CITY OF DOVER, DELAWARE
PLANNING COMMISSION
Monday, June 17, 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 June 17, 2024, will be 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 June 17, 2024

Join by Phone: 1-650-479-3208
Access Code: 253 362 20101 (Password: 3683772)

Join Online: https://bit.ly/PCMeeting6172024
Webinar Number: 2533 622 0101
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 May 20, 2024

COMMUNICATIONS & REPORTS

Meeting Reminder: The next Planning Commission regular meeting date is July 15, 2024 at 7:00 PM.

Update on City Council Actions

Department of Planning & Inspections Updates

OPENING REMARKS CONCERNING MEETING PROCEDURES FOR APPLICATIONS

OLD BUSINESS

Request for Extension of Planning Commission Approval

NEW APPLICATIONS

2. C-24-01 Tower-Based Wireless Communications Facility at 640 Lafferty Lane (Rise Up Towers, LLC) - Public Hearing and Review of a Conditional Use Site Plan application to permit construction of a tower-based wireless communications facility (WCF) and associated equipment compound in the northeastern area of the mini-storage facility property. The proposed wireless support structure is a monopole of 124 feet with a lightning rod for a total height of 129 feet. The 18.68-acre subject property is located on the north side of Lafferty Lane, east of South Bay Road. The property is zoned IPM (Industrial Park Manufacturing Zone). The owner of record (parcel) is Secure Storage, LLC and the applicant (WCF developer/owner) is Rise Up Towers, LLC. Property Address: 640 Lafferty Lane. Tax Parcel: ED05-077.00-01-25.00-000. Council District 2.

3. S-24-09 Procter & Gamble Warehouse Expansions & Parking Improvements - Public Hearing and Review of a Site Development Plan Application to permit a phased construction of a 110,000 SF addition to JE Warehouse, a 20,000 SF addition to Warehouse 3, an expansion of employee/visitor parking lot, an expansion and reconfiguration of contractor parking lot, and expansion of truck drop Lots A & B with associated site improvements. The property of 84.10 acres ± is zoned IPM (Industrial Park Manufacturing Zone) and is subject to the SWPOZ (Source Water Protection Overlay Zone): Tier 3 – Excellent Recharge Area. The property is located on the south side of W. North Street/Hazlettville Road at the southeast corner of Electric Avenue and Mifflin Road intersection with W. North Street. The owner of record is The Dover Wipes Company and equitable owner Procter & Gamble. Property Address: 1340 W. North Street. Tax Parcel: ED-05-076.00-01-07.00-000. Council District 2. *Waiver Requests: Elimination of Upright Curbing, Partial Elimination of Sidewalks, and Consideration of Performance Standards Review Application.*

NEW BUSINESS

4. HI-24-02 Building at 148 S. Bradford Street: Demolition – Appeal to the Planning Commission of the Historic District Commission Action to deny the Architectural Review Certification for the Demolition of the existing 1 ½ story, stucco clad building. The parcel consists of 0.13 +/- acres of land. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The property is located on the west side of S. Bradford Street and slightly north of Minor Street Alley. The owner of record is Russell and Dee Ann Widder. The applicant is the Downtown Dover Partnership. Property Address: 148 S. Bradford Street. Tax Parcel: ED-05-077.09-02-25.00-000. Council District 4.

5. HI-24-03 Building at 150 S. Bradford Street: Demolition – Appeal to the Planning Commission of the Historic District Commission Action to deny the Architectural Review Certification for the Demolition of the existing 2 ½ story, frame building. The parcel consists of 0.17 +/- acres of land. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The property is located on the west side of S. Bradford Street at the corner with Minor Street Alley. The owner of record is CEI Properties, LLC. The applicant is the Downtown Dover Partnership. Property Address: 150 S. Bradford Street. Tax Parcel: ED-05-077.09-02-27.00-000. Council District 4.

ADJOURN

Posted Agenda: June 7, 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
MAY 20, 2024

The Meeting of the City of Dover Planning Commission was held on Monday, May 20, 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. Cooper, Mr. Roach (virtual), Mr. Witham, Mrs. Denney, Mr. Baldwin, Mrs. Welsh, and Mrs. Maucher. Dr. Jones and Mr. Reaves were absent.

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

APPROVAL OF AGENDA

Mrs. Maucher stated that application C-24-01 Tower-Based Wireless Communications Facility at 640 Lafferty Lane (Rise Up Towers, LLC) will not be heard tonight due to incomplete public notice.

Mrs. Welsh moved to approve the Agenda as submitted, seconded by Mr. Witham and the motion was carried 7-0 with Dr. Jones and Mr. Reaves absent.

APPROVAL OF MEETING MINUTES OF APRIL 15, 2024

Mrs. Welsh moved to approve the Planning Commission Meeting Minutes of April 15, 2024, seconded by Mr. Baldwin and the motion was carried 7-0 with Dr. Jones and Mr. Reaves absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, June 17, 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 April 22 & 23, 2024 and May 13 & 14, 2024.

Mrs. Melson-Williams stated that she wanted to share for the benefit of the public that there is an announcement that the City's Customer Service Building located at 5 East Reed Street is going to be closed as repairs are made to the HVAC system. That starts on Wednesday, May 22, 2024 and they are hoping the building will reopen to customers on June 10, 2024. There are other ways to still make payments on your utilities bills. Those include the drive through at that location which will remain open, the payment drop box, and of course there is an online opportunity as well. For more information visit the City's website at www.cityofdover.com for any utility billing questions that you may have.

Mrs. Melson-Williams stated that the Downtown Dover Pathways Study last week had a design charrette known at the Loockerman Street Design Charrette. It was Monday through Wednesday of last week with a series of collaborative meetings, activities, discussions, and Open House events held here focused on the portion of Loockerman Street between South State Street and the split where it becomes Forest Street near the railroad tracks. There is an upcoming public utility

project where water lines and sewer lines will be replaced, hence causing disturbance in the roadway. This was an opportunity to gather design input for how that roadway and the associated sidewalks, etc. go back. They gathered information and that Study will have a final report that comes out this summer and hopefully lends some information to how that project will progress. Our website on the Meeting Agenda includes the link for the Downtown Dover Pathways Project website. It is one of the projects of the Dover/Kent County MPO.

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-22-09 Dover Apartments at Leipsic Road (The Edge) – Request for One-Year Extension of the Planning Commission conditional approval of June 21, 2022, for a Site Development Application for the construction of six (6) 3-story, 46,800 GSF garden style apartment buildings each containing thirty-six (36) units for a total of 216 apartment units. Also proposed are eleven (11) garage buildings, a Clubhouse with Pool, Recreation Facilities, parking, and other site improvements. The approval included a waiver to reduce the parking requirement and the Active Recreation Area Plan with Partial Fee-in-lieu of Active Recreation Area Construction. The property is zoned SC-2 (Community Shopping Center Development Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone) Tier 3: Excellent Recharge Area. The property is located on the southeast side of Leipsic Road east of North DuPont Highway. The owner of record is currently Metropolitan 8, LLC. Property is currently unaddressed. Tax Parcel: ED-05-068.05-01-15.01-000. Council District 3.

Representative: Mr. James Taylor, Verdantas (virtual); Mr. Sam Guarnier, Verdantas

Mrs. Melson-Williams stated that the first application is S-22-09 Dover Apartments at Leipsic Road (The Edge). Planning Commission originally saw this application back in June 2022. It is a proposal for a series of six apartment buildings, some associated garage buildings to serve that, a pool, a clubhouse and other recreation facilities on the site located on the south side of Leipsic Road just to the east of DuPont Highway. It was a total of 216 apartment units. The project has been moving through the review process to achieve agency approvals and they do have several of them in hand including DelDOT, the Fire Marshal's Office, and the Kent Conservation District. The Planning Office actually received today their Final Plan submission of the Record Plan and Site Plans; so, their Final Plan approval is imminent. They have filed a Site Work Permit for the site and they anticipate a Building Permit Application to follow suit soon. Today, they are seeking a one-year extension because with an action by Planning Commission in June 2022, they are coming up on their two-year initial approval. The Planning Commission has the ability to grant an additional one-year extension. She does see the project engineer Mr. James Taylor has joined us online.

Mr. Taylor stated that he wanted to apologize for not being able to be there in person this evening. Mrs. Melson-Williams did a great job at summarizing where we are at in the process which is basically at the end of the approvals. The plans are ready to be submitted for the Building Permits once the Planning Staff has approved the Final Plan.

Mrs. Denney moved to approve S-22-09 Dover Apartments at Leipsic Road (The Edge) for a one-year extension as it appears that they have been doing due diligence but as we know, sometimes these things take a little longer than necessary, seconded by Mrs. Welsh and the motion was carried 7-0 by voice vote with Dr. Jones and Mr. Reaves absent.

SB-23-03 Revised Stonebrook East Planned Neighborhood Design at McKee Road and W. Denneys Road - Request for a Extension of the Planning Commission conditional approval granted December 18, 2023 for the Revised Subdivision Plan to increase the number of townhouses from 87 to 103 townhouses (increase of 16 townhouse units) and to decrease the number of garden apartment units from 168 to 138 garden apartment units (decrease of 30 units). This development known as Stonebrook East Planned Neighborhood Design (PND) proposes 241 dwelling units, recreational areas, open space, and stormwater management areas. The conditional approval included PND- Alternative Design Standards. The property is zoned RM-1 (Medium Density Residential Zone) and approved as a PND (Planned Neighborhood Design Option). The site is on the northeast corner of McKee Road and W. Denneys Road. Property Address: intersection of McKee Road and West Denneys Road. Property Owners: Hanae Harmony Properties and Stonebrook East 168 LLC. Tax Parcels: ED-05-057.03-01-01.00-000 to ED-05-057.03-01-92.00-000. Council District 1.

Representative: Mr. Sam Guarnier, Verdantas; Mr. James Taylor, Verdantas (virtual)

Mrs. Melson-Williams stated that this is a Request for Extension. There is a slightly different timeframe with this one. This application was a combination of a Conditional Use Site Plan Subdivision Application associated with Stonebrook East Planned Neighborhood Design on West Denneys Road just east of McKee Road; kind of at that northeast corner. It was a project that consists of a mix of townhouse units as well as apartment buildings for a total of 103 townhouses and 138 apartment units. With a Subdivision, they are actually only given six months to be moving forward. Again, with this project they have been working on plan submissions that they will be making in the near future to the regulatory agencies to satisfy those requirements. The Planning Commission did review this application back in December 2023 and six months have sped by since Christmas time. They are here tonight seeking a Request for Extension. Again, we have Mr. James Taylor from Verdantas that has joined us online as well as his colleague Mr. Sam Guarnier who is here this evening in person.

Mr. Guarnier stated that they have been working through some stormwater issues that have come up on the site. They had to do some additional testing and they are working through finalizing those plans looking to submit in the near future.

Mrs. Denney stated that we all know that Kent Conservation is inundated and it takes a little longer. Is that the main hold up? Responding to Mrs. Denney, Mr. Guarnier stated yes, they had to do some testing so it kind of pushed things back a little bit. That was the main hold up and we

are getting ready to submit to them now. Everything else is more or less ready to submit.

Mr. Taylor stated that six months for a Subdivision approval is a very short timeframe to go through to get the approvals from DelDOT. With this, we are trying to work through the aspects related to getting the stormwater design to meet the regulations and like Mr. Guarnier said, additional testing was required and that design is done at this point that they will be able to submit in the near future.

Mrs. Welsh moved to approve SB-23-03 Revised Stonebrook East Planned Neighborhood Design at McKee Road and W. Denneys Road for a one year extension, seconded by Mr. Witham and the motion was carried 7-0 by voice vote with Dr. Jones and Mr. Reaves absent.

NEW APPLICATIONS

Z-24-05 Lands of Chiang & Sons Properties, LLC at 1241 College Park Drive: Rezoning C-PO to IO - Public Hearing and Review for Recommendation to City Council of a Rezoning application for a parcel of land consisting of 1.1024 acres +/-. The property is zoned C-PO (Commercial and Professional Office Zone). The proposed zoning for the property is IO (Institutional and Office Zone). The property is located on the east side of College Park Drive (a private street) and north of State College Road. The owner of record is Chiang & Sons Properties, LLC. Property Address: 1241 College Park Drive. Tax Parcel: ED-05-067.00-02-12.08-000. Council District 4. Ordinance #2024-11. *The First Reading of the Proposed Ordinance was held on April 22, 2024 and Public Hearings scheduled for Planning Commission on May 20, 2024 and City Council on June 10, 2024.*

Representative: Mr. Nik Patel, Avi Consulting Group

Ms. Oehmke stated that the Rezoning for Mr. Chiang & Sons Properties, LLC at 1241 College Park Drive is located on the east side of College Park Drive. It's a private street north of State College Road. It's just over one acre. It is currently an office building. It is zoned C-PO (Commercial and Professional Office Zone). This property has a little bit of history. There was a storm that came through Dover and condemned the building. The property was purchased by Chiang & Sons Properties, LLC in July 2022. In September 2022, they did try to put through a Conditional Use Application that was heard by the Planning Commission. It was denied and in January 2023, a Building Permit was approved for renovations. They speedily finished their renovations and received their Certificate of Occupancy by December 2023. The screen shows a rendering of what the building currently looks like. They did a lovely job fixing that up. This is the Site Plan of the property with its parking and landscaping. The use comparison between the C-PO (Commercial and Professional Office Zone) and the IO (Institutional and Office Zone) as you can see on the screen, gives them quite a few more opportunities for tenants to use the space within the building, including as places of public assembly and child care centers. For this property, according to the *Comprehensive Plan* Land Use Category is Office and Office Parks. This allows for mainly day time use and it's tucked into a little office park as you can see here. If there are any questions, we have Mr. Nik Patel, the real estate agent for the client here.

Mr. Patel stated that he is representing the client and the description from Ms. Oehmke was

pretty thorough. Currently, the property is still vacant. It is for sale and lease; they just haven't had any activity. A lot of the requests that they are getting are for uses that are under IO (Institutional and Office Zone) and not the C-PO (Commercial and Professional Office Zone). They felt like this would be a good opportunity to get the building back up and running and hopefully marketable for lease or for sale.

Mrs. Maucher opened the public hearing and after seeing no one wishing to speak, closed the public hearing.

Mrs. Denney stated that she wants to note that within this there is an elimination for street frontage sidewalk as well as the upright curbing and with the change of zoning. Responding to Mrs. Denney, Mrs. Melson-Williams stated that she thinks that Mrs. Denney is mixing up applications; this is a Rezoning application.

Mr. Witham stated that Staff does make a recommendation to the Commission that the proposed zoning is consistent with the *Comprehensive Plan.* He should have asked this question to the applicant earlier, but he was wondering how long this matter has been on the market for the existing businesses under the current zoning? Responding to Mr. Witham, Mr. Patel stated that it's actually been on the market since prior to our completion of our Certificate of Occupancy. So, it's been over eight months.

Mr. Witham asked if there were any takers yet. Responding to Mr. Witham, Mr. Patel stated no.

Mrs. Welsh moved to recommend approval to City Council for application Z-24-05 Lands of Chiang & Sons Properties, LLC at 1241 College Park Drive: Rezoning C-PO to IO, seconded by Mr. Witham and the motion was carried 7-0 by roll call vote with Dr. Jones and Mr. Reaves absent. Mrs. Welsh voting yes; as mentioned in the request for the Rezoning to IO (Institutional and Office Zone), that provides a better opportunity for the parcel to be turned into a viable business and to get rid of a vacant building that is just sitting there and that has been destroyed at one point and now re-accomplished. Mr. Cooper voting yes; for reasons stated. Mr. Roach voting yes; for reasons stated. They have been cooperative with the Planning Staff and it fits the Comprehensive Plan. Mrs. Denney voting yes; she thinks after all of the time and not having any interest in the zoning that exists that the change in zoning may help allow this building to have useful tenants now. Mr. Witham voting yes; for the reasons set forth by his fellow Commissioners and also to include the reasons set forth in the Staff recommendation and this Rezoning would be consist with the Comprehensive Plan. Mr. Baldwin voting yes; for reasons stated. Mrs. Maucher voting yes; for reasons stated.

