 1), a two-story building (Phase 2), and a four-story building (Phase 3). The overall massing of the brick building is L-shaped with a shingle hipped roof. The building elevations include projecting elements such as entrance canopies and dormers. The sets of windows are a combination of fixed and operational windows with the wall box unit for heating/air conditioning is found just below each window group. The main entrance to the building with gable roofed canopy is found adjacent to the parking area on the east elevation. The south elevation includes a glassed projection. The choice of exterior finish materials for the Phase IV building will follow those utilized in the construction of the other apartment buildings. The Amenity Building is proposed as a three-story building in a lighter color finish and a gable roof consisting of an open first floor and enclosed second and third floors to make the connection between the Phase IV to Phase 3 apartment buildings. The buildings adjacent to the project site include single family residential dwellings typically one to two stories in height and large-scale commercial buildings.

Emergency Rear Access Requirement for Phase IV Apartment Building Waiver Request

The *Zoning Ordinance* requires a 16-foot alley or an 18-foot secondary fire lane to provide emergency access to the rear of the three-story apartment building in Phase IV (Article 5 Section 17.5(a)). The applicant may request a waiver for elimination of this requirement. The building has fire protection requirements under the Fire Codes including the following: requiring that the building be sprinklered, a requirement for primary fire lane for the primary entrance and exit side of the building, and for fire lane coverage of a percentage of the building.

A written waiver request was submitted for consideration by the Planning Commission; see Letter from the applicant. The Planning Commission will make a recommendation to the Safety Advisory and Transportation Committee and City Council who has the final authority to grant the request for elimination of the rear emergency access for apartments. The rear emergency access provisions can also be met through a subgrade drivable surface with certain construction techniques and demarcation by evergreen plantings as described in the *Zoning Ordinance*.

VII. PARKING SUMMARY

For Consideration PND Alternative Design Standards: Parking Reduction

For the housing types of apartments, the requirement is based on a rate of two parking spaces per dwelling unit with 1 parking space per 200 SF of office space and 0.25 parking spaces per dwelling unit to serve as visitor spaces. For certain types of senior citizen housing facilities, the *Zoning Ordinance*, Article 3 §24.52ii notes that parking shall be provided for residents, visitors, and employees of the facility and that the applicant must demonstrate that the parking provided is sufficient.

Continuing to seek a parking reduction, the Luther Village PND Master Plan proposes a total 578 parking spaces for the entire complex at build-out. Parking is provided in each Phase with at least one parking space per apartment dwelling unit. See summary table earlier in this Report. With the previous Plan approvals, an Alternative Design Standard for parking was approval for a rate of one parking space per dwelling unit plus one space per 200 SF of floor area as offices and one space per 300 SF of meeting room area. A Request detailing the current request for a Parking Reduction was submitted seeking a ratio of approximately 1.15 spaces per dwelling unit.

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Parking Lot Expansion Project C-19-05

The Parking Lot Expansion project in 2019 added a total of 34 parking spaces with several existing parking spaces in the Phase 3 apartment building parking lot were displaced by the striping for a dedicated pedestrian path leading to the building.

Bicycle Parking

Waiver Requested: Reduction of Bicycle Parking

The project is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Based on the total of 578 parking spaces on this parcel, a total of twenty-nine (29) bicycle parking spaces are required. The Phase IV project area would require five (5) bicycle parking spaces based on its number of parking spaces in the new parking lot. As per *Zoning Ordinance*, Article 6 §3.10 the Planning Commission may consider a waiver request to reduce the bicycle parking requirement. Previously, the project received approval of a waiver to reduce the bicycle parking requirement. The written Waiver Request for a reduction in bicycle parking was submitted for consideration by the Planning Commission; see Letter. The Request notes that bicycle parking exists for the Phase 3 Building and will be provided with the Phase IV Building; however, overall it does not meet the bicycle parking rate based on total vehicle parking spaces in the complex as Buildings 1 and 2 do not have bicycle parking spaces.

VIII. SITE CONSIDERATIONS

Access/Streets

Access to the Luther Village site is provided via Babb Drive from John Hunn Brown Road or from the street network of the adjacent Clearview Meadow subdivision that also leads to Babb Drive. The main entrance (with divided median style entry) to the complex is off Babb Drive with internal site circulation provided by a loop road.

Request for Waiver of Requirement for Two Connections to a Public Street

With the creation of one hundred fifty (150) dwelling units, a second connection to existing streets must be shown (*Land Subdivision Regulations*, Article VI §A.8). With Phases 1-3 as constructed consist of 148 dwelling units and this proposal for Phase IV for 72 new apartment units would place the total unit count at 220 units. Phase 5A shows this second connection where in the future at the end of Babb Drive at the intersection with Nob Hill Road, a second access drive into the Luther Village complex will be constructed. The Plan includes a note listing the request for Waiver of the Requirement for Two Connections to a Public Street (Sheet CR-01: General Data, Note #21) and the Request was also made by Letter.

Sidewalks

The locations of sidewalks within the complex are shown. This project will add two sidewalk segments along the loop road to Phase IV to the sidewalk system along the loop road. There is also a sidewalk connection leading to the Amenity Building.

Waiver Request: Partial Elimination of Upright Curbing

Article 6 §3.6(b) requires upright curbing for all parking areas. It appears that the continuation of the loop road expansion does not incorporate curbing. A written waiver request for the elimination of curbing in these areas was submitted for consideration by the City Planner citing the reasons for the management of water runoff. The Phase IV Building parking lot area does include curbing.

Dumpster

A Dumpster pad site area appears to be located at the north end of the building. The Dumpster Rete for an Apartment complex or Apartment Building with over 10 units is that two Dumpsters are required for the first 48 apartments and one required for each additional 24 apartments or fraction thereof. Based on the unit count of apartments in Phase IV, three Dumpster units are required. With the configuration shown on the plan, the applicant is utilizing service by a private hauler for trash removal services.

IX. TREE PLANTING AND LANDSCAPE PLAN

The Plan shows limited information on the concept for tree planting and landscaping. Canopy trees line the complex loop road. There are existing trees at the property boundary lines and other onsite plantings include a mix of canopy trees and evergreen trees with ornamental trees. In the earlier project phases, trees are planned for the islands within each parking area and along the front facades of the buildings. Additional planting is composed around specific elements such as the resident gardens, croquet court, and pavilions. Other than the removal of select trees, the tree planting proposal for Phase IV is not shown.

Tree plantings are required at rate of one tree per 3,000 SF of development area. The specific tree counts to meet the tree density requirements will be reviewed for each phase. Also, evergreen plantings are required to outline the subgrade emergency access (fire lanes) locations in accordance with Article 5 §17.4d.

X. OPEN SPACE and RECREATION PLAN

The total Common Open Space for the overall Luther Village PND: SCHO project is required at a rate of 275 square feet per dwelling unit or 0.5 acre of land, whichever is greater. Based on 477 dwelling units shown, at total of 131,175 S.F. of common open space is required for the entire Luther Village PND: SCHO complex. (Note: For a total 524 dwelling units, 144,100 S.F. of common open space is required.) A variety of active recreational options are existing or are proposed for the complex such as a croquet court, walking path, resident gardens, and pavilions. The Town Center building found in the center of the complex may also provide space for activities. These recreational components of the Master Plan were previously reviewed and a recommendation provided by the Parks, Recreation & Community Enhancement Committee to the Planning Commission. Since no changes were proposed with this resubmission of the Master Plan, it was determined that review would not be necessary. If future phases of the Master Plan for the project are redesigned then review for recommendations will be necessary.

Phase 1 construction included the recreational amenities of a walking path, the croquet court, and garden. Phase 2 construction included a garden area immediately adjacent to the building for use by the residents. The Phase 3 included an extension of the walking path network further north along the loop road near the stormwater management pond and a terrace (patio) area near landscaping adjacent to the building. There are also several gazebos in the complex. A specific tally of Recreation Area must be provided to ensure that an area of 79,750 SF is provided (to several Phases 1-IV).

The Active Recreation Area for Phase IV will continue the walking path system, add a larger gazebo, and provide an Amenity Building. Specific review of the Active Recreation Area plans

for Phase IV by the Parks, Recreation & Community Enhancement Committee is not required at this time as its Active Recreation Area is already constructed, expands the existing path network, and includes the same amenities as previous phases.

XI. MINOR SUBDIVISION PLAN FOR PHASE IV

Request for Waivers: Street Frontage Requirement and Building Setbacks and Spacing

This Plan will require review a Minor Subdivision Plan with this Site Plan. It proposes to subdivide a 2.79-acre parcel from the remaining portion of the 33.63 acres of the overall Luther Village parcel. Similar parcels were created for Phase 1-3. This subdivision includes the Phase IV apartment building and the immediately surrounding area.

The proposed parcel must be reviewed for compliance with the bulk standards for items such as setbacks, lot size, etc. This plan seeks waivers of several bulk standards. As per *Zoning Ordinance*, Article 3 §24.5, the Planning Commission may relax the design standards and dimensional requirements for Planned Neighborhood Design Option project where the developer can demonstrate that the action is desirable and consistent with the objectives of the ordinance and the Comprehensive Plan. (See discussion presented earlier in this Report.)

The proposed parcel for Phase IV is within the larger tract of land and therefore will not have frontage on a public street. The requirement that a parcel have frontage on a public street is found in the *Land Subdivision Regulations*, Article VI §E.5. The provisions for waivers are also found in the *Land Subdivision Regulations* in Article VIIA.

A. Variance and Waiver.

1. Upon the findings of the commission that, due to special conditions peculiar to a subdivision or a site, certain requirements of these regulations are inappropriate, or that strict compliance with said requirements may cause extraordinary and unnecessary hardships, the commission may recommend to city council, and city council may vary or waive said requirements; provided that such variance or waiver shall not be detrimental to the public health, safety, or general welfare, or have the effect of nullifying the intent and purpose of the official map, the zoning ordinance, the development plan or these regulations. In varying or waiving certain requirements, the council may specify such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or waived.

The Planning Commission should forward a formal recommendation to the associated City Council Committee and City Council with regard to the requested subdivision waiver regarding the street frontage. The City Council has the final approval regarding this subdivision waiver. Similar waiver requests were granted for the Luther Village PND: SCHO Phase 1, Phase 2, and Phase 3 to allow each building to exist on a smaller parcel area to meet grant funding requirements and/or ownership requirements. A written waiver request was submitted seeking a waiver of the requirement for the parcel (for Phase IV) to have frontage on a public street.

XII. CITY AND STATE CODE REQUIREMENTS: UPDATE

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:

- 1) The Planning Commission must determine the appropriateness of the proposed density for the PND-SCHO project site as part of their review process.
- 2) The project must comply with the bulk standards for apartments in the PND unless seeking waivers for Alternative Design Standards for the PND: SCHO. A written request was received and Planning Commission must grant approval for the following:
 - a. Building Setbacks from the Property Line;
 - b. Building Spacing;
 - c. Building Height;
 - d. Number of stories; and
 - e. Average Number of Dwelling Units Per Building.
- 3) The project must comply with the requirements for the emergency rear access provisions for the apartment units unless a waiver is granted. Significant redesign of the development project will be required if this waiver is not granted. A written waiver request was submitted seeking the elimination of the emergency rear access for consideration by the Planning Commission. The Planning Commission will make a recommendation on
- 4) The project must comply with the requirements for the parking requirements unless a waiver is granted. A written waiver request was submitted for the reduction in parking for consideration by the Planning Commission
- 5) Upright curbing shall be provided in accordance with the *Zoning Ordinance* unless a waiver is granted by the Planning Commission. A written waiver request was submitted for the elimination of a portion of the curbing for consideration by the City Planner.
- 6) The bicycle parking space requirement must be met for the site. A written waiver request was submitted for consideration by the Planning Commission.
- 7) The outcome of the waiver requests must be noted on the Final Site Plan and the Minor Subdivision Plan. If the waiver requests associated with the Minor Subdivision are approved, a plan for recordation must be approved and recorded prior to final Site Plan approval.
- 8) Provide a copy of the Deed Restrictions as required in the *Zoning Ordinance*, Article 3 §24.8vii. or acceptable documentation of policies regarding operations.
- 9) The data column on all sheets (including on a future Record Plan sheet) needs to be updated prior to Final Approval with any changes recommended by the Planning Commission.
 - a. List all parcels of the complex; one is missing.
 - b. In Item #3, list each phase by parcel with owner.
 - c. List zoning as RG-2 (General Residence Zone).
 - d. Update the bulk standards by listing standards for PND garden apartment as found in Article 4 §4.11. Also note where Alternative Standards are sought/approved.

- e. Add density calculation for project and note action taken by the Planning Commission.
 - f. Update outcome of action on waivers.
 - g. Add data specific to Phase IV such as lot size, building footprint, total building floor area, setbacks, etc.
 - h. Item #16, list parking data for each Phase and overall.
 - i. Item #23, this property is not located within the AEOZ (Airport Environs Overlay Zone). Clarify if this note is required by other agencies.
 - j. Add tallies of Active Recreation Areas as existing, proposed, and overall.
- 10) Sheet CR-02 to CR-05:
- a. Setbacks: As a PND-SCHO a series of Alternative Design Standards were previously authorized and are being considered again. Show the distances from the proposed Phase IV building to the property lines.
 - b. Ensure existing Stormwater management Area is current on any maintenance requirements.
 - c. Clarify design format of Dumpster enclosure.
 - d. Clarify tree removals as certain trees marked for removal do not appear to conflict with development activities.
 - e. Ensure Electric Vehicle charging station set-up does not impede future sidewalk continuation.
- 11) Identify the location and number of bicycle parking spaces to meet the bicycle parking requirement based on total number of parking spaces in Phase IV. Also show location of existing bike racks.
- 12) Provide construction details sheet for Phase IV items including the following items but not limited to barrier free sidewalk, dumpster enclosures, dumpster pad, curbing, parking bumpers, traffic control signage, crosswalks, paving section, lighting fixtures, handicap signage, walking path, etc.
- 13) Ensure barrier free access is provided at all intersections of drive lanes and sidewalks. Add ramps at crossings of loop road and use piano key style crosswalks.
- 14) Landscape Plan must be submitted for review of Phase IV Site Plan.
- a. Identify existing trees in Phases 1-3.
 - b. Clarify the tree planting calculations for Phases 1-3 and Phase IV. As there may be other existing trees available to satisfy the tree planting requirement. Or you may identify a development area for calculation of the tree planting requirement.
 - c. Depict development area and its existing tree status,
 - d. Show tree plantings proposes for Phase IV.
 - e. Clarify if existing trees removed in the vicinity of Phase 3 will be replanted.
- 15) Provide an Active Recreation Plan or information to clarify the existing and proposed Active Recreation area calculations and proposed areas to be constructed in Phase IV.
- a. Provide area calculation for the recreation area required for units.

- b. The area of the wet stormwater management pond cannot be counted towards active recreation area.
- 16) Provide Record Subdivision Plan sheet to depict the Phase IV subdivision and any additional easements to allow for cross-access, use of recreation areas, stormwater management, utilities, etc.

XIII. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

In accordance with the *Zoning Ordinance*, Article 10 §1, the Planning Commission in considering and acting upon Conditional Use Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 1.1 to 1.3.

1) Waiver Requests:

- a) Alternative Design Standards for PND: SCHO: Planning Staff recommends approval of the series of Alternative Design Standards for the PND: SCHO. It is noted that these Alternative Design Standards were previously approved. The following findings regarding these Design Standards are noted.
 - i) The reduction in the building setbacks from property lines under the provisions of the Planned Neighborhood Design Option is necessitated due to the creation of a parcel specifically for Phase IV. Overall, when compared to the greater boundary of the Luther Village complex, the building placement complies with the setbacks requirements.
 - ii) The building spacing is reduced to accommodate enclosed connections between buildings; however, the buildings will still be required to meet the requirements of the Building Codes and Fire Codes.
 - iii) The increase in building height, number of stories, and average number of units per building continues to fit the character of the area as the location is interior to the Luther Village complex and the units can be accommodated in a smaller building footprint by adding floors. The density proposed is appropriate as this development is infill within an area with existing infrastructure and amenities.
- b) Reduction in Parking: Planning Staff recommends approval for the reduction in number of parking spaces to a minimum rate of one parking space per dwelling unit with additional parking spaces provided to accommodate any office space or meeting rooms in the building. The applicant's request for a rate of 1.15 parking spaces per dwelling unit is acceptable.
- c) Reduction in Bicycle Parking: Planning Staff recommends approval for a reduction in the overall number of bicycle parking spaces based on the demographics of the apartment tenants. It is noted that Buildings in Phase 3 and Phase IV have bicycle rates. The

applicant has given consideration to providing bicycle parking spaces at each building to serve staff, visitors, and residents. The applicant may also want to consider covered storage or interior storage opportunities for bicycles owned by residents.

- d) Partial Elimination of Curbing: Planning Staff grants approval of the request to eliminate the curbing for the loop road for areas necessary for stormwater management.
- e) Elimination of Emergency Rear Access for Apartments: Planning Staff recommends the applicant continue evaluation of options to avoid the elimination the emergency rear access for the Phase IV apartment building. There may be alternatives or other options to meet this rear access requirement such as extension of existing/proposed access drives, enhanced walking paths, or creation of subgrade improvements to make a drivable surface. It appears that the Phase IV building will be sprinklered and will include other required fire lane coverage. Planning Staff recommends additional discussions with the City's Office of the Fire Marshal.
- f) Requirement for Two Connections to a Public Street: Planning Staff recommends approval for the elimination of the second connection to public street requirement for Phase IV only. Given the phasing of the apartment complex construction, the current divided median entry does provide an option for access (in an emergency). The second connection to Babb Drive is planned as part of the Phase 5 (A) and should be completed before the addition of apartment buildings in the eastern area of the complex.
- g) Street Frontage for Parcel: Staff recommends approval of the waiver to allow for creation of a parcel without street frontage noting that the main parcel of the complex including the entrance maintains frontage along a public street. The creation of this parcel focused on Phase IV is necessary to comply with funding and/or ownership requirements for the project. Similar waivers were approved for Phase 1, Phase 2, and Phase 3.

XIV. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Planning Commission should act upon the waiver requests as part of any motion to approve this Conditional Use Site Plan/Master Plan, or as a separate motion if necessary. Note: The recommendation for this waiver is at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.
- 2) The Planning Commission should provide recommendations to City Council in regard to the Subdivision Waivers of the *Land Subdivision Regulations*. The City Council and associated Committee meeting will be scheduled to review this request.
- 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) A Minor Subdivision Record Plat shall be prepared for recordation to subdivide the parcel into the Phase IV parcel identified. All easements shall be fully described on the Plat. The Minor Subdivision Plat shall be approved and signed by the City Planner prior recordation in

the Kent County Recorder of Deeds Office.

- 5) In the event, that major changes and revisions to the 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 regard to the plan.
- 6) Construction may have an effect on the adjacent buildings on the site and site access. Any work requiring the closing or rerouting of residents or visitors to the adjacent buildings, and site access shall be coordinated as to offer the least amount of inconvenience.
- 7) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections and permits are required.
- 8) The applicant shall be aware that 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.
- 9) The applicant shall be aware that Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Certain types of signage require a Sign Permit from the City of Dover prior to placement of any such sign; please consult with Planning Staff in regard to signage.

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



CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUGUST 28, 2024



APPLICATION: Luther Village IV: Planned Neighborhood Design – Senior Citizen Housing Option on Babb Drive

FILE #: C-24-02

REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater

CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services

CONTACT PHONE #: 302-736-7025

CONTACT EMAIL: jlyon@dover.de.us

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

SANITATION

1. Every commercial customer shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers. The City of Dover shall provide commercial customers with a maximum of two (2), 90-gallon trash containers and two (2), 90-gallon recycling containers.
2. Trash collection site shall be oriented for side-loading pick-up if customer is utilizing City of Dover sanitation services.
3. Any commercial customer requiring more containers, or larger containers, than provided above, must utilize private service.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
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.

STREETS

1. Final site plan approval will not be granted until a letter of no objection, signed by DelDOT is submitted to our office.
2. Please add the following notes to the plans:
 - a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.

- b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
 - 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 Department of Water & Wastewater specifications and requirements.
 - c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater 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.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that effective May 1, 2022, water mains can now be constructed using DR 18 PVC.
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 building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. 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.
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 Department of Public Works 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.
7. Water services shall be either type K copper or SDR-9.
8. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. Please provide a specific description of the activities in the building.
9. All water infrastructure on the property will be owned and maintained by the property owner.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. 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 Department of Water & Wastewater specifications and requirements.
 - b. 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.
3. 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.
4. 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.
5. Sizing (flow) calculations must be submitted for all sanitary sewer mains showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, 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.
8. All wastewater infrastructure on the property will be owned and maintained by the property owner.
9. Depending on the effluent flow, the downstream pump station must be evaluated by the developer / engineer to verify it can handle the additional effluent flow.

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. No trees may be planted within ten feet (10') of utility infrastructure.
3. No structure may be installed within ten feet (10') of utility infrastructure, please depict all underground utilities and structures on the utility plan sheet to confirm compliance.
4. The final site plan must be submitted in the following compatible digital formats:
 - a. AutoCAD 2018 (.dwg format).
 - b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
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.
3. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees will be required to be paid prior to Certificate of Occupancy for this project.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, it may be required to submit the sanitary sewer system plans 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.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees will be required to be paid prior to Certificate of Occupancy for this project.

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 and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

SANITATION / STORMWATER / STREETS

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 ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUG 28, 2024

APPLICATION: Luther Village IV: Planned Neighborhood Design – Senior Citizen Housing Option on Babb Drive

FILE #: C-24-02

REVIEWING AGENCY: City of Dover Electric Department

CONTACT PERSON: Shawn Burgett, Engineering Services & System Operations Superintendent

CONTACT PHONE #: 302-674-7568

CONTACT EMAIL: sburgett@dover.de.us

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. Any relocation or upgrade of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
2. Owner is responsible for locating all existing underground facilities to include electric, water and gas.
3. Owner is responsible for site and/or street lighting.
4. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
5. 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.
6. All Engineering and design for Dover Electric will be engineered upon receipt of final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

GENERAL

1. Final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg format) and Adobe Reader (.pdf format), if applicable.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

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: <https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>

ADVISORY COMMENTS TO THE APPLICANT

1. Provide load sheets as soon as possible for proper sizing of transformers and creation of primary fee estimates. Current load sheets can be found at the following link:
<https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf>.
2. The City of Dover Electric Department is responsible for electricity up to the primary metering cabinet (4M3) located at the entrance to Luther Village on Babb Drive. Luther Village is responsible for the electric past this meter. All other comments on this form should be used as reference only in the event of future changes.

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: August 28, 2024 REVISED

APPLICATION: Luther Village IV Babb Dr

FILE #: C-24-02

REVIEWING AGENCY: City of Dover, Office of the Fire MarshalCONTACT PERSON: Jason Osika, Fire Marshal
josika@dover.de.usPHONE #: (302) 736-4457

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. Proposed occupancy classification is residential (apartments)
2. Building Access shall be no further than 50 feet from a primary entrance.

Where buildings are provided with an automatic sprinkler system installed in accordance with NFPA 13, access shall be no further than 100 feet from the primary entrance.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.4)

3. Parking shall be prohibited in front of the primary entrance for a width of not less than 1.5 times the width of the door(s) or for 10 feet, whichever is greater.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.2)

4. Perimeter access shall be 75% and clearly shown on the plans.

Perimeter Access minimum width shall be 10 feet for one-story buildings and 15 feet for buildings of two or more stories, measured from the face of the building at grade with a maximum slope of ten percent (10%). Plantings and utility services (includes condenser units, transformers, etc.) shall be permitted within the perimeter access, and shall not interfere with emergency services fire ground operations.

If a physical barrier (fence, pond, steep slope, etc) prevents access, that portion of the building perimeter shall not be included in the calculation of Percent of Perimeter Access.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5)

Where parking is located between the building and perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories.

5. Fire lanes shall cover 35% of the proposed building.
Fire lanes are required to be 24 feet wide and run along the front of the building as determined by the primary entrance(s). In cases where there is more than one primary entrance(s), each shall be served by a fire lane even if this exceeds the percentage as required.

The closest edge of fire lanes shall not be located closer than ten (10) feet to the exterior wall and the closest edge of fire lanes shall not be located further than 50 feet from the exterior wall if one or two stories in height; 40 feet if three or four stories in height, or 30 feet if over four stories in height.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5)

6. Where parking is located between the building and the fire lane, parking shall not be located closer than 15 feet to the exterior wall.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.4.1)

Where parking is located between the building and the perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories. 2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5.2

7. All Fire Lanes shall be marked as follows:

both the inner and outer edges of the fire lane shall be marked, where curbs are present, the top and face of the curb shall be painted yellow, where no curbs are present, a four inch (4") solid yellow demarcation line shall mark the edge(s) of the fire lane.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

8. The specific color yellow shall be the uniformly accepted yellow as utilized by State of Delaware Department of Transportation (DelDOT). Only vivid and durable paint shall be used and shall be suitable for street surfaces

9. Fire lane signs shall be located as follows:

see Figure 5-16 – Approved Sign For Marking Fire Lanes, fire lane signs shall be spaced at 150 foot intervals maximum, all fire lane signs shall be located no less than six feet (6') and no higher than eight feet (8') above the pavement, signs shall be placed at each end of the fire lane, and signs shall face all oncoming traffic.

Where parking is not restricted roadway markings shall utilize the words "FIRE" and "LANE" in lieu of fire lane signs and shall conform to the specifications of 7.6.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

10. Where overhangs, canopies, balconies, or any other building or site features must project over any fire lane, an unobstructed vertical clearance of not less than 13'-6" above the fire lane shall be provided and the portion of the building perimeter which contains overhangs, canopies, balconies, or any other building features shall not apply towards the fire lane accessibility requirements of Section 4.0, Table 5-1 in this chapter.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.8)

11. Emergency access to rear building areas compliant with City of Dover Code (Appendix B-Zoning, Article 5- Supplementary Regulations, Section 17);

all four stories and greater buildings require 24ft fire lane at the rear.

All two to three story apartment structures require an 18ft Secondary Fire Lane at the rear.

All townhouses (3-8 units with no fire protection) require a 16ft alley or 18ft secondary fire lane at the rear.

12. Multiple Access Roads shall be provided when a fire department access road (fire lane) is determined by the Fire Marshal to be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access such as placement of fire hose from fire equipment.
13. Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

Residential areas

24 feet wide with no parking,
30 feet wide with parking on one side, or
36 feet wide with parking on both sides

Commercial areas

26 feet wide with no parking,
32 feet wide with parking on one side, or
38 feet wide with parking on both sides

Alley

12 feet wide

14. Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.
15. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.
16. Gated Areas: Fire Department access shall be provided to the property through the use of a system or device approved by the Fire Marshal. The system or device required shall be located in an area accessible to the fire department and approved by the Fire Marshal. All gates shall be either automatic or manual.

An automated system shall consist of one manual and one automated means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the system. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of both the manual and automated means.

A manual gate shall consist of one manual means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the means to open. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of the manual means to open.

To be considered accessible for fire department apparatus the actual clear openings shall be not less than 14 feet, the paved surface through the gate shall be not less than 12 feet, and the gate shall be setback from the perpendicular street by at least 50 feet.

Please contact this office to discuss options available to comply with this requirement.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.6)

17. Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations. City Ordinance Sec 46-9 (f).

