



**CITY OF DOVER, DELAWARE
PLANNING COMMISSION
Monday, April 15, 2024 at 7:00 PM**

City Hall Council Chambers, 15 Loockerman Plaza, Dover, Delaware

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 April 15, 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 April 15, 2024**

Join by Phone Dial: 1-650-479-3208
Access code: 253 148 74259 (Password: 3683772)

Join Online: <https://bit.ly/PCMeeting4152024>
Webinar Number: 2531 487 4259
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 March 18, 2024

COMMUNICATIONS & REPORTS

Meeting Reminder: The next Planning Commission regular meeting date is Monday, May 20, 2024 at 7:00 PM.

Update on City Council Actions

Department of Planning & Inspections Updates

Education and Training Opportunities

2. The following course is being offered by the University of Delaware Institute for Public Administration. Contact the Planning Office for registration.
 - Creating a Flood Ready Community - May 9, 2024 9AM to noon at St. Jones Reserve.

OPENING REMARKS CONCERNING MEETING PROCEDURES FOR APPLICATIONS

OLD BUSINESS

Request for Extension of Planning Commission Approval

3. S-21-11 McKee Road Apartments at 1385 McKee Road: Request for Extension – Review of Request for a One-Year Extension of the Planning Commission conditional approval granted on April 18, 2022 of a Site Development Application for the construction of sixteen (16) 10,000 SF garden style apartment buildings each containing twenty-four (24) units for a total of 384 apartment units. Also proposed are sixteen (16) garage buildings, a Club House with Pool, walking paths, picnic areas, a dog park, playing field, parking, and other site improvements. Action included approval of partial elimination of upright curbing, partial elimination of frontage sidewalk, reduction of parking requirements, and a partial cash-in-lieu of Active Recreation Area construction. The property is zoned RG- 2 (General Residence Zone) and C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). This development application is only for the residential zoned portion of the property. The commercial portion will be developed under separate application. The property is located on the east side of McKee Road near the intersection of McKee Road and Scarborough Road. The owner of record is McKee Cap, LLC. Property Address: 1385 McKee Road. Tax Parcel: ED-05-067.00-02-57.00-000. Council District 4.

NEW APPLICATIONS

4. Z-24-03 Lands of Linda Duncan at 600 Forest Street - Public Hearing and Review for Recommendation to City Council on a rezoning application for a parcel of land consisting of 0.51 acres+/- . The property is zoned IO (Institutional and Office Zone) and subject to the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone). The proposed zoning for the property is C-2A (Limited Central Commercial Zone) and remaining subject to the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone). The property is located on the south side Forest Street and near the west end of Loockerman Street. The owner of record is Linda Duncan. The equitable owner is Erin Barrett. Property Address: 600 Forest Street. Tax Parcels: ED-05-076.12-02-44.00-000 & ED-05-076.12-02-45.00-000. Council District 4. Ordinance #2024-09.

5. Z-24-04 Lands of White Marsh Environmental Systems at 1100 & 1110 S. Little Creek Road - Public Hearing and Review for Recommendation to City Council on a rezoning application for a parcel of land consisting of 10.7146 acres +/- . The property is zoned CPO (Commercial and Professional Office Zone). The proposed zoning for the property is IPM (Industrial Park Manufacturing Zone). The property is located on the south side of South Little Creek Road and west of State Route 1. The owner of record is White Marsh Environmental Systems Inc. c/o Tidewater Utilities. Property Addresses: 1100 and 1110 S. Little Creek Road. Tax Parcel: ED-05-077.12-01-03.00-000. Council District 2. Ordinance #2024-10.

NEW BUSINESS

ADJOURN

Posted Agenda: April 5, 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
MARCH 18, 2024**

The Meeting of the City of Dover Planning Commission was held on Monday, March 18, 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 Mrs. Maucher presiding. Members present were Mr. Witham, Mrs. Denney, Mr. Baldwin, Dr. Jones, Mr. Reaves, Mrs. Welsh (virtual), and Mrs. Maucher. Mr. Cooper and Mr. Roach were absent.

Staff members present were Mrs. Dawn Melson-Williams, Ms. Katherine Oehmke, Mr. Jason Lyon (virtual), and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Mr. Witham moved to approve the Agenda as submitted, seconded by Mrs. Denney and the motion was carried 7-0 with Mr. Cooper and Mr. Roach absent.

APPROVAL OF MEETING MINUTES OF FEBRUARY 20, 2024

Mr. Witham moved to approve the Planning Commission Meeting Minutes of February 20, 2024, seconded by Mr. Baldwin and the motion was carried 7-0 with Mr. Cooper and Mr. Roach absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, April 15, 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 February 26 & 27, 2024 and March 11 & 12, 2024.

Mrs. Melson-Williams stated that we do continue to have open positions and there are many throughout the City; so, if you know of anyone, have them check out the City's website for opportunities to become part of Team Dover. She wanted to pass along from Code Enforcement that it is inching closer to spring which means grass is going to start to grow and the City has regulations relating to the height of grass. Maximum height of grass is 8 inches, so please cut it before it reaches that height and you won't become a Code Enforcement violation that we have to deal with.

Mrs. Melson-Williams stated that included in the packet was information on projects and studies. The first one is the Dover Downtown Development District Public Workshop. It is scheduled for tomorrow, March 19, 2024 from 4:00PM to 6:00PM with presentations at 4:30PM and 5:30PM at the Dover Public Library. The Downtown Development District was put in place in 2015. The program is good for ten years and we are at the point of needing to renew our application and this Workshop is part of that process. The City has consultant help from the Rossi Group assisting us in the preparation of that renewal application. So, tomorrow is an opportunity to find out about how that program has worked over the last ten years and also to look at some of the proposals to expand the territory that is involved in our Downtown Development District Area.

Mrs. Melson-Williams stated that the other announcement is related to education and training opportunities for Planning Commissioners. They provided information about the next upcoming presentation by the Institute for Public Administration. It is an event on the “Freedom of Information Act (FOIA) and Ethics for Local Officials.” She will note that the meeting date of the training has changed. It is not March 20, 2024 as they had initially reported to the Commission. When they went to register, they found out that they had revised the meeting date for that training has been rescheduled to March 28, 2024. If you are interested, please let them know. They do believe that there is a limited availability of spots to attend that training. If you had previously signed up for this training and it no longer works for you, let Staff know that as well.

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:

S-22-03 Restaurant at 801 North State Street – Review of Request for a One-Year Extension of the Planning Commission conditional approval granted on March 21, 2022 of a Site Development Plan Application for the construction of a 7,681 SF Restaurant with outdoor patio dining and associated site improvements. The property is zoned C-2A (Limited Central Commercial Zone). The property consists of 1.943 acres (84,637.08 SF) and is located on the east side of North State Street, southwest of Lepore Drive. The property is bordered by Silver Lake to the south. The owner of record is Lopez Kent County, LLC. Property Address: 801 South State Street. Tax Parcel Number: ED-05-068.09-01-13.00-000. Council District 3.

Representative: Mr. Mike Glick, Lighthouse Construction

Mrs. Melson-Williams stated that this is a Request for a One-Year Extension that comes to us for application S-22-03 the El Azteca Restaurant that was proposed at 801 North State Street. This was reviewed by the Planning Commission in March 2022. They are given a two-year time frame to finalize their plan, pull permits, and commence construction activity. With this project, they did achieve Final Site Plan approval in December 2022 which included approvals from DelDOT on their Entrance Plan and their Stormwater Management Plan with the Kent Conservation District. At this point, their next step is to seek Building Permits in order to commence construction. They made the Request for a One-Year Extension via email, and they indicate that the applicant is continuing to plan for this project. It appears that it is a little more involved in some aspects than what they expected. They are seeking a One-Year Extension of the Planning Commission approval.

Mr. Glick stated that Mrs. Melson-Williams pretty well covered it. They are still working through the planning. There was more to the project than initially anticipated; so, they are asking for a One-Year Extension.

Mrs. Denney moved to approve S-22-03 Restaurant at 801 North State Street for a One-Year Extension, seconded by Dr. Jones and the motion was carried 7-0 by voice vote with Mr. Cooper and Mr. Roach absent.

S-22-04 Raymond Street and Railroad Avenue Street Improvements – Review of Request for a One-Year Extension of Planning Commission conditional approval granted on March 21, 2022 of a Site Development Plan Application for the proposed construction of street improvements in the Rights-of-Way of Raymond Street and Railroad Avenue. Improvements consist of paved roadways, curbing, sidewalks, and utility infrastructure (water, sewer, and stormwater drainage). Raymond Street is proposed to be extended west as a 24 ft. paved width roadway to intersect with Railroad Avenue. Railroad Avenue is proposed to be constructed as a 24 ft. paved width roadway extending to the north ending in a cul-de-sac. Portions of the surrounding property totaling 0.61 acres and owned by Patel College Properties LLC and Patel Excess College Road LLC are being dedicated to the City of Dover for the expansion of Right-of-Way. The area is located north of College Road and east of the Lands of the Delaware Railroad. Public Right-of-Way to be dedicated to City of Dover. Property Address: Rights-of-way in the vicinity of Tax Parcels: ED-05-067.00-02-53.00-000 and ED-05-067.00-02-56.00-000. Council District 4.

Representative: Mr. Brian Riggin, Parkway Law

Mrs. Melson-Williams stated that this is a Request for Extension for S-22-04 Raymond Street and Railroad Avenue Street Improvements. It was focused on the right-of-ways in that area specifically. This was likewise considered by the Planning Commission in March 2022. It really focused on the plans for improvements to several streets in that area and as part of that, the Planning Commission made recommendations on some Subdivision Waiver Requests related to a street right-of-way width, a maximum length of the cul-de-sac, and partial elimination of sidewalk. Those recommendations moved on to City Council. City Council, via their Safety Advisory and Transportation Committee, met multiple times in the timeframe from May through November of that year of 2022. Ultimately, the waiver requests were not approved at the City Council level. She will note that this is the Site Plan for the street improvements aspects; this is not the Site Plan for development of the apartment project that came before you under S-23-06. This is just focused on the street improvements to the right-of-way in that area. They are seeking a One-Year Extension via the letter that was received from representatives of Parkway Law who represent the parties of ownership related in that area for the apartment project. They note in their letter that related activities are subject to litigation and they go on to list actually the three cases that are pending before Superior Court in Delaware. They are asking for the One-Year Extension as they have other matters to address related to these cases that are associated with this development. We do have a representative of that project team that has joined us online.

Mr. Riggin stated that he doesn't have anything additional to add at this time. He would refer the Planning Commission to the letter that they submitted on record but obviously he is here in attendance. He thanks the Planning Commission for allowing him to attend by the Webex platform; it is working very well so far.

Mr. Witham questioned if the Request was for a one-year extension. Responding to Mr. Witham, Mrs. Melson-Williams stated yes, the Request is for a one-year extension as that is what the *Zoning Ordinance* allows for you to consider.

Mr. Witham stated that if the extension is granted, he really has no opposition to that other than the fact that he would point out given the nature of the case numbers on the litigation, these cases could go as long as two years under standard Superior Court litigation schedule. So, we may be facing another year of extension if these matters are not resolved. Responding to Mr. Witham, Mr. Riggan stated that they are only requesting the One-Year Extension at this time. Obviously, they can't predict what could happen in the future with these three cases, while he is not the attorney handling them, he has consulted with them. His understanding is that the Court has somewhat intertwined the cases and they are already scheduling argument of one of the cases in later April. So, it's our hope that this will be wrapped up in short order, but he cannot deny that the realities of litigation sometimes take much longer than anyone would want. But obviously, they will be informing and upfront with the Planning Commission as that process goes forward.