S-24-05 Lands of Ken Barrett Builders for Office Building at 1413 New Burton Road – Public Hearing and Review of a Site Development Plan Application to permit construction of a one-story 3,026 SF office building and associated site improvements. The property is zoned C-1A (Limited Commercial Zone) consisting of 0.41 acres. The property is located on the east side of New Burton Road, north of Garton Lane. The owner of record is Ken Barrett Builders LLC. Property Address: 1413 New Burton Road. Tax Parcel: ED-05-085.11-01-01.00-000. Council District 2. *Waiver Requests: Elimination of Upright Curbing and Elimination of Sidewalk.*

Representative: Mr. Kevin Minnich, Minnich Engineering

Ms. Oehmke stated that Application S-24-05 is an office building at 1413 New Burton Road. It's on the east side of New Burton, north of Webbs Lane. It is 0.41 acres and is zoned C-1A (Limited Commercial Zone). It is going to be a one story, roughly 3,000 SF office building and they have requested two waivers: one for the elimination of street frontage sidewalk and one for an elimination of upright curbing. The rendering on the screen shows what the site looks like now. It used to be a single family dwelling with a storage accessory structure in the rear. It has a rather large parking lot already. The next rendering shows the proposed site. They have updated this graphic. They have updated their parking to twelve spaces rather than the ten spaces. As you can see, they have already provided for bike parking and dumpster requirements, handicap parking, and they already have their DelDOT entrance for New Burton Road. As you can see here, a view down the street shows that there are not currently sidewalks in this area or upright curbing in either direction. Here are some renderings of what the rear and front of the building will look like. The next rendering shows the side elevations. They have provided a floor plan for us that is consistent with an office or a medical office and we have a Landscape Plan. It will have an opaque barrier fence between the residential properties to the north and then you can see the landscaping will cover the fence on the side of the office.

Mr. Minnich stated that he is representing the new owner, Mr. Ken Barrett. Mr. Bob Larimore (a local land surveyor) was the owner of the property for a long time. He feels like he should ask for a moment of silence since he is no longer with us and he was a good friend. They are trying to redevelop the site and it's a challenging site because it's a small site. It is not a square site; it's a triangle so it places limitations on the site. We do have the DelDOT approval for a small entrance and we do have Kent Conservation District's approval. They still need to get the approval from the Public Works Department and anything else that Planning Department required. As far as the DAC Report, they are all good with that Report. The comments that were in the DAC Report were minor and we can make any changes that were needed in the DAC Report. The two main things are what Ms. Oehmke hinted on which was the sidewalk waiver and the waiver for the curbing. He thinks some of that is tailored because of the type, size, and configuration of the site.

Mrs. Denney stated that she really feels strongly when we start eliminating sidewalks in already developed areas such as this. If we require sidewalk, it's the beginning of what the next one will have to have and then eventually we will have sidewalks. When you think about other businesses and things that are there, it's not a huge piece of property for the sidewalk. She really doesn't like to see eliminations of sidewalk. With the curbing requirement, she is retired from managing an orthopedic surgery group and tripping over curbing blocks creates a whole lot of business. That is not as important unless it keeps a car from going out into a street or into a building. To her, that isn't as great of a situation. She does like to see sidewalks. She thinks they have to start somewhere with getting the sidewalks in or we will forever be without sidewalks. Especially now in that area, we have the Recreation Center and things going on and have more pedestrian traffic.

Mr. Minnich asked if the sidewalk waiver ever been approved by Planning Commission. Responding to Mr. Minnich, Mrs. Melson-Williams stated that the Planning Commission has

considered a number of sidewalk waivers throughout the City. There have been some that have been granted because of future sidewalk projects that were eminent. There have also been others where the configuration of the property or its topography limits the ability to install a sidewalk. Certainly, this property is a strange shape. It is at grade with the adjacent roadway. She believes that Staff had recommended approval of the request for elimination of the sidewalk noting that there is actually shoulder in this area and she believes that as part of the DelDOT approval of their small commercial entrance, they (DelDOT) were not requiring the improvement to include the sidewalk provisions.

Mr. Minnich stated that he did get a follow up email from DelDOT saying that they forgot to say that the applicant will need to pay the cash-in-lieu of the sidewalk. He told Mr. Will Mobley at DelDOT to hold off until they have this meeting tonight because they don't want to pay that until they know whether or not they are going to get the Waiver for the sidewalk. They are aware of that and obviously if they don't get the Waiver, they will probably install the sidewalk because DelDOT's price will probably be a lot more expensive. He just wasn't sure if the sidewalk waivers were ever granted. He hasn't had a lot of luck with that being done; he thinks this is a candidate for a waiver in his opinion.

Mr. Witham stated that he assumes if this property is in grade level with the roadway, if the sidewalk was installed it would be a raised sidewalk; therefore, it would be above the roadway. Is that correct? Responding to Mr. Witham, Mr. Minnich stated probably yes.

Mr. Witham stated that if a person was riding a bicycle and they wanted to use the sidewalk for the short distance that this property consists, they would have to shift their bike upwards on the sidewalk which is a hazard in his view.

Mrs. Maucher asked if there was a map showing the other properties because she lives adjacent to New Burton Road. Isn't it residential next to it? So, there really is not going to be the opportunity for extension. Responding to Mrs. Maucher, Mr. Minnich stated that there is residential to the north of this site.

Mrs. Maucher asked if it was adjacent to residential. Responding to Mrs. Maucher, Mr. Minnich stated yes, it is adjacent to residential.

Mrs. Maucher stated that she doesn't like sidewalks to nowhere and putting a small segment in when there is not going to be an opportunity to connect. How about on the other side the property? Responding to Mrs. Maucher, Mr. Minnich stated no, on the other side, the person is renovating the building on the south side. That is already paved parking in that area so there is no sidewalk per say. There is no sidewalk all the way down to where Delaware State News used to be. That is all shoulder all the way down. The nearest sidewalk is probably down by Puncheon Run.

Mr. Cooper stated that he believes to the north it is the apartment complex and there is no access to the road because there is a fence there. So, he doesn't think that he has a problem with the Waiver. He doesn't see a reason to put it there.

Mrs. Denney stated that also when you put a sidewalk in, it tends to create almost like an ingress/egress point as opposed to the whole parking lot being ingress/egress across the width of it. Again, just because the Rec Center, as she comes and goes and she goes to the Rec Center quite a bit because she also drags her grandkids back and forth from there, there is a little more pedestrian traffic. Some of them are kids and it just seems to her, that that kind of designates an ingress/egress as opposed to just back onto New Burton Road. That troubles her, that there is no ingress/egress and the sidewalk would create that.

Mrs. Maucher opened the public hearing and after seeing no one wishing to speak, closed the public hearing.

Mrs. Melson-Williams stated that there is one individual who joined us online, Elizabeth D. She doesn't believe that she wishes to speak but she did note in the chat to the north of this site, there is no sidewalk that concurs with the statement that Mr. Cooper was making. It is kind of the back side of that adjacent apartment complex and there is a fence there with no access all the way up to Kesselring Drive which is the next intersection to the north.

Mrs. Maucher closed the public hearing.

Mr. Cooper moved to approve S-24-05 Lands of Ken Barrett Builders for Office Building at 1413 New Burton Road to include both Waiver Requests for the elimination of upright curbing and the elimination of sidewalk, seconded by Mrs. Welsh and the motion was carried 7-0 by roll call vote with Dr. Jones and Mr. Reaves absent. Mr. Cooper voting yes; based on Staff recommendations and the application as a whole. He thinks that the sidewalk discussion is the first time in his entire life that he has ever disagreed with Mrs. Denney but he thinks that a sidewalk to nowhere on that short little block doesn't do much. Mr. Roach voting yes. Mrs. Denney voting yes; because she thinks that the zoning change needs to happen there. Unfortunately, she is not agreeing with the other part but as a whole she does think the zoning should be changed. Mr. Witham voting yes; for the reasons set forth on the record tonight as well as what is set forth in Staff recommendations. It appears that while the waiver on the sidewalks is somewhat unique and may be the first time that we have done this, but it does seem to meet the requirements according to Article 5, Section 18.5 as well as the requirements for the waiver of the upright curbing in accordance with Article 6, Subparagraph 3.6B. Mr. Baldwin voting yes. Mrs. Welsh voting yes; for the reasons previously stated. Mrs. Maucher voting yes; based on DAC comments and Staff recommendations.

S-24-06 Revised Leander Lakes III Apartments – Public Hearing and Review of a Revision to the Site Development Plan Application S-23-04 for the construction of eight (8) 3-story garden style apartment buildings and 1 (one) 2-story 8 unit building for a total of two hundred (200) units and Active Recreation Areas to be known as Leander Lakes III. The Revised Plan involves the reconfiguration and relocation of the access drive connection to Forrest Avenue for the apartment complex. The parcel with the Access Drive is zoned RM-2 (Medium Density Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone). The Apartment Complex project area (future 25-acre parcel) is zoned RM-2 (Medium Density Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone) with the balance of this parcel zoned R-10 (One Family Residence Zone) and partially subject to COZ-1 (Commercial Overlay Zone).

The property is located on the south side of Forrest Avenue west of Dover High Drive. The owners of record are Leander Lakes IV, LLC (previous owner: Jireh Christian Center) and Calvary Baptist Church of Dover with equitable owner/developer as Leander Lakes III, LLC. Property Addresses: 2161 Forrest Avenue and part of 2285 Forrest Avenue. Tax Parcels: ED-05-075.00-01-05.00-000 and ED-05-075.00-01-06.00-000. Council District 1. *Waiver Request: Elimination of Curbing on Access Drive. This site was granted conditional approval for a 200-unit apartment complex with Site Plan S-23-04 Leander Lakes III by the Planning Commission on February 21, 2023. A Minor Subdivision Plan to create the 25-acre parcel for Leander Lakes III has been approved.*

Representative: Mr. LB Steele, Leander Lakes III, LLC; Mr. Jim Eriksen, Solutions IPEM

Mrs. Melson-Williams stated that application is a Site Development Plan. It likely looks familiar to most because there was a previous application known as S-23-04 that was considered by the body back in February 2023 for this apartment complex project. The apartment complex is a series of buildings with a total of 200 units. What is shown on the screen is part of the previous location. It was part of the property located at 2285 Forrest Avenue where the Calvary Baptist Church is under construction. This project involved a Minor Subdivision that focused on 25 acres on the eastern portion of that property and it was proposed for development. Now for the new site area, the subdivision to pull out that 25 acres has actually been completed in recent weeks but their project has picked up an additional land mass and that is the property located at 2161 Forrest Avenue. Most people may know that as property being in the ownership of Jireh Christian Church. It was the Destiny Christian Church property and with this additional area they are looking to revise the site access for this apartment complex known as Leander Lakes III. Originally, the proposal was to provide a linkage to Forrest Avenue by way of the narrow tract of land that they owned along the Calvary Church eastern boundary and link into the Calvary access point that will lead to Forrest Avenue. With this Revision, they are looking to create a different access road that would travel across the church property moving north and then interconnecting with what is the existing drive and its existing connection to Forrest Avenue. There is kind of a meandering path or driveway that exists that goes to that Destiny Christian Church property. Leander Lakes III is proposed that it would interconnect first off with Leander Lakes I at two points of Isabelle Isle. That was always in the plan but what is changed is the connection that travels north and in this case, would link to that Destiny Christian Church drive. On the Plan itself, they have actually gone through and made a number of the updates to the plan set that was previously identified back in 2023. There was an Active Recreation Area Plan at that time that was reviewed for the apartments and makes a series of recreation areas, fitness areas, game play for corn hole and horseshoes as part of a larger walking trail network for the project site. To talk a little bit about the apartment complex itself, what you kind of see in the white ring shown on the screen is the series of parking lot spaces. The buildings are the next inter-ring. There is a walking trail system that links from the buildings and around their rear. In the center are two areas that would be part of the stormwater management for the site. The property is bi-sected by this stream corridor that they are working through the appropriate permits for crossing of that stream corridor with the drive aisle that will exist for the apartment complex. The apartment complex is required to have rear emergency access to the buildings and that is achieved by what they call a “super sidewalk” because it would be a sidewalk area that is to the rear of the building that is ten (10) feet in width and then has additional four (4) feet of grass

pavers on either side for a total width of eighteen (18) feet that would allow for fire apparatus to access the rear of these buildings. Something that you hope you never need; but in the meantime, it will also serve as part of the walking trail system for the project site. The apartment complex is proposing the adequate number of parking spaces at 450 parking spaces; that meets our Code requirements. Likewise, their Plan includes lighting and dumpsters. The stream has a buffering requirement from it because it is identified as wetland areas. They intend to maintain a 50 foot riparian buffer through that area. Additionally, while there is some woodland removal for the project, the overall site will have to plant additional tress as part of their development activity and we are looking at well over 300 trees. The requirement would be 341 and their initial plan is showing 367 trees. Part of the property is adjacent to Forrest Avenue when you take into account this access drive. That portion of the property is subject to the Corridor Overlay Zone but most of those provisions do not come into play other than some tree planting requirements because the major area of development is not within the Corridor Overlay Zone. As part of the Development Advisory Committee Report, Planning Staff has granted approval to their Waiver Request that they have filed associated with this access drive and that is for the partial elimination of upright curbing along that access drive. That is something that Staff has the ability to grant when it's tied to stormwater management practices. We see this access drive as its first rendition and future development may be forthcoming on the parcel 2161 Forrest Avenue would likely change the format of that access drive. In updating their plans, the plan is also indicating that they are planning for EV charging and putting in place, the infrastructure that would allow for at least two spaces for each building. The variety of comments that follow as part of the Development Advisory Committee Report are from the regulatory agencies including the Department of Water/Wastewater related to water services. None of the streets or access drives that they are proposing would become City streets with this project. They are linking to roads that are State maintained roads so DelDOT has had some comments and has worked with the applicant in that regard. They continue to work with the Kent Conservation District related to stormwater management planning and then the associated permits related to that stream crossing with the appropriate agency components of DNREC.