5.1.1 Hydrant spacing as shown in the Fire Flow Tables shall be used as a general rule. Hydrants shall be located at the direction of the State Fire Marshal so as to minimize friction in fire hose. All hydrant spacing shall be located along available roads or at the direction of the State Fire Marshal. This measurement shall be calculated by way of accessible thoroughfare(s) from the building to be protected to the hydrant and may not necessarily be a radius. 5.1.3 Additional hydrants shall be provided when the State Fire Marshal deems it necessary based on the configuration of the site, building(s), exposures, construction, occupancy, and/or specific hazard(s).

Fire Flow table 2, hydrant spacing shall be 800 feet on center for one and two family detached dwellings, other residential, rowhouses and townhouses, assembly, health care, business, education, storage, industrial, mercantile, and mini storage. (702, Chapter 6)

NFPA 1

18.5.2 detached one- and two-family dwellings, fire hydrants shall be provided for detached one- and two-family dwellings in accordance with both of the following: 1. the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet 2. the maximum distance between fire hydrants shall not exceed 800 feet.

18.5.3 buildings other than detached one- and two-family dwellings, fire hydrants shall be provided for buildings other than detached one- and two-family dwellings in accordance with both of the following 1. The maximum distance to a fire hydrant from the closet point on the building shall not exceed 400 feet 2. The maximum distance between fire hydrants shall not exceed 500 feet

18. All fire hydrants shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation.

All fire hydrants shall have minimum of four-inch (4") solid yellow demarcation lines to define specific areas, where fire hydrants are located along a curb line with permitted parking, the area between the fire hydrant and the street or fire lane shall be stenciled with four inch (4") demarcation lines and the words "NO PARKING", demarcation lines shall be measured from the center line of the fire hydrant and extend for a distance 15 feet on both sides.

Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four-inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)

The owner is responsible if the hydrant is private.

19. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM - 1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black.

(2021 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)

The owner is responsible if the hydrant is private.

20. Hydrants are to be Darling Co. B-62-B Breakaway <https://american-usa.com/products/valves-and-hydrants/fire-hydrants/5-1-4-american-darling-b-62-b-5>
21. NFPA 72 compliant Fire Alarm System required per occupancy code requirements.

Fire alarm in place of assembly. *Fire alarm required.* Any new occupancy or new portion of an occupancy determined to be a place of assembly by the fire marshal and is capable of receiving an occupant load of 75 persons or greater, shall be required to install a fire alarm in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Fire alarm system required. Any existing occupancy or portion of an existing occupancy determined to be a place of assembly by the fire marshal, and is undergoing renovations in excess of 50 percent of the assessed value of the building and is capable of receiving an occupant load 75 persons or greater or is being enlarged to receive an occupant load of 75 persons or greater, shall be required to install a complete fire alarm system in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Public mode audible requirements. To ensure that audible public mode signals are clearly heard by occupants of a structure, they shall have a sound level at least 15 decibels (dB) above the average ambient sound level or five decibels (dB) above the maximum sound level having a duration of at least 60 seconds, whichever is greater, measured five feet (1.5m) above the floor in the area required to be served by the system using the A-weighted scale dBA. In the event the stated requirement cannot be met a shunt trip relay/switches shall be the approved method of meeting the intent of this section of the Code.

(City Code of Ordinances 46-171)

22. Sprinkler system required. System is to be monitored by an approved Fire Alarm System.

This chapter shall apply to all buildings, structures, marine vessels, premises, and conditions which are modified by more than 50% after the effective date of these Regulations. The 50% figure shall be calculated utilizing the gross square footage of the building, structure, marine vessel, premises and conditions as to arrive at the correct application.

Any proposal that is presented to the Office of the State Fire Marshal for review and approval for a building rehabilitation as defined in the 101 Life Safety Code, for less than 50% of the gross square footage of a non-sprinklered building, may not have another such project for the same building submitted for review and approval any sooner than three (3) years after the date of the final inspection unless sprinkler projection is provided throughout the entire building.

In all buildings exceeding 10,000 square feet of aggregate, gross floor area.

In all buildings in excess of 40 feet in height or more than four (4) stories in height.

In all buildings or areas thereof used for the storage, fabricating, assembling, manufacturing, processing, display or sale of combustible goods, wares, merchandise, products, or materials when more than two (2) stories or 25 feet in height.

In all basement areas exceeding 2,500 square feet floor area.

In residential occupancies when of: Type V (0,0,0) or Type III (2,0,0) construction and exceeding two (2) stories or 25 feet in height. Type V (1,1,1) and Type III (2,1,1) or

Type IV (2,H,H) construction exceeding three (3) stories or 3 In all residential apartment buildings storage areas except individual unit closets that are located within individual residential living units.

In all buildings used as health care occupancies as defined in the Life Safety Code, NFPA 101, as adopted and/or modified by these Regulations. In all buildings or areas classified as "high

hazard" under the Life Safety Code, NFPA 101, or "extra hazard" under the Standard for the Installation of Sprinkler Systems, NFPA 13, as adopted and/or modified by these Regulations.

All buildings used as dormitories, in whole or in part, to house students at a public or private school or public or private institution of higher education. (16 Del.C. Ch. 88) This applies to all such dormitories regardless if new or existing.

(2015 State of Delaware fire Prevention Regulations, 702, Chapter 4)

Places of assembly shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 150 persons or greater.

Any interior renovations of 50 percent or more to an existing place of assembly with an occupant load greater than 150 persons.

Any additions or increase in interior size to an existing place of assembly that would create an occupant load of 150 persons or greater.

Places of assembly where alcohol is served for consumption on the premises shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

Any interior renovation of 50 percent or more to an existing place of assembly with an occupant load greater than 100 persons and where alcohol will be served for consumption on the premises.

Any additions or increase in interior size to an existing place of assembly which would create an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

New educational occupancies of 5,000 square feet or greater shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13.

(City of Dover Code of Ordinances 46-162)

NFPA 101, 12.3.5.1 The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1): 1. Dance Halls 2. Discotheques 3. Nightclubs 4. Bars 5. Restaurants 6. Assembly occupancies with festival seating

23. Fire Department Connection is to be a 5-inch stortz connection on a 30-degree elbow located within 50 feet of main entrance. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.

Fire department connections. Unless otherwise approved by the fire marshal, fire department connections shall be on the street side of the building and shall be located and arranged so that hose lines can be readily and conveniently attached to without interference from any nearby obstructions as defined by the fire marshal's office. Fire department connections shall be a five-inch Storz. Fire department connections shall be within 300 feet of an approved City of Dover Fire

Hydrant and within 50 feet of the main entrance of the structure it serves. All fire department connections shall be not less than three feet nor more than five feet in height above finished grade. The fire marshal shall have the authority to require more stringent requirements when deemed necessary. (City of Dover Code of Ordinances 46-162)

24. Parking and/or obstructions shall be prohibited in front of fire department connections for a distance measuring from the center line and extending four feet on both sides.
(2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.4)
25. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.
26. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface). All fire department connections (standpipe and sprinkler) shall have a minimum 12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)
27. Standpipes shall be provided in all areas and buildings as required in the codes and standards listed in Regulation 701 as well as the following areas or buildings:

In all Class A and Class B places of assembly and institutional occupancies two (2) stories or 25 feet in height or over,

In any building over three (3) stories, In any building over 35 feet in height,

In any building that has a floor above the first floor over 10,000 square feet gross floor area,

In all buildings where the 1st floor exceeds 60,000 gross square feet,

a Class I horizontal standpipe system installed in accordance with the applicable codes and standards listed in Regulation 701 of these Regulations shall be provided. All standpipe systems shall be installed in accordance with the applicable codes and standards listed in Regulation 701.

The standpipe system shall be carried up with each floor and shall be installed and ready for use as each floor progresses.

Standpipes shall not be more than one floor below the highest forms of staging,

The 2½-inch of hose connections on Class I systems shall be provided in the following locations, At the highest intermediate landing between floor levels in every required exit stairway,

Where intermediate landing is not provided, hose connections shall be permitted to be located at the main floor landings in exit stairways when approved by the authority having jurisdiction,

Where the local fire department has the capability of providing the required pressure, hydraulically designed standpipe systems in fully sprinklered, non-high-rise buildings shall be designed to provide the required waterflow rate.

A sign shall be provided at each landing, in all interior stairways, designating the floor level. (2021 Delaware State Fire Prevention Regulations 702, Chapter 4, 2)

28. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms.

Dimensions of bollards. Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however, the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection.

Color of bollards. Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector.
(City of Dover Code of Ordinances, 46-4)

29. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following:

One-family and two-family residential structures, height, the number shall measure a minimum of four inches in height, *location,* the number shall be placed on the house above or to the left or right of the front entrance, *color,* the number shall be contrasting to the background color, *Arabic numerals,* all numbers shall be Arabic numerals.

Multiple-family dwellings, measurements, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location,* numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color,* numbers shall be contrasting to the background color, *Arabic numerals,* all numbers used shall be Arabic numerals.

Commercial, industrial and office buildings, height, the numbers shall measure a minimum of 12 inches in height, *location generally,* numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot,

property line or driveway, should the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building,

color; each building, numbers shall be contrasting to the background color and shall be placed on each building in the complex,

Arabic numerals, all numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.
(City of Dover Code of Ordinances, 98-344)

30. A lock box (Knox) containing any and all means necessary for fire department access shall be provided at the following occupancies: any occupancy that contains a fire alarm signaling system that is monitored off-site, or any occupancy that contains an automatic sprinkler system.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.4)

Secured key systems. When required; exemption. A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy. Buildings with 24-hour staffing or guard service shall be exempt from this subsection.

Location. The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box.

Required keys. Keys to be secured in the key box shall include keys to all points of ingress or egress, whether on the interior or exterior of the building, and keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required.

Ordering responsibility. It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be the responsibility of the owner or tenant to order the key box for existing buildings.

Installation before testing. No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box.
(City Code of Ordinances 46-127)

Knox Box to be mounted 6 feet above ground level

31. 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. NFPA 101
32. All new passenger elevators in a building shall be provided with a car sized to accommodate an ambulance cot 24 inches (609 mm) by 84 inches (2133 mm) in its horizontal open position. Where

two or more new passenger elevators are located in a single hoist way and serve all or the same portion of the building, only one elevator car that provides a car sized to accommodate an ambulance cot 24 inches by 84 inches in its horizontal position for each hoist way shall be required. Elevator cars required to comply with 15.1 or 15.2 shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed inside on both sides of the hoist way door frame. Firefighter recall keys shall be provided in a manner acceptable to the local fire department. (2021 Delaware State Fire Prevention Regulations 705, Chapter I, 15)

33. Buildings over 25,000 Sq. Ft are to have radio performance testing done prior to Final CO. This must be scheduled in advance with an authorized vendor.
 34. Project to be completed per approved Site Plan.
 35. Full building and fire plan review is required.
 36. Separate building permits/plans submission will be required for each building and/or tenant fit out. If the permit submission is for a "shell" a Certificate of Occupancy will not be issued. Separate plans and permits submissions will be required for each "tenant fit out" at which time a Certificate of Occupancy will be issued upon compliance/completion of each "tenant fit out".
- Each "shell" will require a fire permit for sprinkler and fire alarm if applicable. Those systems (for the "shell") must be accepted into service prior to any "tenant fit out" fire permits being issued.
37. Construction or renovations cannot be started until building plans are approved.
 38. Fire alarm systems, fire suppression systems, hoods, exhaust ducts, and hood suppression systems require a fire permit from the Fire Marshal's Office. This work cannot be started until the permit is approved.
 39. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.
 40. The following is City Ordinance, Appendix B-Zoning, Article 8 Enforcement and Penalties:

Section 1. - Building permits.

No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful (see section 4 for penalties).

1.1 No building permit shall be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street improved to the satisfaction of the planning commission, or without access to a public sewer.

1.2 No building permit shall be issued for any building where the site development plan of such building is subject to approval by the planning commission, except upon approval of such plans approved by the said commission.

1.21 No building permit shall be issued for any building in a subdivision unless the subdivision plot has been approved by the planning commission.

1.3 No building permit shall be issued for a building to be used for any conditional use in any zone where such use is allowed only with approval of the planning commission, unless and until such approval has been duly granted by the said commission.

(Ord. of 7-12-1993, § 3)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please confirm that the distance between the building and parking is 15' as outlined in item # 6 listed above
2. Please show the secondary fire lane as outlined in item # 11 listed above
3. Buildings 1 through 3 have a subgrade emergency access lane that is no longer properly marked. These Fire Lanes need to be properly marked (listed below). Please arrange a meeting with this office to review those lanes. These lanes need to be in compliance as part of this approval.
4. Additional hydrants are needed as outlined in item # 17 listed above. They must not exceed 800'. One must be located within 300' of the FDC as hose would come off of the apparatus. They must be on the backside of the building as well.
5. It appears that phase 5 building doesn't have proper access
6. This office does not support the emergency rear access waiver. This item is listed above as item # 11. This ordinance was put into place due to access issues for the fire department at apartment complexes. During an emergency event, the fire department would have trouble accessing the rear of the proposed building properly. This would hinder firefighting and rescue operations.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
 2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
 2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
 2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
 2009 IBC (International Building Code)
 Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
 2021 Delaware State Fire Prevention Regulations
 City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

(4) Subgrade emergency access lanes.

(a) A subgrade emergency access lane is designed to provide emergency vehicle accessibility in lieu of paved, hard-surfaced fire lanes where permitted under subsection 5 [(5)](a) of this section. A subgrade emergency access lane shall not be substituted for a required secondary fire lane.

(b) All subgrade emergency access lanes shall be established at a minimum width of 18 feet and shall be set back from all building walls in accordance with the Delaware State Fire Protection Regulations. The planning commission may waive the 18-foot width requirement when demarcation is enhanced beyond the standards set forth in paragraph [subsection (4)](d) below.

(c) All subgrade emergency access lanes shall be constructed on a level subgrade compacted to at least 2,000 pounds per square foot. The compacted subgrade shall be overlaid with three to four inches of compacted crusher run (CR1-2.5") underneath four inches of compacted crusher run (CR6-1.5") to form a compacted subbase. The compacted subbase shall be covered with at least four inches of topsoil and shall be graded and seeded or sodded. (See figure 17.1.)

(d) All subgrade emergency access lanes shall be designated and identified by shrub plantings, fencing, signage or any combination of materials to adequately delineate such access way, subject to approval by the City of Dover Fire Marshal. When shrub plantings are to be used for lane demarcation, such plantings shall be evergreen and of a columnar, upright form, with [a] tight branching habit. Shrub planting selection shall be subject to final approval by the city planner. Demarcation shrub plantings shall be spaced no greater than 40 feet on center on straight sections of access lane and no greater than 20 feet on center on curved sections.

(e) All subgrade emergency access lanes shall be maintained free of obstruction. The placement of fences, buildings, landscaping, gardens, play equipment or any other form of obstruction shall be prohibited from placement within the boundaries of subgrade emergency access lanes. The area reserved for [an] emergency access lane shall be subject to all property maintenance ordinances of the City of Dover, including those governing grass cutting, and landscape maintenance. Violations are punishable as misdemeanor offenses under the applicable ordinances of the City of Dover.

(f) At points of access to subgrade emergency access lanes, there shall be provided an adequate curb depression of at least 24 feet in width. Such access points shall be designated as restricted use and controlled by signage, pavement marking, gates or fencing to prevent the use of such lane for purposes other than emergency vehicle access. The methods employed to ensure controlled access shall be reviewed, approved and inspected by the fire marshal on a case by case basis prior to the issuance of a certificate of occupancy for associated buildings.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

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APPLICATION: Luther Village IV – Senior Citizen Housing Option

FILE#: C-24-02

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian Williams

PHONE#: 302-760-2141

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:

No person, firm, corporation or the like shall construct, open, reconstruct, maintain, modify or use any crossing or entrance onto a state-maintained highway, street or road, including any drainage modifications leading into or carried by the highway drainage system, without first having complied with standards and regulations adopted by the Department and having obtained a permit issued by the Department. Please contact the Delaware Department of Transportation - Development Coordination section to begin permit process.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. Pre-submittal meeting required.



KENT CONSERVATION DISTRICT

Item 3.

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901 • (302) 608-5370 • WWW.KENTCD.ORG

**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
AUGUST 2024**

APPLICATION: Luther Village IV: Planned Neighborhood Design – Senior Citizen Housing Option on Babb Drive

FILE #: C-24-02

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Cullen Baker

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

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:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. A pre-application meeting will be required to be scheduled with KCD to discuss requirements for plan approval.

ADVISORY COMMENTS TO THE APPLICANT:

1. The proposed plan will need to show that Luther Village Phase 4 stormwater will drain into the existing stormwater facilities. If any portion of Phase 4 cannot then other stormwater facilities will need to be constructed in Phase 4.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: 9/4/2024

**Dover/Kent
County
Metropolitan
Planning
Organization**

C-24-02 Luther Village IV: Planned Neighborhood Design - Senior Citizen Housing Option on Babb Drive

FILE # C-24-02

REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob

PHONE #: (302) 387-6030

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
Conditional Use Site Plan Review

C-24-02 Luther Village IV: Planned Neighborhood Design - Senior Citizen Housing Option on Babb Drive

The MPO has no objections to the Conditional Use Site Plan. The path system that will run between buildings is likely to promote active recreation and provide a safe means of walking throughout the property. It will also connect to the existing DART bus stop on Babb Drive. Walkable neighborhoods are especially important for older communities, where many of the residents may not drive a personal vehicle.

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.



From: [Hughart, Jared](#)
To: [Melson-Williams, Dawn](#)
Subject: EXTERNAL: 8.28.2024 DAC Staff Notes Chesapeake Utilities
Date: Wednesday, August 28, 2024 10:22:22 AM

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dawn please see meeting notes below.

AX-24-01 Lands of Byler Investments

- No Comments

C-24-02 Luther Village-

- Currently provide natural gas to the three existing buildings. Please contact Jared, at Jhughart@chpk.com, to begin due diligence for designed and economic modeling.

C-24-03 Church of the Nazarene

- Owner will need to contact Chesapeake utilities once plans are approved, prior to construction, in the event a relocation of the existing natural gas service is needed.

S-24-13

- Natural Gas infrastructure is on Lafferty Lane, please contact Jared at Jhughart@chpk.com, to begin design and economic modeling due diligence.

S-24-14 Legislative Hall Parking Garage

- Please contact Jared at Jhughart@chpk.com for any new natural gas inquiries to begin design and economic modeling due diligence.

Thank you,

Jared Hughart

Chesapeake Utilities

500 Energy Lane

Dover, DE 19901

Cell: 302-943-3468

www.chpk.com

NEW METER requests must go through: Install@chpk.com

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September 4, 2024

C 1243-7

Dawn Melson-Williams, AICP
Principal Planner
City of Dover, Delaware
Department of Planning & Inspections
15 Loockerman Plaza
Dover, DE 19901

**SUBJECT: LUTHER VILLAGE, WAIVER REQUEST
DOVER, DELAWARE**

Dear Ms. Melson-Williams:

I am writing to formally request waivers from specific requirements outlined in Appendix B, “Zoning,” of the Dover Code of Ordinances for C-24-02 Luther Village. We believe that granting these waivers will facilitate the successful development of the project while maintaining conformity with the overall objectives of the PND-SCHO Master Plan.

Bulk Standards:

We are requesting relief from the Bulk and Parking requirements of Article 4 §4.11 for Garden Apartments and providing the following:

Standard	Required	Provided
Side Yard	50 feet	32 feet
Rear Yard	50 feet	0 feet
Building Spacing	50 feet	45 feet
Building Height	35 feet (maximum)	43 feet
Number of Stories	2 (maximum)	3
Avg Dwelling Units per Bldg	24 (maximum)	54.5

Off Street Parking:

In accordance with Article 3 §24.52.ii, we are requesting relief from the Parking requirement that two (2) spaces be provided per Dwelling Unit. Consistent with the previous phases of the Development, there are parking spaces provided at a reduced ratio of approximately 1.15 spaces

C 1243-7
Dawn Melson-Williams, AICP
September 4, 2024
Page Two

per dwelling unit, notwithstanding the additional spaces provided for the community center. Of note, there is no office space proposed in the Phase IV building.

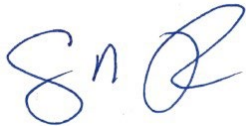
Emergency Rear Access:

We are requesting relief from the Emergency Rear Access Requirement outlined in Article 5 §17.5(a). All external fire protection requirements, as set forth by the 1 DE Administrative Code, §701, have been met. The inside of the building will be protected by sprinklers and perimeter fire access is provided for 93% of the exterior. The area to the rear of the building has been made relatively flat as well for ease of movement of equipment, should the need arise.

Providing an engineered access lane would prove burdensome to the development as it would require an extra culvert to be built specific to loading ratings for fire equipment in the useable open space.

We trust that you find these requests reasonable and aligned with the overall goals of the code. We are confident that the proposed modifications will enhance the project's effectiveness and contribute positively to the community. We appreciate your time and consideration in reviewing our waiver requests and look forward to your favorable response.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'CML', is written over a faint circular stamp.

Craig M. Lynch, P.E.
Project Engineer

cc: Rick Murphy, Martin Luther Foundation of Dover



September 4, 2024

C 1243-7

Planning Commission
City of Dover, Delaware
15 Loockerman Plaza
Dover, DE 19901

**SUBJECT: LUTHER VILLAGE, WAIVER REQUESTS
DOVER, DELAWARE**

To Whom It May Concern:

I am writing to formally request waivers from specific requirements outlined in Appendix A, "Subdivisions," of the Dover Code of Ordinances for C-24-02 Luther Village Phase IV. We believe that granting these waivers will facilitate the successful development of the project while maintaining conformity with the overall objectives of the PND-SCHO Master Plan.

Curb Installation Requirement:

In accordance with Article VII §A.2., we are requesting a waiver from the requirement of Article VI §G.1.C requiring curb along major subdivisions. In keeping with the existing conditions, we are proposing grass up to the edge of pavement to facilitate drainage and stormwater management on the access road (Bunnell Way).

Two Connections to a Public Street:

In accordance with Article VII §A.1, we are requesting a waiver from Article VI, §A.8(b), requiring a second connection to a State or City maintained street if a development contains 150 or more dwelling units. Currently, three (3) phases of the previously approved Planned Neighborhood Development have been constructed, with 148 dwelling units currently available. Phase IV proposes an additional 72 units. The previously approved connection, Phase V A, creates a closed loop whereby no functional relief is attained through traffic using the new entrance until Phase V is constructed. The second connection will have an immense benefit for Phases V through IX, serving an additional spur road to those phases.

C 1243-7
Planning Commission
September 4, 2024
Page Two

Street Frontage for Parcel:

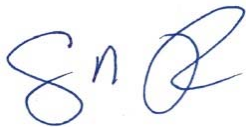
In accordance with Article VII §A.1, we are requesting a waiver from the requirement of Article VI §E.5. requiring all lots in a subdivision to have frontage on a public street. We are proposing the creation of a parcel without street frontage noting that the residual development including the entrance maintains frontage along a public street. The creation of this parcel, focused on Phase IV, is necessary to facilitate grant funding and ownership requirements relating to maintenance. Similar waivers were approved for Phase I through Phase III.

Reduction in Bicycle Parking:

In accordance with Article VII §A.1, we are requesting a waiver for the requirement of Appendix B Article 6 §3.10. requiring one bicycle parking space for every 20 vehicular parking spaces. There are currently 6 spaces on site serving Phase III that are, due in part to the demographics of the tenants, underutilized. Only 2 residents currently use the bike racks. There are an additional 6 bicycle spaces proposed by this plan, satisfying the requirements of Phase IV, however, Phases I and II do not have any bicycle parking as it was not a code requirement at the time of plan approval for those phases. Depending on the status of grant funding availability, bicycle spaces may be contemplated in phases I and II in the future.

We trust that you find these requests reasonable and aligned with the overall goals of the code. We are confident that the proposed modifications will enhance the project's effectiveness and contribute positively to the community. We appreciate your time and consideration in reviewing our waiver requests and look forward to your favorable response.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'CML', is written over a faint circular stamp.