Mr. Witham moved to approve S-22-04 Raymond Street and Railroad Avenue Street Improvements for a One-Year Extension, seconded by Mrs. Welsh, and the motion was carried 7-0 by voice vote with Mr. Cooper and Mr. Roach absent.

NEW APPLICATIONS

S-24-03 Delmarva Land Holdings, LLC Warehouse Buildings (Cassidy Commons) at 101-1001 Cassidy Drive – Public Hearing and Review of a Site Development Plan Application to permit construction of six (6) 9,950 square foot manufacturing/warehouse buildings (in addition to the four (4) already constructed) to be divided into smaller tenant spaces with other site improvements. The property of 10 acres ± is zoned M (Manufacturing Zone) and is subject to the AEOZ (Airport Environs Overlay Zone): APZ I and Noise Zones A and B. The property is located on the south side of Lafferty Lane west of Horsepond Road along a private drive known as Cassidy Drive. Property owned by Delmarva Land Holdings, LLC. Property Address: 101-1001 Cassidy Drive. Tax Parcel: ED-05-077.00-01-28.04-000. Council District 2. *Waiver Requests: Elimination of Upright Curbing, Elimination of Bicycle Parking, Partial Elimination of Sidewalks, and Consideration of Performance Standards Review Application. This site was most recently subject to Application C-21-01 which was approved by the Planning Commission on January 19, 2021, but Final Plan Approval was not achieved, and the Plan has expired. The initial four buildings were constructed under C-11-04 M & L Ventures at Lafferty Lane.*

Representative: Mr. Fredrik Ruhe, Delmarva Land Holdings, LLC; Mr. Mark North, representing Delmarva Land Holdings, LLC

Mrs. Oehmke stated that S-24-03 is Delmarva Land Holdings, LLC addressed at 101-1001 Cassidy Drive. It currently has four buildings on the site. The remaining buildings are Buildings 5-10. The current zoning of this property is M (Manufacturing Zone), and it is subject to the AEOZ (Airport Environs Overlay Zone): APZ I and Noise Zones A and B. The history of the site goes back to 2011. It received conditional approval; it received a one-year extension. They built their first building in 2012. The last building was built in 2017. Delmarva Land Holdings, LLC

purchased the property in 2020; and in 2021, it received conditional approval for the rest of the buildings, but the plan expired. The location is off of Lafferty Lane. Cassidy Drive is a private road. As you can see, it is surrounded by fields. There is a new Frito Lay facility directly across Lafferty Lane. There is an approved Site Plan to the left that expires this year. As you can see in the back of the property, there is something what looks like asphalt, but it's not actually asphalt. It is used more like a contractor's yard. A picture on the screen shows what the back looks like currently. The Manufacturing Zone allows for a variety of different manufacturing uses including storage, public utilities, etc. It also has accessory uses and storage should be within a completely enclosed and secured area. The AEOZ (Airport Environs Overlay Zone) is to prevent aircraft accidents associated with the Dover Air Force Base and it wants to reduce density for potential human loss. The Noise Zones A and B are to reduce the noise due to the Air Force Base. There are a number of prohibited uses due to its location and its proximity to the Dover Air Force Base. As you can see Letter E, we are reducing items that might produce light, smoke or anything that would interfere with any airline. The AEOZ (Airport Environs Overlay Zone) Land Use and Compatibility Chart has a lot of different items that are not allowed. She has gone ahead and crossed off all of the uses within the Compatibility Chart that are not allowed based on the AEOZ (Airport Environs Overlay Zone). The buildings as they are currently look is the plan for Buildings 5-10. The plan shows the ten buildings with a road in the middle that goes up to neighboring properties. There are two dry stormwater retention areas. This "Construction Drive" as it is named on the plan is an undeveloped road. They are recommending that it be a private drive to eliminate any cross access easements required to access that road for City use. For the dumpster enclosures, there are dumpster pads for Buildings 1-4, but they are not enclosed. They are recommending that those dumpsters be enclosed and that the future buildings enclose their dumpsters as well. There is not street lighting other than the lights that are on the buildings. You can see the five lights on the plan. There are also lights above each door. As you can see, the parking and fire lanes are lined here at an angle. It doesn't allow for pass through parking or pull through parking for the larger vehicles that are using these warehouse spaces. So, they are recommending pull through parking. The Fire Marshal's Office has also recommended that the sprinkler systems be added so that the plan's twenty foot fire lanes can be continued for the rest of the buildings. They have requested three Waivers: partial sidewalk for one side of the private drive, the elimination of partial upright curbing, and the elimination of the rest of the bicycle parking that would be required to complete that project. As you can see, there is not upright curbing in the parking areas on the east or the curbing on the west side of the private drive. It allows for the natural water runoff which has been working thus far. They do have bike paths on Lafferty Lane so her recommendation would be to deny the waiver for the bicycle parking (elimination). They aren't currently being used but as this area gets developed, people might be inclined to use the bike paths and bring their bikes to these individual spaces. The Landscaping Plan is showing some trees along the roads including Construction Drive.

Mr. Ruhe stated that Mr. Mark North has joined by phone, and he can speak to the project.

Mr. North stated that we are basically in agreement with the DAC Report recommendations. They don't have any objections to any comments. This project is one that they are not proposing any changes to what the original plan was back in 2012. There was a change of ownership about two years ago and that caused a delay. They are ready to proceed with our project and they would like to proceed with it as it is designed. The waivers that they are requesting regarding the

sidewalk and the upright curb are integral to the functioning of the stormwater management. They propose to build the buildings exactly as per the original drawings and they are prepared to proceed at this point in time without delay.

Mr. Ruhe stated that he agrees with Mr. North. They just want to build the project like it was originally planned.

Mr. Witham asked if the applicant was seeking a bicycle waiver still? Responding to Mr. Witham, Mr. North stated that they have no objections to putting that aside.

Ms. Oehmke stated that it was part of the application, but the applicant said that they would be willing to set it aside in order to get the plan approved.

Mrs. Denney stated that she realizes that the original approval was some time ago but are they planning to accommodate electric cars now that things have changed environmentally? Responding to Mrs. Denney, Mr. Ruhe stated that with all of those units, they can fit them out to what the tenants are going to use them for. It is not a problem to add electric chargers for cars if that is something that the tenants need or want.

Mrs. Maucher asked if they would be enclosing the four existing dumpster pads as well as for the future buildings. Responding to Mrs. Maucher, Mr. North stated yes.

Mrs. Maucher opened the public hearing.

Mr. Zach Prebula – Kent Economic Partnership – 555 Bay Rd Dover, DE 19901

Mr. Prebula stated that they are the economic development organization for Kent County and recently they commissioned what they call the Rockport 2.0 Study which identified the target industries for Kent County. Both manufacturing and warehousing were our identified targets for Kent County. By approving the construction of these buildings, you can help align our targeted industries with the need of businesses and make Kent County more attractive for businesses along with being able to facilitate the local businesses looking to expand.

Mrs. Maucher closed the public hearing.

Mrs. Denney stated that she fully understands the parking and the sidewalk, and she feels satisfied about that. She does think that as we are trying more and more to encourage different modes of transportation. She would really like to see that the bicycle parking remain and it appears as though they do not have an objection to that. Again, if there is a thought for someone to make a motion to approve, she thinks they really should address or include within what we are doing the pads for the dumpsters.

Mrs. Maucher asked if they have identified any potential tenants yet. Responding to Mrs. Maucher, Mr. Ruhe stated that they have a lot of requests from people who want to rent. They don't have anybody lined up because we don't have anything available. It is very popular as far as for small businesses that want to rent that type of space.

Mrs. Maucher stated that her question would be more in line with what kind of vehicular traffic would you be anticipating? Would it be big tractor trailers? Especially based on the size of the buildings, is it more car type traffic or box truck type traffic? Responding to Mrs. Maucher, Mr. Ruhe stated that a lot of it is small businesses that need warehouse space with maybe one office. It is normally one or two vehicles per unit. It's everything from regular cars to cargo vans and pickup trucks.

Mr. North stated that there are mostly like general contractors or flooring contractors with pickup trucks.

Dr. Jones moved to approve S-24-03 Delmarva Land Holdings, LLC Warehouse Buildings (Cassidy Commons) at 101-1001 Cassidy Drive to include the Waiver Requests for partial elimination of upright curbing, partial elimination of sidewalks as well as consideration for the Performance Standards Review, seconded by Mrs. Welsh.

Mrs. Melson-Williams asked if this was a motion to also approve the Site Development Plan with the Development Advisory Committee comments or are you going to make another motion for that.

Dr. Jones moved to approve S-24-03 Delmarva Land Holdings, LLC Warehouse Buildings (Cassidy Commons) at 101-1001 Cassidy Drive for the Site Development Plan as well as the Waiver Request for partial elimination of upright curbing, partial elimination of sidewalks, and with consideration for the Performance Standards Review as well as comments from the DAC, seconded by Mrs. Welsh and the motion was carried 7-0 by roll call vote with Mr. Cooper and Mr. Roach absent. Dr. Jones voting yes; it appears the applicant has done their homework and is moving forward. Mrs. Welsh voting yes; the application appears to address issues that are needed there at the site and to complete the project as originally intended. Mr. Reaves voting yes; for reasons stated previously and the DAC recommendation. Mrs. Denney voting yes; she thinks that the applicant has done due diligence in addressing the recommendations of the DAC and the waivers she thinks are understandable as they were explained to them this evening. Mr. Witham voting yes; for the reasons set forth on the record by all Commissioners as well as what is set forth in the planning documents. The applicant seems to meet all of the requirements and the waiver requests are approved as well. Mr. Baldwin voting yes; for reasons previously stated. Mrs. Maucher voting yes; for reasons stated and with the additional support of the Kent County Economic Development Office.

NEW BUSINESS - No items.

Meeting adjourned at 7:55 PM.

Sincerely,

Kristen Mullaney
Secretary

Creating a Flood Ready Community

Course Presenters

Danielle Swallow

Coastal Hazards Coordinator,
Delaware Sea Grant

Lynne Pusey

Coastal Training Program
Coordinator, DNREC

Jordana Cutajar

Resilience Planner IV, DNREC

Kathy Potter

Delaware National Flood Insurance
Program Coordinator, DNREC

MAY 9, 2024

9:00 a.m. to Noon

**St. Jones Reserve,
818 Kitts Hummock Rd.,
Dover, Delaware 19901**

Refreshments and lunch
will be provided

● **Register Online**

www.bidenschool.udel.edu/

Learn how the flood risks to Delaware communities can be addressed and mitigated. This course covers basic risk and hazard concepts; Federal Emergency Management Agency (FEMA) mapping; the Delaware flood insurance program; tools to prevent hazards in a cost-effective manner; and strategies for reducing exposure. Examples presented will include:

- New National Oceanic and Atmospheric Administration (NOAA) sea level rise mapping information
- Recommended strategies for reducing vulnerability and exposure
- Community flood risks, hazards, and related climate trends
- Tools and resources for community adaptation, resilience, and sustainability planning

This session qualifies for credit toward the Certificate in Local Government Leadership and the Certificate for Planning Education.

Contact Sean O'Neill (oneill@udel.edu) with questions.



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BECKER MORGAN GROUP, INC.

309 SOUTH GOVERNORS AVENUE
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302.734.7950

THE TOWER AT STAR CAMPUS
100 DISCOVERY BOULEVARD, SUITE 102
NEWARK, DELAWARE 19713
302.369.3700

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100

3333 JAECKLE DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

www.beckermorgan.com

Item 3.