Mr. Eriksen stated that as described by City Staff, this application is for 200 multiplex dwellings as well as a Minor Subdivision for the parcel located at 2285 Forrest Avenue in Dover. This site may look familiar to some of you as this site has already received preliminary conditional approval for this exact use in February 2023. As Staff described, they are back today because they would like to make an adjustment to the access road connecting to Forrest Avenue. The access road previously interconnected to the Calvary Baptist Church entrance and they are proposing to relocate that access road such that it utilizes the existing entrance just east of there, which is in front of the future Leander Lakes IV Project. If you look at this next slide, you see the previously approved Leander Lakes III Project. At the time of the previous presentation, the developer owned the existing Leander Lakes parcels and he had a contract in place for this 25 acre piece of land known as Leander Lakes III. He did not own the adjoining parcel just east along Forrest Avenue which is labeled as "future Leander Lakes IV" on the screen. Upon development of Leander Lakes III, that parcel would have been surrounded by other Leander Lakes project; it was the hole in the doughnut. At the time that Leander Lakes III was brought before the Commission last year, they had limited options for any connection to Forrest Avenue. Basically, the only option was to provide a connection to Forrest Avenue through Calvary Baptist Church's proposed entrance because of that "hole in the doughnut." Shortly after the

approval of Leander Lakes III, the developer was able to secure the future Leander Lakes IV parcel. Leander Lakes IV was brought before the Commission for a Rezoning in April 2023 and the developer has since fully purchased the Leander Lakes IV parcel. Now having a better picture of the future, the developer has brought Leander Lakes III back to the Commission to request for the access road to be relocated and connect to the existing entrance in front of the Leander Lakes IV parcel rather than the future entrance in front of the Calvary Baptist Church. The developer intends to eventually develop Leander Lakes IV but has anticipated moving forward with that after Leander Lakes III. The next slide shows the proposed Leander Lakes III Plan which shows the access road in the future Leander Lakes IV parcel. Due to size and shape of the Leander Lakes IV parcel, whenever that would be developed, there would likely be a roadway constructed that would parallel the original Leander Lakes III roadway for approximately 809 LF. This redundant infrastructure would be very wasteful and therefore is generally considered a poor land planning practice. It would increase construction costs as well as maintenance while providing very little benefit. These costs would ultimately result in higher rents for future tenants of these properties. With that in mind, the decision was made to adjust the Leander Lakes III Plan to move the access road per the Plan that you see in front of you today. At the time of that decision, we were diligently pursuing approval of the previous layout of Leander Lakes III and they were just about to submit their onsite engineering drawings to the City. They were nearing approval of our DelDOT Plans and had a round of review with Kent Conservation District. They paused on these processes so that they could make a final determination on a path forward. They had to meet with DelDOT and the City to verify general feasibility and discuss anticipated impacts and ensure they had a clear path forward. It took some time to get all of that actually squared away and figured out, but they are comfortable with their path forward at this time and all be it. This is a minor revision. It did take some time to figure it all out.

The next slide shows an updated traffic distribution exhibit for DelDOT. Obviously, there is a considerable amount of analysis of the DelDOT impacts and DelDOT is in general agreement with their traffic information and plan. To summarize and simplify, the DelDOT impacts for Leander Lakes III project revisions, the trips that were previously anticipated to use the Calvary Baptist Church shared entrance are now anticipated to utilize the entrance in front of the future Leander Lakes IV project. Beyond that, the overall impacts on the roads are still very similar to what was previously presented. Leander Lakes III will be subject to the Area Wide Study Fee meaning that the trip generation is not significant enough to warrant a Traffic Impact Study. Instead, DelDOT will identify any DelDOT projects in the area and the developer will be responsible for contributions to those projects based on the site's share of traffic. This project would also be responsible for any additional improvements required at the existing Leander Lakes IV entrance to provide an entrance in compliance with DelDOT regulations. Leander Lakes III will still have multiple access points and residents will still have the ability to utilize the traffic light at the Dover High Drive intersection which will allow for better turning movements as well as limit impacts on Forrest Avenue. There are still interconnections and shared entrances for Leander Lakes projects; however, this updated design ultimately gives control of these entrances that are utilized by Leander Lakes entirely to the developer. The developer does not have to have concerns with impacts in coordination with the Calvary Baptist Church's project but will still have the same range of options available to the future residents to utilize the best option available to enter and exit the site which will allows for a better flow of

traffic and less meaningful impacts on Forrest Avenue. It also allows for a range of options for emergency service vehicle access in the event of a road closure or another emergency. He believes that largely covers the actual revisions to the plans. The next slide shows that they are back at the aerial exhibit. Beyond the access road revision, the rest of the Site Plan is generally in accordance with the previous design which was presented to the Commission last year. Staff did a very nice job of explaining that layout and all of the details of it. As noted by Staff, they did update the Plan to address any kind of conditions or considerations that were requested by the Commission. They are moving forward with the Plan in front of you. To avoid any more redundancy, he is not going to go into details on those areas as they were previously approved. He will just generally state that everything is largely the same from a big picture land planning standpoint. The site is still in the same proper investment level areas. It complies with the *Comprehensive Plan*. It's a permitted use. There is adequate parking and it provides for stormwater management and utilities in an identical matter as what was previously presented.

Mrs. Denney stated that ultimately everything is pretty much staying the same with the additional piece of property, but the ingress/egress to Forrest Avenue is going to have a better solution than going to Calvary Baptist Church. Responding to Mrs. Denney, Mr. Eriksen stated that is correct. This is a better plan for the future development of Leander Lakes IV. It avoids that redundant road. You would have two roads right next to each other like fifty feet apart.

Mrs. Denney asked if this eliminates that and just puts the one complete entrance out to Forrest Avenue? Responding to Mrs. Denney, Mr. Eriksen stated yes.

Mrs. Welsh asked if the road that they are connecting to on the Revised Plan is an existing road. Responding to Mrs. Welsh, Mr. Eriksen stated yes, it is existing.

Mrs. Welsh stated that she just wanted to make sure that it wasn't planned for the Leander Lakes IIII and it's not really there yet. Responding to Mrs. Welsh, Mr. Eriksen stated that it's there.

Mrs. Maucher opened the public hearing.

Mr. Miles Minear – 42 Paradise Lane Dover, DE 19904

Mr. Minear stated that he is a resident within two hundred (200) feet of this project. His question is that at this point we are going to have two exits and entrance: one being with a traffic light and the other not having a traffic light. Is that correct? Responding to Mr. Minear, Mrs. Maucher stated no, she thinks the applicant can clarify.

Mr. Eriksen stated that they have two options off of Dover High Drive. Those two are through the existing Leander Lakes Apartments that are out there. To utilize that to get off of Forrest Avenue, you would utilize the traffic light at that intersection as well as the other entrance that we have a more direct connection to that is the existing entrance to the existing Destiny Christian Church. They would be making improvements to that entrance with this project.

Mr. Minear asked that as Leander Lakes IV comes into the picture, at that point you are going to be requesting another ingress/egress? Responding to Mr. Minear, Mr. Eriksen stated that the intention is to not add another entrance with Leander Lakes IV. There may additional

improvements required with Leander Lakes IIII when you add the additional units.

Mr. Minear stated that at this point, there would only be two spots affected on Forrest Avenue; the one with the light and the one without. Responding to Mr. Minear, Mr. Eriksen stated yes.

Mr. Steele stated that with the curb cut which is existing and the existing road by Destiny Christian Church, what they are doing instead of bringing a road down their flagpole piece and connecting to Calvary Baptist Church is omitting any connection to the Calvary property. They are using what became their own property. They do not own this parcel (pointed at a parcel on the screen) on the corner of this property. There will be two ingresses/egresses total. (Dover Christian Church property at 1738 Forrest Avenue.)

Mr. Minear asked for Phase IV, where are they looking to egress? Responding to Mr. Minear, Mr. Steele stated that they are going to use this road (pointed to road on screen) and something will spit back out up to here (pointed to area on screen, of the same entrance drive to Destiny Christian Church property). Truthfully, this has not been drawn yet. They've got some ideas, but they haven't finalized it. It's probably going to be four buildings in a circle.

Mr. Minear asked if there was any potential connection (on Forrest Avenue). It is his understanding that a roundabout is going in on Sharon Hill Road and Artis Drive in the future. Is there any potential connection to that? Responding to Mr. Minear, Mr. Steele stated that they don't own anything to the west.

Mrs. Maucher closed the public hearing.

Mr. Witham moved to approve S-24-06 Revised Leander Lakes III Apartments as it does comport with what Staff had recommended in comments and this seems to be a much more viable way to resolve the connection for the applicant as opposed to what was apparently in the process before and also inclusive of the waiver for the elimination of curbing on the access drive, seconded by Mrs. Denney and the motion was carried 7-0 by roll call vote with Dr. Jones and Mr. Reaves absent. Mr. Witham voting yes; this Plan is a very comprehensive plan that is a well thought out plan with a number of already preapproved recommendations and does comport with what they would like to see from all builders and developers. Mr. Baldwin voting yes; based on Staff recommendations. Mrs. Welsh voting yes; it is a very frugal revision to the entrance of the property. Mr. Cooper voting yes; for reasons stated. Mr. Roach voting yes; for reasons stated. Mrs. Denney voting yes; she thinks that this change in the ingress/egress is like the finishing touch and obviously the Plan was previously approved. She just wants to note that she really appreciates the comments that they get from the State Planning Office with regard to these and to her, that is like the finishing touch when you read everything that has been said. Also appreciated is the addressing and sharing this ingress/egress instead of making multiple entrances and exits out on Forrest Avenue. Mrs. Maucher voting yes; based on Staff recommendations, DAC comments and our prior approval of the project as this is just a modification to the entrance.

NEW BUSINESS

Meeting adjourned at 8:27 PM.

Sincerely,

Kristen Mullaney
Secretary

City of Dover

DATA SHEET FOR CONDITIONAL USE SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF May 8, 2024

PLANNING COMMISSION MEETING of June 17, 2024

Plan Title:	Tower-Based Wireless Communications Facility at 640 Lafferty Lane (Rise Up Towers, LLC) C-24-01
Plan Type:	Conditional Use Site Plan
Property Owner:	Secure Storage, LLC
Applicant/Developer:	Rise Up Towers, LLC
Location:	North side of Lafferty Lane, east of South Bay Road
Address:	640 Lafferty Lane
Tax Parcel:	ED-05-077.00-01-25.00-000
Site Area:	18.68 acres +/-
Project Area:	Lease area of 50'x50' associated with Compound Area
Zoning:	IPM (Industrial Park Manufacturing Zone)
Present Use:	Mini-Storage Facility with Boat & RV Storage and Associated Office
Proposed Use:	Mini-Storage Facility with Boat & RV Storage and Associated Office with Tower-Based Wireless Communication Facility (monopole)
Waivers Requested:	None

Potential Waiver to be Requested for Staff Review: Partial Elimination of Upright Curbing

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 8, 2024

APPLICATION: Tower-Based Wireless Communications Facility at 640 Lafferty Lane (Rise Up Towers, LLC)

FILE #: C-24-01 REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Dawn Melson-Williams, AICP PHONE #: 302.736.7196

I. PLAN SUMMARY

This Application is review of a Conditional Use Site Plan application to permit construction of a tower-based wireless communications facility (WCF) and associated equipment compound in the northeastern area of the mini-storage facility property. The proposed wireless support structure is a monopole of 124 feet with a lightning rod for a total height of 129 feet. The 18.68-acre subject property is located on the north side of Lafferty Lane, east of South Bay Road. The property is zoned IPM (Industrial Park Manufacturing Zone). The owner of record (parcel) is Secure Storage, LLC, and the applicant (WCF developer/owner) is Rise Up Towers, LLC. Property Address: 640 Lafferty Lane. Tax Parcel: ED05-077.00-01-25.00-000. Council District 2.

Note: this Application C-24-01 was originally filed in anticipation of consideration at the May 20, 2024 Planning Commission Meeting; however, incomplete Public Notice required rescheduling of the application's review to the June 17, 2024 Planning Commission Meeting.

Previous Applications

This site was partially developed under S-17-06 Secure Storage Revised Site Plan: Phases 2 and 3 for a mini-storage facility to consist of four (4) additional storage buildings in the Phases 2 & 3 area on a site already containing 14 storage buildings (Phase 1). The S-17-06 Plan was granted conditional approval by the Planning Commission on March 20, 2017 with Final Plan approval October 16, 2017 and an extension granted March 8, 2019. The Site Plan S-17-06 conditions of approval set forth by the Planning Commission included acceptance of the Performance Standard Review Application and approval of Waiver Requests for the partial elimination of curbing in select areas and for the elimination of sidewalk along the property's Lafferty Lane frontage. However, the DelDOT Entrance Plan approval required implementation of a 10 ft.-wide multi-modal sidewalk on the site frontage. It is noted that during its review process a design refinement of the site building layout (occurring after the Planning Commission meeting) resulted in a reduction from five buildings to four buildings. The Final Plan, as approved, consisted of buildings totaling 90,000 S.F. and including associated site improvements including a designated boat and RV parking area. Only one storage building (Building #15) was constructed in this Phase 2 area.

The property was also part of a Unified Comprehensive Signage Plan US-03-01 Secure Storage Complex that was reviewed May 19, 2003.The Planning Commission approval of the Comprehensive Signage Plan consisted of monument signs and two (2) pylon signs (of 480 SF each at heights of 45 feet and 60 feet) to serve the mini-storage facility and the adjacent future development lots (three separate lots fronting on Lafferty Lane).
It is noted that portions of this property were previously subject to the requirements of the AEOZ (Airport Environs Overlay Zone). However, amendments to the AEOZ zoning district boundary (coverage area) in March 2013 (Ordinance #2013-01) removed the property from the AEOZ.

II. PROJECT DESCRIPTION

The Plan proposes the construction of Tower-based Wireless communications facility with a 124 foot monopole as the wireless support structure by Rise Up Towers, LLC. It is located in the northeast portion of the overall property and separated from the existing (and proposed) mini-storage buildings. It is topped with a lightning rod for a total height of 129 feet. The specific carrier antenna sector (T-Mobile) is shown at the124 feet which is the top-most position. The monopole includes a proposed whip antenna location at the 80 foot height (for potential municipal /EMS usage) with three additional placement heights for collocations of other future carrier antennas. These antenna heights are centered on 94 feet, 104 feet, and 114 feet. The WSS is located within a fenced compound area of 50 feet by 50 feet enclosed with a 6-foot chain-link fence and surrounded by evergreen trees. A paved access drive 12 feet in width with a turnaround/parking space is proposed on the southeast side connecting to an existing paved/gravel drive on the property that links to a driveway connection to Lafferty Lane.

The mini-storage facility is to remain on the property. It is a gated facility with an associated office building for its management located at the property entrance from Lafferty Lane (near Route 113/Bay Road). There is also a cemetery on a portion of the property.

Surrounding Properties

The property is flanked by the right-of-way for State Route 1 to the west. To the south, is a series of three lots also owned by Secure Storage LLC and zoned IPM. To the east on the adjoining property is a building materials supplier with several warehouse style buildings.

III. ZONING REVIEW

IPM (Industrial Park Manufacturing Zone)

Zoning Ordinance, Article 3 Section 20 lists the permitted uses, conditional uses, and other provisions of the IPM (Industrial Park Manufacturing Zone). The existing mini-storage facility is an allowable use and Tower-Based Wireless Communications Facilities are allowed in non-residential zones through the Conditional Use process.

Conditional Use Application

With Conditional Use Plan applications, the Planning Commission reviews the proposed project to determine whether or not the intended use is appropriate in type and scale for the immediate neighborhood. The Commission must also consider whether or not the proposed use will have an adverse impact on the future orderly development of the surrounding area. The following sections of the *Zoning Ordinanc*e which relates to the role of the Commission in reviewing Conditional Use Plan applications are particularly relevant when reviewing this application:

> Article 10 §1.1 *[Accessibility for fire and police protection.]* That all proposed structures, equipment or material shall be readily accessible for fire and police protection;

> Article 10 §1.2 That the proposed use be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the zone in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties;

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

IV. WIRELESS COMMUNICATION FACILITIES

The Ordinance #2020-13 on Wireless Communications Facilities (WCF) was adopted by Dover City Council on November 9, 2020 which established the provisions for such facilities. As adopted by the Ordinance, a copy of the WCF provisions as found in *Zoning Ordinance*, Article 5 §23 is attached.

The following are key Code excerpts pertaining to this application for a new Tower-Based Wireless Communications Facility. It is allowed in IPM zone and subject to a series of criteria and design standards. This project is considered a "new facility" as it is not a Small-WCF which is limited to 50 feet in height. The height of the WCF is limited to a maximum of 150 feet and also has setback (separation) distance from the property lines required to be 110% of the structure's height.