Craig M. Lynch, P.E.
Project Engineer

cc: Rick Murphy, Martin Luther Foundation of Dover

P:\C1243 LUTHER VILLAGE\C1243-7 RECORD AND CONSTRUCTION PLANS\PLANS\SITE RECORD\C1243-7 SITE PLAN.DWG

SITE PLAN FOR LUTHER VILLAGE IV

CITY OF DOVER - EAST DOVER HUNDRED - KENT COUNTY - DELAWARE

GENERAL DATA:

- TAX PARCEL NUMBERS: 05-77.06-02-90.00, 05-77.06-02-90.01, 05-77.06-02-90.02
- SOURCE OF TITLE: INSTRUMENT 2014-254106
- GROSS AREA: 33.63± ACRES
LUTHER VILLAGE IV OF DOVER, INC. PARCEL: 02.79± ACRES
- EXISTING ZONING: RG-2, GENERAL RESIDENTIAL
PROPOSED ZONING: RG-2, GENERAL RESIDENTIAL
CONDITIONAL USE: PLANNED NEIGHBORHOOD DESIGN SENIOR CITIZEN HOUSING OPTION
BULK AREA RESTRICTIONS: RG-2
LOT AREA PER DWELLING UNIT: 1700 SF/DU
LOT WIDTH (FT.): 100
LOT DEPTH (FT.): 125
FRONT YARD (FT.): 30
MINIMUM SIDE YARD (FT.): 10
TOTAL SIDE YARDS (FT.): 50
REAR YARD (FT.): 30
OFF-STREET PARKING SPACES: 1
BUILDING HEIGHT: 40'
BUILDING STORIES: 3
LOT COVERAGE: 60%
FLOOR AREA RATIO: N/A
ACCESS TO PUBLIC STREET: BABB DRIVE
- TOPOGRAPHIC SURVEY:
 - FIELD SURVEYS BY LANDMARK ENGINEERING, INC., APRIL 2013, FEB 2017, JUNE & JULY 2024, AND A PHOTOGRAMMETRIC SURVEY BY AXIS GEOSPATIAL LLC FROM FLIGHT ON 02/10/2013.
 - VERTICAL DATUM: NAVD 88
ELEVATION = 36.16 (EXISTING SMH RIM, NEAR END OF BABB DR.)
 - PROJECT BENCHMARK:
PERIMETER PROPERTY CORNER MARKERS:
 - EXISTING (10)
 - PROPOSED (0)
- WATER SUPPLY: CITY OF DOVER
WATER MAIN OUTSIDE CITY OF DOVER RIGHT OF WAY SHALL BE PRIVATELY MAINTAINED.
- SANITARY SEWER: CITY OF DOVER
SANITARY MAIN OUTSIDE CITY OF DOVER RIGHT OF WAY SHALL BE PRIVATELY MAINTAINED.
- TRASH REMOVAL: PRIVATE
- DEBRIS DISPOSAL: NO DEBRIS WILL BE BURIED OR DISPOSED OF ON THIS SITE.
- LOT COVERAGE: PROPOSED: 6.65 ACRES
PERMITTED (60%): 20.18 ACRES
- NO 100-YEAR FLOOD PLAIN EXISTS ON THIS PARCEL IN ACCORDANCE WITH FLOOD INSURANCE RATE MAP, 10001C0167H, DATED MAY 5, 2003.
- CRITICAL NATURAL AREAS: THE STATE INVENTORY OF CRITICAL NATURAL AREAS HAS BEEN EXAMINED AND NONE WERE FOUND TO EXIST ON THE SITE.
- WETLANDS: THIS SITE WAS EVALUATED IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN THE 1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1), AND SUBSEQUENT PUBLIC NOTICES AND REGIONAL SUPPLEMENTS TO IDENTIFY THE PRESENCE OF JURISDICTIONAL WETLANDS, AND NO WETLANDS WERE FOUND TO EXIST ON THE SITE.
- TREE PRESERVATION: THE DEVELOPER SHALL PRESERVE ALL TREES ON THIS SITE EXCEPT WHERE NECESSARY TO CONSTRUCT BUILDINGS, ACCESSWAYS, AND UTILITIES, AND WHERE SELECTIVE THINNING OF EXISTING VEGETATION IS APPROVED. EXISTING PLANT MATERIALS DESIGNATED TO REMAIN ON THIS PLAN, OR THE LANDSCAPE PLAN, SHALL BE PRESERVED AND PROPERLY PROTECTED DURING CONSTRUCTION. IN THE CASE OF UTILITY RIGHTS-OF-WAY AND EASEMENTS, ANY DISTURBED AREAS SHALL BE REPLANTED SO AS TO ACHIEVE A RECURRENCE OF NATURAL VEGETATIVE COVER.
- LAND DEVELOPMENT DATA:

EXISTING BUILDING AREA: (50,009 SF)	1.15 ACRES = 03.42%
EXISTING PAVED AREA:	3.70 ACRES = 11.00%
EXISTING STORMWATER MANAGEMENT (SWM) AREA: 2.18 ACRES = 06.48%	
PROPOSED BUILDING AREA: (19,027 SF)	0.44 ACRES = 01.31%
PROPOSED PAVED AREA:	1.36 ACRES = 04.04%
PROPOSED SWM AREA:	0.00 ACRES = 00.00%
PROPOSED OPEN & LANDSCAPE SURFACE AREA:	24.8 ACRES = 73.75%
TOTAL 33.63 ACRES = 100%	
- PARKING DATA: PHASE IV
TYPICAL PARKING SPACES SHALL MEASURE 9' X 18'
PROPOSED USE: PND SENIOR CITIZEN HOUSING OPTION
PARKING SPACES REQUIRED: 72 SPACES
PARKING SPACES PROVIDED: 82 SPACES
(INCLUDING 4 HANDICAPPED PARKING SPACES)
PARKING RATIONALE: 1 SPACE/ DU = 72 SPACES
LOADING BAYS (12' X 60' MIN) REQUIRED: 1 BAY PER APT. BUILDING
LOADING BAYS PROVIDED: 1 BAY
- FIRE PROTECTION: ALL FIRE LANES, FIRE HYDRANTS, SPRINKLERS, STANDPIPE CONNECTIONS AND FIRE EXITS SHALL BE MARKED AND PROTECTED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS. A FIRE MARSHAL RECORD-TYPE PLAN, LAST DATED XXXXXXXX, OR AS LATER AMENDED AND APPROVED IN WRITING BY THE STATE FIRE MARSHAL, IS HEREBY CONSIDERED PART OF THIS PLAN.
FIRE HYDRANTS: FH (7) EXISTING
FH (2) PROPOSED
- DRAINAGE, EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT SHALL COMPLY WITH THE THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL'S DELAWARE SEDIMENT AND STORMWATER REGULATIONS AND THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, 2023
- A LANDSCAPE PLAN PREPARED BY XXXXXXXXXXXX, LAST DATED XXXXXXXX, OR AS LATER AMENDED IS HEREBY CONSIDERED TO BE A PART OF THIS PLAN.
- POSTAL ADDRESS: 400 BABB DRIVE
- WAIVER: RELIEF FROM THE CITY OF DOVER CODE APPENDIX A, ARTICLE VI, §A(8)(b), REQUIRING A SECOND CONNECTION TO A STATE OR CITY-MAINTAINED STREET IF A DEVELOPMENT CONTAINS 150 OR MORE DWELLING UNITS.
- ALL STORMWATER MANAGEMENT FACILITIES ARE TO BE OWNED AND MAINTAINED BY THE PROJECTS OWNER.
- AIRPORT ZONE: THE US DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, SHALL HAVE THE RIGHT AND AUTHORITY TO IMPLEMENT SUCH RESTRICTIONS AND SAFEGUARDS ON THE PREMISES, AS MAY BE REASONABLY NECESSARY TO PROTECT THE SAFETY AND WELFARE OF THE PUBLIC.
- MAINTENANCE OF COMMON FACILITIES: FOR MAINTENANCE OF THE COMMON FACILITIES INCLUDING THE STORMWATER MANAGEMENT FACILITY AND COMMON AREAS SHOWN ON THE PLAN, SEE THE MAINTENANCE DECLARATION DATED 11/23/2004, AND OF RECORD IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR KENT COUNTY, STATE OF DELAWARE, PLOT BOOK 671, PAGES 129 AND 308.
- THE NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER A NPDES GENERAL PERMIT HAS BEEN FILED WITH THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL FOR THIS PROJECT AND HAS BEEN ASSIGNED DATABASE I.D. # _____.

SOILS CHART		
SOIL TYPE	DESCRIPTION	HSG
U1A	UNICOM LOAM, 0 TO 2 PERCENT SLOPES	C
GrB	GREENWICH LOAM 2 TO 5 PERCENT SLOPES	B
Up	URBAN LAND	C
HkB	HAMBROOK-URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPES	B

CERTIFICATION OF PLAN ACCURACY

I, CRAIG M. LYNCH, P.E., 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 THE BEST OF MY KNOWLEDGE AND BELIEF, REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE

DATE

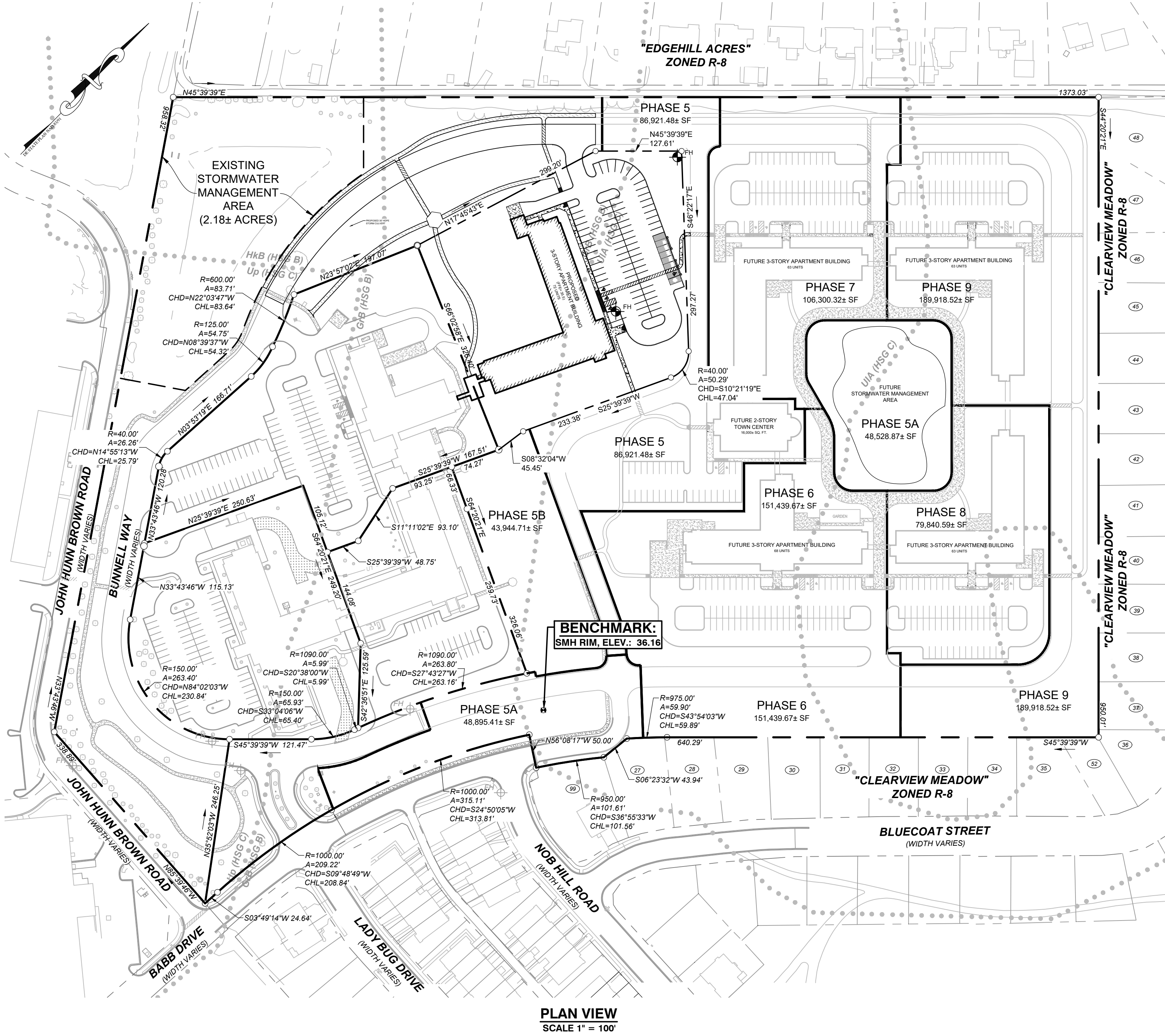
CERTIFICATION OF OWNERSHIP

I, RICHARD MURPHY of the MARTIN LUTHER FOUNDATION OF DOVER, INC. HEREBY CERTIFY THAT I AM THE OWNERS RIGHTFUL REPRESENTATIVE OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT THE OWNERS DIRECTION, AND THAT THEY ACKNOWLEDGE THE SAME TO THEIR BY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

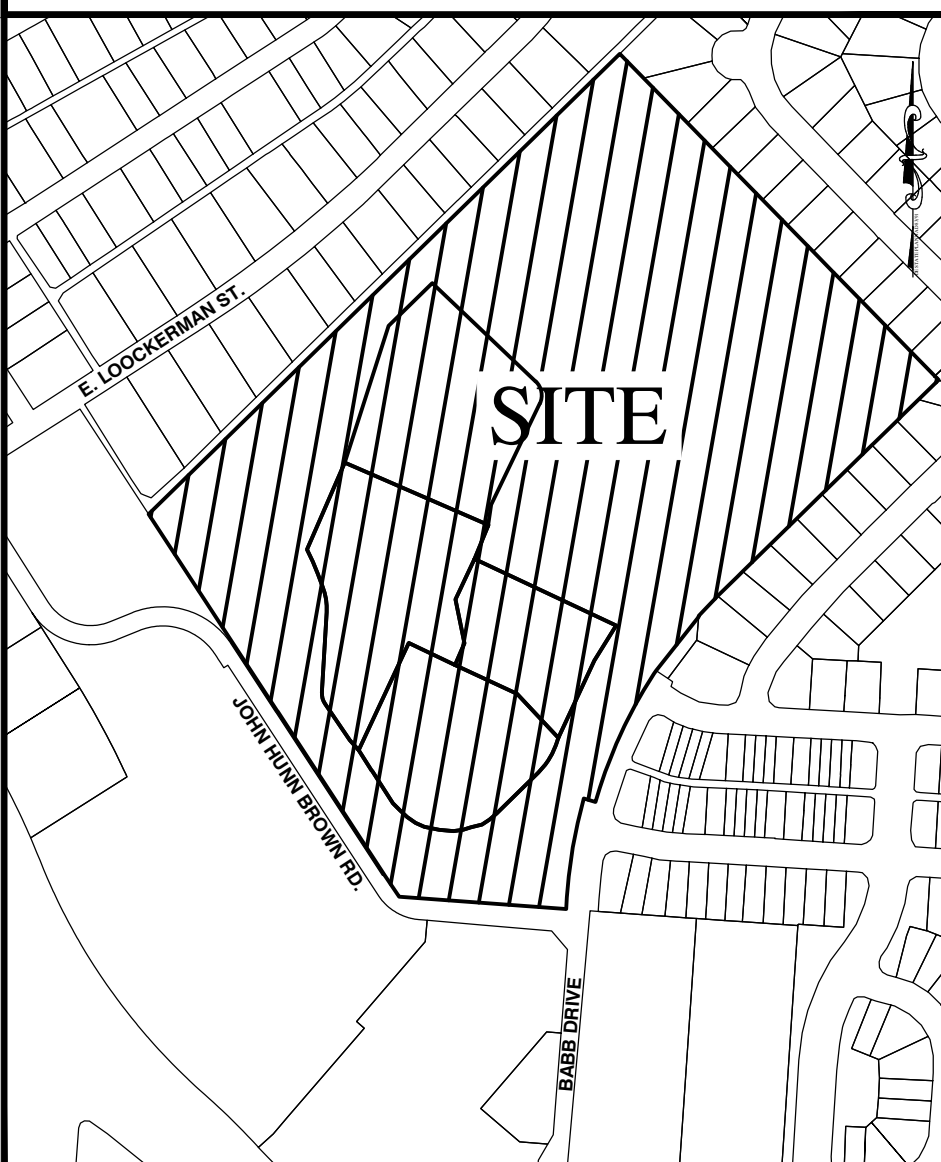
RICHARD MURPHY, BOARD PRESIDENT
MARTIN LUTHER FOUNDATION OF DOVER, INC.

DATE

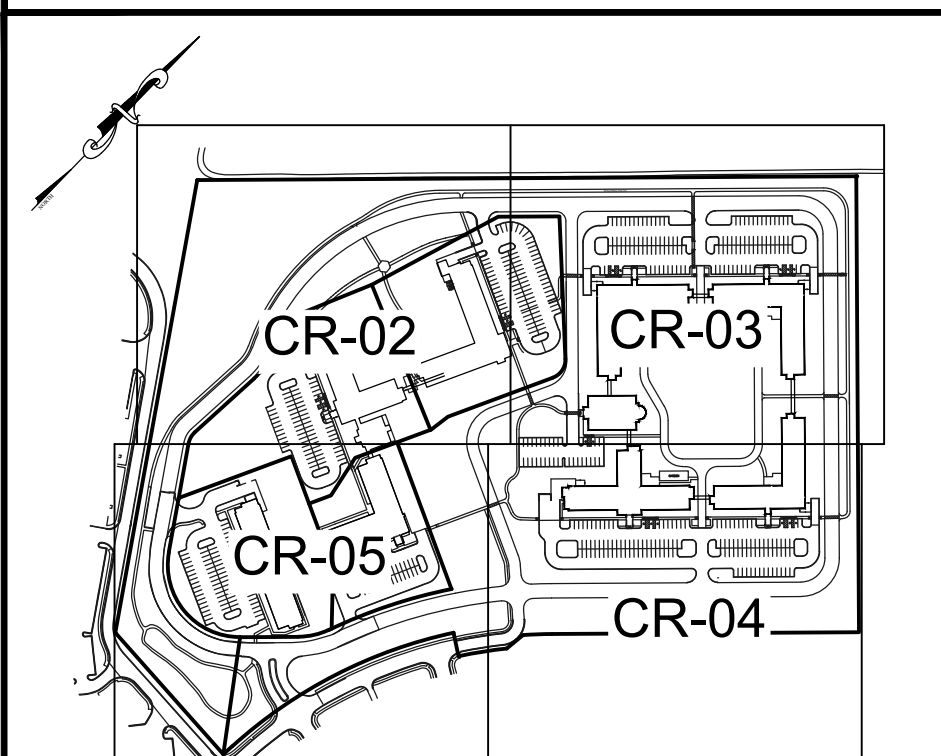
THE PURPOSE OF THIS PLAN IS TO DEVELOP PHASE 4 OF A MASTER-PLANNED SENIOR HOUSING OPTION FACILITY CONSISTING OF 72 APARTMENTS AND ASSOCIATED IMPROVEMENTS.



LOCATION MAP 1"=1200'



LOCATION MAP 1"=400'



KEY MAP 1"=400'

Item 3.

OWNER/DEVELOPER
MARTIN LUTHER FOUNDATION OF DOVER, INC.
400 BABB DRIVE
DOVER, DE 19901
(302) 674-1698

SITE PLAN
FOR
LUTHER VILLAGE IV
CITY OF DOVER - EAST DOVER HUNDRED - KENT COUNTY, DELAWARE

200 CONTINENTAL DRIVE
NEWARK, DE 19713
PHONE (302) 323-8377
WWW.LANDMARK-SE.COM
INFO @ LANDMARK-SE.COM
P.O. BOX 299
PERRYVILLE, MD 21853
PHONE (410) 326-1144
FAX (302) 323-8461
INFO@MD.LANDMARK-SE.COM

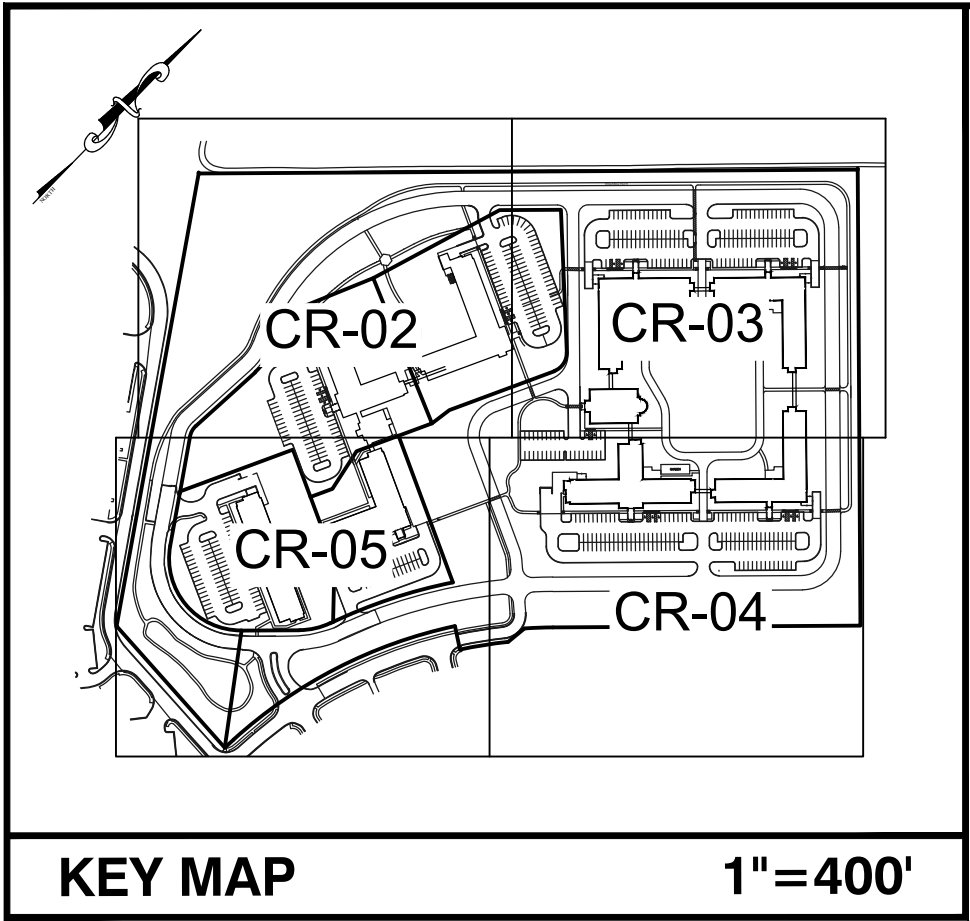
Landmark
Science & Engineering

THIS DRAWING DOES NOT INCLUDE ANY CHANGES OR REVISIONS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS AND THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND THEREAFTER.

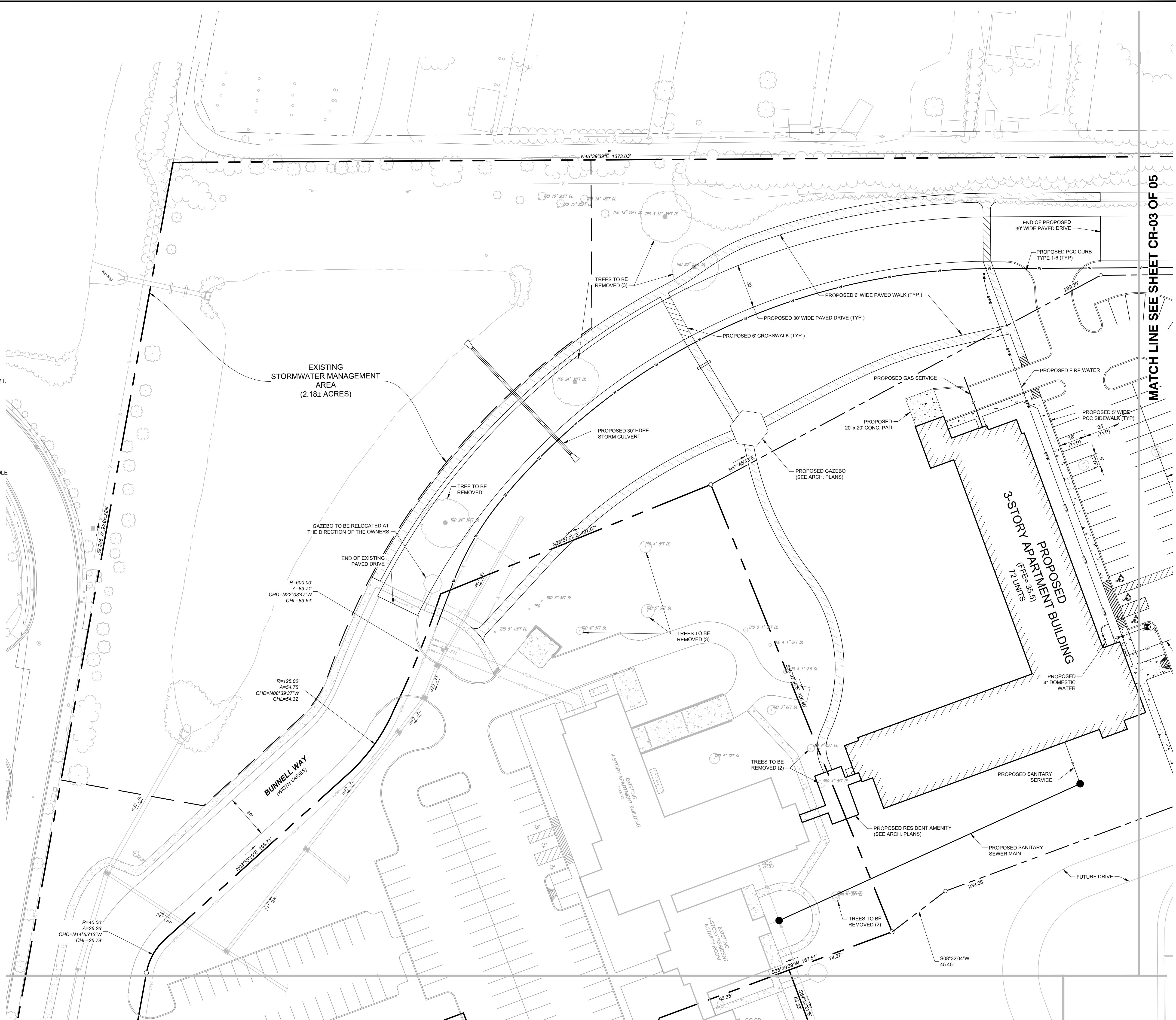
COMMISSION:
C1243-7

LE NAME: C1243-7 Site Plan.dwg
2024 LANDMARK SCIENCE & ENGINEERING

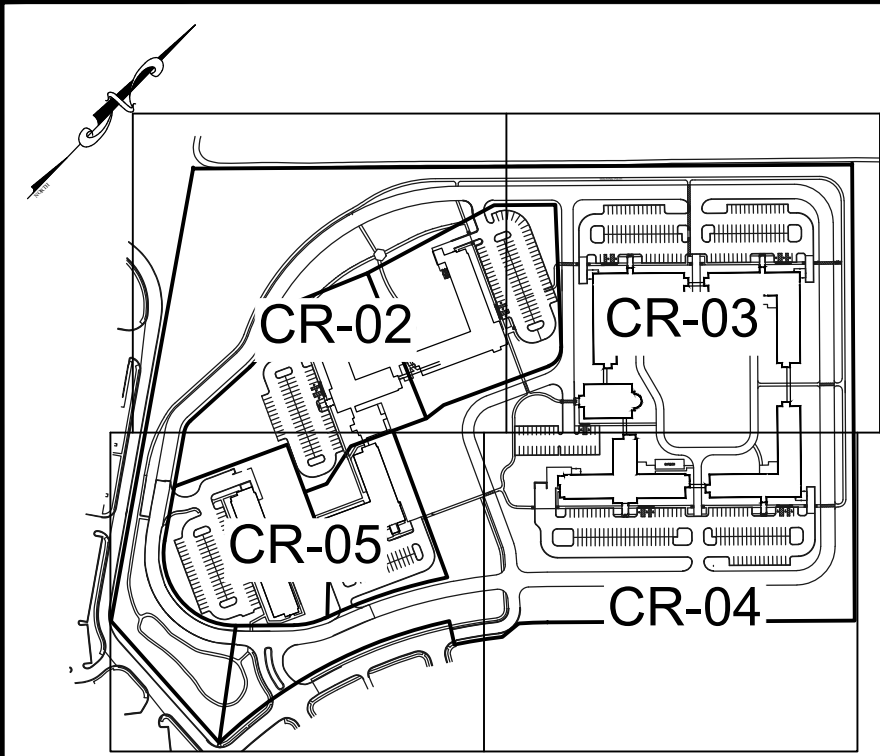
SCALE: 1"=100'
DRAWN BY: RMS
DESIGN BY: CAL/RWS
CHECK BY: CHL
SHEET: CR-01 of 05
0 50 100 200
GRAPHIC SCALE
DATE: 08/01/2024



- LEGEND**
- EXISTING VERTICAL PCC CURB
 - PROPOSED PCC CURB TYPE 1-6
 - EXISTING PCC SIDEWALK
 - PROPOSED PCC SIDEWALK W/ RAMP
 - PROPOSED PAVED WALKWAY
 - EXISTING BUILDING
 - PROPOSED BUILDING
 - PROP. STORMWATER MANAGEMENT ESMT.
 - EXISTING FIRE HYDRANT
 - PROPOSED FIRE HYDRANT
 - EXISTING FENCE
 - EXISTING WATER MAIN
 - PROPOSED WATER MAIN
 - EXISTING SANITARY SEWER
 - PROPOSED SANITARY SEWER W/ MANHOLE
 - EXISTING STORM DRAIN W/ INLET
 - EXISTING SIGN