April 2, 2024

Ms. Dawn Melson-Williams, AICP
City of Dover
Department of Planning and Inspections
P.O. Box 475
Dover, DE 19903-0475

RE: **Request for Extension**
MCKEE ROAD APARTMENTS (S-21-11)
2017218.00

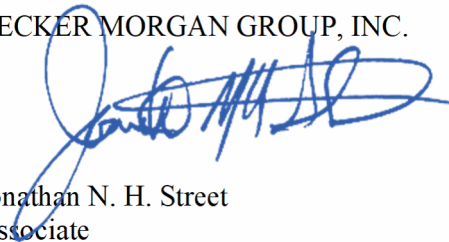
Dear Dawn:

On behalf of our client, MCKEECAP LLC, we are hereby submitting a request for a one-year extension of the Site Plan Approval for the above-referenced project. Please make the request to the Planning Commission at its next available meeting. The owner has been diligently working on engaging contractors to begin pulling permits but will not be able to pull permits by the end of April. For that reason, we request a one (1) year extension on Planning Commission Approval.

Please let me know if you require any additional information.

Sincerely,

BECKER MORGAN GROUP, INC.



Jonathan N. H. Street
Associate

JNS

Enclosures

Cc: Bill Krapf, LC Construction

201821700aw-ltr-COD-ext.

PETITION TO AMEND ZONING DISTRICT

First Reading before the Dover City Council on March 25, 2024

Development Advisory Committee Review – Applicant DAC Meeting of April 3, 2024

Public Hearing Before the Planning Commission on April 15, 2024

Application: Rezoning Lands of Linda Duncan at 600 Forest Street

Applicant/Equitable Owner: Erin Barrett

Owner: Linda Duncan

Address: 600 Forest Street, Dover DE, and unaddressed Forest Street

Location: South side of Forest Street at the east end of Loockerman Street.
East of Railroad Avenue and railroad corridor.

Tax Parcel: ED-05-076.12-02-44.00-000
ED-05-076.12-02-45.00-000

Overall Parcel Size: 0.51 acres+/-

Present Use: Vacant tract of land

2019 Comprehensive
Plan Designation-Land
Use Category: Mixed Use

Present Zoning: IO (Institutional and Office Zone)
H (Historic District Zone)
SWPOZ (Source Water Protection Overlay Zone)

Proposed Zoning: C-2A (Limited Central Commercial)
H (Historic District Zone)
SWPOZ (Source Water Protection Overlay Zone)

Request: Rezoning to build a mixed-use building to include office/retail and apartments.

File Number: Z-24-03

Ordinance Number: 2024-09

I. APPLICATION SUMMARY:

This Rezoning Application is for two parcels of land consisting of 0.51 acres+/-*. The property is zoned IO (Institutional and Office Zone) and subject to the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone). The proposed zoning for the property is C-2A (Limited Central Commercial Zone) and remaining subject to the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone). The property is located on the south side Forest Street and near the west end of Loockerman Street. The owner of record is Linda Duncan. The equitable owner is Erin Barrett. Property Address: 600 Forest Street. Tax Parcel: ED-05-076.12-02-44.00-000 and ED-05-076.12-02-45.00-000. Council District 4. Ordinance #2024-09.

*It is noted that the survey plan submitted shows a parcel of 0.51 acres +/- but it does not match the city's GIS mapping of the parcels. Planning Staff listed two parcel numbers currently related to the area of request. This is being researched for clarification.

Existing Property:

FORMER HARTNETT LUMBER YARD BUILDING

This was the site of the former Hartnett Lumber Yard building; it was included in the 1979 National Register of Historic Places inventory. The property is currently within the City of Dover H (Historic District Zone) and also listed in the National Register of Historic Places as part of the Victorian Dover Historic District. A Demolition Permit was issued in 1999 to demolish the buildings on this property (after a fire). The property is currently a vacant tract of land with no buildings. The south side (rear) of the property is at the end of Loockerman Street near the intersection with Jerusalem Way. The land on the west side and southwest side of the subject property is owned by the State of Delaware; this is the location of the former train station building now utilized as offices. The street that the property is addressed on is Forest Street (to the north) which is a State maintained road.

Previous Applications:

At the September 20, 2010 Meeting, the Planning Commission granted conditional approval and Architectural Review Certification for a plan to build a four story 32,624 S.F. office building with a coffee shop and the associated site improvements. On September 19, 2011, the plan received a one year extension; and a second extension was granted September 17, 2012. The plan did not achieve final plan approval and has expired (HI-10-05/S-10-17).

Surrounding Land Uses

The surrounding parcels are zoned commercial: C-2 (Central Commercial Zone), C-2A (Limited Central Commercial Zone), and IO (Institutional and Office Zone). The property to the west is owned by the State of Delaware and contains the former train station building. The First Capital Center (Duncan Center) is at 500 W. Loockerman Street, which is south of the subject property. This building is a 5.5-6-story office building built in 2004. These properties are all currently zoned IO (Institutional and Office Zone). The other side of Forest Street contains a 3-tenant commercial building with parking off South Kirkwood Street. To the north and northwest is a gas station and multi-tenant building including retail, offices, and a convenience store.

II. COMPREHENSIVE PLAN COMPLIANCE REVIEW

In the *2019 Comprehensive Plan*, the Land Development Plan (Map 12-1) recommends that this property be used for Mixed Use. The goals and polices for Mixed Use Areas are listed in the *2019 Comprehensive Plan* excerpts presented below (pages 12-7 through 12-9):

MIXED USE AREAS

Dover is a community whose character is determined by its history, changes in its economic base, or by regional and national events. Resulting Mixed-Use areas are characterized by a finely scaled mix of residential, commercial, civic, institutional, and occasionally industrial uses. Typically reflecting the long-term cycles of growth and change in the community, these traditional development patterns emerge where no single use category is predominant. These areas reflect close proximity of uses and structures, neighborhoods developed around walkability versus automobiles, varied architectural styles typically with grid-based street patterns, and an array of social and economic determinates. Mixed Use areas can reflect the historic pattern of development such as in Downtown Dover, an area where a mix of uses is driven by a primary set of uses such as around Bayhealth Hospital, or they can be an area where a new development should foster walkability and close interactions among activities and uses in a traditional neighborhood setting.

Goals: Mixed Land Use

The overall goals for Mixed Use areas are:

1. Encourage creation of neighborhood centers.
2. Within the close-knit neighborhood fabric there are opportunities for the creation of urban centers. These centers should be established along major roadways and feature mixed use development, pedestrian-friendly public environments, and opportunities for connection to future transit.
3. In order to encourage non-automobile access to the center, the activities should be clustered within a one-half mile radius (or 10-minute walk) and be located so as to draw upon residents from a number of surrounding neighborhoods.
4. Develop strategies that will encourage the creation of well-defined public street spaces and pedestrian-friendly village areas that encourage walking and bicycle use. This may include on-street and behind building parking, and the creation of build-to lines for new development.
5. Improve access that limits public access to open spaces areas such as pedestrian, bicycle, and transit networks to parks and natural areas.
6. Encourage the Mixed Use of residential and commercial uses in the Downtown area.

Recommendations for Mixed Use Areas

The Land Development Plan sets forth recommendations for the four largest distinct Mixed-Use areas.

Downtown Dover – Historic Core and Center City: Mixed Use Area

Downtown Dover is the City's primary Mixed-Use area. The historic City center clustered around The Green dates back as early as the 1700s. It expands to also include the traditional City pattern of grid streets which developed during the 19th and early 20th centuries. As a result of its earlier development, Downtown Dover, like many other historic cities, includes a variety of intermingled land uses. The Downtown area, which includes the traditional Loockerman Street business district, is broadly bounded by Wesley College on the north, the railroad tracks on the west, Bayhealth-Kent General Hospital on the south, and St. Jones River on the east. It includes a street level mix of residential, commercial, office, cultural, and institutional uses.

Downtown Dover is the traditional and symbolic center of the community and is vitally important to the overall image and identity of the City. As the State's office complex and other businesses and services make Downtown the largest area of employment in the City, Downtown Dover is vital to the economy. It is important to preserve the area as a safe, convenient, and aesthetically pleasing business environment. Downtown provides a unique and affordable commercial environment where locally owned businesses reflect the small-town nature of the community.

Downtown also provides a residential environment with a wide variety of housing types near commercial, cultural, education, and employment resources. The age of the buildings and infrastructure in the Downtown area requires special attention and incentives to assist in continual use and revitalization activities. Downtown lacks the vibrancy of years gone by and its revitalization will hinge on mixed land uses and developing a commercial niche. Removal of blighted conditions, rehabilitation and redevelopment of traditional residential areas, and re-establishment of neighborhood identity will be important components of the City's strategies and initiatives.

The goal of the Land Development Plan is to enhance the role of Downtown Dover as a major employment, residential and commercial center as well as the symbolic and cultural heart of the community. Efforts should strive to recognize its unique heritage and historic resources and to provide for mixed use development allowing greatest variation of uses. Activities to reestablish the economic and social vitality of Downtown neighborhoods are encouraged.

Recommendations: Downtown Dover – Mixed Use

- Master plan the Loockerman Street corridor.
- Enhance the Downtown area through economic development and historic preservation programs.
- Continue to support the preservation and adaptive reuse of buildings and infrastructure through public investments, property maintenance enforcement, housing grants, and financial incentives.
- Promote zoning districts and regulations that support the traditional mixed-use nature of the Downtown area.
- Support revitalization of Downtown residential neighborhoods.

The Rezoning Request to C-2A (Limited Commercial Central Zone) is consistent with the Land Use Classification of Mixed-Use. Table 12-1: Land Use and Zoning Matrix (from the *2019 Comprehensive Plan*) specifies that the following zones are compatible with this Land Use classification. See the excerpt from Table 12-1 given below.

Mixed-Use	C-2 (Central Commercial) (Downtown Redevelopment Target Area Only) C-2A (Limited Central Commercial) TND (Traditional Neighborhood Design) C-1 (Neighborhood Commercial) C-1A (Limited Commercial) RGO (General Residence and Office) (Downtown Redevelopment Target Area Only) R-8 (One Family Residence) R-10 (One Family Residence) RG-1 (General Residence) RG-2 (General Residence) RG-4 (General Resident - Multi-Story Apartments) C-3 (Service Commercial) CPO (Commercial and Professional Office) IO (Institutional and Office)
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III. ZONING REVIEW

Request for C-2A (Limited Commercial Central Zone) Zoning

The following code excerpt of the C-2A zoning district is provided from Article 3 §14 of the *Zoning Ordinance*.

Section 14. Limited central commercial zone (C-2A).

14.1 *Uses permitted.* In a limited central commercial zone (C-2A), no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following:

- (a) Retail stores.
- (b) Business, professional or governmental offices.
- (c) Personal service establishments.
- (d) Restaurants.
- (e) Service establishments.
- (f) Hotels.
- (g) Places of public assembly.
- (h) Drive-throughs.
- (i) One family residences, including attached and semi-detached dwellings, complying with the bulk standards of the RG-1 (General Residence) zone.
- (j) Apartments and multi-family dwellings.

14.2 *Conditional uses.* The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:

- (a) Parking lots and parking structures as a principal use on suitably landscaped lots.
- (b) Fuel pumps accessory to a permitted use.

14.3 *Enclosed buildings.* All permitted uses and all storage accessory thereto, other than off-street parking, shall be carried on in buildings fully enclosed on all sides, except for outdoor eating areas associated with restaurants and outdoor sales areas approved by the city planner.

14.4 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

14.5 *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change of use.