Here are some definitions of key terms as found in Article 5 §23.2:

> *Height of a tower-based WCF*. The vertical distance measured from the ground level, including any base pad, to the highest point on a tower-based WCF, including antennae mounted on the tower and any other appurtenances.
>
> *Stealth technology.* Camouflaging or screening methods applied to wireless communications facilities and accessory equipment which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in a manner appropriate to the site's context and surrounding environment. Such methods include, but are not limited to, architecturally screened roof-mounted antennae, building-mounted antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.
>
> *Tower-based wireless communications facility (tower-based WCF).* Any structure that is used for the primary purpose of supporting one or more antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles. This definition excludes any installation meeting the definition of a small wireless communications facility.
>
> *Wireless communications facility (WCF).* An antenna facility or a wireless support structure that is used for the provision of wireless service, whether such service is provided on a stand-alone basis or commingled with other wireless communications services.
>
> *Wireless support structure.* A freestanding structure, pole, tower, or other building, whether or not it has an existing antenna facility, that is used or to be used to support the placement or installation of a wireless communication facility for the provision of wireless service (whether on its own or comingled with other types of services).

The application procedures for a new Tower-based WCF are outlined in *Zoning Ordinance*, Article 5 §23.5 and require Conditional Use approval from the Planning Commission and then the WCF Permit process. The Application must demonstrate compliance with the WCF provisions based on type including information related to equipment, compliance with aviation safety laws and regulations, property owner authorization, and structural engineering certification of the structure. The Application also has to demonstrate the following:

> Article 5 §23.55(c)
> v. An application for a new tower-based WCF shall demonstrate that the proposed tower-based WCF cannot be accommodated on an existing or approved structure or building. The planning commission may deny an application to construct a new tower-based WCF if the WCF applicant has not made a good faith effort to mount the antenna(s) on an existing structure. The WCF applicant shall address the viability of any existing wireless support structures within a one quarter (¼) mile radius of the site proposed and demonstrate that such alternative candidates are inferior with respect to technical feasibility, cost, or terms of use.

For Tower-Based WCFs, there are specific items for the Planning Commission to consider in the review of the Conditional Use Application; see Article 5 §23.8(a). There are also standards related to location, uses on the property, development regulations, and design standards; see code excerpt below.

> 23.8 *Tower-based wireless communication facilities (tower-based WCF)*. The following regulations shall apply to all tower-based WCFs as defined by this Section 23 and that do not meet the definition of a small WCF.
>
> (a) *Conditional uses*. Tower-based WCF are permitted outside the public rights-of-way in certain zoning districts upon conditional use approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in Article 10 Section 1 of this ordinance.
>
> i. In approving the conditional use, the planning commission may take into consideration the following:
> a. The aesthetic impact of the proposed facility, including, but not limited to, whether its decision upon the subject application will promote the harmonious and orderly development of the zoning district involved;
> b. Encourage compatibility with the character and type of development existing in the area;
> c. Prevent a negative impact on the aesthetic character of the community;
> d. Preserve woodlands and trees existing at the site to the greatest possible extent; and
> e. Encourage sound engineering and land development design and construction principles, practices and techniques.
>
> ii. *Additional antennae*. As a condition of approval for all tower-based WCF, the WCF applicant shall provide with a written commitment that it will allow a minimum of two other service providers the opportunity to collocate antennae on tower-based WCF where technically feasible.
>
> (b) *Location.*
> i. Tower-based WCF are conditionally permitted to locate in the nonresidential zones. Nonresidential zones are defined in Article 12—Definitions of this ordinance.
>
> ii. *Exception*. Tower-based WCF in the IPM3 (Industrial Park Manufacturing Zone—Industrial Aviation and Aeronautics Center) zoning district are only allowed in support of aviation, aeronautics, or related operation per Article 3, Section 20B of the ordinance.

iii. Tower-based WCF are subject to the application requirements of this Section 23.

iv. Tower-based WCF are subject to compliance with zoning ordinance provisions outlined in Section 23.52.

v. *Historic places*. Tower-based WCF may be located within 100 feet of any building or structure that is listed on the National Register of Historic Places if an approved architectural review certification is obtained pursuant to Article 10, Section 3 of this ordinance.

(c) *Uses on property*.

i. *Principal use*. A tower-based WCF shall be permitted as a sole principal use on a lot.

ii. *Combined with another use*. A tower-based WCF may be permitted on a property with an existing use, or on a vacant parcel in combination with another permitted use.

iii. *Existing uses*. The existing use on the property may be any permitted use in the applicable zoning district and need not be affiliated with the WCF.

iv. *Ability to use.* Where applicable, the WCF owner shall present documentation that the property owner has granted an easement or other property right for the proposed facility.

(d) *Development regulations*.

i. Minimum lot area. The minimum lot area shall comply with the requirements for the applicable zoning district and shall be the area needed to accommodate the tower-based WCF and guy wires, the equipment building, security fence, and buffer planting.

ii. *Height.* Tower-based WCFs shall be designed and kept at the minimum functional height. The maximum total height of a tower-based WCF shall not exceed the 150 feet. No WCF applicant shall have the right under these regulations to erect a tower to the maximum height specified in this section unless it proves the necessity for such height.

iii. *Minimum setbacks*. The minimum distance between the base of a tower-based WCF and any property line or street right-of-way line shall equal 110 percent of the proposed height of the tower-based WCF, unless the WCF applicant shows to the satisfaction of the planning commission that the proposed tower-based WCF has been designed in such a manner that a lesser setback will have no negative effects on public safety.

(e) *Design standards.*

i. Multiple antennae. Any proposed tower-based WCF shall be designed structurally to accommodate both the WCF applicant's antennae and at least two comparable antennae for future users.

ii. *Security.* Any tower-based WCF shall be equipped with an anti-climbing device, as approved by the manufacturer.

iii. *Lighting*. No tower-based WCF shall be artificially lighted, except as required by law. If lighting is required, the WCF applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under state and federal regulations.

iv. *Surrounding environs*. Existing vegetation, trees and shrubs located within proximity to the tower-based WCF structure shall be preserved to the maximum extent possible.

v. *Fences*. A security fence having a minimum height of six feet and a maximum height of eight feet shall surround any tower-based WCF, as well as guy wires, equipment compound or housing WCF equipment.

vi. *Screening*. A screen of evergreen trees planted eight feet on center, each at least four feet in height, shall surround the tower-based WCF and security fence. Existing vegetation shall be preserved to the maximum extent possible and landscaping is not required where landscaping already exists

vii. *Accessory equipment*. Where feasible, accessory equipment associated, or connected, with a tower-based WCF shall be placed underground. Any above-ground accessory equipment associated or connected with a tower-based WCF shall be screened from public view using stealth technology. All ground-mounted accessory equipment, utility buildings and accessory structures shall be architecturally designed to blend into the environment in which they are situated.

viii. *Accessory equipment buildings.* If accessory equipment is to be located in a separate building, the building shall comply with the minimum requirements for accessory structures in the applicable zoning district.

ix. *Accessory equipment*. Accessory equipment not exceeding 500 square feet in area shall be permitted for each unrelated company sharing space on the tower-based WCF.

x. *Access road*. Where necessary, an access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to tower-based WCF. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion.

xi. *Visual appearance*. Tower-based WCF shall employ stealth technology which may include painting or finish of the tower portion. All tower-based WCF and accessory equipment shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible.

V. PARKING SUMMARY

The parking requirement in the IPM zoning district is one space per 800 S.F. of floor area or one space per employee of the largest shift. This WCF is an unmanned facility with no building proposed. The existing mini-storage facility has specific parking requirements that are met by the parking spaces near the office and with designated parking areas near the storage buildings.

VI. SITE CONSIDERATIONS

The areas immediately surrounding the mini-storage facility are fenced and accessible by a controlled gate system. The site has an existing access/egress point to Lafferty Lane via a shared entrance with adjacent properties to the west. Within Phase 3 of the Secure Storage Project, there is a proposed second access point at the north end of the site from a former road which leads to Lafferty Lane (east of the S.G. Williams Facility). It appears that the WCF is planning to utilize this point of access to reach its fenced compound area via an existing paved/gravel drive on the property.

Dumpster

For non-residential uses, two Dumpsters are required. The mini-storage facility has identified Dumpster location areas in its plan (S-17-06). For the WCF, the plan noted that no solid waste

receptacles (Dumpsters) will be provided. Under the *Zoning Ordinance,* Article 5 Section 6.3, the Planning Office accepts this an alternative solution reducing the Dumpster requirement to zero finding that the WCF is an unmanned facility and would likely use carry-in/carry-out method during any maintenance visits.

Sidewalk

Sidewalk is required along all street frontages and within the site in accordance with *Zoning Ordinance,* Article 5 §18. The plan does not indicate sidewalks along the frontage of Lafferty Lane. With a previous application that began initial construction of the mini-storage facility, a waiver request was granted to eliminate the sidewalk requirement finding that the site is remote and unlikely to be accessed by pedestrians. Given the on-site location of the proposed WCF facility, sidewalks will not be required.

Curbing

Potential Waiver Request for Partial Elimination of Curbing (for Staff Review)

The *Zoning Ordinance,* Article 6 §3.6(b) requires upright curbing for all parking areas and access drives. The parking areas and access drives are required to be curbed (*Zoning Ordinance*, Article 6 §3.6). The WCF Plan does not appear to identify the use of upright curbing for the short access drive segment from the existing gavel/paved drive that existing along the east side of the property. A written waiver request must be submitted for Planning Staff's consideration to allow for the partial elimination of curbing in certain areas. With the Site Plan S-17-06, the Planning Commission approved a waiver to eliminate the portions of the required upright curbing in designated areas of the parking lot area and to utilize rolled curb along the perimeter area. The request was related to proposed drainage and stormwater management practices at the site.

VII. TREE PLANTING AND LANDSCAPE PLAN

The tree planting requirement is based on the development area with one (1) tree required per 3000 SF of development area. The mini-storage facility development plan included a Landscape Plan for the entire property; however, it has not been fully implemented. For this WCF project, only the compound (2,500 SF) and the access drive to reach it will be considered as the development area for the tree planting requirements. The total area will need to be provided. The compound is surrounded by a series of 27 evergreen trees which would satisfy a development area of 81,000 SF.

VIII. UNMARKED CEMETERY

Included within the area of this property, there is an existing unmarked cemetery. (Delaware Cultural Resource Survey #K-6397, 7K-D-11) This cemetery was identified during the evaluation of the impacts of the State Route 1 project and associated road reconstruction process. A formal report of the findings of the archaeological investigations at this site were compiled in the report *Final Archaeological Investigations of the Lafferty Lane Cemetery 7K-D-11, State Route 1 Relief Corridor, Dover, Kent County, Delaware*. The report reveals the presence of an unmarked private cemetery approximately one-quarter acre in size containing the remains of at least 120 individuals. These investigations were conducted in the Fall of 1988. Research shows that this cemetery was in use from 1760 to 1840. No headstones were found to be in existence, therefore other archaeological techniques and primary source documents (deeds) were utilized to analyze the site. In response to the discovery of this cemetery, the original re-alignment of Lafferty Lane was shifted to avoid the cemetery.

The Secure Storage Plan delineates an area of approximately 130 ft. by 140 ft. for the cemetery with a 30 foot buffer surrounding it. Other records show a thirty (30) foot access easement is provided from Lafferty Lane to the cemetery location.

The WCF developer should take preventive measures to ensure construction activities do not disturb this area. Construction activities include site utility and grading work, parking, material storage, etc. The Plan indicates a fence dividing it from the mini-storage facility. If unmarked human remains are discovered during the construction process, construction activity in that area must stop and the process outlined in the *Delaware Unmarked Human Remains Law* followed.

IX. PERFORMANCE STANDARDS REVIEW –

Uses in the IPM (Industrial Park Manufacturing zone) are subject to the performance standards summarized in *Zoning Ordinance,* Article 5 §8.1 and as more specifically outlined in Article 5 §8.5. The project's compliance with a series of performance standards for the "dangerous and objectionable elements" are to be considered by the Planning Commission. The overall requirements for Tower-based WCFs address these elements.

> *Article 5 §8.1 Dangerous and objectionable elements.* No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

The project cannot cause the objectionable elements/conditions to exist so that they adversely affect the surrounding areas or adjoining properties. The specific limits of each performance standard are described in the *Zoning Ordinance*. Where the performance standards conflict with regulations established by other state or local agencies such as the Delaware Department of Natural Resources and Environmental Control (DNREC), the more restrictive regulations apply.

X. CITY AND STATE CODE REQUIREMENTS:

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

1) Review and Approval of the Tower-Based Wireless Communications Facility is subject to review of the Conditional Use application in accordance with the provisions of the *Zoning Ordinance,* Article 5 Section 23.

2) Clarify the existing condition/construction of the access drive (existing drive and access segment) to the compound. Upright curbing must be provided around all parking areas and circulation drives unless a waiver is granted by the City Planner. A written waiver request

must be submitted for consideration by Planning Staff. The previous Site Plan S-17-06 was granted relief of the upright curbing in certain areas of the mini-storage facility.

3) Sheet T-1, Title Sheet & Project Information:
   a) Site Data Column:
      i) Remove AEOZ (Airport Environs Overlay Zone) from the Zoning listing as it is not subject to the AEOZ zoning district at this time.
      ii) List overall height of the wireless support structure including appurtenances (as per definition of height of Tower-based WCF). List height of monopole and also overall height with the lightning road.
   b) Update title of Delaware (City of Dover) Code Compliance. This location is subject to the City of Dover, DE regulations not Kent County regulations.
      i) Update listing as Building Code is 2009, NFPA 1 2021, and 2021 NFPA 101. The National Electrical Code may also be a newer version as well.

4) Sheet Z-1, Site Plan:
   a) Clarify construction status of the stormwater pond and associated ditch areas as aerial mapping cannot confirm the presence of these items.
   b) Clarify fencing and gates for the northeast access point to the property.
   c) Identify the existing/proposed material of the existing access drive leading into the site that appears to be used for WCF access.
   d) Correct the label “existing billboard” as this is not a billboard but is an approved large format pylon sign for the mini-storage facility.
   e) Identify any existing sidewalks serving the property and/or associated permanent easements for such improvements.
   f) Identify the size of the development area (compound and access drive).
   g) Bulk Requirements
      i) Clarify listing of required maximum building height for WCF. And list the proposed distances to the property lines from the WCF so to confirm compliance with the maximum height of 110%.

5) Sheet Z-2. Compound Plan:
   a) Identify surface material of 12 foot wide access drive and for area within the compound.
   b) These specific species of evergreen tree plantings will need to be identified.
   c) This Plan sheet can only be certified by an Architect, Landscape Architect, or Delaware Certified Nursey Professional. Add Certification note and signature block.
   d) Ensure there are no conflicts between utility service line and tree plantings.
   e) Update any similar information presented on Sheet Z-3 Elevation.
   f) Identify the location and content of the required maintenance information sign for the WCF.

6) Sheet Z-3. Elevation: Clarify the location of the antenna sector for the known carrier and provisions of the whip antenna.

7) The Site Plan set will need to be updated with any changes recommended or approvals including information on any waivers granted by the Planning Commission.

8) Any Sediment & Stormwater Management Plans granted approval by the Kent Conservation District must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.

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

In accordance with the *Zoning Ordinance*, Article 10 §1, the Planning Commission in considering and acting upon Conditional Use Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 1.1 to 1.3. Additionally, as a Wireless Communications Facility (WCF), this project is subject to the *Zoning Ordinance*, Article 5 Section 23.

1) Construction of Tower-Based WCF: Planning Staff finds that this proposal for the Tower-Based WCF is generally in compliance with the WCF regulations found in the *Zoning Ordinance*. This location is in a non-residential zone and in an industrial area with limited visibility of the WCF location due to distance from nearby roadways, adjacent buildings, and the elevation grades for the State Route 1 roadway. The compound area includes the required screening and fencing at ground level. Documentation of FAA review was received. The Wireless Support Structure also includes the opportunity for three other carriers to collocate.