DRAWN BY: RWS SCALE: 1"=30'		DESIGN BY: CMRWS DATE: 06/01/2024		CHECK BY: CMR SHEET: CR-02 OF 05		COMMISSION: C1243-7		FILE NAME: C1243-7 Site Plan.dwg	
THIS DRAWING AND THE DESIGN SHOWN ARE THE EXCLUSIVE PROPERTY OF LANDMARK SCIENCE & ENGINEERING AND SHALL NOT BE REPRODUCED OR COPIED WITHOUT WRITTEN PERMISSION.		THIS DRAWING DOES NOT INCLUDE THE DESIGN OF THE CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND ARCHITECTS.		COMMISSION: C1243-7		FILE NAME: C1243-7 Site Plan.dwg		78	
200 CONTINENTAL DRIVE NEWARK, DE 19713 PHONE (302) 333-8877 FAX (302) 333-8877 WWW.LANDMARK-SE.COM INFO @ LANDMARK-SE.COM		P.O. BOX 289 NEWARK, DE 19713 PHONE (302) 333-8877 FAX (302) 333-8877 INFO @ LANDMARK-SE.COM		P.O. BOX 289 NEWARK, DE 19713 PHONE (302) 333-8877 FAX (302) 333-8877 INFO @ LANDMARK-SE.COM		P.O. BOX 289 NEWARK, DE 19713 PHONE (302) 333-8877 FAX (302) 333-8877 INFO @ LANDMARK-SE.COM		P.O. BOX 289 NEWARK, DE 19713 PHONE (302) 333-8877 FAX (302) 333-8877 INFO @ LANDMARK-SE.COM	
SITE PLAN FOR LUTHER VILLAGE IV CITY OF DOVER - EAST DOVER HUNDRED - KENT COUNTY, DELAWARE		OWNER/DEVELOPER MARTIN LUTHER VILLAGE IV DOVER, DE 19901 (302) 874-1606		CITY OF DOVER - EAST DOVER HUNDRED - KENT COUNTY, DELAWARE		CITY OF DOVER - EAST DOVER HUNDRED - KENT COUNTY, DELAWARE		CITY OF DOVER - EAST DOVER HUNDRED - KENT COUNTY, DELAWARE	



1"=400

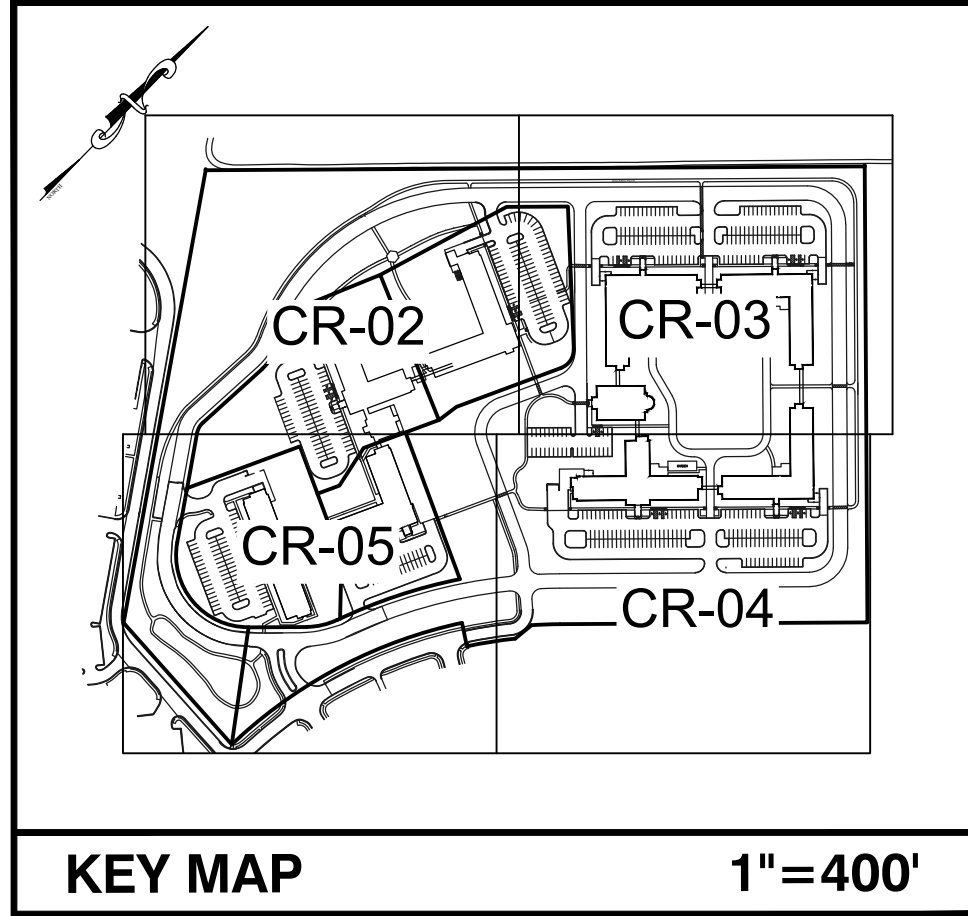


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Science & Engineering

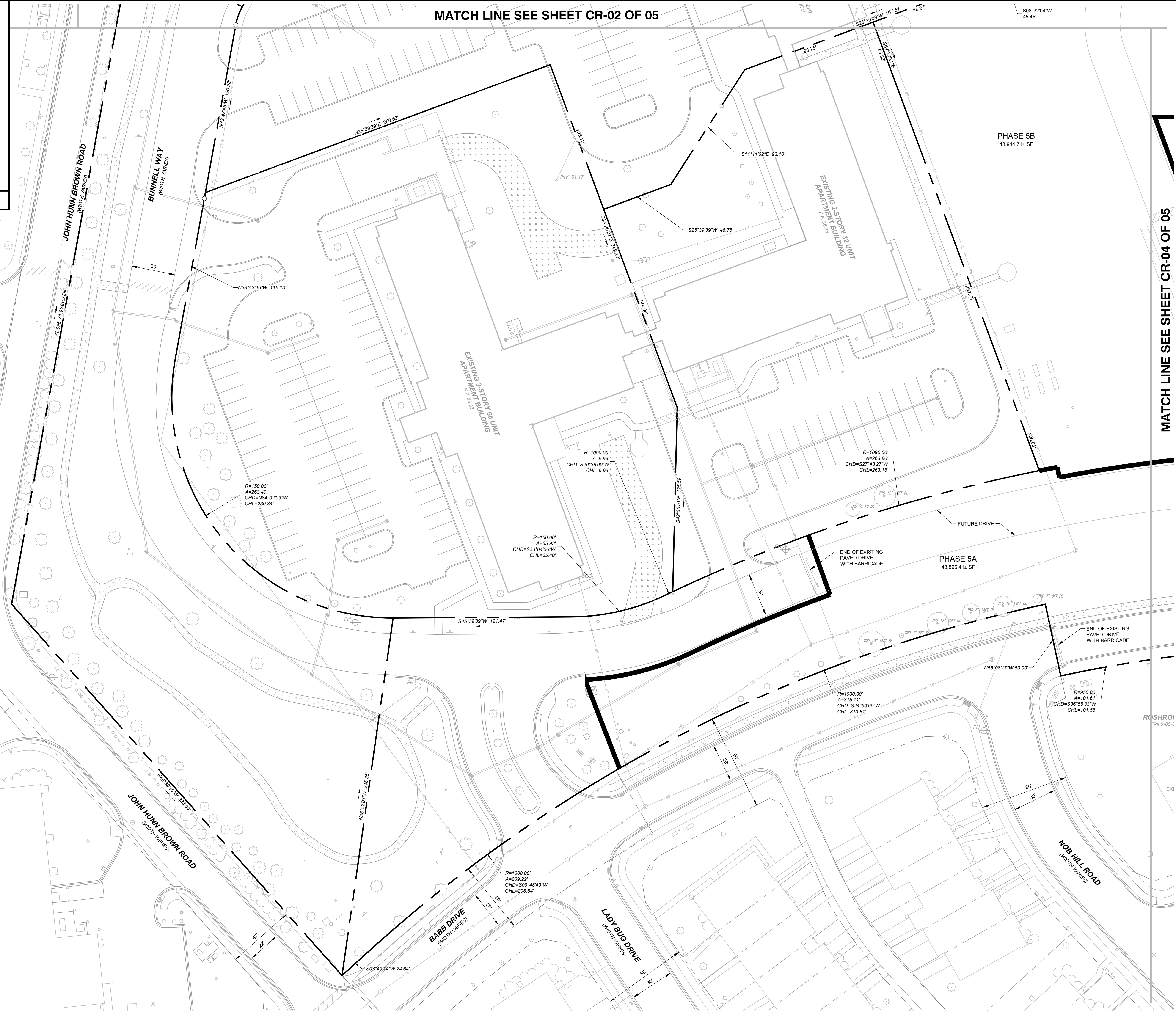
CR-04

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[illegible]



- LEGEND**
- EXISTING VERTICAL PCC CURB
 - PROPOSED PCC CURB TYPE 1-6
 - EXISTING PCC SIDEWALK
 - PROPOSED PCC SIDEWALK W/ RAMP
 - PROPOSED PAVED WALKWAY
 - EXISTING BUILDING
 - PROPOSED BUILDING
 - PROP. STORMWATER MANAGEMENT ESMIT.
 - EXISTING FIRE HYDRANT
 - PROPOSED FIRE HYDRANT
 - EXISTING FENCE
 - EXISTING WATER MAIN
 - PROPOSED WATER MAIN
 - EXISTING SANITARY SEWER
 - PROPOSED SANITARY SEWER W/ MANHOLE
 - EXISTING STORM DRAIN W/ INLET
 - EXISTING SIGN



200 CONTINENTAL DRIVE
NEWARK, DE 19713
PHONE (800) 333-8877
FAX (800) 333-8877
WWW.LANDMARK-SE.COM
INFO @ LANDMARK-SE.COM

Landmark
Science & Engineering

CR-05

COMMISSION:
C1243-7

FILE NAME: C1243-7 Site Plan.dwg

SCALE: 1"=30'

GRAPHIC SCALE

0 30 60

DESIGN BY: CMLRWS
DATE: 08/01/2024
SHEET: CR-05 OF 05
CHECK BY: CML

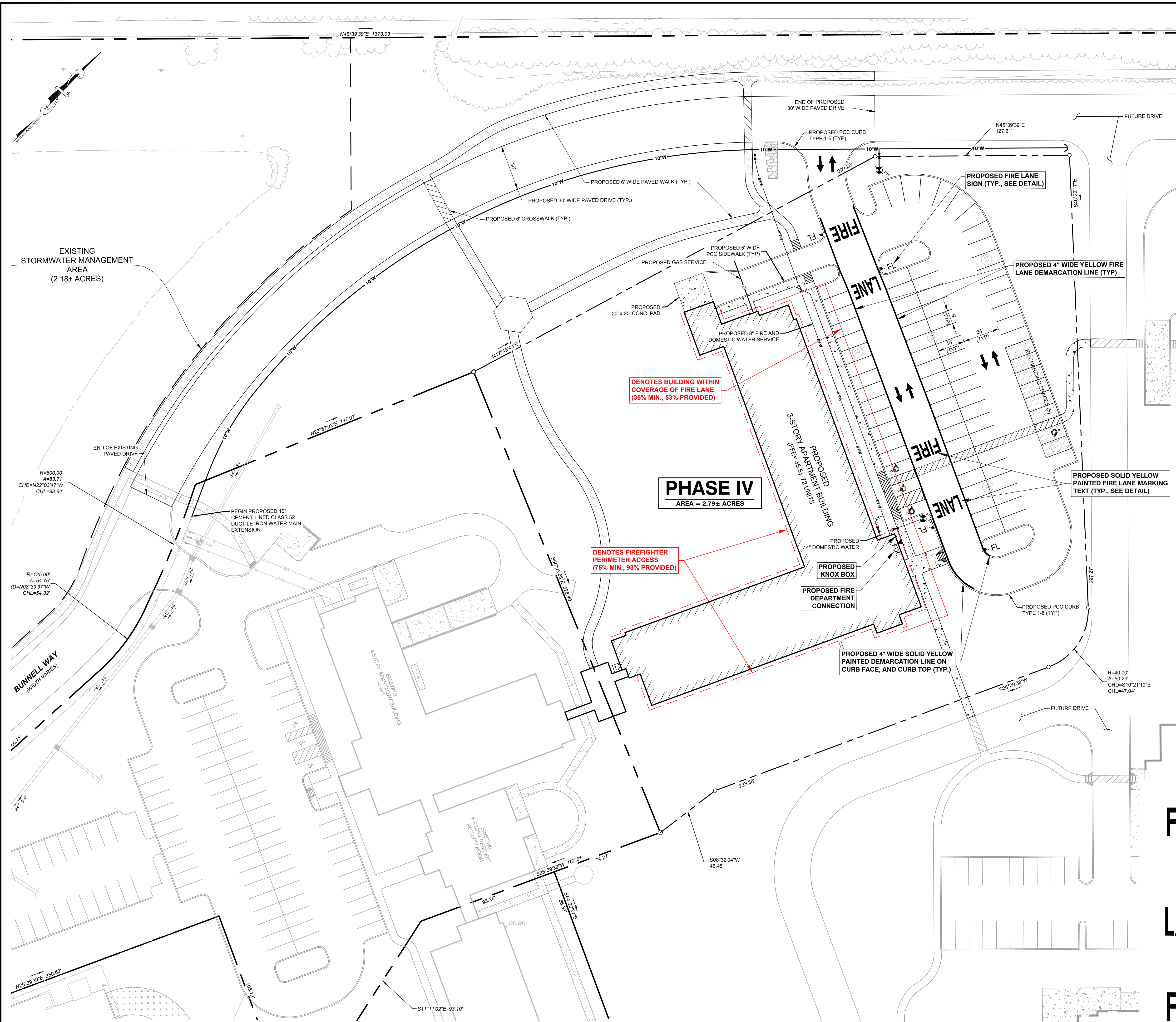
COMMISSION:
C1243-7

OWNER/DEVELOPER:
LUTHER VILLAGE IV
CITY OF DOVER - EAST DOVER HUNDRED - KENT COUNTY, DELAWARE
MARTIN LUTHER VILLAGE IV
300 KINGS HIGHWAY
DOVER, DE 19901
(302) 872-1408

SITE PLAN FOR:
LUTHER VILLAGE IV

CHECKED BY:

REVISIONS:

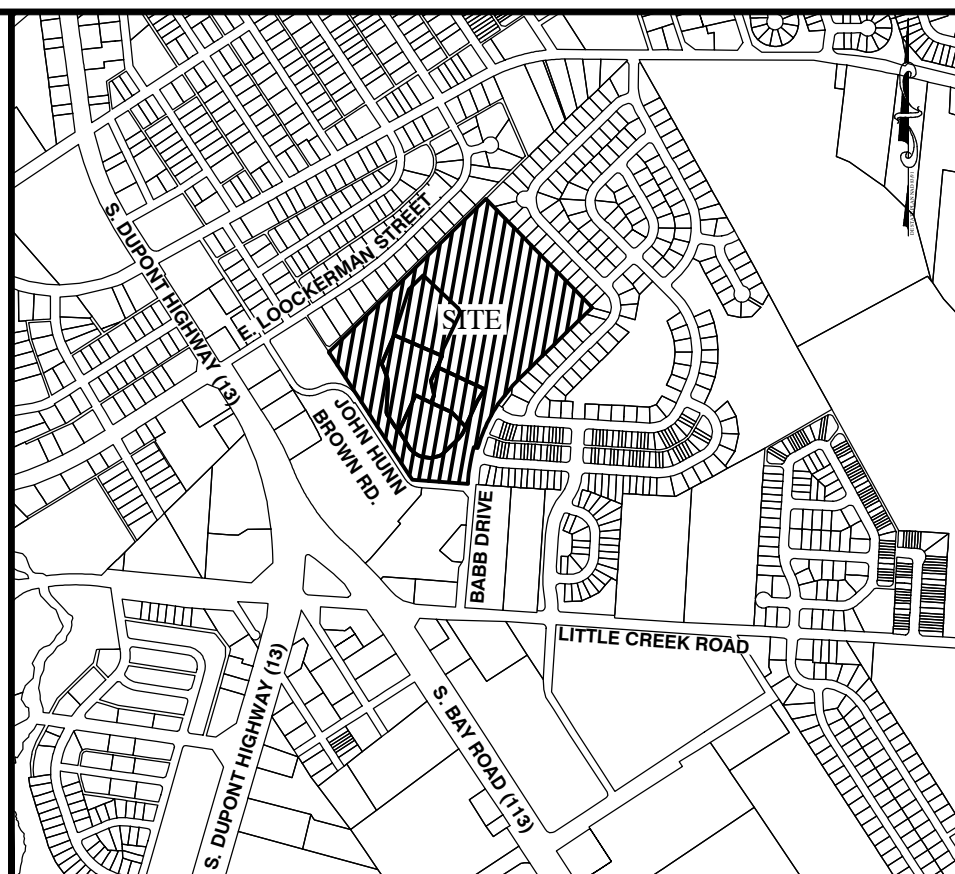


DENOTES BUILDING WITHIN
COVERAGE OF FIRE LANE
(35% MIN., 53% PROVIDED)

DENOTES FIREFIGHTER
PERIMETER ACCESS
(75% MIN., 93% PROVIDED)

PHASE IV
AREA = 2.79± ACRES

PLAN VIEW
SCALE 1" = 30'



LOCATION MAP 1" = 1200'

GENERAL DATA:

- TAX PARCEL NUMBERS: 05-77-06-02-90-00, 05-77-06-02-90-01, 05-77-06-02-90-02
- POSTAL ADDRESS: 400 BABB DRIVE
- GROSS AREA: LUTHER VILLAGE IV OF DOVER, INC. PARCEL: 33.63± ACRES
02.79± ACRES
- BUILDING USE: SENIOR CITIZEN APARTMENTS
- WATER SUPPLY: CITY OF DOVER
- PROP. BLDG. HEIGHT / HEIGHT OF HIGHEST FLOOR: 42'-9 1/2' / 21'-4 1/2'
- BUILDING CONSTRUCTION TYPE: 2B
- BUILDING AREA TOTAL: 58,185± SF
FIRST FLOOR: 20,205± SF
SECOND FLOOR: 18,990± SF
THIRD FLOOR: 18,990± SF
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS AND PER THE APPROVED FIRE MARSHAL RECORD TYPE PLAN.
- PROPOSED BUILDING WILL HAVE AN AUTOMATED SPRINKLER SYSTEM.
- A LOCK BOX CONTAINING KEYS FOR FIRE DEPARTMENT ACCESS TO AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED. CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND SEE PLAN FOR LOCATIONS OF BOX ON THE BUILDING OR PLACE AS DIRECTED BY FIRE CHIEF.
- ALL STANDPIPE AND SPRINKLER CONNECTIONS SHALL BE MARKED AND IDENTIFIED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS PART V, SECTION 5-11.
- FIRE HYDRANTS SHALL BE COLOR-CODED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS, PART III, SECTION 3-4.
- ALL PROPOSED FIRE HYDRANTS AND WATER MAINS SHALL BE INSTALLED IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE DELAWARE STATE FIRE PREVENTION REGULATIONS (DSFPR REGULATION 702, CHAPTERS 6 & 7).
- ALL REQUIRED MEANS OF EGRESS SHALL HAVE AN EXIT DISCHARGE CONSISTING OF NON-SLIP SURFACE, AND LEADING TO AND TERMINATING AT A PUBLIC WAY.

LEGEND

- PROPOSED PCC CURB TYPE 1-6
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- PROPOSED FIRE LANE COVERAGE (50% MIN.)

OWNER/DEVELOPER:
MARTIN LUTHER FOUNDATION OF DOVER, INC.
430 KINGS HIGHWAY
DOVER, DE 19901
(302) 674-1408

APPLICANT:
LANDMARK SCIENCE & ENGINEERING
200 CONTINENTAL DRIVE, NEWARK, DE 19713

FIRE

LANE

FIRE

FIRE LANE MARKING DETAIL
(N.T.S.)

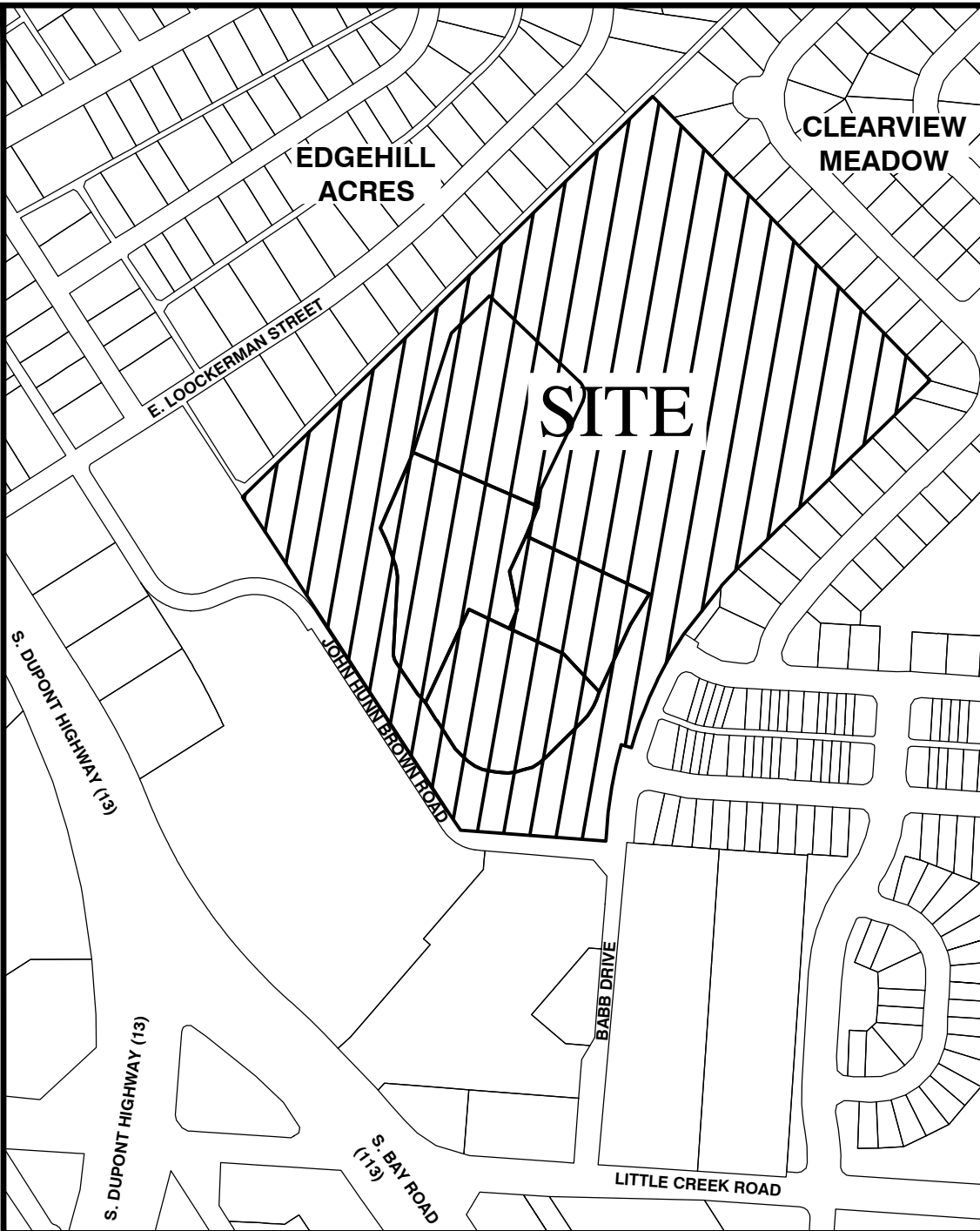
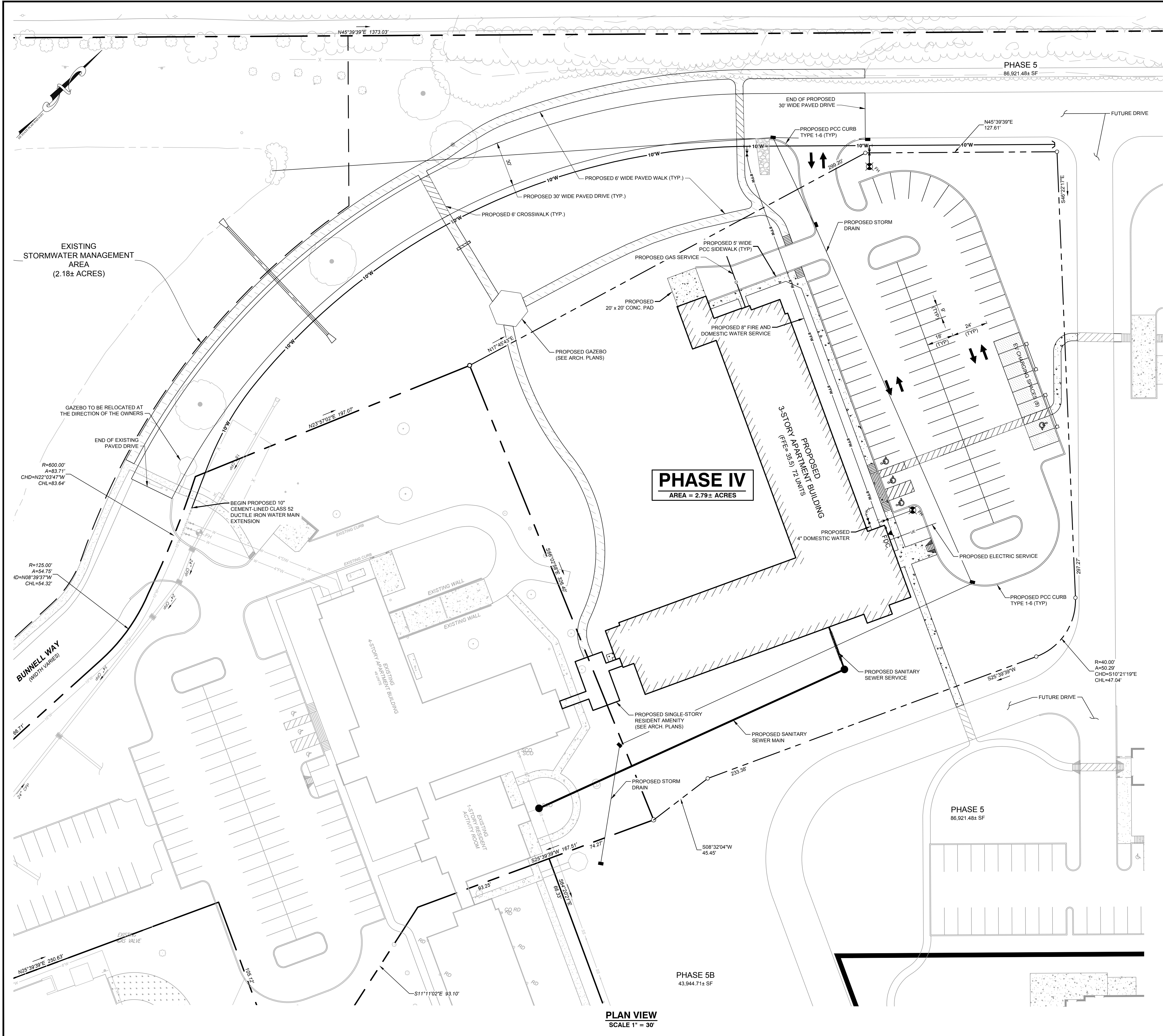


NOTES:

- THE SIGN SHALL HAVE A WHITE SCOTCHLITE BACKGROUND WITH RED SCOTCHLINE LETTERS, EXCEPT FOR THE WORD "NO" WHICH SHALL HAVE THE COLOR SCHEME REVERSED.
- ALL LETTERING SHALL BE 3 INCHES IN HEIGHT, EXCEPT FOR THE WORD "PARKING" WHICH SHALL BE 2 INCHES IN HEIGHT.
- THE SIGNS SHALL BE LOCATED AT EACH END AND 150' ON CENTER ALONG FIRE LANES.
- THE SIGNS SHALL BE LOCATED NO LESS THAN 6' BUT NO HIGHER THAN 8' ABOVE THE PAVEMENT.