H (Historic District Zone)

The project site is located in the H (Historic District Zone) and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections. The H (Historic District Zone) is described in *Zoning Ordinance*, Article 3 Section 21 with the following purpose statement:

Article 3, Section 21. - Historic district (H).

21.1 *Purpose.* The purpose of this historic district regulation is to preserve and enhance that unique character and value of the old portion of Dover as an area of special charm and interest. It is particularly intended that the regulations prevent, in the historic district, any change of conditions that would be deemed to be a disfigurement or degradation of the present unique visual and architectural qualities of the district.

SWPOZ (Source Water Protection Overlay Zone)

The purpose of the Source Water Protection Overlay Zone is to provide a safe drinking water supply and to ensure that groundwater is adequately protected and maintained. The SWPOZ includes a list of prohibited uses where such uses/activities could impact ground water resources. The site is located within the SWPOZ (Tier 3: Excellent Recharge Area) found in Article 3 Section 29.7 of the *Zoning Ordinance*. However, this project site is within the Downtown Redevelopment Target Area which is exempted from the SWPOZ requirements and restrictions as per *Zoning Ordinance*, Article 3 §29.79 with regard to bulk standards, ground cover, and floor area ratios.

IV. RECOMMENDATION OF THE PLANNING STAFF:

This Request is to rezone lands from IO (Institutional and Office Zone) to C-2A (Limited Central Commercial Zone). While both zones are commercial in nature, the IO Zone generally does not allow for residential dwelling units instead focusing on offices, public buildings, and institutional uses. The C-2A zone allows for both commercial uses and a variety of residential units including one family dwellings, apartments, and multi-family dwellings.

This location is in the Downtown Development District (High Priority Target Area). This location is also in the Downtown Redevelopment Target Area, which is outlined in *Dover Code of Ordinances*, Appendix C, Article II, Section 4. The property's location in these areas and other qualifications may allow redevelopment activities to qualify for incentives. The

Transforming Downtown Dover: Capital City 2030 Plan commissioned by the Downtown Dover Partnership envisions projects to increase residential dwelling units, revitalize commercial areas, and provide gateway improvements. This property location is part of the western gateway approach into Downtown Dover.

Staff recommends that the Rezoning be granted to C-2A (Limited Central Commercial Zone), with it remaining subject to H (Historic District Zone) and SWPOZ (Source Water Protection Overlay Zone) as requested for the approximate half acre parcel. The proposed zoning is consistent with the *Comprehensive Plan* for the Mixed-Use classification, as it fits the goals of the *Comprehensive Plan* by encouraging the use of both commercial and residential uses in the Downtown area. The C-2A allows for different housing types as well as retail, offices, restaurants, hotels, and personal services establishments, potentially creating neighborhood centers. The C-2A zone would also allow for the place of public assembly if desired.

Loockerman Street corridor is a mixed-use corridor which includes a variety of first floor commercial businesses and offices with apartments on the second floors. One example of a mixed-use building is the Bayard Plaza Apartments with retail and commercial spaces on the first floor, and apartments on the floors above. There are a number of surviving historic buildings in the general area including: New Jerusalem Baptist Church, the train station building, and other buildings on Loockerman Street. There is existing infrastructure for water, sanitary sewer, and electric services that can be extended to serve development and the police, fire, and emergency medical services service the area. Any future development project will need to consider traffic circulation on nearby streets and sidewalks, and site access/entrance locations.

It is noted that the *Zoning Ordinance* outlines specific procedures and review process regarding changes to the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone) zoning designations of a property. These specific procedures are outlined in *Zoning Ordinance*, Article 10 §3.3; *Zoning Ordinance*, Article 3 §29.77; and *Zoning Ordinance*, Article 10 §5. This application did not make a request to be removed from the H (Historic District Zone) or the SWPOZ (Source Water Protection Overlay Zone).

This Rezoning Request does not grant approval of a specific use for the property but makes its land use subject to a listing of uses permitted and potential conditional uses as allowed in the C-2A zoning district and as additionally limited by SWPOZ prohibited uses list. Staff notes that any potential development for the subject rezoning area would have to be in line with the zoning classification, overlay zones, and would similarly have to follow all development design guidelines of the *Zoning Ordinance*, as well as the *Design Standards and Guidelines for the City of Dover Historic District Zone*. Were the Application for Rezoning to be recommended by the Planning Commission and subsequently approved by the City Council, the applicant would still have to submit Site Development Plans and/or Subdivision Plans, Architectural Review Certification, and Permits for review for any new use of the site to be established.

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

V. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

This Rezoning Application is a request for a zoning map amendment which changes the zoning district of a property. The Planning Commission as part of their public hearing and review process will provide a recommendation on the rezoning request to City Council. As part of the process outlined in *Zoning Ordinance*, Article 10 Section 5, the Planning Commission must evaluate the following factors when considering the request:

Article 10 § 5.36 *Report of the planning commission.* Regarding each application for a zoning map amendment, the planning commission shall provide a report to the city council stating a recommended action with regards to the proposed amendment, along with the commission's evaluation of the following factors:

(A) Whether the uses permitted by the proposed change would be compatible with the existing uses and zones in the area concerned;

(B) Whether adequate public services and infrastructure exist or can be created or expanded to serve the needs of any additional demand as a result of such change; and

(C) Whether the proposed change is in accordance with the city's current comprehensive plan.

A Recommendation Report from the Planning Commission will be forwarded to City Council for their consideration of the Rezoning Application.

VI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The applicant shall be aware that approval of any Rezoning application does not represent Site Development Plan, Subdivision Plan, or Architectural Review Certification. Following any decision made by City Council in regard to this Rezoning, then an application for a Site Plan, Subdivision Plan, Architectural Review Certification and/or appropriate Building Permits must be submitted to the Planning Department prior to the establishment of a use, development activity, or any construction activity on the site. The applicant should contact the Planning Staff to determine the appropriate review process for any proposed projects.
- 2) The applicant should be aware that Development within the H (Historic District Zone) is subject to Architectural Review Certification process which may involve application to the Historic District Commission.
- 3) The applicant should also be aware that the previous uses as a lumberyard may necessitate environmental assessments related to Brownfields or environmental remediation activities.
- 4) The applicant should be aware of the potential for historic archaeological resources which may include previous building locations, wells, privies, etc. on the property. The State Division of Historical & Cultural Affairs can provide technical assistance when dealing with archaeological resources including previous studies at the subject location.
- 5) The applicant shall be aware that approval of any Rezoning application does not represent a Building Permit, Demolition Permit, Sign Permit, or other construction activity permit

approval. A separate application submission is required before issuance of permits by the City of Dover.

- 6) The applicant shall be aware that any future use and/or buildings may be subject to a separate permitting or licensing processes through the City of Dover Licensing and Permitting Division. All businesses operating in the City of Dover are required to obtain a City of Dover Business License. Certain types of uses also require a Public Occupancy Permit or Rental Dwelling Permits.

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



CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MARCH 27, 2024



APPLICATION: Lands of Linda Duncan at 600 Forest Street
FILE #: Z-24-03
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater
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 / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. Our office has no objections to the proposed rezoning of tax parcel ED-05-076.12-02-44.00-000. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook and the Specifications, Standards & Procedures for Public Works Construction. Impact fees may be applied to this property. Future development shall comply with all aspects of the City of Dover's Cross Connection Control Program.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

SANITATION / STREETS / STORMWATER / WASTEWATER / GENERAL

1. None

WATER

1. This site currently has a monitoring well that is being used by DNREC and / or USGS. The use or abandonment of said well will need to be approved by the aforementioned agencies.

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: MAR 27, 2024

APPLICATION: Lands of Linda Duncan at 600 Forest Street
FILE #: Z-24-03
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

Our office has no objection to the rezoning of: ED-05-076.12-02-44.00-000.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric and meters will be assessed at that time.
2. Any redevelopment shall adhere to the City of Dover's Electric Service Handbook.
<https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

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

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 03/27/24

APPLICATION: Lands of Linda Duncan at 600 Forrest St

FILE #: Z-24-03

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. Proposal is a rezoning application. This office has no objections.
2. 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)

3. 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: Lands of Duncan in City of Dover (600 Forest Street)

FILE#: Z-24-03

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Will T Mobley III

PHONE#: 302-760-2409

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

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

CITY & STATE CODE REQUIREMENTS:

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. No objection to Rezoning.
2. Prior to site development, the user will request a pre submittal meeting with the DelDOT. Items to prepare for discussion at time of site development.
 - a. Site access needs to be clarified.
 - b. Trip Generations
 - c. Limiting factors of the site
 - d. Right of Way dedication

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: 4/3/2024

**Dover/Kent
County
Metropolitan
Planning
Organization**

APPLICATION: Z-24-03 Lands of Linda Duncan at 600 Forest Street

FILE # Z-24-03

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.

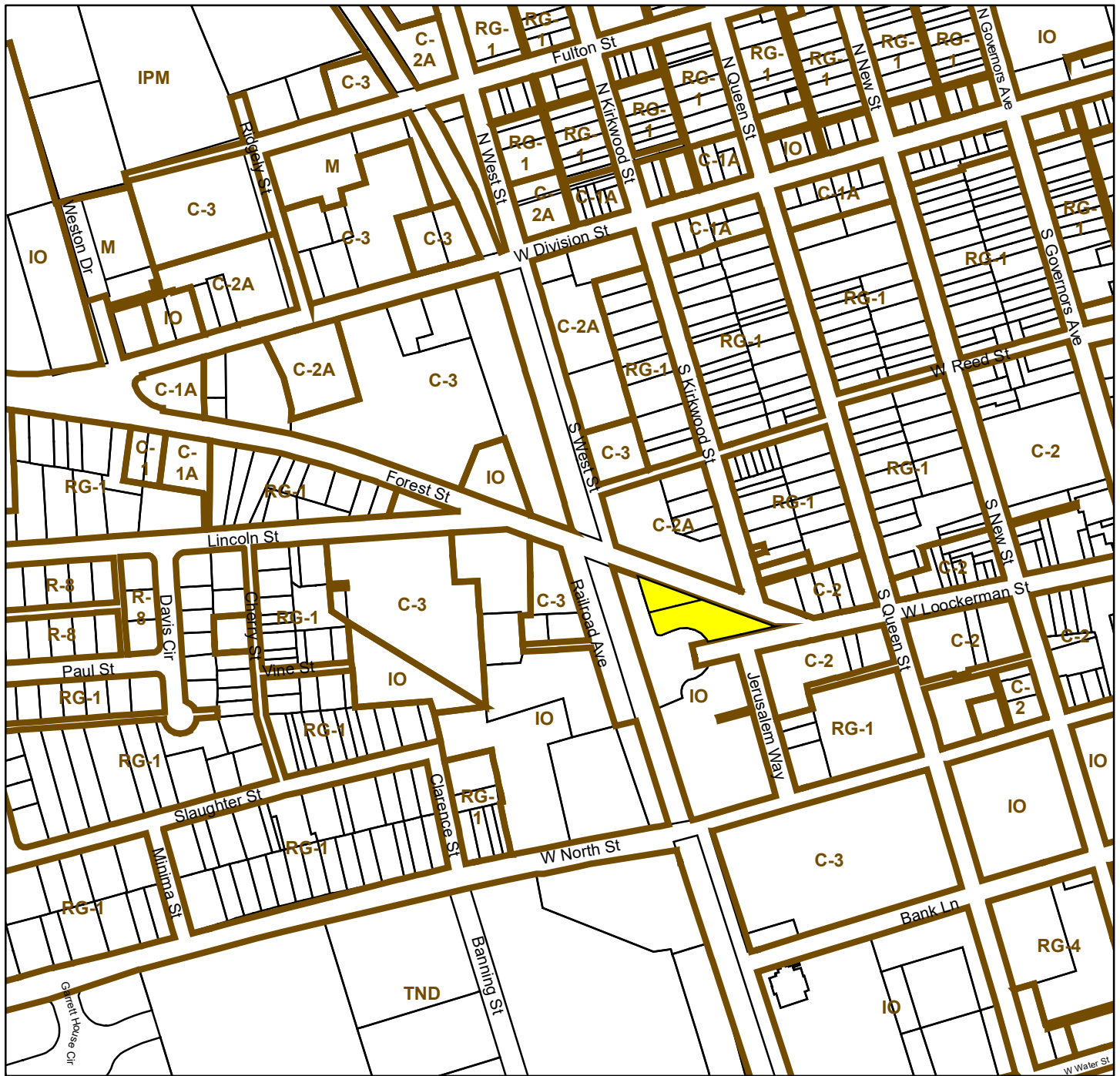
City of Dover Planning Commission
Zoning Review

Z-24-03 Lands of Linda Duncan at 600 Forest Street

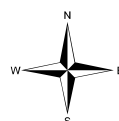
- 1) The MPO does not have any objections to the proposed rezoning. A sidewalk is already present on most of the property's perimeter, and as long as these conditions are not negatively impacted by future changes to the property, pedestrians will still be able to navigate the area.
- 2) The property is located in close proximity to railroad tracks. Depending on future use and expected foot traffic, it may be necessary to steer pedestrians towards designated crossing areas. (These changes would need to take place at 516 Loockerman Street, the property adjacent to 600 Forest Street, though the changes would affect the safety conditions of both properties.)
- 3) There is a bus stop below the streetlight on Forest Street. Any future changes to the property should not affect access to this location.