2) Consideration of Performance Standards Review Application: Planning Staff has deemed that the Performance Standards Review Application process for uses in the IPM zone will be satisfied by the Conditional Use review process and provisions for the Tower-Based WCF. The documentation submitted for the WCF is found to sufficiently demonstrate the intent to comply with the restrictions as provided in *Zoning Ordinance,* Article 5 Section 8.1 and 8.2 related to the objectionable elements.

Other agencies may recommend additional considerations to meet code objectives in accordance with their areas of expertise. Action on all considerations identified in this section is at the discretion of the Planning Commission.

XII. ADVISORY COMMENTS TO THE APPLICANT:

1) In the event that major changes and revisions to the Conditional Use Site Plan occur in the finalization of the Plan contact the Planning Office. Examples include reorientation of the complex/building, relocation of site components like stormwater management areas, and increases in floor area count. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

2) Following Planning Commission approval of the Conditional Use Site Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by

Planning Office Staff and the other commenting agencies. Upon determination that the Plan is complete and all agency approvals have been received, copies of the Plan may be submitted for final endorsement (Final Plan Approval).

3) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.

4) The project developer should be aware of the adjacent cemetery and take preventive measures to ensure construction activities do not disturb this area; it is located a distance away from the WCF project site. Construction activities include site utility and grading work, parking, material storage, etc. The cemetery area is protected by fencing that coincides with the known cemetery boundary.
    a. If unmarked human remains are discovered during the construction process, construction activity in that area must stop and the process outlined in the *Delaware Unmarked Human Remains Law* followed.

5) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections, Pre-Construction meeting and permits/licenses are required.

6) Construction may have an effect on the nearby properties. Any work requiring the closing or rerouting of visitors to other properties served by this road should be coordinated as to offer the least amount of inconvenience.

7) The applicant shall be aware that Conditional Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign. It is recommended that the applicant discuss the sign regulation requirements with the Planning Staff prior to applying for a Sign Permit.

8) The applicant shall be aware that Conditional Use Site Plan approval does not represent a WCF Building Permit and associated construction activity permits. A separate application process is required for the issuance of a WCF Building Permit from the City of Dover.

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: MAY 1, 2024

APPLICATION:	**Tower-Based Wireless Communications Facility at 640 Lafferty Lane (Rise Up Towers, LLC)**
FILE #:	**C-24-01**
REVIEWING AGENCY:	**City of Dover Department of Public Works and Water & Wastewater**
CONTACT PERSON:	**Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services**
CONTACT PHONE #:	**302-736-7025**
CONTACT EMAIL #:	**jlyon@dover.de.us**

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

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

CITY AND STATE CODE REQUIREMENTS

SANITATION

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

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.
3. Provide the stormwater management calculations that prove that the runoff created by this impervious area can be adequately handled by the existing storm sewer system.

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.
2. Please add the following notes to the plans:
    a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free

access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.

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

WATER / WASTEWATER

1. None

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. No trees may be planted within ten feet (10') of utility infrastructure.
3. No structure may be installed within ten feet (10') of utility infrastructure, please depict all underground utilities and structures on the utility plan sheet to confirm compliance.
4. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2018 (.dwg format).
   b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER / WASTEWATER

1. None

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

SANITATION / STORMWATER / STREETS

1. None.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER ELECTRIC

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MAY 1, 2024

APPLICATION: **Tower-Based Wireless Communications Facility at 640 Lafferty Lane**

FILE #: **C-24-01**

REVIEWING AGENCY: **City of Dover Electric Department**

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

CONTACT PHONE #: **302-674-7568**

CONTACT EMAIL: **sburgett@dover.de.us**

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

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

GENERAL

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: https://evogov.s3.amazonaws.com/media/27/media/13108.pdf

ADVISORY COMMENTS TO THE APPLICANT

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

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

C-24-01

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 05/01/24

APPLICATION: Tower Based Wireless Communications Facility at 640 Lafferty Ln

FILE #: C-24-01 REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

CONTACT PERSON: **Jason Osika, Fire Marshal** PHONE #: **(302) 736-4457**
josika@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 ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Proposal is a wireless communications facility

2. All access roadways shall be paved and be a minimum of 20 feet clear width for two-way traffic and 14 feet clear width for one-way traffic. The paved width of access roadway shall be measured from edge of parking spaces, or face of curb for vertical curb and back of curb for mountable curb, or edge of pavement if there is no curbing.(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 5.2)

3. Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

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

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

Alley
12 feet wide

4. Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.

5. 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)

6. 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, A*rabic 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)

7. 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

8. Project to be completed per approved Site Plan.

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please confirm that the drivable surfaces are engineered to hold the weight of fire equipment, and other emergency response equipment in all types of weather such as the following:

2. All subgrade emergency access lanes shall be constructed on a level subgrade compacted to at least 2,000 pounds per square foot. The compacted subgrade shall be overlaid with three to four inches of compacted crusher run (CR1-2.5") underneath four inches of compacted crusher run (CR6-1.5") to form a compacted subbase. The

compacted subbase shall be covered with at least four inches of topsoil and shall be graded and seeded or sodded. (See figure 17.1.)

3. Where emergency services apparatus has to utilize access roadways to reach designated fire lanes, such access roadways shall be constructed to meet the minimum engineering specifications and/or requirements pursuant to the Delaware Department of Transportation or local jurisdictions for paved roadways.

4. Please confirm the width of the drive aisle

5. If the drive aisle dead ends, please ensure a proper turn around is in place as outlined in item # 4 listed above

6. Knox box required (can discuss current Knox Box or adding one at the gate)

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

DELDOT

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APPLICATION: Tower Based Wireless Communication Facility

FILE#: C-24-01 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Will Mobley PHONE#: 302-760-2141

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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. The developer will need a pre-submittal meeting to discuss the development with DelDOT.

KENT CONSERVATION DISTRICT

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
May 2024

APPLICATION: Rise Up Towers LLC, Tower Based Wireless Communications Facility at 640 Lafferty Lane

FILE #: C-24-01

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Kate Owens

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. Any changes or revisions to the approved site plan must be reviewed and approved by Kent Conservation District prior to commencing construction.
2. A proposed project being managed with a regional stormwater facility with a limit of disturbance of less than 1 acre may qualify for a Standard Plan Application for Non-Residential Construction. A pre-application meeting will be required to be scheduled with KCD to discuss requirements for plan approval.

ADVISORY COMMENTS TO THE APPLICANT:

1. Secure Storage Phases 2 & 3 project has an approved Sediment and Stormwater Management Plan that expires August 11, 2027.
2. Proposed cell tower plans must be shown with the approved Secure Storage Phase 2 & Phase 3 site plan. Stormwater Pond #3 has not been constructed and should be shown on the cell tower plans as designed in the approved plans.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 5/8/2024

Dover/Kent County Metropolitan Planning Organization

APPLICATION: C-24-01 Tower-Based Wireless Communications Facility at 640 Lafferty Lane (Rise Up Towers, LLC)

FILE # C-24-01 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob PHONE #: (302) 387-6030

Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission
Conditional Use Site Plan Application Review

C-24-01 Tower-Based Wireless Communications Facility at 640 Lafferty Lane (Rise Up Towers, LLC)

1) The MPO does not have any objections to the proposed conditional use site plan. The site is unlikely to attract a great deal of traffic, which means transportation safety concerns will be minimal.

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.

**ADDENDUM TO APPLICATION OF
RISE UP TOWERS, LLC
TO THE PLANNING COMMISSION OF
THE CITY OF DOVER
FOR CONDITIONAL USE**

I. *BACKGROUND AND REQUESTS FOR RELIEF*

Rise Up Towers, LLC ("Rise Up") seeks conditional use approval from the Planning Commission of the City of Dover to allow for the construction of a new 124' tall tower-based wireless communications, with the potential for placement of a 5' "whip" antenna on top of the tower for a total height of 129', and related equipment (collectively, the "Facility"), on a portion of the property located at 6401 Lafferty Lane, City of Dover, Tax Parcel #ED-05-077.00-01-25.00-00001 ("Property").

The Property is in the City's IPM -Industrial Park Zoning District, where the Facility is permitted by conditional use, subject to requirements of the Zoning Ordinance of the City of Dover ("Ordinance"). The Property is approximately 18.66 acres and currently is developed with a self-storage facility. The Facility is proposed to be located near the northern-most point on the Property well outside of the area proposed for future additional self-storage buildings.

T-Mobile's telecommunications antennae are currently deployed on top of a power pole near the Property. T-Mobile plans to relocate to the Facility because its lease on the power pole is expiring and cannot be renewed.

Rise Up will provide supportive testimony before the Planning Commission to demonstrate that Rise Up selected the highest priority site available under Ordinance Art. 5 §§23.55 and 23.8 and Art.10 §1 to demonstrate that the proposed Facility: (a) cannot be accommodated on an existing or approved structure or building within approximately ¼ mile from the Property; (b) will comply with all state and federal laws and regulations concerning

aviation safety; (c) will meet all structural standards and will be certified as such by a structural engineer licensed in the State of Delaware; and (d) the need for the Facility at the proposed location on the Property.

II. ***REASONS WHY THE CONDITIONAL USE SHOULD BE GRANTED***

The Facility is suitable for the Property and is in the best interests of the community and the requested relief should be granted for the following reasons:

1. The proposed Facility is necessary for T-Mobile to continue to provide telecommunications service in accordance with its Federal Communications Commission license and the Telecommunications Act of 1996.

2. The Facility, a passive communications use, is a suitable and appropriate use of the Property, which is located in an industrial zoning district and surrounded predominantly by commercial and industrial uses.

3. The Facility is of a location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the zone in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.

4. The proposed use will serve the best interest of the County, the City, the convenience of the community, and the public welfare by continuing to make wireless telecommunications service available, especially to residents and business owners in the community.

5. The Facility will be designed in accordance with all applicable safety and industry standards and will not endanger the safety of persons or property.

6. The Facility will be fully automated and unattended on a daily basis and will be visited only for periodic maintenance or emergency repair.

7. The proposed use will not adversely affect transportation or unduly burden public facilities, particularly the Dover Airforce Base which is situated near the Property. Rise Up has obtained clearance from the Federal Aviation Administration for the Facility at the Property, a copy of which is included with this Conditional Use Application.

8. The height of the Facility is the minimum height necessary to perform its function.

9. The Facility will comply with all applicable standards established by the Federal Communications Commission.

10. The Facility shall not cause radio frequency interference with other communications facilities located in the Township and on the Property.

11. T-Mobile and other potential carriers are licensed by the Federal Communications Commission to operate their antennae at the Facility.

12. The surrounding neighborhood will not be subjected to objectionable noise, lighting, glare, heat, ventilation, smoke, fumes, vapors, dust, dirt, gases or radioactive or electrical disturbances by the Facility.

13. The Facility will be maintained in a safe manner in accordance with the requirements of the City's Building Code.

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2023-AEA-15502-OE

Item 2.

Issued Date: 01/05/2024

Nick Pullen
Rise Up Towers
244 W. Skippack Pike
Ambler, PA 19002

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Tower Rise Up Tower - Dover AFB
Location:	Dover, DE
Latitude:	39-08-42.02N NAD 83
Longitude:	75-29-43.82W
Heights:	25 feet site elevation (SE)
	129 feet above ground level (AGL)
	154 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, paint/red lights-Chapters 3(Marked),4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 07/05/2025 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actua Construction or Alteration, is received by this office.

(b) extended, revised, or terminated by the issuing office.

(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before February 04, 2024. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW., Washington, DC 20591. FAA encourages the use of email to ensure timely processing.

This determination becomes final on February 14, 2024 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact Ken Patterson, at (817) 222-5935, or kenneth.patterson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AEA-15502-OE.

Signature Control No: 605589360-608785589 (DNH)
David Maddox
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Frequency Data
Map(s)

cc: FCC

Abbreviations:

CFR, Code of Federal Regulations
DoD, Department of Defense
FAA, Federal Aviation Administration
JO, Joint Order
TPA, Traffic Pattern Airspace
VFR, Visual Flight Rules

Part 77 - Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

LOCATION OF OBSTRUCTION

Our study has disclosed that this proposed building, located approximately 3,377 feet northwest of Runway End 14 at Dover Air Force Base (DOV), Dover, NY.

OBSTRUCTION STANDARDS EXCEEDED

1. The proposed building project has been identified as an obstruction under the standards of Title 14, Code of Federal Regulations (CFR), Part 77, as applied to DOV as follows:

Section 77.17 (a) (5): The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23. However, no part of the takeoff or landing area itself will be considered an obstruction.

77.19 (d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

The proposal would exceed by 62 feet.

2. As defined in FAA JO 7400.2P, 6-3-8, Evaluating Effect on VFR Operations, the proposal would lie within the TPA area for all category aircraft for all runways. It would exceed, as applied to a visual approach runway, the approach surface by 62 feet.

Records indicate that DOV has 124,000 aircraft operations per year and an average of at least one VFR operation would be affected per day.

**Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on aeronautical operations and airspace. While part 77 obstruction standards may trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is in itself not sufficient grounds for issuance of a determination of hazard to air navigation.

EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under IFR:

None.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

b. The impact on arrival, departure, and en route procedures for aircraft operating under VFR:

None.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

c. The impact on all planned public-use airports and aeronautical facilities:

None.

The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures: Cumulative impact was not a deciding factor for this determination.

CIRCULARIZATION AND NEGOTIATIONS

The proposals were not circularized to the public for comments, as current FAA policy exempts from circularization those proposals which only exceed military Part 77 standards and/or only impact DoD facilities where the appropriate military representative has indicated No Objection. The Air Force had no objection to this proposal.

BASIS FOR DECISION

Although the structure exceeds Part 77, 77.17 (a)(5), as noted above, there would be no effects on any existin or proposed en route VFR operations. There are no physical or electromagnetic effects on the operation of a navigation and communications facilities. The study did not disclose any effects on any airspace and routes used by the military. It would impact DOV airport, but no other existing or planned public use or military airport would be impacted.

On 12/14/2023, The Air Force stated they had no objection to this proposal.

CONDITIONS

The incorporation of marking and lighting on this proposed structure would provide additional conspicuity for VFR and IFR pilots flying in this vicinity.