TYPICAL FIRE LANE SIGN
(N.T.S.)

Item 3.	
CHECKED BY: _____	
REVISIONS:	
FIRE MARSHAL RECORD TYPE PLAN FOR LUTHER VILLAGE IV	
CITY OF DOVER - EAST DOVER - HUNDRED - KENT COUNTY, DELAWARE	
OWNER/DEVELOPER: MARTIN LUTHER FOUNDATION OF DOVER, INC. 430 KINGS HIGHWAY DOVER, DE 19901 (302) 674-1408	
200 CONTINENTAL DRIVE NEWARK, DE 19713 PHONE (302) 323-9377 WWW.LANDMARK-SE.COM INFO @ LANDMARK-SE.COM	
P.O. BOX 299 PERMANVILLE, MD 21893 PHONE (410) 326-1993 FAX (410) 323-9461 INFO@LANDMARK-SE.COM	
Landmark Science & Engineering	
THIS DRAWING DOES NOT INCLUDE THE DESIGN OF OR ALL CONSTRUCTION MUST BE DONE IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS AND THE RULES AND REGULATIONS OF THE FIRE DEPARTMENT.	
DRAWN BY: RWS	SCALE: 1" = 30'
DESIGN BY: CLK/RWS	DATE: 09/02/2024
CHECK BY: CHL	SHEET: CF-01 OF 01
0	15
30	60
GRAPHIC SCALE	
COMMISSION: C1243-7	
CF-01	
NAME: Fire & Water.dwg	
2024 LANDMARK SCIENCE & ENGINEERING	



LOCATION MAP 1" = 400'

- GENERAL DATA:**
- TAX PARCEL NUMBERS: 05-77-06-02-90.00, 05-77-06-02-90.01, 05-77-06-02-90.02
 - POSTAL ADDRESS: 400 BABB DRIVE
 - GROSS AREA: 33.63± ACRES
LUTHER VILLAGE IV OF DOVER, INC. PARCEL: 02.79± ACRES
 - BUILDING USE: SENIOR CITIZEN APARTMENTS
 - VERTICAL DATUM: NAVD 88
 - PROJECT BENCHMARK: ELEVATION = 36.16 EXISTING SMH RIM, NEAR END OF BABB DRIVE.
 - EASEMENTS:
 - SEE CONFIRMATORY DEED D/478/173 CONCERNING STORMWATER EASEMENT.
 - ALL LUTHER VILLAGE OF DOVER, INC. PARCELS SHALL HAVE CROSS-ACCESS THROUGH THE MARTIN LUTHER FOUNDATION OF DOVER, INC. PARCEL.
 - ALL LUTHER VILLAGE OF DOVER, INC. PARCELS SHALL HAVE ACCESS TO UTILITIES AND RECREATION FACILITIES WITHIN THE MARTIN LUTHER FOUNDATION OF DOVER, INC. PARCEL.

WATER DISTRIBUTION PLAN
FOR
LUTHER VILLAGE IV
CITY OF DOVER - EAST DOVER HUNDRED - KENT COUNTY, DELAWARE

200 CONTINENTAL DRIVE
NEWARK, DE 19713
PHONE (302) 333-4877
FAX (302) 333-4877
WWW.LANDMARK-SE.COM
INFO @ LANDMARK-SE.COM



THIS DRAWING DOES NOT INCLUDE
ANY FIELD VERIFICATION OF
CONSTRUCTION SAFETY.
ALL CONSTRUCTION MUST BE DONE
IN ACCORDANCE WITH THE
OCCUPATIONAL SAFETY AND
HEALTH ADMINISTRATION
REGULATIONS AND THE RULES AND REGULATIONS
OF THE DELAWARE DEPARTMENT
OF TRANSPORTATION.

DRAWN BY: RWS	SCALE: 1" = 30'
DESIGN BY: CML/RWS	DATE: 08/02/2024
CHECK BY: CML	SHEET: CW-01 OF 02
GRAPHIC SCALE	
COMMISSION:	
C1243-7	
FILE NAME: Fire & Water.dwg	



1



4



7



2



5



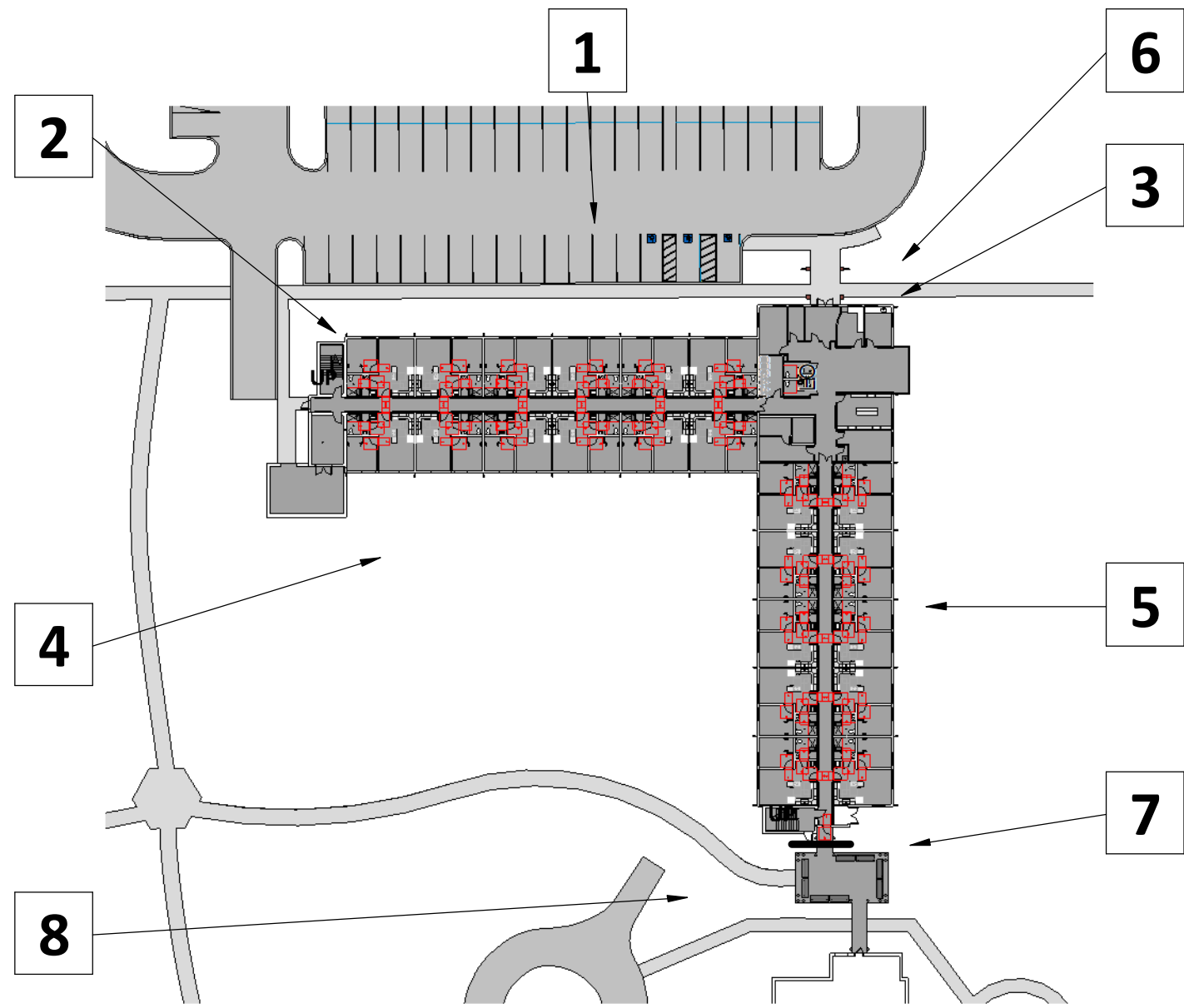
8



3



6



POINT OF VIEW LOCATION DIAGRAM
SCALE : 1" = 60'-0"

CORNERSTONE
DESIGN+ARCHITECTS

4850 W. CHESTNUT STREET, SUITE 400
P.O. BOX 1796
LANCASTER, PA 17608

PHONE: 717.435.1800 FAX: 717.435.1801

SEAL

PROJECT
MARTIN LUTHER
FOUNDATION OF
DOVER, INC.
LUTHER VILLAGE PHASE IV

301 BARB DRIVE #400
DOVER, DELAWARE 19901

THESE DRAWINGS ARE COPYRIGHTED AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN "ARCHITECTURAL WORK" UNDER SECTION 102 OF THE COPYRIGHT ACT, 17 U.S.C. 101-102. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THESE DRAWINGS, OR WORKS DERIVED THEREFROM, WITHOUT THE WRITTEN PERMISSION OF CORNERSTONE DESIGN LTD., IS STRICTLY PROHIBITED.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SITE BEFORE PROCEEDING WITH THE WORK. THESE DRAWINGS HAVE BEEN PREPARED AS DESIGN/BUILD DOCUMENTS FOR USE BY THE DESIGN/BUILD CONTRACTOR AND ARE NOT COMPLETE IN SCOPE AND DETAIL FOR USE AS A SET OF CONSTRUCTION DOCUMENTS. BIDDER ACKNOWLEDGES AND AGREES THAT THE DRAWINGS ARE INCOMPLETE AND SHALL BE RESPONSIBLE TO OBTAIN CLARIFICATION OF THE INTENDED SCOPE OF WORK FROM THE DESIGN/BUILD CONTRACTOR AND PROVIDE A COMPLETE AND FUNCTIONAL SYSTEM FOR THEIR RESPECTIVE TRADES.

KEY PLAN

ISSUES

MARK	DATE	DESCRIPTION
PROJECT PHASE		
SCHEMATIC DESIGN		
PROJECT NUMBER		
2024009		
DATE		
2024.07.12		
DRAWN BY		
KING		
MANAGED BY		
PEAHY		
APPROVED BY		
PEAHY		
SHEET TITLE		
3D VIEWS		
SHEET NUMBER		
A001		

NOT FOR CONSTRUCTION

Autodesk Docs://Luther Village - Building 4 (2024009)/2024009_ARCH/004_Luther Village - Building 4.rvt

7/10/2024 3:57:28 PM



DATA SHEET FOR CONDITIONAL USE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF October 9, 2024

PLANNING COMMISSION MEETING OF October 21, 2024

Plan Title:	Prickly Pear Studio LLC Expansion
Plan Type:	Conditional Use Plan
Property Location:	South side of Walker Road east of Saulsbury Road
Property Address:	872-C Walker Road
Owner:	Yulissa Shaw-YC Properties, LLC
Applicant:	Prickly Pear Studio LLC
Tax Parcel:	ED-05-067.19-02-02.08-000 (Also listed as ED-05-067.19-02-02.07-003)
Present Zoning:	C-PO (Commercial Professional Office Zone) COZ-1 (Corridor Overlay Zone)
Site Area:	0.60 ac. +/- (25,623 S.F +/-)
Building Area:	Proposed Expansion into building area on first floor: 3,623 S.F.
Present Use:	Existing Makeup/Aesthetics studio in the lower level and vacant office space on the first floor
Proposed Use:	Aesthetic & Permanent Makeup Studio (entire suite - Unit C)
Sewer & Water:	City of Dover
Waiver Requested:	Elimination of Bicycle Parking

City of
Dover
Planning
Office

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: October 9, 2024

APPLICATION: Prickly Pear Studio LLC Expansion at 872-C Walker Road (into First Floor)

FILE #: C-24-04

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Tracey Harvey, Community Development Manager

PHONE #: (302) 736-7196

I. PLAN SUMMARY:

C-24-04 Prickly Pear Studio LLC Expansion at 872-C Walker Road - The Conditional Use Review is to permit expansion of a makeup/aesthetics studio (Personal Service Establishment) in a tenant space (Unit C) in a 3,623 S.F. office building in Walker Square. The property consists of (0.60 acres) 25,623 S.F. +/- . The property is zoned C-PO (Commercial and Professional Office Zone) and is subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side of Walker Road and east of Saulsbury Road. The owner of record is Yulissa Shaw-YC Properties LLC and the Applicant is Prickly Pear Studio LLC. Property Address: 872-C Walker Road, Tax Parcel: ED-05-067.19-02-02.08-000 (also listed as ED-05-067.19-02-02.07-003). Council District 4. *Waiver Request: Elimination of Bicycle Parking*

Previous Application:

The most recent Conditional Use Application C-21-06 Prickly Pear Studio was granted conditional approval by the Planning Commission on August 16, 2021. The Application was to permit a makeup studio in a 300 S.F. tenant space in the lower level of an office suite within a 3,623 S.F. office building at Walker Square.

II. PROJECT DESCRIPTION

The project proposes the use of a makeup studio expansion into the first floor areas of a vacant tenant space in Unit C. There are two room spaces located on the first floor and lower level of the building. There is no expansion of the building footprint proposed. The Prickly Pear Make-Up Studio will provide services by appointment only. Services include cosmetic skincare treatments, facials, full body waxing, and permanent makeup services. The *Zoning Ordinance* would identify this use as a “Personal Service Establishment.” The term “Personal Service Establishment” (like a beauty shop) is defined as follows:

Personal service establishment: Establishments primarily engaged in providing individual services generally related to personal needs, such as a hair salon.

III. ZONING REVIEW

C-PO Zoning District: The types of permitted uses in the C-PO (Commercial and Professional Office Zone) are given in Article 3 §26 of the *Zoning Ordinance*. A make-up/aesthetics studio is considered a type of barbershop/ beauty shop, which is a Conditional Use in the C-PO Zone. The building is existing with no proposed expansion of the building footprint.

Corridor Overlay Zone

The parcel involved with this application is within the COZ-1 (Corridor Overlay Zone). The *Zoning Ordinance* details the requirements of the COZ-1 in Article 3, Section 27 and its subsections. The Corridor Overlay Zone as a planning and growth management tool is designed to foster an attractive, efficient, and economically vibrant commercial corridor along Route 8/Forrest Avenue and Saulsbury/McKee Roads. To this end, more stringent standards are applied to development taking place in these corridors. A discussion of the provisions of the COZ-1 which apply to this application follows below.

- No new buildings, building additions, or parking facilities are proposed with this plan. Aspects of the COZ-1 that relate to building architecture, building placement, parking lot design, landscaping, etc. are not required as the site is considered an existing condition.

Considering the existing building and site development pre-dates the implementation of the COZ-1 (Corridor Overlay Zone) and since no additions or alterations of the building are proposed, any nonconformity with the code provisions of the Corridor Overlay Zone is permitted. The site does comply with a number of the COZ-1 provisions including parking placement and certain corridor elevation features and landscaping.

Conditional Use Review

With Conditional Use 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 Ordinance* which relate to the role of the Commission in reviewing Conditional Use applications are particularly relevant when reviewing this application:

ARTICLE 10. PLANNING COMMISSION

Section 1. - Approval of conditional uses.

On application and after public notice and hearing, the commission may authorize the issuance by the city planner of permits for any of the conditional uses for which this ordinance requires, in the district in which such use is proposed to be located. In approving any such use, 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 of the immediate neighborhood in particular, and may prescribe appropriate conditions and safeguards as may be required in order that the results of its action may, to the maximum extent possible, further the expressed intent of this ordinance and the accomplishment of the following objectives in particular:

- 1.1 *Accessibility for emergency response.* That all proposed structures, equipment or material shall be readily accessible for fire, ambulance, police, and other emergency response;
- 1.2 *Harmony of location, size and character.* That the proposed use shall 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;

If the Planning Commission approves a Conditional Use, the use is granted as a Conditional Use Permit. Such permits may be permanent, subject to limitations outlined in *Zoning Ordinance* Article 10 §1.41, or be required by the Commission to undergo periodic renewal, using the procedure described in Article 10 §1.42. Any Conditional Use Permit, permanent or not, may be revoked using the procedure described in Article 10 §1.43 if the conditions prescribed by the Commission in conjunction with the issuance of the Conditional Use Permit have not been or are no longer being complied with.

IV. BUILDING ARCHITECTURE

The one-story structure is covered in a light-colored siding, with a partial brick facade in the front of the building, a brown asphalt-shingle roof, and windows on all four sides. The building has an elevated first floor allowing for a lower-level space. The doors for each tenant space are accessed by concrete steps with metal handrails.

V. PARKING SUMMARY

The building is subject to the parking requirements under C-PO (Commercial and Professional Office Zone) which requires one off-street parking space per 300 SF of floor area (Article 4, Section 4.14). Overall, the building of 3,623 SF requires thirteen (13) parking spaces. There are eleven (11) existing off-street striped and paved parking spaces with bumpers in the parking row immediately adjacent to the building with handicapped accessible spaces also nearby. However, as part of the Walker Square Office Building Complex, this building has access to many more parking spaces than the thirteen (13) required.

Bicycle Parking

Request for Waiver: Elimination of Bicycle Parking Requirement

Bicycle parking shall be provided for parking spaces at a rate of one (1) bicycle parking space for every twenty (20) parking spaces. One (1) bicycle parking space is required. The Planning Commission may waive the requirement for the bicycle parking if it is demonstrated that bicycle parking would not be appropriate for safety reasons or due to the nature of the use of the site. A written Waiver Request for the elimination of bicycle parking has been submitted for consideration by the Planning Commission.

VI. SITE CONSIDERATIONS

Access

The applicant proposes no changes to the current site entrances. There are three access points to the overall Walker Square Complex: two from Walker Road, as well as one from Saulsbury Road to the west. Vehicle access to this specific parcel is via a drive aisle with access to a similar drive aisle to the parcel to the west, and the main drive aisle/ entrance to the east that grants access from Walker Road.

Sidewalks

The *Zoning Ordinance*, Article 5, Section 18 requires sidewalks to be installed along the public street frontages of a property. The site has an existing sidewalk on the frontage of Walker Road. Another sidewalk is located in the rear building entry area of the building adjacent to the parking lot. Connecting sidewalks lead to the building from these other sidewalk systems.

Dumpster

The Plan submitted identifies a location for dumpsters. For non-residential uses, the Code requires two dumpsters (to accommodate trash and recycling) per property. The Applicant should identify the applicable trash collection methodology in the plans as utilized for the Walker Square Office Complex.

VII. TREE PLANTING AND LANDSCAPE PLAN

Zoning Ordinance Article 5, Section 16.62 states that “the development area shall attain or exceed a tree density of one tree per 3,000 square feet or fraction thereof.” The subject parcel of 25,623 SF+/- requires nine (9) trees to be planted. There are nine (9) trees presently located on the lot. The tree planting requirement has been met.

VIII. CITY AND STATE CODE REQUIREMENTS

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:

- 1) The Site Plan and data column must be corrected as follows:
 - a. Correct the Tax Parcel Numbers to be: ED-05-067.19-02-02.08-000 and list as ED-05-067.19-02-02.07-003
 - b. Item #4: List zoning as C-PO (Commercial and Professional Office) and COZ-1 (Corridor Overlay Zone).
 - c. Item #9: List as Building Area: 3,623 sq. ft.
 - d. Please note the parking requirement of one space per 300 SF of floor area and the number of parking spaces provided. It needs to be listed in the data column. The plan shows 14 parking spaces; however, there are 11 actual parking spaces on the site. Revise the plan drawing to reflect the change.
 - e. Identify trash collection service method.
 - f. Check listing of the number of trees existing and required. The property requires 9 and from the plan it appears that nine exists. Update listing.
- 2) The property requires one bicycle parking space. The applicant is seeking a waiver of this requirement; add action taken by the Planning Commission regarding the waiver to the plan.
- 3) The Final Plan must include notes indicating the action taken by the Planning Commission listing any conditions of approval. The plan must be revised to reflect all the changes recommended by the Planning Commission.

IX. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

In accordance with the *Zoning Ordinance*, Article 10 §1, the Planning Commission in considering and acting upon Conditional Use Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 1.1 to 1.3.

- 1) Conditional Use – Personal Service Establishment: Staff recommends approval of Conditional Use for this Personal Service Establishment as a type of beauty salon. It can be deemed an accessory to the overall Walker Square Office Complex. And it is encouraging that the current business that was previously approved is expanding in the existing building.
- 2) Recommendation on Waiver Request:
 - a. Elimination of Bicycle Parking: Staff recommends approval of the request for the elimination of bicycle parking due to the nature of the business and customers are seen by

appointment only. In addition, the Planning Commission previously approved the Bicycle Parking Waiver at its August 16, 2021 meeting.

X. ADVISORY COMMENTS TO THE APPLICANT:

- 1) In the event that major changes and revisions to the plan occur in its finalization, contact the Planning Office. Examples include relocation of site components and increases in floor area. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regard 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) Following Planning Commission approval of the Conditional Use Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted.
- 4) For new or expanded uses in an existing building, the requirements of the building code and the fire code must be complied with. Consult with the Chief Building Inspector and City of Dover Fire Marshal for these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.
- 5) The applicant shall be aware that Conditional Use approval does not represent a Building Permit and associated construction activity permits to make the tenant space/building ready for the expansion of this use. A separate application process is required for the issuance of a Building Permit from the City of Dover.
- 6) The applicant shall be aware that the Conditional Use 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: OCTOBER 2, 2024



Item 4.

APPLICATION: Prickly Pear Studio LLC Expansion at 872-C Walker Road
FILE #: C-24-04
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services
CONTACT PHONE #: 302-736-7025
CONTACT EMAIL: jlyon@dover.de.us

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

SANITATION

1. Our office has no objection to the conditional use proposed for the subject property.
2. Every commercial customer shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers. The City of Dover shall provide commercial customers with a maximum of two (2), 90-gallon trash containers and two (2), 90-gallon recycling containers.
3. Trash collection site shall be oriented for side-loading pick-up if customer is utilizing City of Dover sanitation services.
4. Any commercial customer requiring more containers, or larger containers, than provided above, must utilize private service.

WATER

1. Our office has no objection to the conditional use proposed for the subject property.
2. Due to the fact that this property is changing uses, 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 building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan, if an upgrade is required. 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.
3. It is possible that a new water service line will be required to be installed, depending on the existing size and material.
4. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. This project may require a testable assembly to prevent backflow prevention, the device will be dictated by your use. Please provide detailed information on the use of this studio.

WASTEWATER

1. Our office has no objection to the conditional use proposed for the subject property.

2. Sizing (flow) calculations must be submitted for all sanitary sewer laterals (other than for single-family dwellings) showing that velocity and all other requirements are met. All proposed 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.
3. It is possible that a new wastewater lateral line will be required to be installed, depending on the existing size and material.

GENERAL / STORMWATER / STREETS

1. Our office has no objection to the conditional use proposed for the subject property.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

STREETS / SANITATION / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. Water impact fees may be associated with this project.
2. One meter shall be utilized for the property.

WASTEWATER

1. Wastewater impact fees may be associated with this project.

STREETS

1. If any work is proposed to the existing sidewalk, please add the following notes to the plan:
 - a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.
 - b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

SANITATION / STORMWATER / GENERAL

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 ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: OCT 9, 2024

APPLICATION: Prickly Pear Studio LLC Expansion at 872-C Walker Rd
FILE #: C-24-04
REVIEWING AGENCY: City of Dover Electric Department
CONTACT PERSON: Shawn Burgett, Engineering Services & System Operations Superintendent
CONTACT PHONE #: 302-674-7568
CONTACT EMAIL: sburgett@dover.de.us

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. Any relocation or upgrade of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
2. Owner is responsible for locating all existing underground facilities to include electric, water and gas.
3. Owner is responsible for site and/or street lighting.
4. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
5. 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.
6. All Engineering and design for Dover Electric will be engineered upon receipt of final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

GENERAL

1. Final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg format) and Adobe Reader (.pdf format), if applicable.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

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: <https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

1. Provide load sheets as soon as possible for proper sizing of transformers and creation of primary fee estimates. Current load sheets can be found at the following link:
<https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf>.
2. Electric service is currently provided by the City.
3. If any upgrade to electric supply needs to be accomplished, customer will be responsible for all costs associated with the 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.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 10/02/24

C	F	Item 4.
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D	R	
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E	A	
R	L	

APPLICATION: Prickly Pear Studio LLC at 872C Walker Rd

FILE #: C-24-04

REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Fire Marshal
josika@dover.de.us

PHONE #: (302) 736-4457

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. Proposal is for a conditional use to permit expansion of a makeup/aesthetics studio (business). This office has no objections.
2. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.
3. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms.

Dimensions of bollards. Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however, the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection.

Color of bollards. Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector.
(City of Dover Code of Ordinances, 46-4)

4. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following:

One-family and two-family residential structures, height, the number shall measure a minimum of four inches in height, *location*, the number shall be placed on the house above or to the left or right of the front entrance, *color*, the number shall be contrasting to the background color, *Arabic numerals*, all numbers shall be Arabic numerals.

Multiple-family dwellings, measurements, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color*, numbers shall be contrasting to the background color, *Arabic numerals*, all numbers used shall be Arabic numerals.

Commercial, industrial and office buildings, height, the numbers shall measure a minimum of 12 inches in height, *location generally*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot,

property line or driveway, should the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building,

color; each building, numbers shall be contrasting to the background color and shall be placed on each building in the complex,

Arabic numerals, all numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.
(City of Dover Code of Ordinances, 98-344)

5. Project to be completed per approved Site Plan.
6. Full building and fire plan review may be required.

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please advise if any building renovations are taking place. Additional comments may apply.
2. Please confirm that this is for the entire suite C.
3. An annual fire and life safety inspection/walk through will be required.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
 2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
 2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
 2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
 2009 IBC (International Building Code)
 Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
 2021 Delaware State Fire Prevention Regulations
 City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed**

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

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APPLICATION: Prickly Pear Studio LLC Expansion

FILE#: C-24-04

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian Williams

PHONE#: 302-760-2141

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:

No person, firm, corporation or the like shall construct, open, reconstruct, maintain, modify or use any crossing or entrance onto a state-maintained highway, street or road, including any drainage modifications leading into or carried by the highway drainage system, without first having complied with standards and regulations adopted by the Department and having obtained a permit issued by the Department. Please contact the Delaware Department of Transportation - Development Coordination section to begin permit process.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. DelDOT has no objections to the expansion.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: 10/9/2024

**Dover/Kent
County
Metropolitan
Planning
Organization**

C-24-04 Prickly Pear Studio LLC Expansion at 872-C Walker Road

FILE # C-24-04

REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob

PHONE #: (302) 387-6030

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
Conditional Use Site Plan Review

C-24-04 Prickly Pear Studio LLC Expansion at 872-C Walker Road

Dover Kent MPO strongly discourages the waiving of bicycle parking at this location. The property is not far from the shared use path that follows Saulsbury Road and McKee Road, which is an important corridor for nonmotorized transportation in Dover. Although Walker Road currently has a high level of traffic stress (LTS), future bicycle improvements along the road are possible; these are listed in the City of Dover's 2020 *Bicycle and Pedestrian Plan* (p. 118).