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.



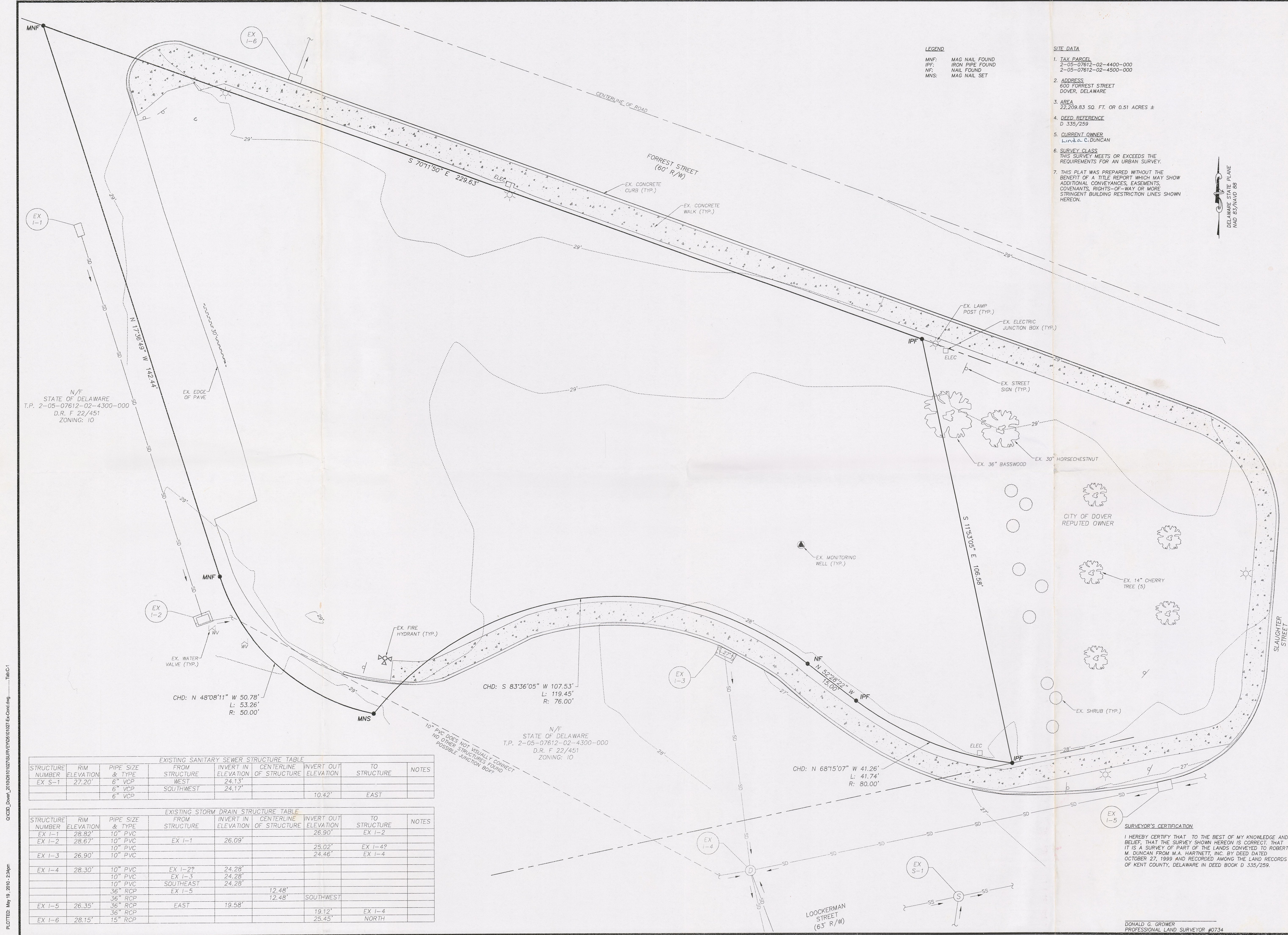


Title: Lands of Linda Duncan
Address: 600 Forest St.
Parcel ID: ED-05-076.12-02-44.00-000 and ED-05-076.12-02-45.00-000
Existing Zoning: IO (Institutional and Office Zone)
 SWPOZ (Source Water Protection Overlay Zone)
 H (Historic District Zone)
Proposed Zoning: C-2A (Limited Central Commercial Zone)
 SWPOZ (Source Water Protection Overlay Zone)
 H (Historic District Zone)
Owner: Linda Duncan
Date: 3/19/2024



Legend

- Dover Boundary
- Subject Property
- Zoning
- Dover Parcels



LEGEND
MNF: MAG NAIL FOUND
IPF: IRON PIPE FOUND
NF: NAIL FOUND
MNS: MAG NAIL SET

SITE DATA
1. TAX PARCEL
2-05-07612-02-4400-000
2-05-07612-02-4500-000
2. ADDRESS
600 FORREST STREET
DOVER, DELAWARE
3. AREA
22,209.83 SQ. FT. OR 0.51 ACRES ±
4. DEED REFERENCE
D 335/259
5. CURRENT OWNER
Linda C. DUNCAN
6. SURVEY CLASS
THIS SURVEY MEETS OR EXCEEDS THE
REQUIREMENTS FOR AN URBAN SURVEY.
7. THIS PLAT WAS PREPARED WITHOUT THE
BENEFIT OF A TITLE REPORT WHICH MAY SHOW
ADDITIONAL CONVEYANCES, EASEMENTS,
COVENANTS, RIGHTS-OF-WAY OR MORE
STRINGENT BUILDING RESTRICTION LINES SHOWN
HEREON.

DELAWARE STATE PLANE
NAD 83/NAVD 83

N/F
STATE OF DELAWARE
T.P. 2-05-07612-02-4300-000
D.R. F 22/451
ZONING: IO

N/F
STATE OF DELAWARE
T.P. 2-05-07612-02-4300-000
D.R. F 22/451
ZONING: IO

CHD: N 68°15'07" W 41.26'
L: 41.74'
R: 80.00'

CHD: S 83°36'05" W 107.53'
L: 119.45'
R: 76.00'

CHD: N 48°08'11" W 50.78'
L: 53.26'
R: 50.00'

EXISTING SANITARY SEWER STRUCTURE TABLE							
STRUCTURE NUMBER	RIM ELEVATION	PIPE SIZE & TYPE	FROM STRUCTURE	INVERT IN ELEVATION	CENTERLINE OF STRUCTURE	INVERT OUT ELEVATION	TO STRUCTURE
EX S-1	27.20'	6" VCP	WEST	24.13'			
		6" VCP	SOUTHWEST	24.17'			
		6" VCP				10.42'	EAST

EXISTING STORM DRAIN STRUCTURE TABLE							
STRUCTURE NUMBER	RIM ELEVATION	PIPE SIZE & TYPE	FROM STRUCTURE	INVERT IN ELEVATION	CENTERLINE OF STRUCTURE	INVERT OUT ELEVATION	TO STRUCTURE
EX I-1	28.82'	10" PVC				26.90'	EX I-2
EX I-2	28.67'	10" PVC	EX I-1	26.09'		25.02'	EX I-4?
EX I-3	26.90'	10" PVC				24.46'	EX I-4
EX I-4	28.30'	10" PVC	EX I-2?	24.28'			
		10" PVC	EX I-3	24.28'			
		10" PVC	SOUTHEAST	24.28'			
		36" RCP	EX I-5		12.48'		
		36" RCP			12.48'	SOUTHWEST	
EX I-5	26.35'	36" RCP	EAST	19.58'		19.12'	EX I-4
EX I-6	28.15'	15" RCP				25.45'	NORTH

10" PVC DOES NOT VISUALLY CONNECT
NO OTHER STRUCTURES FOUND
POSSIBLE JUNCTION BOX?

SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SURVEY SHOWN HEREON IS CORRECT. THAT IT IS A SURVEY OF PART OF THE LANDS CONVEYED TO ROBERT M. DUNCAN FROM M.A. HARTNETT, INC. BY DEED DATED OCTOBER 27, 1989 AND RECORDED AMONG THE LAND RECORDS OF KENT COUNTY, DELAWARE IN DEED BOOK D 335/259.

DONALD G. GROWER
PROFESSIONAL LAND SURVEYOR #0734

REVISIONS		DESCRIPTION
REV. #	DATE	

McCRONE

- Engineering
- Construction Services
- Environmental Sciences
- Land Planning & Surveying

ANNAPOLIS • CENTREVILLE • DOVER • ELKTON • SALISBURY

500 WEST LOCKERMAN STREET, SUITE 400
DOVER, DE 19904
PHONE 302-730-4600 FAX 302-730-9608
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DATE:	MAY 2010
JOB NUMBER:	D5101027
SCALE:	1" = 10'
DRAWN BY:	SNB
DESIGNED BY:	NA
APPROVED BY:	DGG
FOLDER REFERENCE:	

BOUNDARY AND EXISTING CONDITIONS PLAN
FOR
DUNCAN PLAZA
600 FORREST AVENUE
CITY OF DOVER, KENT COUNTY, DELAWARE
PREPARED FOR: ROBERT M. DUNCAN

SHEET NO.: **C-1**
FILE NO.: D5101027-EX-COND.DWG



PETITION TO AMEND ZONING DISTRICT

First Reading before the Dover City Council on March 25, 2024
Development Advisory Committee Review –Applicant DAC Meeting of April 3, 2024
Public Hearing Before Planning Commission on April 15, 2024

Application: Lands of White Marsh Environmental Systems, Inc. at 1100 and 1110 South Little Creek Road

Owner: White Marsh Environmental Systems, Inc. c/o Tidewater Utilities

Addresses: 1100 and 1110 South Little Creek Road, Dover DE

Location: South side of South Little Creek Road and west of State Route 1

Tax Parcel: ED-05-077.12-01-03.00-000

Size: 10.7146 acres +/-

Present Uses: Offices

2019 Comprehensive Plan Designation – Land Use Category: Office

Present Zoning: CPO (Commercial and Professional Office Zone)

Proposed Zoning: IPM (Industrial Park Manufacturing Zone)

Reason for Request: For rezoning of the property for future expansion for material storage (in addition to current Office use).