DETERMINATION - NO HAZARD TO AIR NAVIGATION

RISEUP TOWERS

SITE NAME:
DOVER DE - DE-001

SITE ADDRESS:
640 LAFFERTY LANE, CITY OF DOVER, DELAWARE, 19901

SITE INFORMATION:

SITE NAME:	DOVER DE - DE-001
SITE ADDRESS:	640 LAFFERTY LANE CITY OF DOVER, DELAWARE 19901
JURISDICTION:	CITY OF DOVER KENT COUNTY, DELAWARE
ZONING:	IPM (INDUSTRIAL PARK) AEOZ (AIRPORT ENVIRONS OVERLAY ZONE)
PARCEL ID:	ED-05-077.00-01-25.00-00001
PARCEL SIZE:	18.68 ACRES
SITE COORDINATES:	N 39°08'42.02" (39.145006) (NAD83) W 75°29'43.82" (-75.495506) (NAD83)
GROUND ELEVATION:	25.00'± (NAVD 88)
STRUCTURE TYPE:	MONOPOLE
STRUCTURE HEIGHT:	124'-0"± AGL (TOP OF MONOPOLE)
TOWER OWNER NAME:	RISEUP TOWERS
TOWER OWNER ADDRESS:	244 W SKIPPACK PIKE AMBLER, PENNSYLVANIA 19002
GROUND OWNER NAME:	SECURE STORAGE, LLC
GROUND OWNER ADDRESS:	640 LAFFERTY LANE CITY OF DOVER, DELAWARE 19901
APPLICANT:	RISEUP TOWERS 244 W SKIPPACK PIKE AMBLER, PENNSYLVANIA 19002

ABBREVIATIONS:

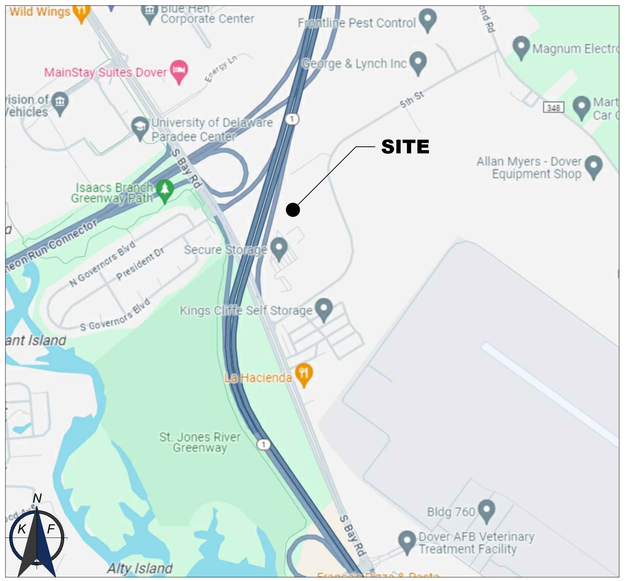
ATS	AUTOMATIC TRANSFER SWITCH	MAX	MAXIMUM
AWG	AMERICAN WIRE GAUGE	MGB	MASTER GROUND BAR
ATTN	ATTENTION	MIN	MINIMUM
BTS	BASE TRANSMISSION SYSTEM	MTS	MANUAL TRANSFER SWITCH
CONT	CONTINUED	NEC	NATIONAL ELECTRICAL CODE
CU	COPPER	POB	POINT OF BEGINNING
DWG	DRAWING	POC	POINT OF CONNECTION
EMT	ELECTRICAL METALLIC TUBING	POT	POINT OF TERMINATION
GEN	GENERATOR	PPC	POWER PROTECTION CABINET
GRD	GROUND	PVC	POLYMERIZING VINYL CHLORIDE
IBC	INTERNATIONAL BUILDING CODE	RGS	RIGID GALVANIZED STEEL
IFC	INTERNATIONAL FIRE CODE	RF	RADIO FREQUENCY
LOD	LIMIT OF DISTURBANCE	TYP	TYPICAL

DELAWARE (KENT CO) CODE COMPLIANCE:

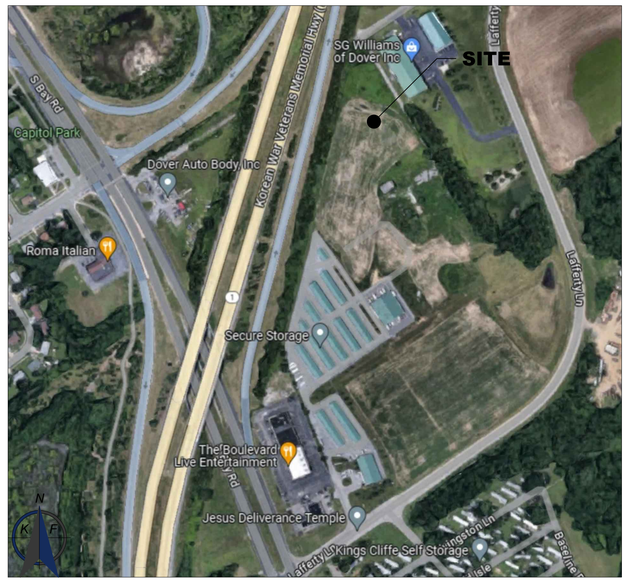
ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES:

BUILDING CODE:	INTERNATIONAL BUILDING CODE 2012
ELECTRICAL CODE:	NATIONAL ELECTRICAL CODE 2014
FIRE SAFETY CODE:	NFPA 1 2009, 2012 NFPA 101
USE GROUP:	U (UTILITY)
CONSTRUCTION TYPE:	IIB

VICINITY MAP:



LOCATION MAP:



DRIVING DIRECTIONS:

HEADING FROM BALTIMORE/WASHINGTON INTERNATIONAL AIRPORT: HEAD SOUTHEAST ON FRIENDSHIP RD. USE THE 2ND FROM THE LEFT LANE TO CONTINUE ON SERVICE RD LOWER LEVEL. CONTINUE STRAIGHT TO STAY ON SERVICE ROAD LOWER LEVEL. MERGE ONTO BWI ARRIVALS. KEEP RIGHT TO CONTINUE ON ELM RD. TURN RIGHT ONTO TERMINAL RD. TURN RIGHT ONTO MD-170 NORTH. CONTINUE ONTO MD-162 EAST. USE THE MIDDLE LANE TO TURN LEFT ONTO CROMWELL PARK DR. USE THE RIGHT LANE TO TURN SLIGHTLY RIGHT TO STAY ON CROMWELL PARK DR. MERGE ONTO I-97 SOUTH. USE THE RIGHT 2 LANES TO TAKE EXIT 10A FOR BENFIELD BLVD EAST TOWARD VETERANS HIGHWAY. MERGE ONTO BENFIELD BVLD. TURN ONTO EVERGREEN RD. TURN RIGHT ONTO BALTIMORE ANNAPOLIS BLVD. TURN LEFT TOWARD MD-2 SOUTH. TURN RIGHT ONTO MD-2 SOUTH. USE THE LEFT LANE TO MERGE ONTO US-301 NORTH. CONTINUE STRAIGHT ON US-301 NORTH. TAKE THE MD-304 EXIT TOWARD CENTERVILLE. AT THE TRAFFIC CIRCLE, TAKE THE 1ST EXIT ONTO MD-304 EAST. TURN LEFT ONTO MD-312 NORTH. TURN RIGHT ONTO MD-313 SOUTH. CONTINUE ONTO MD-287 EAST. CONTINUE ONTO DE-10 EAST. AT THE TRAFFIC CIRCLE, TAKE THE 2ND EXIT AND STAY ON DE-10 EAST. TURN RIGHT ONTO E CAMDEN WYOMING AVE. CONTINUE ONTO W LEBANON RD. TURN LEFT ONTO S BAY RD. TURN RIGHT ONTO LAFFERTY LN. THEN TURN LEFT INTO SECURE STORAGE AND THE SITE WILL BE AT THE BACK.

PROJECT DESCRIPTION:

1. PROPOSED 50'-0"x50'-0" FENCED COMMUNICATIONS COMPOUND TO BE INSTALLED WITHIN 50'-0"x50'-0" LEASE AREA.
2. PROPOSED 124'-0" MONOPOLE WITH 5'-0" LIGHTNING ROD AND ANTI-CLIMBING DEVICE TO BE INSTALLED WITHIN FENCED COMPOUND.
3. NEW ELECTRICAL SERVICE TO BE INSTALLED TO COMMUNICATIONS COMPOUND.
4. NEW TELCO SERVICE TO BE INSTALLED TO COMMUNICATIONS COMPOUND.

STRUCTURAL NOTE:

EDGE FIBER & WIRELESS DEVELOPMENT IS NOT RESPONSIBLE FOR DESIGN OR STRUCTURAL CERTIFICATION OF NEW ANTENNA MOUNTS REQUIRED FOR THE INSTALLATION OF THE PROPOSED EQUIPMENT ASSOCIATED WITH THIS PROJECT. PLEASE REFER TO THE STRUCTURAL ANALYSIS COMPLETED BY OTHERS FOR ALL STRUCTURAL INFORMATION RELATED TO THE ANTENNA MOUNTS.

811 Know what's below. Call before you dig.

PROTECT YOURSELF, GIVE THREE WORKING DAYS NOTICE

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.

NOTE TO GENERAL CONTRACTOR:

NO WORK IS TO BE PERFORMED ON THIS SITE WITHOUT REVIEW OF THE APPROVED STRUCTURAL ANALYSIS. IF ANY DISCREPANCIES ARE FOUND THE GENERAL CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING. AT NO TIME WILL ANY ADDITIONAL ANTENNAS BE INSTALLED WITHOUT WRITTEN CONSENT FROM THE TOWER ENGINEER.

SHEET INDEX:

DRAWING SHEET:	DRAWING TITLE:
T-1	TITLE SHEET
Z-1	SITE PLAN
Z-2	COMPOUND PLAN
Z-3	ELEVATION

PLAN APPROVALS:

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND MAY IMPOSE CHANGES OR MODIFICATIONS.

R.F. ENGINEER: _____ DATE: _____

ZONING MGR: _____ DATE: _____

S.A. MGR: _____ DATE: _____

CONSTRUCTION MGR: _____ DATE: _____

A&E MGR: _____ DATE: _____

PROPERTY OWNER: _____ DATE: _____

DRAWING SCALE NOTES:

THESE DRAWINGS ARE FORMATTED TO BE FULL SIZE AT 22"x34". CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

RISEUP TOWERS
244 W SKIPPACK PIKE
AMBLER, PENNSYLVANIA 19002

EDGE
Fiber & Wireless Development
343B South Potomac Street
Waynesboro, Pennsylvania 17268
Phone: (717) 219-7501

PLAN REVISIONS:

REV No	DATE	DESIGNER	DESCRIPTION
4	03/01/24	MTG	REV PER CLIENT COMMENTS
3	02/09/24	MTG	REV PER CLIENT COMMENTS
2	02/05/24	MTG	REV PER CLIENT COMMENTS
1	02/03/24	MTG	REV PER OWNER COMMENTS
0	02/01/24	MTG	REV PER OWNER COMMENTS
A	01/24/24	MTG	ISSUED FOR 90% REVIEW (ZDs)

EDGE DESIGN INFO:

DESIGNER:	EDGE JOB No:
MTG	RUT-003

DRAWING TITLE:

TITLE SHEET & PROJECT INFORMATION

DRAWING SHEET:

T-1

SITE INFORMATION:

SITE NAME:
DOVER DE - DE-001

SITE ADDRESS:
640 LAFFERTY LANE
CITY OF DOVER, DE 19901

JURISDICTION:
KENT COUNTY, DELAWARE

SHEET NUMBER:

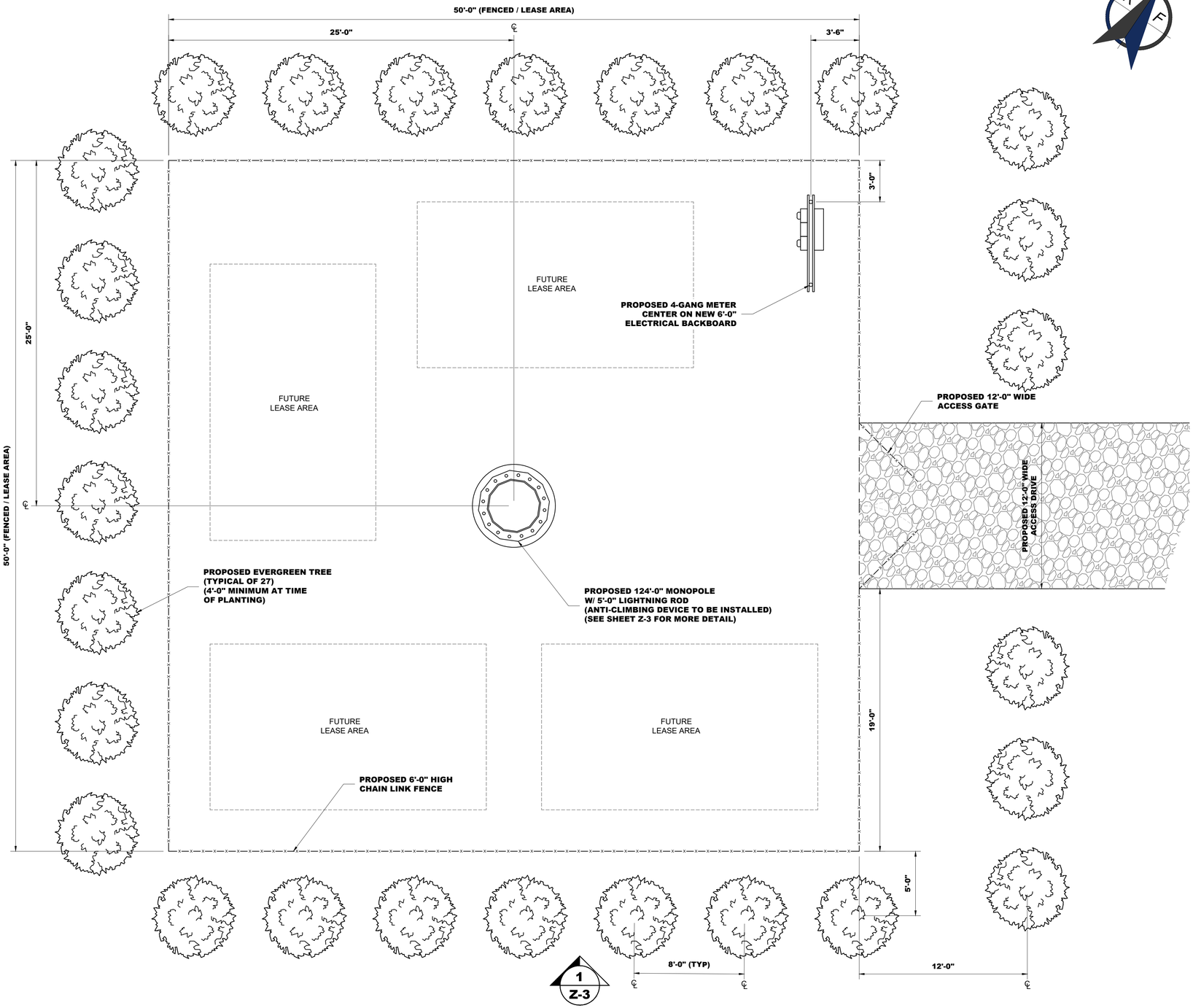
1 OF 4

BRETT JOSEPH MAGARAM LICENSED No. 22861 PROFESSIONAL ENGINEER
3/6/2024

BRETT JOSEPH MAGARAM, PE
DELAWARE PROFESSIONAL ENGINEER
LICENSE # 22861

THIS DRAWING IS PROPERTY OF EDGE FIBER & WIRELESS DEVELOPMENT. IT IS FOR THE EXCLUSIVE USE OF THIS PROJE
ANY RE-USE OF THIS DRAWING WITHOUT THE EXPRESSED WRITTEN CONSENT OF EDGE FIBER & WIRELESS DEVELOPMENT IS PROHIBIT

N 11°58'56" E
19.16'
STATE ROUTE 1
(VARIABLE WIDTH)
EXISTING FIRE HYDRANT
(500'± FROM NEW FENCED COMPOUND)
N 57°35'23" E
78.44'
EXISTING STORM WATER POND
EXISTING BILLBOARD
EXISTING DITCH
807.12'
271'-6"
S 31°11'49" E
EXISTING BUILDING
EXISTING BUILDING
PROPOSED RISEUP TOWERS 50'-0"x50'-0" FENCED COMPOUND WITHIN NEW 50'-0"x50'-0" LEASE AREA (SEE SHEET Z-2 FOR MORE DETAIL)
136'-6"
152'-0"
153'-2"
EXISTING ACCESS ROAD
PROPOSED 12'-0" WIDE ACCESS DRIVE W/ PARKING SPACE/TURNAROUND FROM NEW COMPOUND TO EXISTING PARKING LOT
PROPOSED 124'-0" MONOPOLE W/ 5'-0" LIGHTNING ROD
LAT = N 39°08'42.02"
LONG = W 75°29'43.82"
GROUND ELEV. = 25.0±
(SEE SHEET Z-3 FOR MORE DETAIL)
208'-2"
EXISTING DITCH
40' B.R.L.
PROPOSED STORAGE BUILDING
PROPOSED STORAGE BUILDING
PROPOSED STORAGE BUILDING
EXISTING 6'-0" HIGH CHAIN LINK FENCE
FUTURE FIRE HYDRANT
(370'± FROM NEW FENCED COMPOUND)
60' B.R.L.
EXISTING STORAGE BUILDING
EXISTING STORAGE BUILDING
EXISTING STORAGE BUILDING