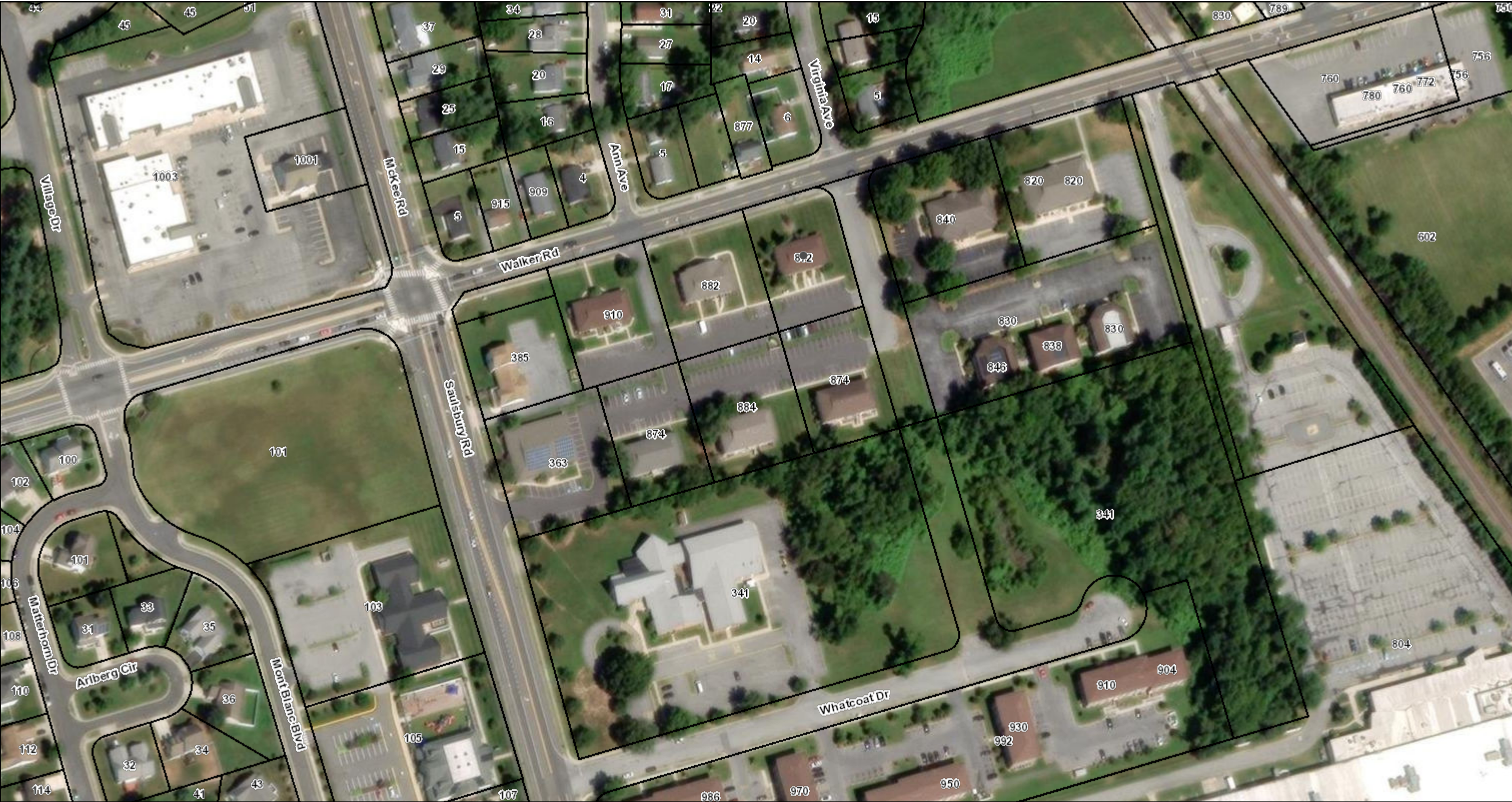
<https://doverkentmpo.delaware.gov/files/2021/04/Dover-Bicycle-and-Pedestrian-Plan-2020-FINAL-1.pdf>

According to data from the U.S. Census Bureau, the vicinity of Walker Road has a higher-than-average number of zero-vehicle households. In addition, it is listed as an equity focus area within DelDOT's Equity Analysis Tool. Given all of these conditions, and the fact that there is currently no bicycle parking on the property or adjacent properties, a bicycle rack should be added along with the proposed changes.

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.

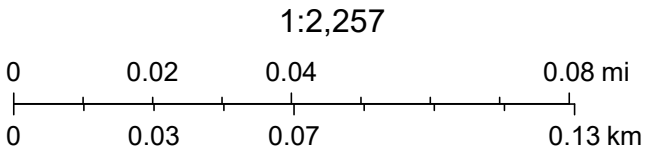


Planning & Inspections View Map

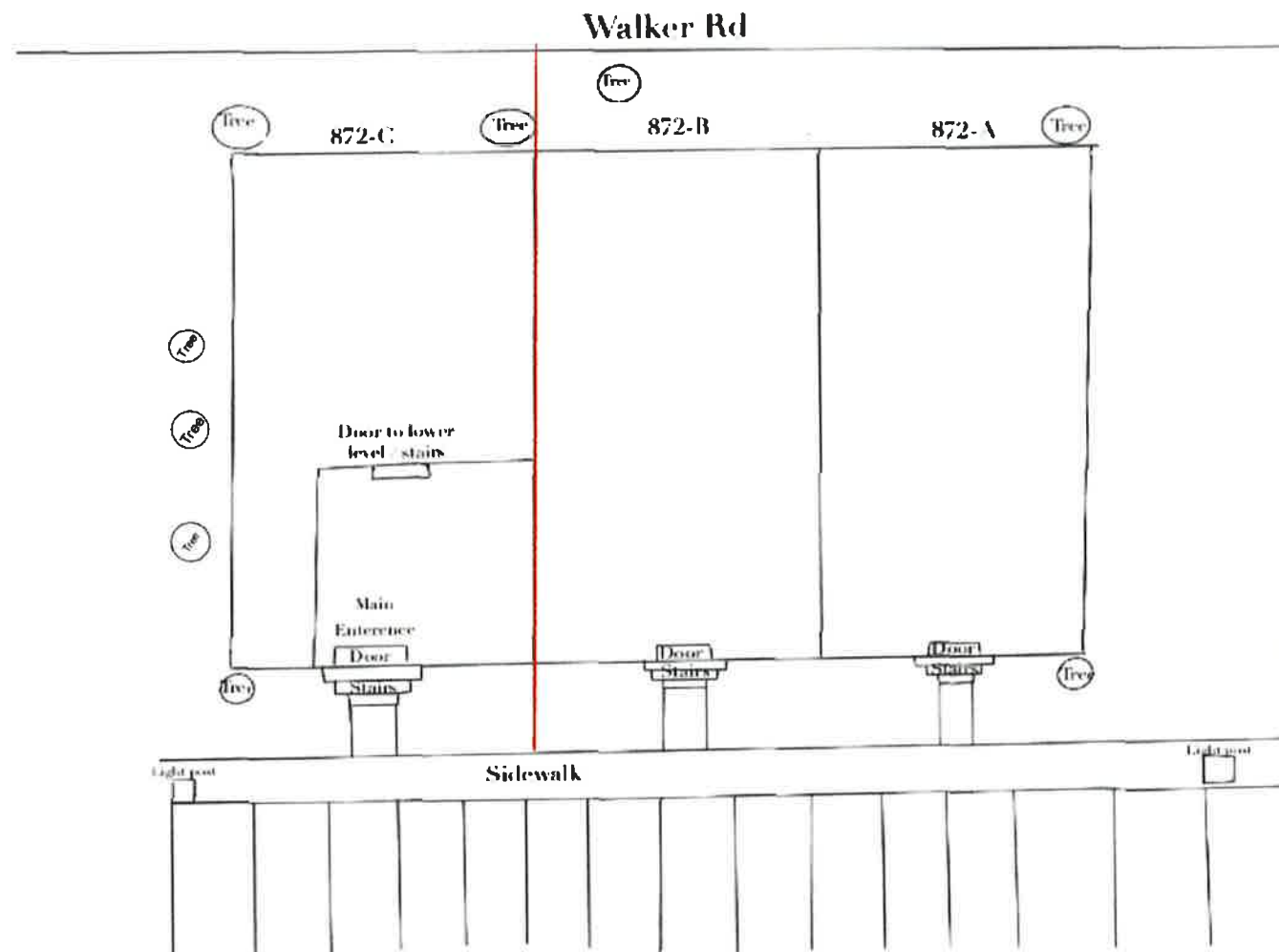


10/1/2024, 5:23:04 PM

- Dover_Boundary
- Parcels Outside Dover
- Dover Parcels



Maxar, Microsoft



Data Column

1. 872-C Walker Rd.
Dover DE 19904
2. General servicing / Aesthetics / PMU
3. Tax Parcel #: ED-05-067.19-02-020.009-000
4. Zoning: CPO
5. Property Owner Name: YC Properties / Yulissa Shaw
6. Business Owner Name: Yulissa Shaw
7. Business Name: YC Properties
8. Hours & Days of Operation: Sunday - Friday
Appointment only
9. Site Area: 3,623 sq ft
10. Tree Planting :0 Existing: 9 Required:1
11. Driveway Material: Asphalt
12. Waiver request(s)
a) Due to the nature of the business and limitation of customers on the site at one time, bicycle parking will not be needed.

Dumpster



OWNER'S CERTIFICATION:

I, Yulissa Shaw, hereby certify that I am the owner 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.

DATE 6 Sep 2024 SIGNATURE Yulissa Shaw

LESSEE CERTIFICATION

DATE 6 Sep 2024 SIGNATURE Yulissa Shaw



DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF October 9, 2024

PLANNING COMMISSION MEETING October 21, 2024

Plan Title: Capital School District Regional Bus Parking Lot at William Henry Middle School Campus
S-24-17

Plan Type: Site Development Plan

Property Owner: Dover Special School District (Capital School District)

Location: North side of Forest Street and east of Carver Road

Address: 65 Carver Road

Tax Parcel: ED-05-076.07-01-55.00-000

Site Area: 42.58 acres+/-

Zoning: IO (Institutional and Office Zone)
COZ-1 (Corridor Overlay Zone)

Present Use: School Campus including William Henry Middle School, Kent County Community School, and Booker T. Washington School

Proposed Use: Regional (School) Bus Parking Lot at School Campus
76 Bus Parking spaces and 76 Vehicle Parking spaces

Waivers Requested: None

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: October 9, 2024

APPLICATION: Capital School District Regional Bus Parking Lot at William Henry Middle School Campus

FILE #: S-24-17REVIEWING AGENCY: City of Dover Planning OfficeCONTACT PERSON: Dawn Melson-Williams, AICPPHONE #: 302.736.7196

I. PLAN SUMMARY

This is a Site Development Plan for the construction of a Parking Lot for 76 buses and 76 cars with the required site improvements to serve as a Regional Bus Parking Lot for the Capital School District. The facility is to be located on the William Henry Middle School Campus. The property is zoned IO (Institutional and Office Zone) and is subject to the COZ-1 (Corridor Overlay Zone). The property consists of 42.58 +/- acres. The property is located on the north side of Forest Street and east of Carver Road. The owner of record is Dover Special School District. Property Address: 65 Carver Road, Dover, DE. Tax Parcel: ED-05-076.07-01-55.00-000.

II. PROJECT DESCRIPTION

The Site Development Plan proposes construction of a Regional Bus Parking Lot in the western portion of the William Henry Middle School/Kent County Community School/Booker T. Washington School campus. The area is currently an open field (grass area) to the north of Carver Road. Intended to serve as a school bus parking lot with 76 bus parking spaces and 76 car (vehicle) parking spaces, the Parking Lot is fenced and gated (vehicle and pedestrian gates) with access from Carver Road. Site improvements also include accessible parking spaces, bicycle parking, lighting, tree planting, and underground stormwater management facilities. No buildings are proposed with this project proposal and the existing school buildings on the campus are to remain as part of this Phase.

Previous Applications

This school campus was developed over a period of time with the earliest being the original building section of what is now the Booker T. Washington School with building constructions and expansions in the 1950s and 1960s. The most recent projects began in 2010 with Site Development Master Plan S-10-31 Site Improvements at the William Henry Middle & Booker T. Washington Elementary School consisting phased improvements to reconfigure site access and circulation, bus and parent drop-off areas and parking facilities as well as an increased number of parking spaces, and other associated site improvements on the 45 acres+/- campus. The Planning Commission had originally conditionally approved S-10-31 Site Development Master Plan on December 20, 2010 and with Phase 1: Final Site Plan Approval granted on June 27, 2011; Phase 1 was constructed in 2011.

Activity continued with Administrative Site Plan S-11-23 William Henry Middle & Booker T. Washington Elementary School Site Improvements: Phase 2 focusing on an access drive (bus and vehicle) connection to Weston Drive, demolition of district office building, and removal of multiple classroom/office trailers. In 2014, the focus was the expansion and renovation of Booker T. Washington School and the Kent County Community School with a Site Plan S-14-04 and Administrative Site Plan S-14-10 KCCS Addition (Main Site).

Surrounding Properties

The School Campus of 45 acres is located with frontage on Carver Road and Forest Street. To the east there are areas that are zoned IPM (Industrial Park Manufacturing Zone). To the south across Forest Street, there is a mix of RG-1 (General Residence Zone) and C-PO (Commercial and Professional Office Zone) zoning districts with residential dwellings and small office buildings. To the west of Carver Road are areas zoned C-2A (Limited Central Commercial Zone), C-1A (Limited Commercial Zone), and C-PO. Closest to the project site is a credit union building with a drive-through and another office building. To the west of the subject site, areas are also zoned C-PO with offices, properties zoned C-2A with motor vehicle service & sales and two residential dwellings, a property zoned C-3 (Service Commercial Zone) with a gas station, and a separate property zoned IO (Institutional & Office Zone) owned by the School District.

III. ZONING REVIEW IO (Institutional and Office Zone)

Zoning Ordinance, Article 3 Section 10 lists the permitted uses, conditional uses, and other provisions of the IO (Institutional and Office Zone). In Article 3 Section 10.1(d), it notes for the IO zone allows public and institutional uses such as schools as a permitted use. This Regional Bus Parking Lot is associated with /accessory to the school use. The bulk standards for the I-O zone are listed in Article 4 Section 4.15.

COZ-1: Corridor Overlay Zone

The parcel involved with this application is within the COZ-1 (Corridor Overlay Zone). The *Zoning Ordinance* details the requirements of the COZ-1 in Article 3 §27 and its subsections. The Corridor Overlay Zone as a planning and growth management tool is designed to foster an attractive, efficient, and economically vibrant commercial corridor along Route 8/Forrest Avenue and Saulsbury/McKee Roads. To this end, more stringent standards are applied to commercial development taking place in the corridor. A discussion of the provisions of the COZ-1 which apply to this application follows below.

- No new buildings are proposed with this plan. Aspects of the COZ-1 that relate to building architecture, building placement etc., are not required as the site is considered an existing condition.
- The proposal meets the requirement that 25% of the lot consist of landscaped open space. It is estimated that 59.5% of the overall campus lot is open space.
- Where the COZ-1 is concerned, the applicable portions of the Code relate to parking lot design and planting requirements. These COZ-1 requirements pertain to the number of parking spaces permitted to occur without a landscaped island (maximum of 20 parking spaces).
- The Carver Road frontage is 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) comply with landscaped open space of 15 feet when adjacent to residential uses and landscaped open space of 5 feet when adjacent to non-residential uses and to provide one tree per 75 (seventy-five) feet.

IV. PARKING SUMMARY

The parking requirement in the IO zoning district is one space per 300 S.F. floor area. Parking for schools at a minimum is based on the number of seats in the auditorium, cafeteria, or gym space (rate of one parking space per eight (8) seats). The Plan notes that the campus has 402 parking spaces plus designed parking spaces for buses. Any deficiency in required parking spaces for the school campus is considered an existing non-conformity on the site.

This project will construct a Regional Bus Parking Lot to consist of parking for 76 buses and 76 car (vehicle) parking spaces to accommodate the bus drivers. This the Bus Parking Lot is separated from the other parking and circulation areas of the school campus.

Bicycle Parking

The site is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. A bike rack location is shown at the south end of the parking lot to meet the minimum of four (4) bicycle parking spaces for this site.

Curbing

The *Zoning Ordinance*, Article 6 §3.6(b) requires upright curbing for all parking areas and access drives. The proposed Bus Parking Lot appears to comply with this curbing requirement. If necessary based on design refinements, a written Waiver Request for the elimination of upright curbing in select areas may be submitted to the Planning Office for consideration by the City Planner. The Request must cite the reasons for the request related to drainage related to stormwater management.

V. BUILDING ARCHITECTURE

There are no proposed buildings for this development plan. Existing structures will not be relocated.

VI. SITE CONSIDERATIONS

Access

The overall School Campus has access points to Weston drive and multiple access points on Carver Road. The property also has frontage along Clara Street Extended along its northern property boundary. The subject project for the Regional Bus Parking Lot proposes the construction of a new access point onto Carver Road only serve it. As part of the submission, a summary of operations for this New Bus Depot area and its traffic planning efforts was submitted. See attachments: Operations Summary and Letter of September 3, 2024.

Lighting

The lighting on the site is shown as light posts (~30 feet in height) are provided in several locations throughout the center of the bus parking area and at the perimeter of the parking lot. Lighting achieves the 1.5 foot-candles at grade.

Dumpsters

For non-residential uses, a minimum of two Dumpsters are required for the site. The Plan does not specifically show Dumpster for the Bus Parking Lot area but some type of trash/recycling disposal method may be warranted. Overall, there are Dumpsters associated with each school building on the campus.

Sidewalk

A sidewalk is required along all street frontages and within the site in accordance with *Zoning Ordinance*, Article 5 §18. A sidewalk is required along all street frontages. Sidewalks are already present along Carver Road, Weston Drive, and Forest Street. At the new entrance to the Regional Bus Parking Lot, sidewalk improvements must be ADA compatible and utilize current DelDOT standards for handicap accessibility. There is also a connecting sidewalk leading into the Parking Lot through a pedestrian gate and along the east side of the vehicle parking space row. There are also designated sidewalks in the three parking row islands that divide the bus parking spaces.

VII. TREE PLANTING AND LANDSCAPE PLAN

The Landscape Plan shows a concept for new tree plantings in the project area. *Zoning Ordinance*, Article 5 Section 16 lays out the requirements for tree planting and preservation. A new project is required to provide tree planting at a rate of one (1) tree per 3,000 SF of “Development Area.” Based on a development area (as a limit of disturbance) of 4.93 acres, the minimum required number of trees is seventy-two (72). A mix of deciduous, ornamental, and evergreen trees totaling 82 trees are found in parking lot islands and surrounding the perimeter of the parking lot.

Opaque Barrier

Screening is required wherever a non-residential use abuts a residential use. This screening must consist of an opaque barrier (a fence, wall, or berm) at least six feet in height, accompanied by landscaping (*Zoning Ordinance*, Article 5 §7.2). This Opaque Barrier requirement applies to a segment of the west property line adjacent to residential properties. The plan indicates the placement of vinyl fence as the opaque barrier component (fence, wall or berm) and a series of evergreen trees (American holly and eastern Red Cedar) as the landscaping component of the barrier.

COZ-1 Landscaping Requirements

The COZ-1 requires that a minimum of 25% of the site be landscaped open space. For the overall campus, approximately 59.5% is open space. Trees are utilized for the landscaping within the parking lot islands. The COZ-1 (Corridor Overlay Zone –1) also includes specific tree planting requirements along property lines. One tree per fifty feet of frontage is required. A series of trees (3 Red Maple trees) are shown along the frontage of Carver Road. One tree per 75 feet is required on the non-frontage perimeters within the COZ-1 along the west property line. There are tree plantings of Red maples and various evergreen trees in the 36ft. wide area between the parking lot curb edge and the fencing at the property line.

VIII. CITY AND STATE CODE REQUIREMENTS:

The subject proposal has been reviewed for code compliance, plan conformity, and completeness in accordance with the agency’s authority and area of expertise. The following items have been identified as elements which need to be addressed by the applicant:

- 1) Upright curbing must be provided around all parking areas and circulation drives in accordance with the *Zoning Ordinance*. Upon written request, a waiver may be granted by the City Planner, if necessary, for stormwater management.
- 2) The property is subject to the requirements of the Opaque Barrier as this non-residential use is adjacent to the residential use for a portion of the west property line. The opaque barrier (fence, wall, or berm) component and the landscaping component of the barrier have been satisfied with a new fence segment and tree plantings.
- 3) Sidewalks and entrance locations must be ADA compliant and utilize current DelDOT design standards. Ensure accessible ramps/markings are provided from the handicapped parking space onto sidewalk system and at points of intersection of sidewalk with parking lot.
- 4) Cover Sheet SP-01 – Site Plan Overall Layout:
 - a) Show location of the COZ-1 zoning district boundary line on the drawing.
 - b) There are some missing unprinted areas in the street names.
 - c) Add title of signee on behalf of owner.
 - d) In data column:
 - i) Add bicycle parking calculation.
 - ii) Check the size of Limit of Disturbance as listed here at 5.0 acres but 4.93 acres on Sheet LP-01. Revise all instances.
- 5) Sheet SP-102:
 - a) Label width of parking lot islands (two types).
Clearly label heights of existing and proposed fences especially at south end (front) of Parking Lot. Fences in the front yard setback are limited to 4 feet in height. Also show setback lines.
- 6) Sheet LP-1 - Landscape Plan and series:
 - a) For Supplemental Screening note, add reference: *Zoning Ordinance*, Article 5. Currently only the Section is given.
 - b) Check Limit of Disturbance size. This is used as the Development Area for tree planting calculations, Update as necessary.
 - c) Sheet LP-02:
 - i) Identify any existing trees within the property area and their status.
 - ii) Check label and Plant List: QB versus XQB.
 - iii) Check tree counts: only 1 MV is on drawing and there are 4 SAJ on drawing but not listed.
 - iv) Add totals of the overall tree types.
 - v) Confirm the height of the opaque barrier fence. In most places it is listed at 6 feet except for the details notes on Sheet LP-03 where style says 8 feet.
- 7) Consider identifying a method of disposal/collection of trash and recycling for the Bus Parking Lot activities.
- 8) Construction details for items such as bike rack, curbing, parking bumpers, traffic control signage, stormwater, and utility details, etc. will need to be added to the Site Plan.

- 9) A Record Plan sheet may be required to be recorded to show items such as right-of-way dedications, any easements, and other items affecting the property lines or if required by another agency's approval process.
- 10) The Site Plan must reflect any changes recommended by the Planning Commission. Add notes for any waivers or conditions acted upon by the Planning Commission.
- 11) The proposed sign locations shown on this plan sheet are for informational purposes only and approval of this plan does not grant approval to this signage. All signage must comply with Sign Regulations of the *Zoning Ordinance* and is subject to a separate Sign Permit Application. Signs are subject to a separate review and approval process in the City of Dover.
- 12) Any Sediment & Stormwater Management Plans granted approval by DNREC – Division of Watershed Stewardship must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.
- 13) Additional review comments may be provided in the future as more detailed plans are developed.

X. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

In accordance with the *Zoning Ordinance*, Article 10 §2.2, the Planning Commission in considering and acting upon Site Development Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 2.21 to 2.28.

- 1) Fencing: Planning Staff recommends review of the new and existing fencing between the proposed Regional Bus Parking Lot and Carver Road. As shown on the plan, the placement of new fencing will result in an oddly shaped fenced area on the east side of the new entrance. This area is proposed for tree planting and is near an existing monument sign. The remove of existing fencing and reconfiguration of the connection point will create a better appearance to this frontage area and ease of maintenance for grass cutting. *The applicant notes that the design team will look at this area of fencing for potential revision.*
- 2) Electric Vehicle Charging Stations: With the construction of this parking lot, identify if the project is planning for Electric Vehicle (EV) charging opportunities. Currently, the *Zoning Ordinance* does not require them. Electric Vehicle Charging Stations formats include EV-Capable, EV-Ready, and EV-Installed. *This applicant notes that this is in discussion.*

Other agencies may recommend additional considerations to meet code objectives in accordance with their areas of expertise.

XI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Planning Commission should act upon any requests for waivers as part of any motion regarding this project application, or as a separate motion as necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.
- 2) In the event, that major changes and revisions to the Site Development Plan occur in the finalization of the Plan contact the Planning Office. Examples include reorientation of the parking lot, relocation of site components like stormwater management areas, and the addition of buildings. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regard to the plan.
- 3) Following Planning Commission approval of the Site Development Plan, the Plan must be revised to document all conditions of approval from the Development Advisory Committee or as otherwise noted. This process involves submission of Check Prints in order to achieve Final Plan approval.
- 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, Pre-Construction meeting and permits/licenses are required.
- 6) Construction may have an effect on the nearby properties and Carver Road. Any work requiring the closing or rerouting of visitors to other properties served by this road should be coordinated as to offer the least amount of inconvenience.
- 7) 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. It is recommended that the applicant discuss the sign regulation requirements with the Planning Staff prior to applying for a Sign Permit.
- 8) 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 the issuance of a Building Permit from the City of Dover. The Parking Lot will require submission of an Administrative Building Permit to track this site improvements activity.

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

OCTOBER 2, 2024



APPLICATION: Capital School District Regional Bus Parking Lot
FILE #: S-24-17
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services
CONTACT PHONE #: 302-736-7025
CONTACT EMAIL #: jlyon@dover.de.us

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

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 / DNREC is submitted to our office.
2. Provide the stormwater management calculations that prove that the runoff created by this parking lot can be adequately handled by the existing storm sewer system.

SANITATION / WATER / WASTEWATER

1. None

STREETS

1. Please provide detailed information on the proposed driveway entrance, including, but not limited to truck turning diagram, spot elevations and curb radius.
2. Final site plan approval will not be granted until a copy of a letter of no objection, or approval letter, signed by DelDOT is submitted to our office.
3. Please add the following notes to the plans:
 - a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.
 - b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

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 the following compatible digital formats:
 - a. AutoCAD 2018 (.dwg format).
 - b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

STREETS / SANITATION / STORMWATER / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

STREETS / SANITATION / STORMWATER / WATER / WASTEWATER / GENERAL

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 ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: OCT 9, 2024

APPLICATION: Capital School District Regional Bus Parking Lot
FILE #: S-24-17
REVIEWING AGENCY: City of Dover Electric Department
CONTACT PERSON: Shawn Burgett, Engineering Services & System Ops Superintendent
CONTACT PHONE #: 302-674-7568
CONTACT EMAIL #: sburgett@dover.de.us

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 existing underground electric, communications and water facilities.
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.

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: <https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Provide load sheets as soon as possible for proper sizing of transformers and creation of primary fee estimates. Current load sheets can be found at the following link: <https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf>.

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: 10/02/24

APPLICATION: Capital School District Regional Bus Parking Lot

FILE #: S-24-17 REVIEWING AGENCY: City of Dover, Office of the Fire MarshalCONTACT PERSON: Jason Osika, Fire Marshal
josika@dover.de.usPHONE #: (302) 736-4457

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. Proposed occupancy classification is storage (parking lot)
2. Gated Areas: Fire Department access shall be provided to the property through the use of a system or device approved by the Fire Marshal. The system or device required shall be located in an area accessible to the fire department and approved by the Fire Marshal. All gates shall be either automatic or manual.

An automated system shall consist of one manual and one automated means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the system. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of both the manual and automated means.

A manual gate shall consist of one manual means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the means to open. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of the manual means to open.

To be considered accessible for fire department apparatus the actual clear openings shall be not less than 14 feet, the paved surface through the gate shall be not less than 12 feet, and the gate shall be setback from the perpendicular street by at least 50 feet.