File Number: Z-24-04

Ordinance Number: 2024-10

I. APPLICATION SUMMARY

This Rezoning Application Z-24-04 is for a parcel of land consisting of 10.7146 acres +/- . The property is zoned CPO (Commercial and Professional Office Zone). The proposed zoning for the property is IPM (Industrial Park Manufacturing Zone). The property is located on the south side of South Little Creek Road and west of State Route 1. The owner of record is White Marsh Environmental Systems Inc. c/o Tidewater Utilities. Property Addresses: 1100 and 1110 S. Little Creek Road. Tax Parcel: ED-05-077.12-01-03.00-000. Council District 2. Ordinance #2024-10.

The First Reading was completed by the City Council on March 25, 2024 referring the Application to the Planning Commission for Public Hearing, Review, and Recommendation.

Existing Property:

The subject property is located on the south side of South Little Creek Road and includes two existing buildings used as offices and an existing shed (accessory structure). The two main buildings are addressed individually at 1100 and 1110 South Little Creek Road. They were previously developed as offices for Tidewater Utilities on the northern portion of the site and include existing parking lot areas. This development occurred under Site Plan S-02-21 for the 6,776 SF office building (closest to South Little Creek Road) and Site Plan S-07-22 Tidewater Utilities Office Annex Building for a separate 9,882 SF office building. The southern portion of the site is an open area with an on-site walking trail and some areas of woodland. The southern property line adjoins State Route 1; however, this is not considered frontage and no access can be established from this roadway.

The CPO zoning district requires that all uses and the storage accessory to permitted uses on the site must be located within fully enclosed buildings. Given the operational needs of this utility provider for the storage of materials and equipment, they are seeking rezoning to potentially allow outdoor storage options on the same property as their office facilities.

This application only seeks Rezoning of the property from CPO (Commercial and Professional Office Zone) to IPM (Industrial Park Manufacturing Zone). The applicant is seeking rezoning to allow for future expansion for material storage and operational facilities to join the office use on the property. Any new development of the site will be subject to a separate application submission for plans or permits.

Surrounding Land Uses:

In the immediate area, there are a variety of zoning districts along the South Little Creek Road corridor with commercial/industrial zoning on the south side of the roadway and residential zoning on the north side of the roadway. To the west, the adjacent property is an industrial park of multiple buildings (developed as the Tudor Industrial Park) that is zoned C-3 (Service Commercial Zone) with a small multi-tenant shopping center building zoned C-1A (Limited Commercial Zone) to the northwest corner. To the east is a parcel zoned CPO and then State Route 1. Across South Little Creek Road to the northwest are a manufactured home community zoned MH (Manufactured Housing Zone), a townhouse subdivision along Barrister Place zoned RG-3 (Group Housing Zone); and further west is Stoney Creek as a residential subdivision zoned R-8 (One Family Residence Zone). Directly north of the subject site are lands located within the jurisdiction of Kent County which appear to be residential in use.

II. COMPREHENSIVE PLAN COMPLIANCE REVIEW

The *2019 Comprehensive Plan* currently depicts the subject area as Office as the Land Use Classification on Map 12-1: Land Development Plan Map. The *Comprehensive Plan* notes that “a healthy and well-rounded local economy will depend upon diversity in business and employment opportunities.” The *2019 Comprehensive Plan* discussed the approaches to office and industrial land uses as employment centers in the section titled “Employment Centers: Office Parks and Industrial Land Uses” beginning on page 12-16; see excerpt below:

Goal: Employment Centers

Create a more vibrant, growing economy with a broader range of job opportunities through collaborative efforts to market the region, identify potential targets, and respond to

opportunities to foster an increase in office and industrial development in appropriate and designated areas.

Policies: Employment Centers

1. Protect existing industrial, office park and manufacturing establishments from encroachment by incompatible land uses which could result in nuisance complaints, hazardous situations, and human conflict.
2. Provide sufficient land area for industrial purposes to enable the expansion of existing industries, the establishments of new facilities, and revitalization of underutilized older industrial sites.
3. Provide for a variety of office park and industrial development opportunities through the designation of areas for small, medium and large establishments within planned industrial parks.
4. Promote alternative modes of accessibility including pedestrian and bicycle facilities, bus shelters and transit stops, and provide incentives for car and van pooling of employees.
5. Create flexible and contemporary industrial zoning provisions that reflect emerging trends in uses, facilities, and business opportunities to meet future needs.

Recommendations: Employment Centers

The City is committed to fostering a strong, vibrant, and balanced local economy built on existing and new business locations. This initiative requires close coordination with state and county economic development entities. It also requires continuous attention to the needs of existing businesses, efforts to promote a skilled workforce, a comprehensive marketing and promotional strategy, and land use and development regulations that are efficient and contemporary. The Comprehensive Plan designates areas throughout the City where job growth and opportunities are encouraged. Plan Chapter 10 – Economic Development lays out a set of goals and actions designed to reinforce this commitment.

Office Parks

The Land Development Plan designates specific tracts of land of various sizes for Office and Office Park land uses. Office Park development involves an integrated development of office buildings with shared entrances, driveways, and parking. The majority of uses permitted within an Office Park are generally weekday professional office uses involving very little or no activity at night or on weekends. For this reason, the Office Park designation may be viewed as a transitional use category when situated between more intense commercial and industrial land uses and residential land uses. This designation usually involves the C-PO (Commercial/Professional Office Zone) zoning district.

These areas are located throughout the City with established office concentrations in the Enterprise Business Park, along Silver Lake Boulevard, on College Park Drive, along Old Rudnick Lane, the Northgate Center, and elsewhere. Scattered office uses are also located along Saulsbury/McKee Road and within designated “Mixed Use” areas in the Eden Hill Farm Traditional Neighborhood Design (TND). Smaller scale areas for office parks are the

Woodbrook complex on South Governors Avenue, office complexes along Walker Road, and areas along Route 8.

Large Scale Industry

The Land Development Plan designates all existing major industrial facilities and associated vacant lands for Industrial use. These properties include the manufacturing facilities of Kraft Heinz Foods, Proctor & Gamble, Edgewell Personal Products, PPG Industries, General Metalcraft, and others.

Industrial Parks

Several planned industrial parks have been initiated since 1986 which offer industrial development potential. The Land Development Plan designates these sites for continued Industrial use. These sites include Kent County Aero Park/Air Cargo Terminal, Enterprise Business Park, College Business Park, and McKee Business Park. The City purchased and has developed the Garrison Oak Business and Technology Center (formerly the Garrison Oak Technical Park) in 1999-2000. It now houses a solar electric facility, an electric generating facility, a flooring products manufacturer, and a security firm with ten shovel ready lots remaining available.

Planning is underway to extend the Joint Use Agreement with Dover Air Force Base to allow expansion of the Kent County Aero Park into a regional facility. The Central Delaware Aviation Complex will facilitate aviation uses including air cargo, aircraft maintenance and repair, and related uses as part of a newly designated “Employment Center.”

The Rezoning Request to IPM (Industrial Park Manufacturing Zone) is consistent with the Land Use Classification of Office. Table 12-1: Land Use and Zoning Matrix (from the 2019 *Comprehensive Plan*) specifies that the following zones are compatible with this land use classification. See the excerpt from Table 12-1 given below. It is noted that Table 12-1 for the Office Land Use Category identifies a number of zoning districts.

Office and Office Parks	CPO (Commercial and Professional Office) IO (Institutional and Office) IPM (industrial Park Manufacturing) RGO (General Residence and Office)
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III. ZONING REVIEW

Request for IPM (Industrial Park Manufacturing Zone) Zoning

The types of permitted uses and conditional uses in the IPM zone are given Article 3 §20 of the *Zoning Ordinance*. See the following code excerpt below for the current provisions of the IPM zone.

Article 3 Section 20. – Industrial Park Manufacturing Zone (IPM).

20.1 *Uses permitted.* No building or premises shall be used and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following, and in accordance with performance standards procedure as set forth in article 5, section 8, and subject to site development plan approval as set forth in article 10, section 2:

20.11 Manufacturing, assembling, converting, altering, finishing, cleaning, cooking, baking or any other type of manufacturing or industrial processing of any goods, materials, products, instruments,

appliances and devices, provided that the fuel used shall be oil, gas or electricity; together with incidental clinics, cafeterias and recreational facilities for the exclusive use of employees of the concern engaged in such undertaking.

20.12 Research, design, testing and development laboratories.

20.13 Printing, publishing, binding, packaging, storage, warehousing, transshipment and distribution, and trucking terminals.

20.14 Business, professional or administrative offices; banks and financial institutions; hotels, motels and restaurants; public parks, playgrounds, and recreational facilities; and public utility uses, provided that these uses shall only be located upon a thoroughfare, arterial street or access highway with[in] the IPM zone. Retail sales and service establishments within planned industrial parks for local needs and local consumption of the employees and customers of the other permitted uses within the planned industrial park.

20.15 Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.

20.16 Agricultural or farm uses as defined and permitted in article 3, section 1.11.

20.17 The following uses may be permitted as conditional uses if approved by the planning commission in accordance with the provisions and procedures set forth in article 10, section 1 and any specified requirements set forth below:

(a) Associated retail uses in conjunction with and accessory to a permitted use, provided that the associated retail use does not occupy more than 30 percent of the gross floor area of the building or group of buildings on a lot. Parking shall be provided at a rate of one parking space per 300 square feet of retail space for the exclusive use of retail customers in addition to the bulk parking requirements of this zoning district for a particular use.

20.18 Mini-storage facilities, subject to the following regulations:

(a) No unit shall be placed within 30 feet of any other structure on the lot or a residential property line.

(b) No outside storage [is allowed], except for recreational vehicles, boats or personal automobiles when completely screened from view and parked in specifically approved locations. Parking for these vehicles shall not count toward the required parking set forth in subsection (e) below.

(c) No individual unit may be used for retail, garage sale or any other commercial activities.

(d) No storage of flammable, explosive, corrosive or other hazardous products may occur in the individual unit.

(e) Parking must be provided at a ratio of one space for each 25 rental units, plus a minimum of three spaces for an office outside of the enclosure. One row of parallel parking is permitted between buildings at a ratio of one space per 25 feet.

(f) All other bulk requirements of this ordinance are met.

20.2 *Uses prohibited.* The following uses are specifically prohibited:

20.21 Residences, except those existing at the time of adoption of this amendment.

20.22 Manufacturing uses involving primary production of the following products from raw materials: asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, and carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic materials, and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids: coal, coke, and tar products, including gas manufacturing; explosives; fertilizers; glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural or synthetic); [and] soaps, including fat rendering.

20.23 The following processes: nitrating of cotton or other materials; magnesium foundry; reduction, refining, smelting, and alloying of metal or metal ores; refining secondary aluminum; refining petroleum products, such as gasoline, kerosene, naphtha, [and] lubricating oil; distillation of wood or bones; [and] reduction and processing of wood pulp and fiber, including papermill operations.

20.24 Operations involving stockyards, slaughterhouses, and slag piles.

20.25 Storage of explosives, [and] bulk or wholesale storage of gasoline above [the] ground.

20.26 Dumps.

20.27 Quarries, stone crushers, screening plants, and storage of quarry screenings, accessory to such uses.

20.28 Junkyards, automobile dismantling plants or storage of used parts of automobiles or other machines or vehicles or of dismantled or junked automobiles.