1 Z-2 **COMPOUND PLAN**
SCALE: 1/4" = 1'-0"

22"x34"	4'	0'	4'	8'	16'	1/4 INCH = 1 FOOT
11"x17"	8'	0'	8'	16'	32'	1/2 INCH = 1 FOOT

GENERAL NOTES:

1. THE CONTRACTOR SHALL COMPLY WUTH ALL APPLICABLE CODES, ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITY COMPANIES OR OTHER PUBLIC AUTHORITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
3. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID DOCUMENTS SHALL NOT RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR THE OVERALL INTENT OF THESE DRAWINGS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
5. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
6. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
7. THIS PLAN WAS PREPARED USING AN APPROVED PLAN ENTITLED "REVISED SITE PLAN PHASE 2 & 3" BY BECKER MORGAN GROUP, DATED 02/02/2017.
8. THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
9. NO NOISE, SMOKE, DUST OR ODOR WILL RESULT FROM THIS FACILITY.
10. THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION (THERE IS NO HANDICAP ACCESS REQUIRED).
11. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
12. POWER TO THE FACILITY WILL E MONITORED BY A SEPARATE METER.
13. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTH WITH RF ENGINEER PRIOR TO INSTALLATION.
14. MOUNTS AND ANTENNAS ARE DESIGNED TO MEET ANSI/TIA-222-G-1 AS PER IBC 2019 REQUIREMENTS.
15. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
16. CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES PRIOR TO EXCAVATING.
17. IF ANY PIPING EXISTS BENEATH THE SITE AREA, CONTRACTOR MUST LOCATE IT AND CONTACT OWNERS REPRESENTATIVE.
18. CONSTRUCTION TO COMMENCE UPON COMPLETION OF A PASSING STRUCTURAL ANALYSIS. STRUCTURAL ANALYSIS TO BE PREFORMED BY OTHERS.
19. CONSTRUCTION TO COMMENCE UPON COMPLETION OF A PASSING MOUNT ANALYSIS. MOUNT ANALYSIS TO BE PREFORMED BY OTHERS.

Know what's **below.**
Call before you dig.

PROTECT YOURSELF, GIVE THREE WORKING DAYS NOTICE

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.

RISEUP TOWERS
244 W SKIPPACK PIKE
AMBLER, PENNSYLVANIA 19002

EDGE
Fiber & Wireless Development
343B South Potomac Street
Waynesboro, Pennsylvania 17268
Phone: (717) 219-7501

PLAN REVISIONS:

REV No	DATE	DESIGNER	DESCRIPTION
4	03/01/24	MTG	REV PER CLIENT COMMENTS
3	02/09/24	MTG	REV PER CLIENT COMMENTS
2	02/05/24	MTG	REV PER CLIENT COMMENTS
1	02/03/24	MTG	REV PER OWNER COMMENTS
0	02/01/24	MTG	REV PER OWNER COMMENTS
A	01/24/24	MTG	ISSUED FOR 90% REVIEW (ZDs)

EDGE DESIGN INFO:

DESIGNER: MTG
EDGE JOB No: RUT-003

DRAWING TITLE:

COMPOUND PLAN

DRAWING SHEET:

Z-2

SITE INFORMATION:

SITE NAME:
DOVER DE - DE-001

SITE ADDRESS:
640 LAFFERTY LANE
CITY OF DOVER, DE 19901

JURISDICTION:
KENT COUNTY, DELAWARE

SHEET NUMBER:

3 OF 4

BRETT JOSEPH MAGARAM
LICENSED
No. 22861
PROFESSIONAL ENGINEER
3/6/2024

BRETT JOSEPH MAGARAM, PE
DELAWARE PROFESSIONAL ENGINEER
LICENSE # 22861

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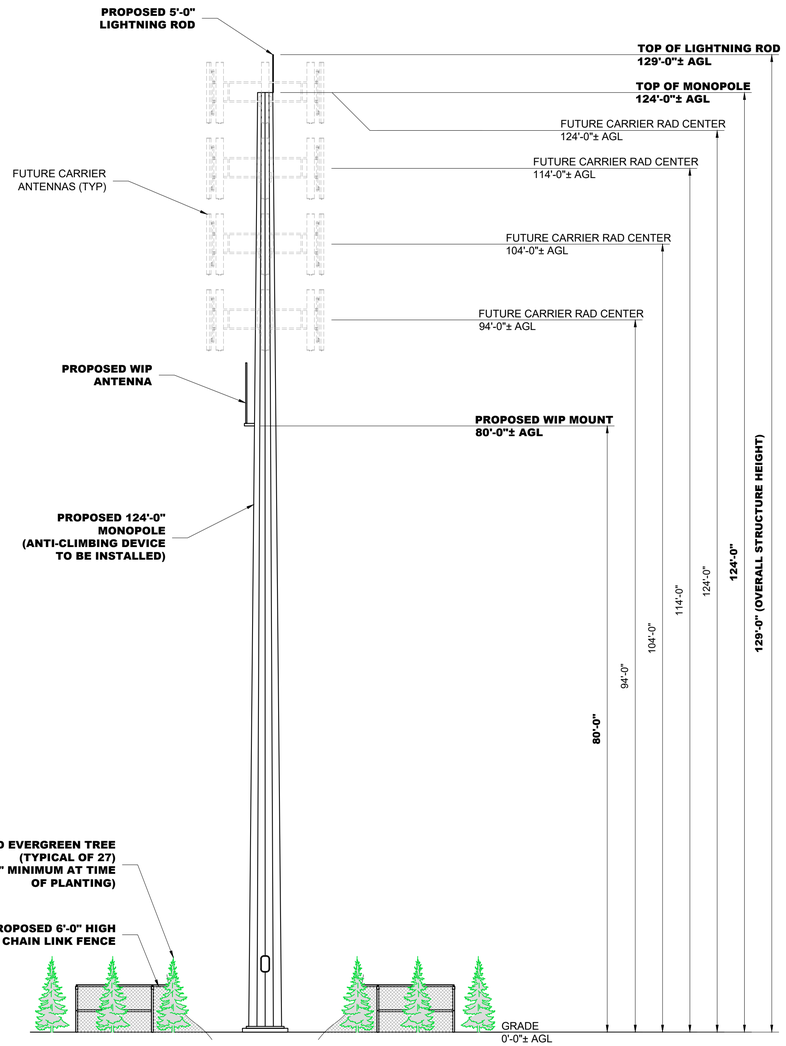
ANY RE-USE OF THIS DRAWING WITHOUT THE EXPRESSED WRITTEN CONSENT OF EDGE FIBER & WIRELESS DEVELOPMENT IS PROHIBIT



1 ELEVATION (Z-3)
SCALE: 1" = 10'-0"

22"x34"	10'	0'	5'	10'	20'	1 INCH = 10 FEET
11"x17"	20'	0'	10'	20'	40'	1 INCH = 20 FEET

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REV No	DATE	DESIGNER	DESCRIPTION
4	03/01/24	MTG	REV PER CLIENT COMMENTS
3	02/09/24	MTG	REV PER CLIENT COMMENTS
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1	02/03/24	MTG	REV PER OWNER COMMENTS
0	02/01/24	MTG	REV PER OWNER COMMENTS
A	01/24/24	MTG	ISSUED FOR 90% REVIEW (ZDs)

EDGE DESIGN INFO:

DESIGNER: MTG
EDGE JOB No: RUT-003

DRAWING TITLE:
ELEVATION

DRAWING SHEET:
Z-3

SITE INFORMATION:
SITE NAME:
DOVER DE - DE-001
SITE ADDRESS:
640 LAFFERTY LANE
CITY OF DOVER, DE 19901
JURISDICTION:
KENT COUNTY, DELAWARE

SHEET NUMBER:
4 OF 4

BRETT JOSEPH MAGARAM
DELAWARE LICENSED PROFESSIONAL ENGINEER
No. 22861
3/6/2024
BRETT JOSEPH MAGARAM, PE
DELAWARE PROFESSIONAL ENGINEER
LICENSE # 22861

Zoning Ordinance

Article 5 – Supplementary Regulations

Section 23. Wireless communications facilities.

23.1 *Purpose and intent*. The purpose of this section is to establish uniform standards for the siting, design, permitting, construction, maintenance, and use of wireless communications facilities (WCF) in the City of Dover (referred to herein as the "city"). While the city recognizes the importance of wireless communications facilities in providing high quality communications service to its residents, the city also recognizes that it has an obligation to protect public safety and to minimize the adverse effects of such facilities through the standards set forth in the following provisions and as referenced.

23.11 By enacting these provisions, the city intends to:

(a) Promote the deployment of wireless communications facilities in the city while regulating their location and number to ensure the provision of necessary services;

(b) Provide for the managed development of wireless communications facilities in a manner that enhances the benefits of wireless communication and accommodates the needs of both city residents and wireless carriers in accordance with federal and state laws and regulations;

(c) Address new wireless technologies, including, but not limited to, distributed antenna systems, data collection units, small cells, cable Wi-Fi and other wireless communications facilities;

(d) Establish procedures for the design, siting, construction, installation, maintenance and removal of small wireless communications facilities, non-tower based wireless communications facilities, and tower-based wireless communications facilities, in the city, including facilities both inside and outside the public rights-of-way;

(e) Preserve the character of the city's neighborhoods and corridors;

(f) Minimize the adverse visual effects and the number of such facilities through proper design, siting, screening, material, color and finish and by requiring that competing providers of wireless communications services collocate their commercial communications antennas and related facilities on existing wireless support structures where feasible;

(g) Promote the health, safety and welfare of the city's residents.

23.2 *Definitions.*

Accessory equipment. Any equipment serving or being used in conjunction with a wireless communications facility or wireless support structure. The term "accessory equipment" includes but is not limited to utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar structures.

Antenna. An apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to Federal Communications Commission authorization, for the provision of wireless service and any commingled information services.

Changes in height. Changes in height is measured from the original wireless support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base

station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act (47 CFR §1.4001(b)(7)(i)(A)).

Collocation. The mounting of one or more WCFs, including antennae, on a pre-existing structure, or modifying a structure for the purpose of mounting or installing a WCF on that structure.

Eligible facilities request. Any request for modification of an existing WCF that does not constitute a substantial change. Such request may involve: (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.

Emergency. A condition that (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of the services provided.

Equipment compound. An area surrounding or adjacent to a wireless support structure within which base stations, power supplies, or accessory equipment are located.

FCC. Federal Communications Commission.

Height of a tower-based WCF. The vertical distance measured from the ground level, including any base pad, to the highest point on a tower-based WCF, including antennae mounted on the tower and any other appurtenances.

Modification or *modify.* The improvement, upgrade or expansion of existing wireless communications facilities or base stations on an existing wireless support structure or the improvement, upgrade, or expansion of the wireless communications facilities located within an existing equipment compound, if the improvement, upgrade, expansion or replacement does not substantially change the physical dimensions of the wireless support structure.

Non-tower wireless communications facility (non-tower WCF). A wireless communications facility located or collocated on existing structures, such as, but not limited to, buildings, water towers, electrical transmission towers, utility poles, light poles, traffic signal poles, flag poles and other similar structures that do not require the installation of a new tower. This term includes the replacement of an existing structure with a similar structure that is required to support the weight of the proposed WCF. This definition excludes any installation constituting a small wireless communications facility.

Person. Individuals, corporations, companies, associations, joint stock companies, firms, partnerships, limited liability companies, corporations and other entities established pursuant to statutes of the State of Delaware, provided that "person" does not include or apply to the city, or to any department or agency of the city.

Replacement. The replacement of existing wireless communications facilities on an existing wireless support structure or within an existing equipment compound due to maintenance, repair or technological advancement with equipment that does not result in increased wind or structural loading, is substantially similar in size and weight as the wireless communications facilities initially installed, and that does not substantially change the physical dimensions of the existing wireless support structure.

Small wireless communications facility (small WCF). A wireless communications facility that meets the following criteria:

(1) The structure on which antenna facilities are mounted

a) Is 50 feet or less in height; or

b) Is no more than ten percent taller than other adjacent structures; or

c) Is not extended to a height of more than 50 feet or by more than ten percent above its preexisting height as a result of the collocation of new antenna facilities.

(2) Each antenna associated with the deployment (excluding the associated equipment) is no more than three cubic feet in volume; and

(3) All antenna equipment associated with the facility (excluding antennas) are cumulatively no more than 28 cubic feet in volume; and

(4) The facilities do not require antenna structure registration under 47 CFR Part 17; and

(5) The facilities are not located on Tribal lands, as defined under 36 CFR §800.16(x); and

(6) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR §1.1307(b).

Stealth technology. Camouflaging or screening methods applied to wireless communications facilities and accessory equipment which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in a manner appropriate to the site's context and surrounding environment. Such methods include, but are not limited to, architecturally screened roof-mounted antennae, building-mounted antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.

Substantial change. A modification to an existing WCF substantially changes the physical dimensions of a wireless support structure if it meets any of the criteria set forth in 47 CFR §1.6100, as amended.

Tower-based wireless communications facility (tower-based WCF). Any structure that is used for the primary purpose of supporting one or more antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles. This definition excludes any installation meeting the definition of a small wireless communications facility.

Wireless. Transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.

Wireless communications facility (WCF). An antenna facility or a wireless support structure that is used for the provision of wireless service, whether such service is provided on a stand-alone basis or commingled with other wireless communications services.

Wireless communications facility applicant (WCF Applicant). Any person that applies for a wireless communications facility building permit, zoning/conditional use approval, and/or permission to use the public right-of-way or other city owned land or property.

Wireless support structure. A freestanding structure, pole, tower, or other building, whether or not it has an existing antenna facility, that is used or to be used to support the placement or installation of a wireless communication facility for the provision of wireless service (whether on its own or comingled with other types of services).

23.3 *Applicability.* The terms and provisions of this section shall apply to wireless communication facilities in the city. As defined, each type of WCF has specific allowable locations, development regulations, and design standards as follows:

(a) Small WCF described in Article 5, Section 23.6.

(b) Non-tower WCF described in Article 5, Section 23.7.

(c) Tower WCF described in Article 5, Section 23.8.

23.31 *Exceptions.* The activities by city residents to utilize satellite dishes, citizen and/or band radios, and antennae for the purpose of maintaining television, phone, and/or internet connections at their residences for non-commercial activity shall be exempt from the regulations enumerated in this Section 23.

23.32 *Nonconforming uses.* The following provisions shall apply to all buildings, support structures, and uses as related to wireless communication facilities:

(a) All types of WCFs shall be permitted to collocate upon existing non-conforming WCFs, wireless support structures, and other non-conforming structures subject to the provisions of this Section 23.

(b) Collocation of antennae is permitted on non-conforming structures.

(c) Collocation of non-tower WCFs upon existing tower-based WCFs is encouraged even if the tower-based WCF is non-conforming as to use within a zoning district.

(d) WCF which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location but must otherwise comply with the terms and conditions of this Section 23.

23.4 *Type of Activity determination.* The following provisions outline the types of wireless communication facility applications.