Please contact this office to discuss options available to comply with this requirement.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.6)

3. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following:

One-family and two-family residential structures, height, the number shall measure a minimum of four inches in height, *location*, the number shall be placed on the house above or to the left or right of the front entrance, *color*, the number shall be contrasting to the background color, *Arabic numerals*, all numbers shall be Arabic numerals.

Multiple-family dwellings, measurements, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color*, numbers shall be contrasting to the background color, *Arabic numerals*, all numbers used shall be Arabic numerals.

Commercial, industrial and office buildings, height, the numbers shall measure a minimum of 12 inches in height, *location generally*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot,

property line or driveway, should the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building,

color; each building, numbers shall be contrasting to the background color and shall be placed on each building in the complex,

Arabic numerals, all numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.
(City of Dover Code of Ordinances, 98-344)

4. A lock box (Knox) containing any and all means necessary for fire department access shall be provided at the following occupancies: any occupancy that contains a fire alarm signaling system that is monitored off-site, or any occupancy that contains an automatic sprinkler system.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.4)

Secured key systems. When required; exemption. A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy.

Buildings with 24-hour staffing or guard service shall be exempt from this subsection.

Location. The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box.

Required keys. Keys to be secured in the key box shall include keys to all points of ingress or egress, whether on the interior or exterior of the building, and keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required.

Ordering responsibility. It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be the responsibility of the owner or tenant to order the key box for existing buildings.

Installation before testing. No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box.
(City Code of Ordinances 46-127)

Knox Box to be mounted 6 feet above ground level

5. Project to be completed per approved Site Plan.

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. N/A

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
 2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
 2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
 2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
 2009 IBC (International Building Code)
 Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
 2021 Delaware State Fire Prevention Regulations
 City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

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APPLICATION: Capital School District Regional Bus Parking Lot

FILE#: S-24-17

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian Williams

PHONE#: 302-760-2141

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:

No person, firm, corporation or the like shall construct, open, reconstruct, maintain, modify or use any crossing or entrance onto a state-maintained highway, street or road, including any drainage modifications leading into or carried by the highway drainage system, without first having complied with standards and regulations adopted by the Department and having obtained a permit issued by the Department. Please contact the Delaware Department of Transportation - Development Coordination section to begin permit process.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. Applicant held a project coordination meeting to discuss trips. Applicant needs to continue working with the Department towards plan approval.
 - a. Request pre-submittal meeting with the Department.
 - b. Provide trip generation and possible traffic impacts to state-maintained roadway.
 - c. Provide clarified phasing plan.



State of Delaware
**DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL**

DIVISION OF WATERSHED STEWARDSHIP
285 BEISER BOULEVARD, SUITE 102
DOVER, DELAWARE 19904

PHONE (302) 608-5458

**SEDIMENT AND
STORMWATER PROGRAM**

MEMORANDUM

TO: Dawn Melson-Williams, City of Dover Planning Office

FROM: Elaine Z. Webb, P.E. *ew*
DNREC Sediment and Stormwater Program

DATE: October 3, 2024

SUBJECT: S-24-17 Capital School district Regional Bus Parking Lot

CC: Jennifer Murphy, CDA Engineering
Ashley Barnett, Program Manager II, Sediment and Stormwater Program

DNREC Sediment and Stormwater Program (SSP) has reviewed the plan provided and offers the following comments:

1. A Sediment and Stormwater Management Plan must be approved by DNREC Sediment and Stormwater Program prior to any land disturbance taking place on site.
2. DNREC SSP has a required three-step plan approval process. The first step is to compile and submit the [Stormwater Assessment Study](#) prior to scheduling a project application meeting, followed by a preliminary and construction level plan submittals. The SSP had a preliminary meeting with the site designer for this project but no formal submittal has been made.
3. A Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity must be secured prior to plan approval. The NOI application is filed online and the NOI fee of \$195 is paid electronically, and is assessed annually until construction is complete and the project is closed out.

If you should have any questions, please do not hesitate to contact me at (302) 608-5460 or Elaine.Webb@delaware.gov.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: 10/9/2024

**Dover/Kent
County
Metropolitan
Planning
Organization**

S-24-17 Capital School District Regional Bus Parking Lot

FILE # S-24-17

REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob

PHONE #: (302) 387-6030

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
Site Development Plan Review

S-24-17 Capital School District Regional Bus Parking Lot

The most important concern from Dover Kent MPO is that the Site Development Plan considers the ability of school buses to turn onto Carver Road. There is only one planned entrance to the parking lot, which could at times lead to a backup of vehicles. It might make sense to have a secondary entrance on Carver Road; by using a dedicated entrance and exit, the traffic flow could be moved in a single direction.

Coordination with DelDOT throughout the process will help in alleviating this issue. The applicant has already begun these discussions. If done properly, the improvements will provide a more convenient location for Capital School District buses, increase the capacity of bus parking, and improve the flow of traffic on the school property.

Carver Road already contains a network of sidewalks. As long as the new parking lot contains a pedestrian network of its own, there will be fewer concerns for pedestrian safety.

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.



Board of Education

Felecia R. Duggins, President
Sean P. M. Christiansen, Vice-President
John C. Martin, Jr.
Dr. Chanda Jackson
Dr. Anthony J. DePrima

Interim

Superintendent of Schools

Dr. Victoir Cahoon
Voice: (302) 857-4201
Fax: (302) 672-1715
Email: Victoir.Cahoon@capital.k12.de.us



198 Commerce Way
Dover, DE 19904

Item 5.

Chief Financial Officer

Business Manager

Adewunmi Kuforiji
Voice: (302) 857-4205
Fax: (302) 672-1714
Email: Adewunmi.kuforiji@capital.k12.de.us

Summary of Operations of Capital School District New Bus Depot

Capital School District does not currently have a central bus storage facility. Buses are parked at several locations around Dover, which is inefficient for driver and route assignment and poses security challenges. To address these concerns, a new 76-bus central depot is proposed for unused land near the existing William Henry Middle School (WHMS) on Carver Road.

All bus drivers will arrive in personal vehicles at the bus depot at 6:00AM each school day and depart with all buses for morning runs, serving multiple schools throughout Capital School District. Buses will return to the depot between 7:30AM and 9:00AM, depending on which schools and routes they are serving. Bus drivers will depart the depot in personal vehicles upon their return.

At 10:00AM, approximately 10 bus drivers will arrive to perform runs for various midday school operations and return between 12:30PM and 1:00PM and depart after their return from midday runs.

At 1:30PM, all bus drivers will arrive in personal vehicles at the bus depot and depart with all buses for afternoon runs, again serving multiple schools throughout Capital School District. Buses will return to the depot between 3:45PM and 5:00PM, depending on which schools and routes they are serving. Bus drivers will depart the depot in personal vehicles upon their return.

All vehicles will enter and exit the bus depot through a card reader access-controlled gate on Carver Road. Buses will exit and re-enter the site using the Carver Road/Saulsbury Road intersection, and the signalized Weston Drive/Division Street intersection. The entire perimeter of the bus depot will be surrounded by 8-foot-tall chain link fencing.

Summary of Master Plan for William Henry Campus

The William Henry Campus hosts several facilities and programs:

- Kent County Community School (KCCS) – existing building to continue current use, to be renovated and expanded with a new addition.
- Kent County Secondary Intensive Learning Center (KCS ILC) – program currently hosted off-site in leased space, to be relocated to new District-owned building on William Henry Campus.
- William Henry Middle School (WHMS) – existing building to be mostly or wholly demolished to make space for new construction for KCS ILC facility and KCCS building addition. Portions of WHMS may be retained and renovated for use by KCS ILC.
- Booker T. Washington School (BTW) – existing building to continue current use.
- Bus Depot – new central bus depot described above.

William Henry Middle School (WHMS) previously served 1,000 5th and 6th grade students. In Fall 2023, the 6th grade moved to the newly completed Middle School of Excellence and Middle School of Innovation. Renovations of Central Elementary School (formerly Central Middle School) are underway and will be completed in time for the remaining WHMS 5th graders to move to that building in Fall 2025. At that time, facilities for KCCS and KCS ILC will be provided through a combination of renovation and demolition/new construction at the existing KCCS and WHMS buildings. This will result in a significant net reduction in traffic to the site, as the KCCS and KCS ILC programs combined are much smaller than WHMS. The net estimated reduction in trips at the completion of the bus depot, KCS ILC new construction, and KCCS renovations/addition is 772 fewer Weekday AM Peak Hour trips and 866 fewer Weekday PM Peak Hour trips.

The Capital School District is an equal opportunity employer and does not discriminate on the basis of race, color, creed, religion, gender (including pregnancy, childbirth and related medical conditions), national origin, citizenship or ancestry, age, disability, marital status, veteran status, genetic information, sexual orientation, or gender identity, against victims of domestic violence, sexual offenses, or stalking, or upon any other categories protected by federal, state, or local law. Inquiries regarding nondiscrimination policies should be directed to the Title IX, District 504 and ADA Coordinators: Capital School District, 198 Commerce Way, Dover DE 19904. Phone (302) 672-1500



2500 East High Street, Suite 650, Pottstown, PA 19464
610.326.3100 | INFO@TPDINC.COM

WWW.TPDINC.COM

September 3, 2024

Dawn Melson-Williams, AICP
City of Dover – Principal Planner
City Hall, 15 Loockerman Plaza
Dover, DE 19901

RE: William Henry Campus

City of Dover, Kent County, Delaware
TPD No. CDAE.00018

Dear Dawn Melson-Williams, AICP:

Traffic Planning and Design, Inc. (TPD) has been retained on behalf of Capital School District to provide traffic planning services for the proposed redevelopment of the William Henry Campus in the City of Dover. The existing campus includes the William Henry Middle School (WHMS) which currently has 5th and 6th grade students and the Kent County Community School (KCCS). The proposed redevelopment master plan is demolishing or renovating the WHMS for the KCCS, increasing the number of students and staff at KCCS, relocation of the Kent County Secondary Intensive Learning Center (KCS ILC) from its current location on Clara Street to the subject site, and the construction of a 76-central regional bus parking lot to serve the Capital School District.

The school campus is located on the west side of the City of Dover. The school campus has one full access driveway to Weston Drive and two full access driveways on Carver Road which connect to minor arterials: Forest Street (DE Route 8) and S. Salisbury Road (DE Route 15). Carver Road serves the school campus and nearby residential and commercial buildings, while Weston Drive serves the school campus and small industrial businesses. The existing campus has two full access driveways along Carver Road and one full access to Weston Drive (all existing accesses to remain in Phase 1 and Phase 2). The existing campus has the following:

- 1) William Henry Middle School (WHMS): 1000 students (600 - 5th grade students and 400 - 6th grade students) and 90 staff;
- 2) Kent County Community School (KCCS): 84 students and 75 staff;

The proposed redeveloped campus will be constructed in two phases:

Phase 1:

- 1) William Henry Middle School (WHMS): Remove the existing 400 - 6th grade students from the Middle School.
- 2) Regional Bus Parking Lot: 76-bus central depot
- 3) Kent County Community School (KCCS): Remain the same student/staff numbers and same operations.

Phase 2:

- 1) William Henry Middle School (WHMS): To be demolished or renovated for use by KCCS and KCS ILC beginning in June 2025 (after next school, calendar year).
- 2) Kent County Community School (KCCS): Expansion to 150 students and 150 staff.
- 3) Kent County Secondary Intensive Learning Center (KCS ILS): Addition of 96 students and 58 staff.

Moving **Forward Together**®

An additional full site access will be constructed along Carver Road located west of the existing WMHS and KCCS full access for the Regional Bus Parking Lot. The project team submitted a letter to DelDOT on August 9, 2024, showing that the Phase 1 and Phase 2 campus redevelopment will reduce daily and peak hour traffic volumes. DelDOT indicated on August 19, 2024 that a TIS or Area Wide Study Fee is not warranted due to the overall reduction in traffic.

The distribution of traffic to/from the existing and proposed campus generally follow the below described patterns. For entering passenger vehicles and school buses:

- » From the north, vehicles turn left from southbound S. Salisbury Road (DE Route 15) at the unsignalized intersection with Carver Road and enter the school campus on Carver Road.
- » From the south, vehicles turn right from northbound S. Salisbury Road (DE Route 15) at the unsignalized intersection with Carver Road and enter the school campus on Carver Road or turn left from northbound Forest Street (Road 23) at the signalized intersection with Division Street (DE Route 8) and enter the school campus on Weston Drive.
- » From the east, vehicles turn right from westbound Division Street (DE Route 8) at the signalized intersection with Weston Drive/Forest Street (Road 23) and enter the school campus on Weston Drive.
- » From the west, vehicles turn left from eastbound Forest Street (DE Route 8) at the signalized intersection with S. Salisbury Road (DE Route 15). Then vehicles turn right from northbound S. Salisbury Road (DE Route 15) and enter the school campus on Carver Road.

For existing passenger vehicles and school buses:

- » To the north, vehicles turn right from westbound Carver Road at the unsignalized intersection with S. Salisbury Road (DE Route 15) and exit to the north along S. Salisbury Road (DE Route 15).
- » To the south, vehicles turn left from westbound Carver Road at the unsignalized intersection with S. Salisbury Road (DE Route 15) and exit to the north along S. Salisbury Road (DE Route 15) or travel through southbound Weston Drive at the signalized intersection with Division Street (DE Route 8) and exit to the south along Forest Street (Road 23).
- » To the east, vehicles turn left from southbound Weston Drive at the signalized intersection with Division Street (DE Route 8) and exit to the east along Division Street (DE Route 8)
- » To the west, vehicles turn left from westbound Carver Road at the unsignalized intersection with S. Salisbury Road (DE Route 15) and travel along southbound S. Salisbury Road (DE Route 15). Then vehicles turn right from southbound S. Salisbury Road (DE Route 15) at the signalized intersection with Forest Street (DE Route 8) and exit to the west along Forest Street (DE Route 8).

As noted, the school campus redevelopment will result in a net reduction of vehicular traffic during the weekday peak hours of the adjacent street even as internal circulation changes occur for the school campus.

Overall, the William Henry Campus redevelopment will have minimal traffic operation impact to the external roadway network along Salisbury Road (DE Route 15) and Forest Street (DE Route 8).

TPD



Eric Ostimchuk, PE, PTOE - Vice President

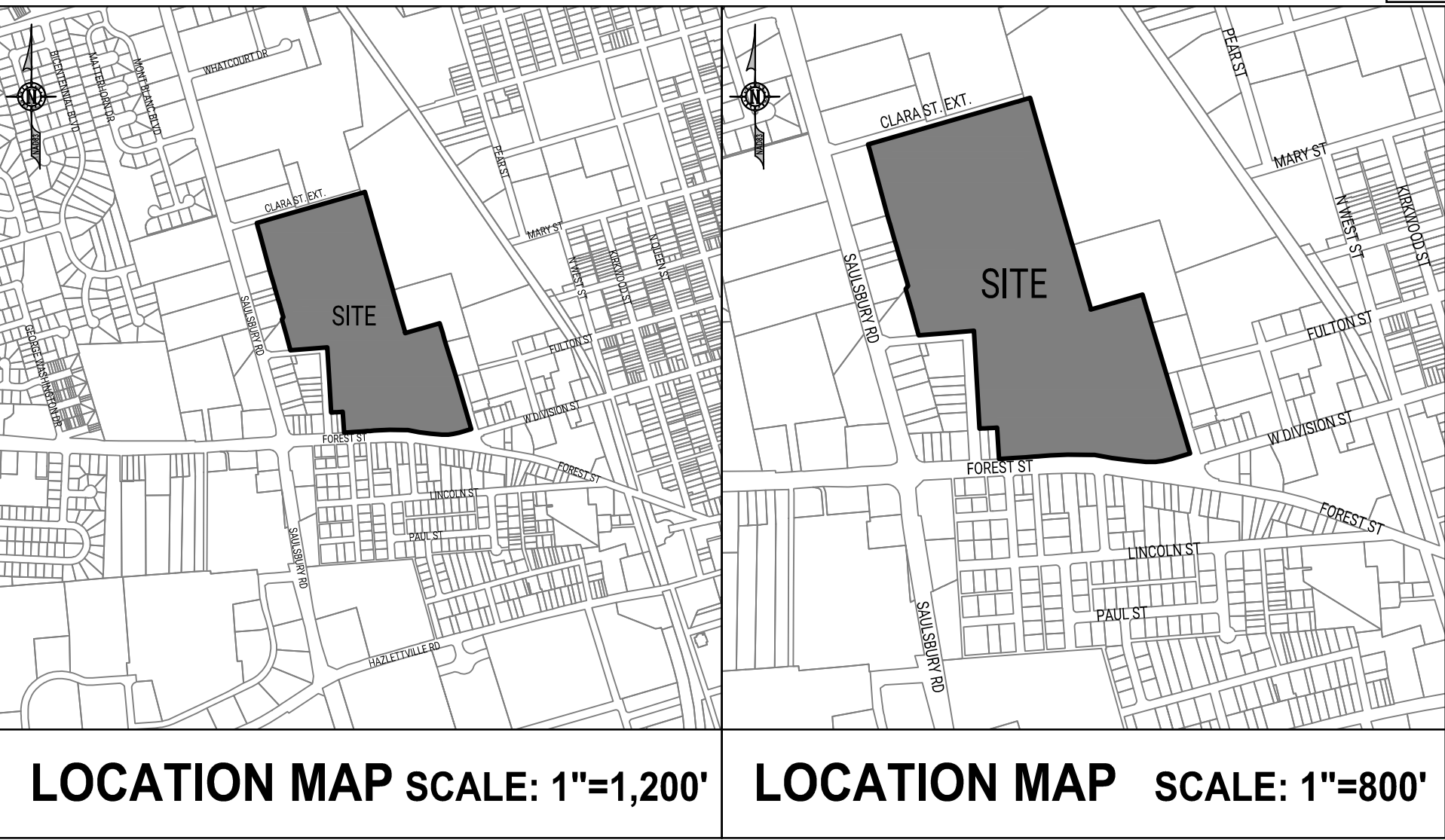
eostimchuk@TPDinc.com

cc: Project Team
TPD File

SHEET INDEX

SITE PLAN COVER SHEET
SITE PLAN
SITE LANDSCAPE PLAN
SITE LIGHT PLAN
SITE FIRE PLAN

SP-01
SP-02
LP-01 THRU LP-03
E1.01 THRU E1.03
FP-01 AND FP-02



LOCATION MAP SCALE: 1"=1,200'

LOCATION MAP SCALE: 1"=800'

PURPOSED OF PLAN:

TO CONSTRUCT A 76 BUS AND 76 CAR PARKING FACILITY WITH
REQUIRED SITE IMPROVEMENTS.

SITE DATA

1. OWNER ADDRESS: DOVER SPECIAL SCHOOL DISTRICT (CAPITAL SCHOOL DISTRICT)
WILLIAM HENRY MIDDLE SCHOOL
945 FOREST ST.
DOVER, DE 19904
(302) 672-1620
2. PROPERTY ADDRESS: 65 CARVER ROAD
DOVER, DE 19904
3. TAX PARCEL NUMBERS: ED-05-076.07-01-55.00
4. AREA OF PARCEL: 45.46± ACRES TOTAL (14.58± AC. WITHIN COZ-1) (PER DNREC APPROVED PLAN 6/7/14)
5. ZONING: EXISTING: IO IN COZ-1 (INSTITUTIONAL AND OFFICE ZONE IN THE CORRIDOR OVERLAY ZONE)
PROPOSED: IO IN COZ-1 (INSTITUTIONAL AND OFFICE ZONE IN THE CORRIDOR OVERLAY ZONE)
6. USE: EXISTING: EDUCATIONAL
PROPOSED: EDUCATIONAL
7. ZONING REQUIREMENTS: IO - INSTITUTIONAL/OFFICE

LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	SIDE YARD	SIDE YARD TOTAL	REAR YARD	REAR/SIDE YARD ADJOINING RESIDENTIAL ZONE	BUILDING HEIGHT	FLOOR AREA RATIO	LOT COVERAGE
10,000 SF.	100'	100'	10'	10'	-	15'	30'	10/150'	6.0	85%

COZ-1 - OVERLAY DISTRICT

LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	SIDE YARD	SIDE YARD TOTAL	REAR YARD	REAR/SIDE YARD ADJOINING RESIDENTIAL ZONE	BUILDING HEIGHT	FLOOR AREA RATIO	OPEN SPACE
10,000 SF.	100'	100'	40'-50' SAULSBURY	5'	5'	5'	15'	2/35'	-	25%

* 30' SETBACK FOR SIDE AND/OR REAR YARDS WHICH ADJOIN A RESIDENCE ZONE

8. SOURCE OF TITLE: DEED RECORD F, VOLUME 25, PAGE 306
9. SURVEY: IMPROVEMENTS AND TOPOGRAPHIC FIELD SURVEY CONDUCTED BY CDA ENGINEERING, INC. IN FEBRUARY 2024. THE PERIMETER BOUNDARY FOR THE SUBJECT PROPERTY SHOWN HEREON IS DEPICTED PER PLANS FOR BOOKER T. WASHINGTON RENOVATION AND ADDITION DATED JULY 2014 PREPARED BY BECKER MORGAN GROUP.
- DATUM: VERTICAL - NAVD 88
HORIZONTAL - COORDINATE SYSTEM AND BASIS OF BEARINGS;
DELAWARE STATE PLANE NAD 83/91
- BENCHMARK: DRILL HOLE IN SIDEWALK
POINT NO.: 2
E.L.: 44.47'
N: 422,815.1266
E: 620,442.0958
EXISTING: 257,271± SF
10. BUILDING AREA: EXISTING: 14.99 AC. (33.0%)
PROPOSED: 3.43 AC.
11. IMPERVIOUS COVERAGE: TOTAL: 18.42 AC. (40.5%)
LIMIT OF DISTURBANCE: 5.0± AC.
- EXISTING CAMPUS PARKING UNCHANGED 402± SPACES (INCLUDING 22± ADA SPACES)
12. PARKING (SCHOOL CAMPUS)
13. PARKING (REGIONAL BUS LOT)
BUS PARKING: 76 SPACES
CAR PARKING: 76 SPACES (INCLUDING 4 ADA SPACES)
14. SOURCE OF WATER: CITY OF DOVER
15. SOURCE OF SEWER: CITY OF DOVER
16. SOURCE OF GAS: CHESAPEAKE UTILITIES
17. SOURCE OF ELECTRIC: CITY OF DOVER
18. SOILS: H&B - HAMBROOK URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPE
Up - URBAN LAND
19. FLOODPLAIN: THIS AREA OF DEVELOPMENT IS NOT IMPACTED BY THE 100-YR FLOOD PLAN AS SHOWN ON FIRM MAP 10001C0166H DATED MAY 5, 2003.
20. WETLANDS: BASED ON FIELD OBSERVATION 2024, NO FRESH WATER WETLANDS ARE LOCATED WITH PROPOSED IMPROVEMENT AREAS.

PERIMETER BOUNDARY CERTIFICATION

THE PERIMETER BOUNDARY FOR THIS SITE SHOWN ON THESE PLANS IS AS DEPICTED AND CERTIFIED ON PLAN PREPARED BY BECKER MORGAN GROUP DATED JULY 2014 AND TITLED "BOOKER T. WASHINGTON RENOVATION AND ADDITION", FILE NUMBER 2013197-SITE-CSD.

CERTIFICATION OF OWNERSHIP

WE, DOVER SPECIAL SCHOOL DISTRICT, HEREBY CERTIFY 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.

CERTIFICATION OF PLAN ACCURACY

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

REVISION	
SITE PLAN SUBMISSION CITY OF DOVER	9/5/2024

CDA ENGINEERING INC.

CIVIL/SITE ENGINEERING AND LAND PLANNING

6 LARCH AVENUE
SUITE 401
WILMINGTON, DE 19804

Tel: 302.998.9202
Fax: 302.691.1314
cdaengineering.com

DRAWN BY: EMT/ZJK

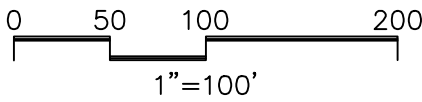
CHECKED BY: CD

PROJECT No.: 22.130.00

SCALE: 1"=100'

DATE: SEPTEMBER 5, 2024

CAD FILE: 22.130.BASE.DWG

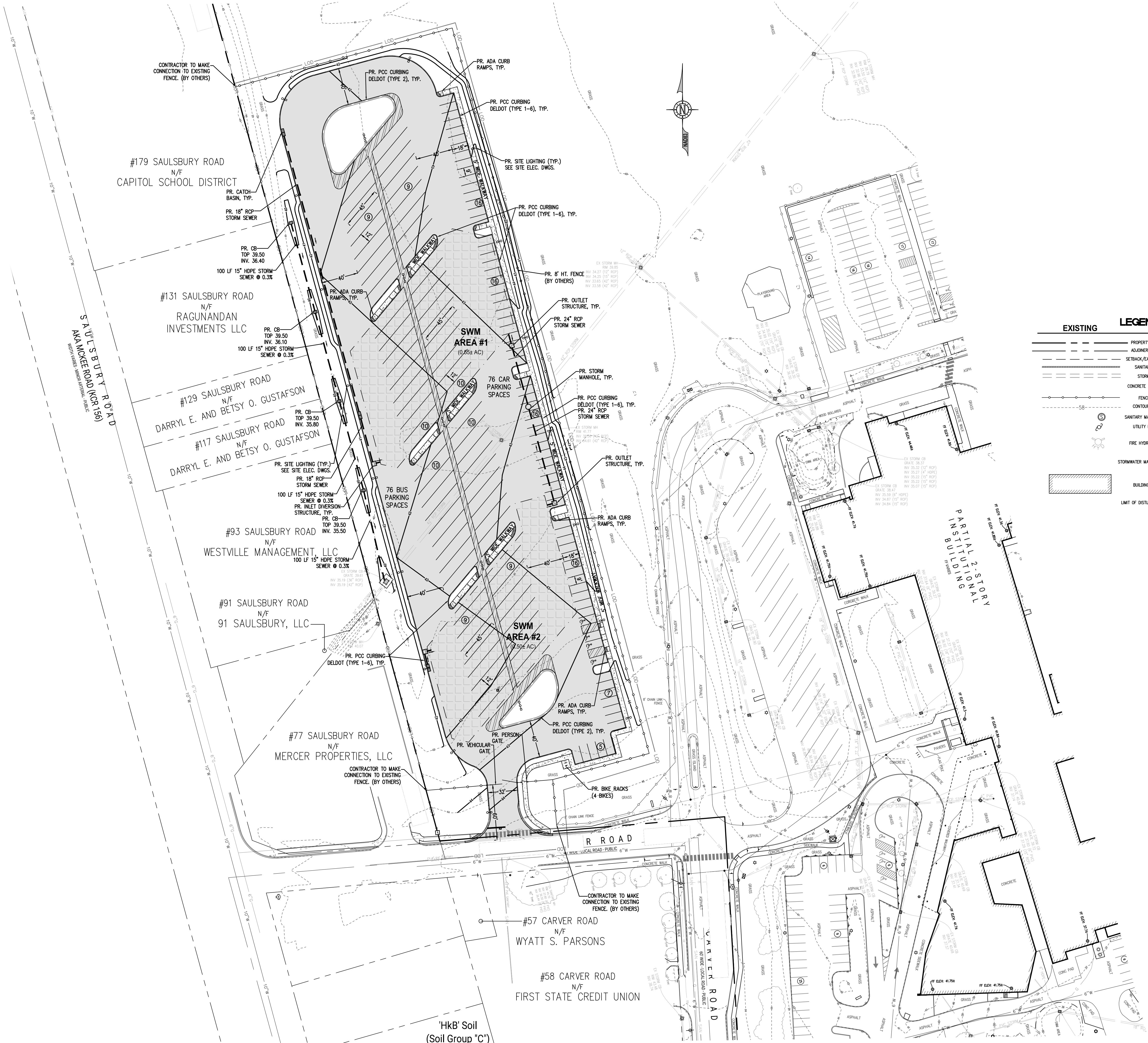


WILLIAM HENRY
MIDDLE SCHOOL
REGIONAL BUS
PARKING LOT
SITE PLAN

CITY OF DOVER KENT COUNTY DELAWARE

DRAWING TITLE: SITE PLAN OVERALL LAYOUT

DRAWING NUMBER: SP-01



EXISTING

PROPOSED

PROPERTY LINE

ADJONER LINE

SETBACK/EASEMENT

SANITARY

STORM

CONCRETE CURB

FENCE

CONTOUR

SANITARY MANHOLE

UTILITY POLE

FIRE HYDRANT

STORMWATER MANAGEMENT

BUILDING

LIMIT OF DISTURBANCE

LEGEND

LOD

REVISION		
SITE PLAN SUBMISSION CITY OF DOVER	9/5/2024	

CDA

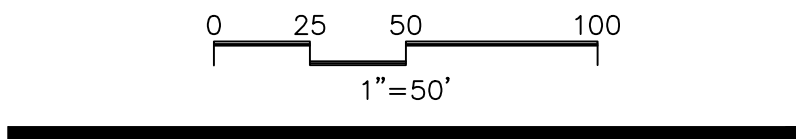
ENGINEERING INC.