20.3 *Development options.* Land zoned IPM may be developed on a conventional individual lot basis or as a planned industrial park development made up of multiple individual lots and containing an internal road system. Lot area, bulk and parking requirements for conventional development in an IPM zone shall be as set forth in article 4, section 4.16 of this ordinance. Development of land in an IPM zone as a planned industrial park shall be permitted only when certain eligibility requirements, as set forth in article 3, section 20.4 of this ordinance, and when specific design standards, as set forth in article 3, section 20.5 of this ordinance, are met.

20.4 *Eligibility for planned industrial park development.* No area shall be developed as a planned industrial park unless the following conditions are met:

- (a) The development consists of a continuous area of at least 25 acres in single ownership.
- (b) The development will be served by public water supply and public sewerage, which shall be in place at the time construction of the first stage of the industrial park begins.
- (c) The frontage of the development shall be on an arterial road and be of sufficient width that safe and efficient access to the industrial park can be adequately spaced from accesses to adjacent properties, according to standards set forth by the Delaware Department of Transportation.

20.5 *Design standards for planned industrial parks.* The design standards, including dimensional requirements and sign regulations, for a planned industrial park shall be the same as required for conventional individual lot development for land in an IPM zone, as set forth in article 4, section 4.16 of this ordinance, unless specifically excepted in this article or unless waived by the planning commission, where the commission finds such a waiver to be necessary, desirable and consistent with the purposes of this article and of the comprehensive plan.

20.51 In a planned industrial park, no structure may be located within 100 feet of the property line of the development.

20.52 There shall be a landscaped buffer area of no less than ten feet along all property lines. Where adjacent to residential zones, the buffer shall consist of a landscape screen no less than 6½ feet high. All landscaping shall be properly maintained throughout the life of any use on the lot.

20.53 The average size of all individual lots in a planned industrial park shall be 2½ acres. The minimum individual lot size shall be 60,000 square feet. The minimum width of a lot shall be 150 feet.

20.54 Structures in a planned industrial park shall be restricted to two stories and 35 feet in height. The maximum floor area ratio shall be 0.5. The maximum area of an individual lot permitted to be covered by an enclosed structure is 35 percent. Not more than 65 percent of the total area of an individual lot may be covered by impervious surfaces.

20.55 Access to state highways and arterial roads shall be controlled by standards set forth by the department of transportation. There shall be no exceptions or waivers to this requirement. The internal circulation system shall be separated from the external public street system, and pedestrian traffic shall be separated from vehicular traffic by means of appropriate site design and traffic control devices.

20.56 No less than 35 percent of the site area shall consist of grass and landscaped areas. Parking areas shall be landscaped.

20.57 Permanent facilities shall be provided by the developer to handle increased stormwater runoff which will result from increasing the impervious surface area of the site in accordance with the State of Delaware soils erosion and sedimentation control act (7 Del. C. § 4001 et seq.) adopted and administered by the City of Dover. Such provision shall include contributions toward the cost of off-site facilities constructed by the city to the extent that the improvements are necessitated by the construction of the planned industrial park.

20.6 *Site development plan approval.* Site development plan approval, in accordance with article 10, section 2 hereof, shall be required for either conventional individual lot development or planned industrial park development of land zoned IPM prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change of use. In the case of planned industrial parks, this requirement will apply to each individual lot within the development, in addition to the requirement to obtain site development plan approval for the development as a whole. The application for site development plan approval for a planned industrial park shall include, in addition to the usual requirements:

- (a) Substantiation of the need for the planned industrial park, based on the developer's market analysis and expression of tenant's or buyer's interest.
- (b) Nature of the applicant's interest in the development.
- (c) The approximate use, height and floor area of all buildings and other structures.
- (d) Preliminary traffic study and proposed methods for alleviating adverse impact on adjacent roads.
- (e) Approximate size and capacity of all proposed parking areas.
- (f) Proposed stormwater management plan.
- (g) Plans of existing natural features showing topography, soils, drainage and vegetation.
- (h) Site plans showing approximate locations of buildings, roads, parking, landscaping and utility and drainage easements.
- (i) An outline or a draft text of any proposed protective covenants governing architectural controls, landscaping, lighting, etc., that the developer intends to impose on tenants or property owners within the planned industrial park.

20.7 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

(Ord. of 3-24-1986; Ord. of 1-14-1991; Ord. of 6-10-1991; Ord. of 7-12-1993, §§ 2, 9; Ord. of 7-10-2000; Ord. of 2-12-2001; Ord. of 7-23-2001)

IV. RECOMMENDATION OF THE PLANNING STAFF:

This Request is to rezone lands from C-PO (Commercial and Professional Office Zone) to IPM (Industrial Park Manufacturing Zone). The current CPO zone is a zoning district permitting offices, banks, and medical laboratories type uses with other commercial uses only allowed through a conditional use review process when the use is accessory to a permitted use on the same lot. The C-PO zone also does allow for conditional use review to create residential uses in the form of apartments, multi-family residences, and one-family residences. While office use is permitted in the CPO, the opportunity for storage activities is limited to interior storage fully within a building only.

The proposed Rezoning is to the IPM zone which is a zoning district offering uses related to manufacturing and industrial processing, laboratories, storage and warehousing, offices, public utility uses, and other uses (see *Zoning Ordinance*, Article 3 Section 20). The IPM zone also includes conditional uses (uses subject to specific review for approval) for associated retail activities and mini-storage facilities. There are a series of uses that are prohibited including residences and certain manufacturing uses among other uses. Given the size of the subject parcel, its development would be limited in the IPM zone to a conventional individual lot as it does not meet the eligibility criteria for a planned industrial park development (development of multiple individual lots with internal road system). The subject parcel meets the lot area and width/depth requirements of the IPM zone for a conventional lot. The bulk standards (setbacks, height, lot coverage) of the IPM zone require greater setbacks from property lines for buildings (than the CPO zone) and restrict building height to a distance from the nearest property line. The maximum lot coverage of 75% is the same in IPM as CPO. The sufficiency of the existing site entrance from South Little Creek Road (State maintained road) and any off-site transportation related improvements would be evaluated by DelDOT at the time of new development/expansion.

Staff recommends that the rezoning request from C-PO to IPM (Industrial Park Manufacturing Zone) be granted as requested related to the proposed zoning district and its development requirements/limitations noted above and the other findings of this Report. The adjoining properties are commercial and industrial related zones and contain existing uses that would be compatible with the continued/expanded use of the subject property as offices and storage activities of an operational facility. The nearby residential areas are across the road and are buffered by the landscaping and multiple trees surrounding the front office building. It is noted that the *Comprehensive Plan*'s goals for the Office Land Use Classification focus on the opportunities for expansions to meet future needs of establishments of a variety of sizes. This property has land area available to expand onsite keeping a local/regional business within Dover. There is existing infrastructure for water, sanitary sewer, and electric services that serves the property (and could be expanded if necessary); and the police, fire, and emergency medical services service the area.

This Rezoning Request does not grant approval of a specific use for the property but makes its land use subject to a listing of uses permitted and potential conditional uses as allowed in the IPM zoning district. Staff again notes that any potential development for the site would have to be in line with the zoning classification and would similarly have to follow all development design guidelines of the *Zoning Ordinance*. Were the application for Rezoning to be recommended by the Planning Commission and subsequently approved by the City Council, the applicant would still have to submit plans and/or permits for review for most uses of the site to be established.

This recommendation is being made without the benefit of hearing the comments of surrounding landowners and residents. A public hearing is required on this matter and the Planning Commission should give those comments consideration in making a recommendation to City Council on this Application.

V. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

This Rezoning Application is a request for a zoning map amendment which changes the zoning district of a property. The Planning Commission as part of their public hearing and review process will provide a recommendation on the Rezoning request to City Council. As part of the process outlined in *Zoning Ordinance*, Article 10 Section 5, the Planning Commission must evaluate the following factors when considering the request:

Article 10 § 5.36 *Report of the planning commission.* Regarding each application for a zoning map amendment, the planning commission shall provide a report to the city council stating a recommended action with regards to the proposed amendment, along with the commission's evaluation of the following factors:

(A) Whether the uses permitted by the proposed change would be compatible with the existing uses and zones in the area concerned;

(B) Whether adequate public services and infrastructure exist or can be created or expanded to serve the needs of any additional demand as a result of such change; and

(C) Whether the proposed change is in accordance with the city's current comprehensive plan.

A Recommendation Report from the Planning Commission will be forwarded to the City Council for their consideration of the Rezoning Application Z-24-04.

VI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The applicant shall be aware that approval of any Rezoning Application does not represent Site Development Plan or Subdivision Plan approval. Following any decision made by City Council in regard to this Rezoning, then an application for a Site Plan, Subdivision Plan, and/or appropriate Building Permits must be submitted to the Planning Department prior to the establishment of a use, development activity, or any construction activity on the site. The applicant should contact the Planning Staff to determine the appropriate review process for any proposed projects.
- 2) The applicant shall be aware that approval of any Rezoning Application does not represent a Building Permit, Sign Permit, or other construction activity permit approval. A separate application submission is required before issuance of permits by the City of Dover.
- 3) The applicant shall be aware that any future use may be subject to a separate permitting or licensing process through the City of Dover Licensing and Permitting Division. All businesses operating in the City of Dover are required to obtain a City of Dover Business Licenses. Certain types of uses also require a Public Occupancy Permit or Rental Dwelling Permits.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MARCH 27, 2024

APPLICATION: Lands of White Marsh Environmental Systems, Inc. @ 1100
& 1110 S. Little Creek Road

FILE #: Z-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

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 / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL**

1. Our office has no objections to the proposed rezoning of tax parcel ED-05-077.12-01-03.00-000. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook and the Specifications, Standards & Procedures for Public Works Construction. Impact fees may be applied to this property. Future development shall comply with all aspects of the City of Dover's Cross Connection Control Program.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES**SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL**

1. None

ADVISORY COMMENTS TO THE APPLICANT**SANITATION / STREETS / 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

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MAR 27, 2024

APPLICATION: Lands of White Marsh Environmental Systems, Inc at 1100
and 1110 S. Little Creek Road

FILE #: Z-24-04

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

Our office has no objection to the rezoning of: ED-05-077.12-01-03.00-000.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric and meters will be assessed at that time.
2. Any redevelopment shall adhere to the City of Dover's Electric Service Handbook.
<https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

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

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 03/27/24

APPLICATION: Lands of White Marsh Environmental Systems Inc at 1100 and 1110 S Little Creek Rd

FILE #: Z-24-04

REVIEWING AGENCY: City of Dover, Office of the Fire MarshalCONTACT PERSON: Jason Osika, Fire Marshal
josika@doover.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. Proposal is a rezoning application. This office has no objections.
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. 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. 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

6. 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: Lands of White Marsh Environmental Services in City of Dover: 1100 and 1110 S. Little Creek Road

FILE#: Z-24-04

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Will T Mobley III

PHONE#: 302-760-2409

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

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

CITY & STATE CODE REQUIREMENTS:

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. No objection to Rezoning.
2. Prior to site development, the user will request a pre submittal meeting with the DelDOT. Items to discuss when site is developed:
 - a. Proposed increase in trips may spur frontage/entrance alterations.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: 4/3/2024

**Dover/Kent
County
Metropolitan
Planning
Organization**

APPLICATION: Z-24-04 Lands of White Marsh Environmental Systems, Inc. at 1100 and 1110 S. Little Creek Road

FILE # Z-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.