CIVIL/SITE ENGINEERING AND LAND PLANNING

6 LARCH AVENUE
SUITE 401
WILMINGTON, DE 19804

Tel: 302.998.9202
Fax: 302.691.1314
cdaengineering.com

DRAWN BY:	EMT/ZZK
CHECKED BY:	CD
PROJECT No.:	22.130.00
SCALE:	1"=50'
DATE:	SEPTEMBER 5, 2024
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REGIONAL BUS
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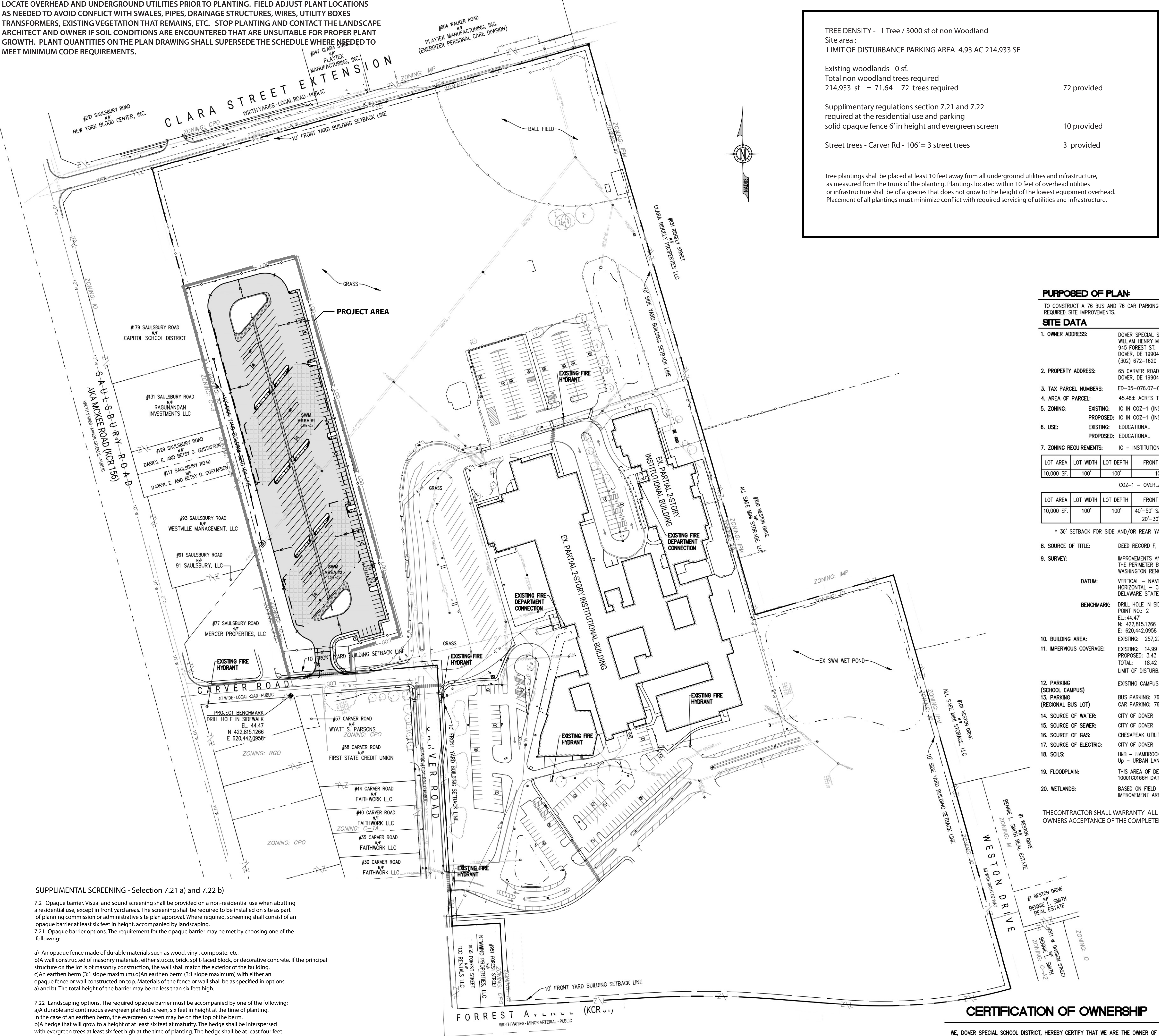
CITY OF DOVER

KENT COUNTY

DELAWARE

DRAWING TITLE:	SITE PLAN
DRAWING NUMBER:	SP-02

LOCATE OVERHEAD AND UNDERGROUND UTILITIES PRIOR TO PLANTING. FIELD ADJUST PLANT LOCATIONS AS NEEDED TO AVOID CONFLICT WITH SWALES, PIPES, DRAINAGE STRUCTURES, WIRES, UTILITY BOXES TRANSFORMERS, EXISTING VEGETATION THAT REMAINS, ETC. STOP PLANTING AND CONTACT THE LANDSCAPE ARCHITECT AND OWNER IF SOIL CONDITIONS ARE ENCOUNTERED THAT ARE UNSUITABLE FOR PROPER PLANT GROWTH. PLANT QUANTITIES ON THE PLAN DRAWING SHALL SUPERSEDE THE SCHEDULE WHERE NEEDED TO MEET MINIMUM CODE REQUIREMENTS.



SUPPLEMENTAL SCREENING - Selection 7.21 a) and 7.22 b)

7.2 Opaque barrier. Visual and sound screening shall be provided on a non-residential use when abutting a residential use, except in front yard areas. The screening shall be required to be installed on site as part of planning commission or administrative site plan approval. Where required, screening shall consist of an opaque barrier at least six feet in height, accompanied by landscaping.
7.21 Opaque barrier options. The requirement for the opaque barrier may be met by choosing one of the following:

- a) An opaque fence made of durable materials such as wood, vinyl, composite, etc.
- b) A wall constructed of masonry materials, either stucco, brick, split-faced block, or decorative concrete. If the principal structure on the lot is of masonry construction, the wall shall match the exterior of the building.
- c) An earthen berm (3:1 slope maximum).
- d) An earthen berm (3:1 slope maximum) with either an opaque fence or wall constructed on top. Materials of the fence or wall shall be as specified in options a) and b). The total height of the barrier may be no less than six feet high.

7.22 Landscaping options. The required opaque barrier must be accompanied by one of the following:
a) A durable and continuous evergreen planted screen, six feet in height at the time of planting. In the case of an earthen berm, the evergreen screen may be on the top of the berm.
b) A hedge that will grow to a height of at least six feet at maturity. The hedge shall be interspersed with evergreen trees at least six feet high at the time of planting. The hedge shall be at least four feet high at the time of planting.

TREE DENSITY - 1 Tree / 3000 sf of non Woodland
Site area :
LIMIT OF DISTURBANCE PARKING AREA 4.93 AC 214,933 SF

Existing woodlands - 0 sf.
Total non woodland trees required
214,933 sf = 71.64 72 trees required 72 provided

Supplementary regulations section 7.21 and 7.22
required at the residential use and parking
solid opaque fence 6' in height and evergreen screen 10 provided

Street trees - Carver Rd - 106' = 3 street trees 3 provided

Tree plantings shall be placed at least 10 feet away from all underground utilities and infrastructure, as measured from the trunk of the planting. Plantings located within 10 feet of overhead utilities or infrastructure shall be of a species that does not grow to the height of the lowest equipment overhead. Placement of all plantings must minimize conflict with required servicing of utilities and infrastructure.

PURPOSE OF PLAN:

TO CONSTRUCT A 76 BUS AND 76 CAR PARKING FACILITY WITH
REQUIRED SITE IMPROVEMENTS.

SITE DATA

- OWNER ADDRESS: DOVER SPECIAL SCHOOL DISTRICT (CAPITAL SCHOOL DISTRICT) (302) 672-1620
945 FOREST ST.
DOVER, DE 19904
(302) 672-1620
- PROPERTY ADDRESS: 65 CARVER ROAD
DOVER, DE 19904
- TAX PARCEL NUMBERS: ED-05-076.07-01-55.00
- AREA OF PARCEL: 45.46± ACRES TOTAL (14.58± AC. WITHIN COZ-1) (PER DNREC APPROVED PLAN 6/7/14)
- ZONING: EXISTING: IO IN COZ-1 (INSTITUTIONAL AND OFFICE ZONE IN THE CORRIDOR OVERLAY ZONE)
PROPOSED: IO IN COZ-1 (INSTITUTIONAL AND OFFICE ZONE IN THE CORRIDOR OVERLAY ZONE)
- USE: EXISTING: EDUCATIONAL
PROPOSED: EDUCATIONAL
- ZONING REQUIREMENTS: IO - INSTITUTIONAL/OFFICE

LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	SIDE YARD	SIDE YARD TOTAL	REAR YARD	REAR/SIDE YARD TOTAL	ADJOINING RESIDENTIAL ZONE	BUILDING HEIGHT	FLOOR AREA RATIO	LOT COVERAGE
10,000 SF	100'	100'	10'	10'	-	15'	30'		10'/150'	6.0	85%

COZ-1 - OVERLAY DISTRICT

LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	SIDE YARD	SIDE YARD TOTAL	REAR YARD	REAR/SIDE YARD TOTAL	ADJOINING RESIDENTIAL ZONE	BUILDING HEIGHT	FLOOR AREA RATIO	OPEN SPACE
10,000 SF	100'	100'	40'-50' SAULSBURY 20'-30' RT. 8	5'	5'	5'	15'		2/35'	-	25%

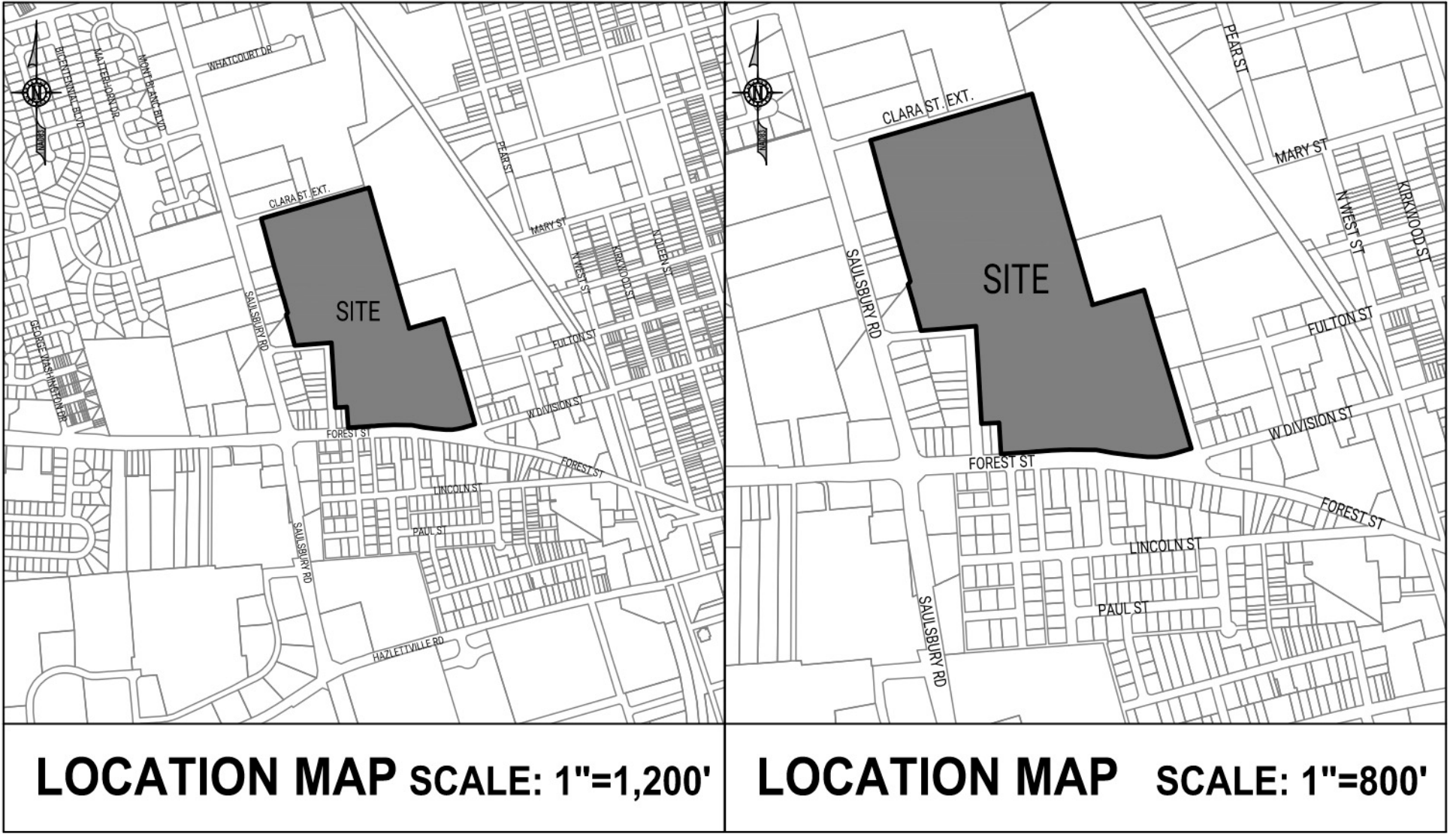
* 30' SETBACK FOR SIDE AND/OR REAR YARDS WHICH ADJOIN A RESIDENCE ZONE

- SOURCE OF TITLE: DEED RECORD F, VOLUME 25, PAGE 306
- SURVEY: IMPROVEMENTS AND TOPOGRAPHIC FIELD SURVEY CONDUCTED BY CDA ENGINEERING, INC. IN FEBRUARY 2024.
THE PERMETER BOUNDARY FOR THE SUBJECT PROPERTY SHOWN HEREON IS DEPICTED PER PLANS FOR BOOKER T. WASHINGTON RENOVATION AND ADDITION DATED JULY 2014 PREPARED BY BECKER MORGAN GROUP.
- DATUM: VERTICAL - NAVD 88
HORIZONTAL - COORDINATE SYSTEM AND BASIS OF BEARINGS;
DELAWARE STATE PLANE NAD 83/91
- BENCHMARK: DRILL HOLE IN SIDEWALK
POINT NO.: 2
E.L. 44.47'
N: 422,815.1266
E: 620,442.0958
- BUILDING AREA: EXISTING: 257,271± SF
- IMPERVIOUS COVERAGE: EXISTING: 14.99 AC. (33.0%)
PROPOSED: 3.43 AC.
TOTAL: 18.42 AC. (40.5%)
LIMIT OF DISTURBANCE: 4.93± AC.
- PARKING (SCHOOL CAMPUS): EXISTING CAMPUS PARKING UNCHANGED 402± SPACES (INCLUDING 22± ADA SPACES)
- PARKING (REGIONAL BUS LOT): BUS PARKING: 76 SPACES
CAR PARKING: 76 SPACES (INCLUDING 4 ADA SPACES)
- SOURCE OF WATER: CITY OF DOVER
- SOURCE OF SEWER: CITY OF DOVER
- SOURCE OF GAS: CHESAPEAKE UTILITIES
- SOURCE OF ELECTRIC: CITY OF DOVER
- SOILS: H&B - HAMBROOK URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPE
Up - URBAN LAND
- FLOODPLAIN: THIS AREA OF DEVELOPMENT IS NOT IMPACTED BY THE 100-YR FLOOD PLAN AS SHOWN ON FIRM MAP 1000100166H DATED MAY 5, 2003.
- WETLANDS: BASED ON FIELD OBSERVATION 2024, NO FRESH WATER WETLANDS ARE LOCATED WITH PROPOSED IMPROVEMENT AREAS.

THE CONTRACTOR SHALL WARRANT ALL PLANTS AND MATERIALS FOR ONE YEAR FROM DATE OF OWNERS ACCEPTANCE OF THE COMPLETED WORK PER THE PLAN DRAWING.

CERTIFICATION OF OWNERSHIP

WE, DOVER SPECIAL SCHOOL DISTRICT, HEREBY CERTIFY 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.



LANDSCAPE PLAN
PREPARED BY:



DesignSet
1901 Hickory Hill Road
Chadds Ford PA 19317
610-348-7786
ellentraceyDESIGNSet@gmail.com



8-26-24

SIGNATURE DATE
I, ELLEN TRACEY, CONFIRM THAT I AM A REGISTERED LANDSCAPE ARCHITECT IN THE STATE OF DELAWARE LICENSE NO. 134-E AND THE INFORMATION PROVIDED HEREIN HAS BEEN PREPARED BY ME AND TO THE BEST OF MY KNOWLEDGE REPRESENTS ACCEPTABLE LANDSCAPE ARCHITECTURAL PRACTICE AS REQUIRED BY THE DELAWARE STATE CODES AND LAWS AND THE REQUIREMENTS OF THE GOVERNING MUNICIPALITY. USE OR REPRODUCTION OF THIS SIGNATURE AND OR SEAL BY OTHERS IS STRICTLY FORBIDDEN.

REVISION

CDA ENGINEERING INC.

CIVIL/SITE ENGINEERING AND LAND PLANNING

6 LARCH AVENUE Tel: 302.998.9202
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WILMINGTON, DE 19804 cdaengineering.com

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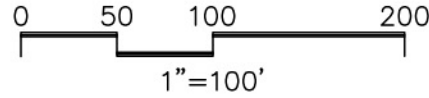
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MIDDLE SCHOOL
REGIONAL BUS
PARKING LOT**
SITE PLAN

CITY OF DOVER KENT COUNTY DELAWARE

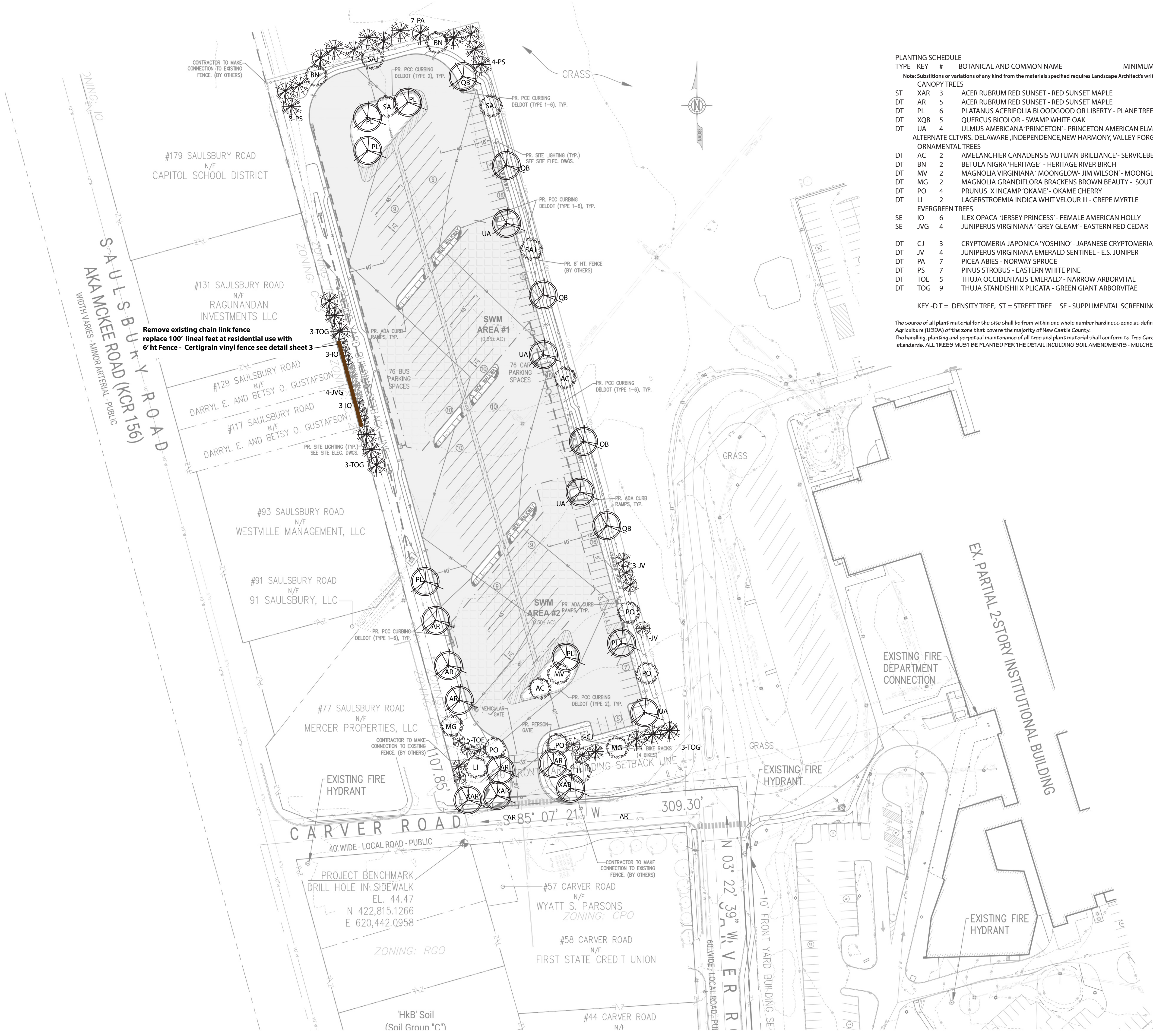
PRELIMINARY
LANDSCAPE PLAN

DRAWING TITLE:

landscape plan sheet1 of 3

DRAWING NUMBER:

LP-01



PLANTING SCHEDULE					
TYPE	KEY	#	BOTANICAL AND COMMON NAME	MINIMUM SIZE	
Note: Substitutions or variations of any kind from the materials specified requires Landscape Architect's written approval prior to installation					
CANOPY TREES					
ST	XAR	3	ACER RUBRUM RED SUNSET - RED SUNSET MAPLE	2.0" CAL. BB	
DT	AR	5	ACER RUBRUM RED SUNSET - RED SUNSET MAPLE	2.0" CAL. BB	
DT	PL	6	PLATANUS ACERIFOLIA BLOODGOOD OR LIBERTY - PLANE TREE	2.0" CAL. BB	
DT	XQB	5	QUERCUS BICOLOR - SWAMP WHITE OAK	2.0" CAL. BB	
DT	UA	4	ULMUS AMERICANA 'PRINCETON' - PRINCETON AMERICAN ELM	2.0" CAL. BB	
ALTERNATE CLTVRS. DELAWARE, INDEPENDENCE, NEW HARMONY, VALLEY FORGE				2.0" CAL. BB	
ORNAMENTAL TREES					
DT	AC	2	AMELANCHIER CANADENSIS 'AUTUMN BRILLIANCE' - SERVICEBERRY	8'-10' - 1.5" CAL. MULTI STEM BB	
DT	BN	2	BETULA NIGRA 'HERITAGE' - HERITAGE RIVER BIRCH	8'-10' - 1.5" CAL. MULTI STEM BB	
DT	MV	2	MAGNOLIA VIRGINIANA 'MOONGLOW' - JIM WILSON - MOONGLOW MAGNOLIA	8'-10' - 1.5" CAL. BRANCHED LOW BB	
DT	MG	2	MAGNOLIA GRANDIFLORA BRACKENS BROWN BEAUTY - SOUTHERN MAGNOLIA	8'-10' - 1.5" CAL. BB	
DT	PO	4	PRUNUS X INCAMP 'OKAME' - OKAME CHERRY	8'-10' - 1.5" CAL. BB	
DT	LI	2	LAGERSTROEMIA INDICA WHIT VELOUR III - CREPE MYRTLE	1.5" CAL. BB OR CONT.	
EVERGREEN TREES					
SE	IO	6	ILEX OPACA 'JERSEY PRINCESS' - FEMALE AMERICAN HOLLY	5'-6" BB	
SE	JVG	4	JUNIPERUS VIRGINIANA 'GREY GLEAM' - EASTERN RED CEDAR	5'-6" BB	
DT	CJ	3	CRYPTOMERIA JAPONICA 'YOSHINO' - JAPANESE CRYPTOMERIA	6'-8" BB	
DT	JV	4	JUNIPERUS VIRGINIANA EMERALD SENTINEL - E.S. JUNIPER	6'-8" BB	
DT	PA	7	PICEA ABIES - NORWAY SPRUCE	6'-8" BB	
DT	PS	7	PINUS STROBUS - EASTERN WHITE PINE	6'-8" BB	
DT	TOE	5	THUJA OCCIDENTALIS 'EMERALD' - NARROW ARBORVITAE	6'-8" BB OR CONT.	
DT	TOG	9	THUJA STANDISHII X PLICATA - GREEN GIANT ARBORVITAE	6'-8" BB OR CONT.	

KEY -DT = DENSITY TREE, ST = STREET TREE SE - SUPPLEMENTAL SCREENING

The source of all plant material for the site shall be from within one whole number hardness zone as defined by the United States Department of Agriculture (USDA) of the zone that covers the majority of New Castle County.
The handling, planting and perpetual maintenance of all tree and plant material shall conform to Tree Care Industry Association ANSI A300-2011 standards. ALL TREES MUST BE PLANTED PER THE DETAIL INCLUDING SOIL AMENDMENTS - MULCHED - STAKED - GUYED AND WATERED WHEN INSTALLED

LANDSCAPE PLAN
PREPARED BY:



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Chadds Ford PA 19317
610-348-7786

ellentraceyDESIGNSet@gmail.com

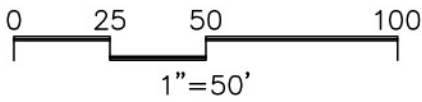
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landscape plan sheet 2 of 3
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LP-02