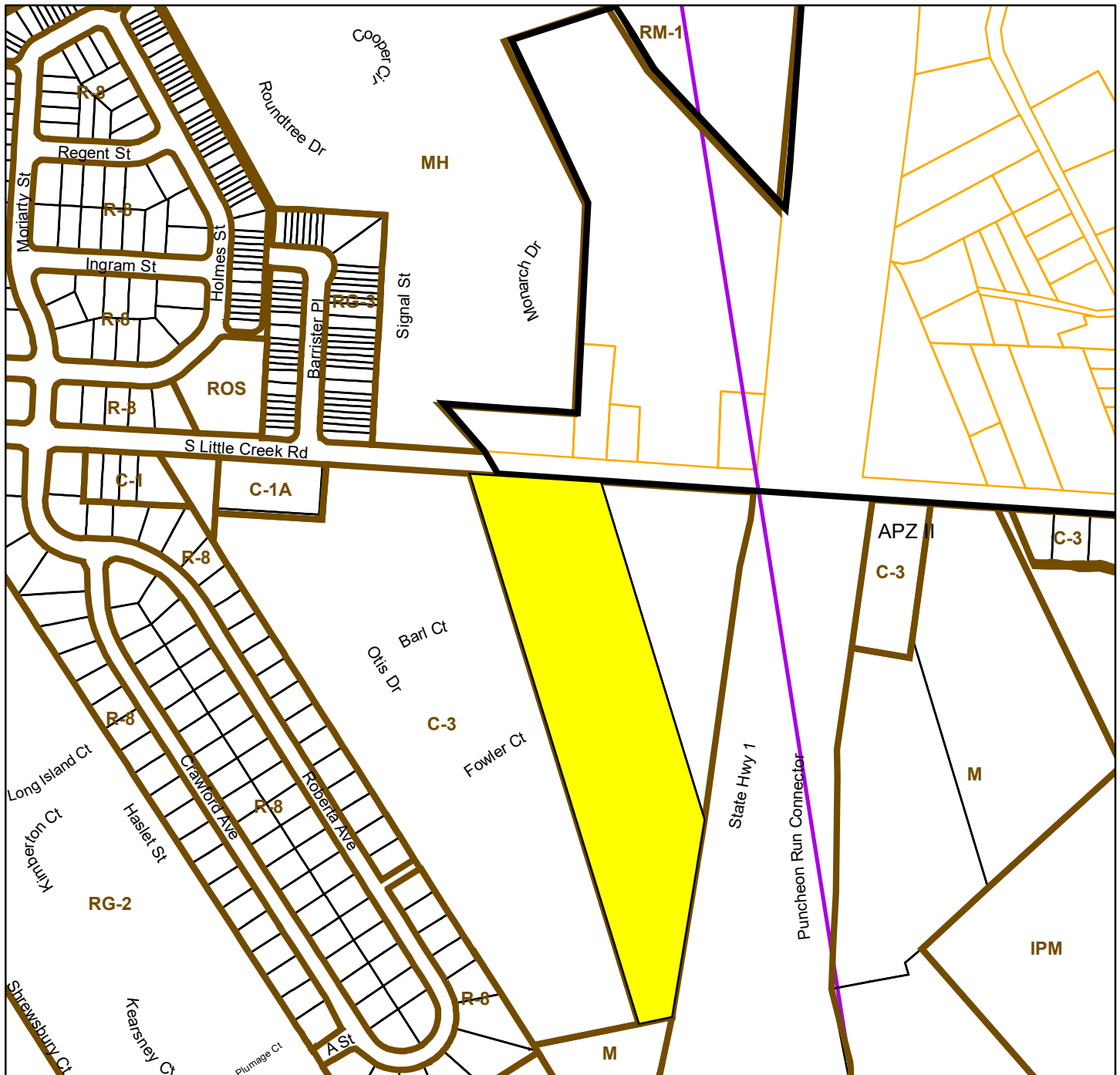
City of Dover Planning Commission
Zoning Review

Z-24-04 Lands of White Marsh Environmental Systems, Inc. at 1100 and 1110 S. Little Creek Road

- 1) The MPO does not have any objections to the proposed rezoning. A sidewalk is already present throughout the developed portion of the property. If further development takes place in the future, the sidewalk should be extended southward so that the pedestrian accessibility of the area will be contiguous.

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.

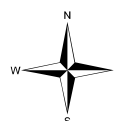




Title: Lands of White Marsh Environmental Systems, Inc.
Address: 1100 and 1110 South Little Creek Road
Parcel ID: ED-05-077.12-01-03.00-000
Existing Zoning: CPO (Commercial and Professional Office Zone)
Proposed Zoning: IPM (Industrial Park Manufacturing Zone)
Owner: White Marsh Environmental Systems, Inc.
Date: 3/19/2024

Legend

- Dover Boundary
- Subject Property
- Zoning
- Dover Parcels



ARCHITECTURE
ENGINEERING

Delaware

309 South Governors Avenue
Dover, DE 19904
302.734.7950The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland

312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina

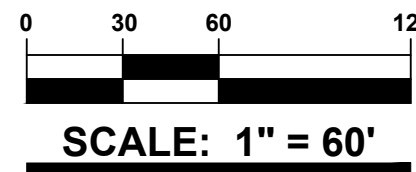
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

LANDS OF
WHITEMARSH
ENVIRONMENTAL
SYSTEMS INC.1100 S. LITTLE CREEK ROAD
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

BOUNDARY AND
TOPOGRAPHIC
SURVEY

ISSUE BLOCK

MARK	DATE	DESCRIPTION

LAYER STATE SURVEY

PROJECT NO.: 2023208.00

DATE: 3-1-24

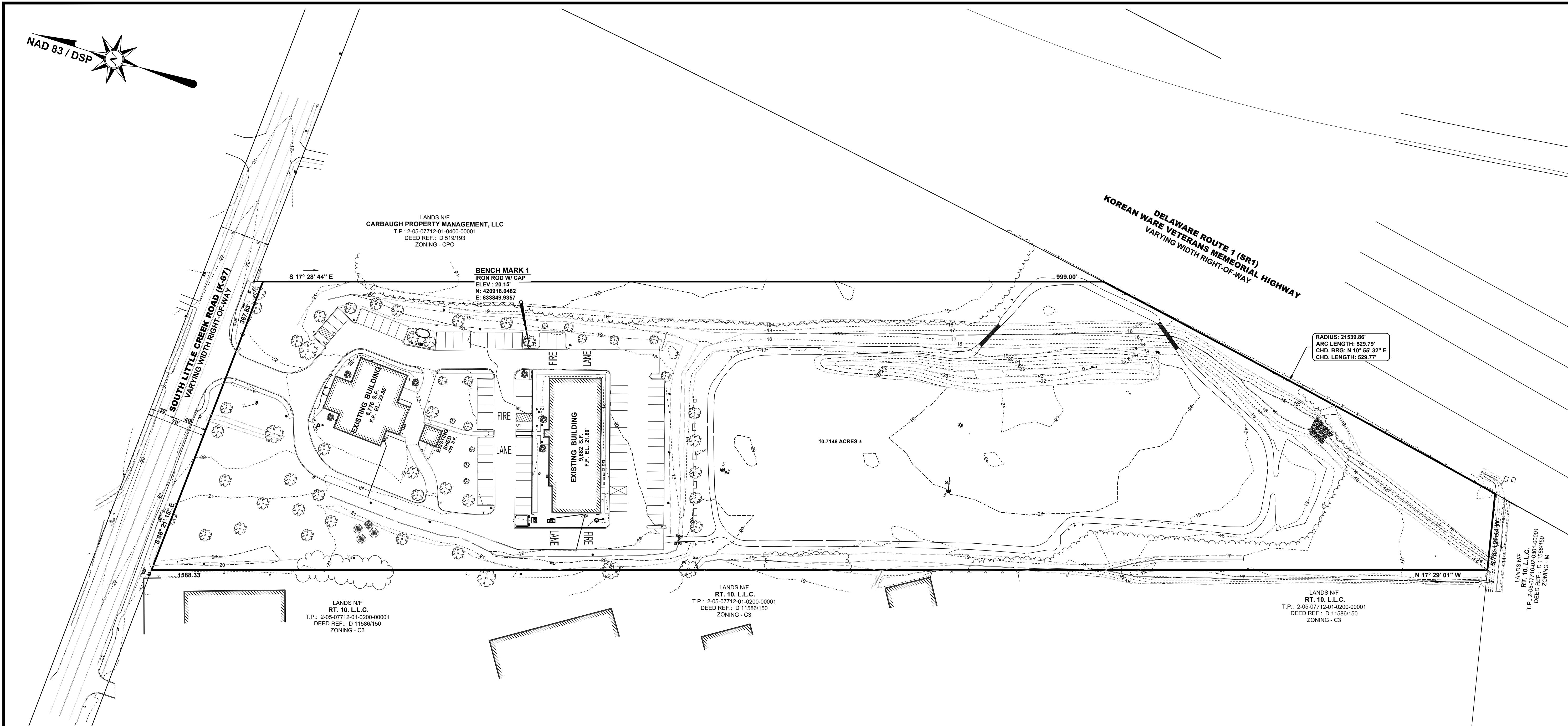
SCALE: 1" = 60'

DRAWN BY: M.J.H. PROJ. MGR.: M.J.H.

SHEET

1

COPYRIGHT: 2024



SURVEY LEGEND		
ITEM	EXISTING	PROPOSED
UNMARKED POINT	○	○
CONCRETE MONUMENT	□ FCM	■ SCM
IRON PIPE	⊗ FIP	⊗ SIP
IRON PIPE W/ CAP	⊗ FIPC	
IRON ROD	⊗ FIR	⊗ SIR
IRON ROD W/ CAP	⊗ FIRC	⊗ SIRC
DRILL HOLE	⊗ FDH	⊗ SDH
STONE	⊗ FSTONE	
PK NAIL	⊗ FPK	⊗ SPK

LEGEND			
ITEM	EXISTING	ITEM	EXISTING
CONCRETE CURB & GUTTER		SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	→ EX. 10"S
CONCRETE SIDEWALK, SLAB / PAVING		SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	→ EX. 10" F.M.
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		SANITARY SEWER MANHOLE (S.M.H.)	
INDIVIDUAL TREE OR BUSH		SANITARY SEWER CLEANOUT	— EX. 10" W
WIRE FENCE		WATER MAIN & SIZE	— EX. 10" W
CHAINLINK FENCE		FIRE HYDRANT	
STOCKADE FENCE		WATER VALVE (W.V.) OR METER (W.M.)	
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		STORM DRAIN MANHOLE (S.D.M.H.)	
DRAINAGE DITCH OR SWALE		STORM DRAIN LINE (CMP OR RCP)	
EMBANKMENT SIDESLOPES (DOWN)		CATCH BASIN	
CONTOUR		UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)	
ELEVATION SPOT SHOT		UNDERGROUND ELECTRIC	— U.E
BENCHMARK		UNDERGROUND TELEPHONE	— U.T
PROPERTY OR RIGHT-OF-WAY LINE		UNDERGROUND GAS MAIN	— EX. 2" G
CENTERLINE		PAVEMENT TO BE REMOVED	N/A
LIGHT POLE			

GENERAL NOTES

- THE BOUNDARY & TOPOGRAPHIC DATA SHOWN HEREON WAS COMPILED FROM A FIELD RUN SURVEY PERFORMED BY BECKER MORGAN GROUP, INC., DOVER, DE, IN FEBRUARY 2024.
- THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION.
- PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
- PARCEL IS LOCATED WITHIN ZONE "X", AREA OF MINIMAL FLOOD HAZARD, BASED ON FIRM MAP 10006C0186J & MAP 10006C0188J, EFFECTIVE DATE JULY 7, 2014.