23.41 *Eligible facilities request.* The WCF application type is classified as an eligible facilities request if the request for modification of an existing WCF that does not constitute a substantial change under 47 CFR §1.6100, as amended. The request may involve: (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.

23.42 *Substantial change activity.* The WCF application type is classified as a substantial change activity if the modification substantially changes the physical dimensions of a wireless support structure by meeting any of the criteria set forth in 47 CFR §1.6100, as amended, relating to height of the support structure or addition of new appurtenances or equipment cabinets.

23.43 *New facility.* The WCF application type is classified as a new facility if it involves the construction and placement of a new wireless support structure and does not meet the definition of small WCF.

23.44 *Small WCF.* The WCF application type is classified as a small WCF if the proposed antennas, accessory equipment and support structure (whether an existing, replacement or new structure) comply with the volume and height parameters set forth in the definition of small WCF.

23.5 *Application procedures*. The following provisions outline the procedures for wireless communication facility applications, policies and procedures for the administration of the WCF permitting and review process shall be developed by the city manager and city planner.

23.51 *Location within public right-of-way.* WCF applicants proposing a WCF to be located within the public right-of-way, shall be required to obtain application approvals as follows:

(a) *Pole attachment process.* Compliance with the procedures found in Dover Code Ordinances, Chapter 110—Utilities, Section 110-32—Pole Attachment, for a WCF proposed for attachment to Dover Electric Department facilities.

(b) *Master license agreement required.* Any WCF applicant for a WCF proposed for attachment to a utility pole owned or controlled by the City of Dover Electric Department shall first enter into a valid master license agreement with the city authorizing such attachment. No

WCF shall be permitted to be attached to such utility poles without proof a valid master license agreement being provided as part of the permit application.

(c) *Permit—Use of rights-of-way.* Obtain a right-of-way use permit from the city in accordance with permit policies and procedures pursuant to Dover Code of Ordinances, Chapter 98—Streets, Sidewalks, Storm Sewers and Other Public Spaces, for a WCF proposed with city rights-of-way.

(d) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Appendix B, Article 8, Section 1—Building Permit of the City of Dover Code.

(e) *Documentation.* WCF application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 23 for the type of WCF.

(f) *Fee*. Each application to be approved under this section shall be accompanied by fees as provided for in Appendix F—Fees and Fines.

23.52 *Compliance with zoning ordinance.* The following section of the zoning ordinance shall be adhered to, as applicable, in the approval of a WCF application:

(a) *Architectural review certificate.* WCF located within the Historic District (H) shall be required to obtain an architectural review certificate pursuant to Article 3, Section 21 and Article 10, Section 3 of this ordinance.

(b) *Airport environs.* Locations within the Airport Environs Overlay Zone (AEOZ) shall document compliance pursuant to Article 3, Section 22 of this ordinance.

(c) *Environmentally sensitive areas.* Location shall document compliance with the environmental protection measures for flood hazard areas and waterbodies and wetlands pursuant to Article 5, Section 11 of this ordinance.

23.53 *Eligible facilities request.* WCF applicants proposing an eligible facilities request shall be required to obtain application approvals as follows:

(a) *Type.* WCF Applicant shall designate in writing that the application constitutes an eligible facilities request pursuant to 47 CFR §1.6100 and as defined by this Section 23.

(b) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Appendix B, Article 8, Section 1—Building Permit of the City of Dover Code.

(c) *Documentation.* WCF application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 23 for the type of WCF.

(d) *Fee*. Each application to be approved under this section shall be accompanied by fees as provided for in Appendix F—Fees and Fines.

23.54 *Substantial change activity.* WCF applicants proposing a substantial change activity shall be required to obtain application approvals as follows:

(a) *Type.* WCF Applicant shall designate in writing that the application constitutes a substantial change activity as defined by this Section 23.

(b) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Appendix B, Article 8, Section 1—Building Permit of the City of Dover Code.

(c) *Documentation.* WCF application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 23 based on the type of facility.

(d) *Fee*. Each application to be approved under this section shall be accompanied by fees as provided for in Appendix F—Fees and Fines.

23.55 *New facilities.* WCF applicants proposing a new facility located in a public right-of-way shall be subject to the provisions of Section 23.51. WCF applicants proposing a new facility meeting the definition of tower-based WCF outside of a public right-of-way of shall be required to obtain application approvals as follows:

(a) *Conditional use authorization required*. Any WCF applicant proposing the construction of a new facility shall first obtain conditional use authorization pursuant to Appendix B, Article 10 Section 1 of the Dover Code.

(b) *Documentation*. The conditional use application shall demonstrate that the proposed WCF complies with all applicable provisions of Section 23 based on the type of facility.

(c) *Conditional use application requirements.* The additional requirements for conditional use applications shall include the following:

i. A description of the type and manufacturer of the proposed transmission/radio equipment, the power in watts at which the WCF applicant transmits, and any relevant related tests conducted by the WCF applicant in determining the need for the proposed site and installation.

ii. Documentation demonstrating that the proposed tower-based WCF complies with all applicable state and federal laws and regulations concerning aviation safety.

iii. Evidence that the owner of the property on which the tower-based WCF is proposed has granted authorization to construct and operate the tower-based WCF.

iv. Written certification from a structural engineer licensed in the State of Delaware that the proposed WCF's ability to meet the structural standards offered by either the Electronic Industries Association or the Telecommunication Industry Association and certify the proper construction of the foundation and the erection of the structure.

v. An application for a new tower-based WCF shall demonstrate that the proposed tower-based WCF cannot be accommodated on an existing or approved structure or building. The planning commission may deny an application to construct a new tower-based WCF if the WCF applicant has not made a good faith effort to mount the antenna(s) on an existing structure. The WCF applicant shall address the viability of any existing wireless support structures within a one quarter (¼) mile radius of the site proposed and demonstrate that such alternative candidates are inferior with respect to technical feasibility, cost, or terms of use.

(d) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Appendix B, Article 8, Section 1—Building Permit of the City of Dover Code.

(e) *Documentation.* WCF application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 23 based on the type of WCF.

(f) *Fee*. Each application to be approved under this section shall be accompanied by fees as provided for in Appendix F—Fees and Fines.

23.56 *New small WCF.* WCF applicants proposing a new small WCF that does not qualify as an eligible facilities request shall be required to obtain application approval as follows:

(a) *Type.* WCF applicant shall designate in writing that the application constitutes a small WCF as defined by this Section 23.

(b) *Permit.* Obtain a WCF building permit from the city in accordance with applicable permit policies and procedures pursuant to Appendix B, Article 8, Section 1—Building Permit of the City of Dover Code.

(c) *Documentation. WCF* application shall also be accompanied by documentation demonstrating that the proposed WCF complies with all applicable provisions of this Section 23 based on the type of facility.

(d) *Fee*. Each application to be approved under this section shall be accompanied by fees as provided for in Appendix F—Fees and Fines.

(e) *New wireless support structures*. An application involving installation of a new wireless support structure shall demonstrate that the proposed small WCF cannot be reasonably accommodated on an existing or approved structure or building within the right-of-way. The WCF applicant shall address the viability of any existing wireless support structures within 100 feet of the site proposed and demonstrate that such alternative candidates are inferior with respect to technical feasibility, cost, or terms of use.

23.57 *Timing of approvals.* Each specific type of WCF is subject to specific approval timeframes. Such timeframes shall be subject to the tolling procedures established by the FCC.

(a) *Small WCF:* Timing of approval for all small WCF facilities that do not meet the definition of eligible facilities request. Once a WCF application is submitted these are the approval time lines:

i. *Notification of incomplete applications for small WCF*. Within ten days of receipt of an application for a small WCF, the city shall notify the WCF applicant in writing of any additional information required to complete application.

ii. *Approval timeframe—Collocation.* Within 60 days of receipt of an application for a collocation of a small WCF on a preexisting wireless support structure, the city shall make a final decision on whether to approve the application and the city shall notify the WCF applicant in writing of such decision.

iii. *Approval timeframe—New facility*. Within 90 days of receipt of an application for a small WCF requiring the installation of a new wireless support structure, the city planning department shall make a final decision on whether to approve the application and shall notify the WCF applicant in writing of such decision.

(b) *Non-tower WCF:* Timing of approval for all non-tower WCF facilities that do not meet the definition of eligible facilities request. Once a WCF application is submitted these are the approval time lines:

i. *Notification of incomplete applications for non-tower WCF*. Within 30 days of receipt of an application for a WCF on a preexisting wireless support structure,

the city shall notify the WCF applicant in writing of any additional information required to complete application.

ii. *Approval timeframe—Substantial change.* Within 90 days of receipt of an application for a non-tower WCF on a preexisting wireless support structure that substantially changes the wireless support structure to which it is attached, the city shall make a final decision on whether to approve the application and the city shall notify the WCF applicant in writing of such decision.

iii. *Approval timeframe—Not substantial change.* Within 60 days of receipt of an application for a non-tower WCF on a preexisting wireless support structure that does not substantially change the wireless support structure to which it is attached, the city planning department shall issue the required building permit authorizing construction of WCF.

(c) *Tower-based WCF:* Timing of approval for all tower-based WCF facilities that do not meet the definition of eligible facilities request. Once a WCF application is submitted these are the approval time lines:

i. *Notification of incomplete applications for tower-based WCF*. Within 30 days of receipt of an application for a tower-based WCF, the city shall notify the WCF applicant in writing of any additional information required to complete application.

ii. *Approval timeframe.* All applications for tower-based WCFs shall be acted upon within 150 days of the receipt of a fully completed application for the approval of such tower-based WCF and the city shall advise the WCF applicant in writing of its decision. If additional information was requested by the city planning department to complete an application, the time required by the WCF applicant to provide the information shall not be counted toward the 150 day review period

23.58 *Fees*. Each application for permit or plan approval shall be accompanied by a fee as provided for in Appendix F—Fees and Fines.

(a) *Permit fees*. The city may assess appropriate and reasonable permit fees directly related to the city's actual costs in reviewing and processing the application for approval of a WCF, as well as related inspection, monitoring and related costs. Such permit fees shall be established by Appendix F—Fees and Fines and shall comply with the applicable requirements of the FCC.

(b) *Reimbursement for WCF in right-of-way*. In addition to permit fees as described in this section, every small WCF in the right-of-way is subject to the city's right to recover its actual costs incurred as a result of the small WCF's presence in the right-of-way, including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other right-of-way management activities by the city. The owner of each small WCF shall reimburse the city for the city's costs reasonably incurred in connection with the activities described above. All fees shall comply with applicable state and federal law and not exceed amounts presumed reasonable by the FCC.

23.6 *Small wireless communication facilities (small WCF)*. The following regulations shall apply to all small WCF and associated wireless support structures as defined by this Section 23.

(a) *Location.*

i. Small WCF are permitted to be located in all city zoning districts subject to the application requirements of this Section 23.

ii. Small WCF are subject to compliance with zoning ordinance provisions outlined in Section 23.52.

iii. Small WCF are permitted to be located within the public right-of-way subject to application requirements of this Section 23.

(b) *Development regulations.*

i. *Sizing*. To be considered as small WCF, the WCF must comply with the criteria established in the definition of small wireless communications facility in Section 23.2.

ii. *Height*. The total height of a small WCF shall comply with the maximum height permitted in the zoning district of the property to the extent technically feasible. In accordance with industry standards, small WCF applicants must submit documentation to the city justifying the total height of the WCF.

iii. *Height.* The total height of a small WCF when located in the public right-of-way shall be no more than ten percent taller than the tallest existing utility pole or wireless support structure within a 250 radius of the proposed WCF or 50 feet above ground level, whichever is greater.

iv. *Placement.* All small WCF shall comply with the applicable requirements of the Americans with Disabilities Act and all applicable requirements pertaining to streets and sidewalks, as codified in Chapter 98 of the Dover Code.

v. *Placement*. Small WCF in the public right-of-way requiring the installation of a new wireless support structure shall not be located directly in front of any building entrance or exit such that it would interfere with ingress or egress.

vi. *Accessory equipment*. Small WCF and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, create safety hazards to pedestrians and/or motorists, or to otherwise inconvenience public use of the ROW as determined by the city.

(c) *Design standards.* All small WCF shall be designed to meet applicable requirements of the city "Small Wireless Communications Facility Design Manual," a copy of which is kept on file at the city planning department.

23.7 *Non-tower wireless communication facilities (non-tower WCF)*. The following regulations shall apply to all non-tower WCFs as defined by this Section 23 and that do not meet the definition of a small WCF.

(a) *Location.*

i. Non-tower WCF are permitted to locate in all city zoning districts subject to the application requirements of this Section 23.

ii. Non-tower WCF are subject to compliance with zoning ordinance provisions outlined in Section 23.52.

iii. Non-tower WCF are permitted to be located within the public right-of-way subject to application requirements of this Section 23.

iv. Non-tower WCF shall be collocated on existing wireless support structures, such as poles, certain existing buildings or tower-based WCF.

v. *Historic buildings*. Non-tower WCF may be located within 100 feet of any property, or on a building or structure that is listed on the National Register of Historic Places if an approved architectural review certification is obtained pursuant to Article 10, Section 3 of this ordinance.

(b) *Prohibitions on certain structures.* Non-tower WCF shall not be located on one-family detached dwellings, one-family attached dwellings, semi-detached dwellings, duplexes, townhouses, manufactured homes, mobile homes, modular homes, or any residential accessory structure.

(c) *Development regulations.*

i. *Sizing*. To be considered as non-tower WCF, the WCF must comply with the criteria established in the definition of non-tower wireless communications facility in Section 23.2.

ii. *Height*. The total height of a non-tower WCF shall not exceed the maximum height permitted in the zoning district. In accordance with industry standards, non-tower WCF applicants must submit documentation to the city justifying the total height of the WCF.

iii. *Replacement of existing support structure.* The replacement of an existing support structure with a similar structure that is required to support the weight of the proposed WCF is allowed.

iv. *Accessory equipment buildings.* If accessory equipment is to be located in a separate building, the building shall comply with the minimum requirements for accessory structure in the applicable zoning district.

v. *Fences.* A security fence with a minimum height of six feet and a maximum height of eight feet shall surround any separate equipment compound located outside the right-of-way.

vi. *Access.* Vehicular access to the accessory equipment building or equipment compound shall not interfere with the parking or vehicular circulations on the site for the principal use.

(d) *Design standards*. Where appropriate, non-tower WCF shall employ stealth technology and be treated to match the wireless support structure in order to minimize aesthetic impact. The stealth technology utilized by the WCF applicant shall be subject to the application approval process.

23.8 *Tower-based wireless communication facilities (tower-based WCF)*. The following regulations shall apply to all tower-based WCFs as defined by this Section 23 and that do not meet the definition of a small WCF.

(a) *Conditional uses*. Tower-based WCF are permitted outside the public rights-of-way in certain zoning districts upon conditional use approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in Article 10 Section 1 of this ordinance.

i. In approving the conditional use, the planning commission may take into consideration the following:

a. The aesthetic impact of the proposed facility, including, but not limited to, whether its decision upon the subject application will promote the harmonious and orderly development of the zoning district involved;

b. Encourage compatibility with the character and type of development existing in the area;

c. Prevent a negative impact on the aesthetic character of the community;

d. Preserve woodlands and trees existing at the site to the greatest possible extent; and

e. Encourage sound engineering and land development design and construction principles, practices and techniques.

ii. *Additional antennae*. As a condition of approval for all tower-based WCF, the WCF applicant shall provide with a written commitment that it will allow a minimum of two other service providers the opportunity to collocate antennae on tower-based WCF where technically feasible.

(b) *Location.*

i. Tower-based WCF are conditionally permitted to locate in the nonresidential zones. Nonresidential zones are defined in Article 12—Definitions of this ordinance.

ii. *Exception*. Tower-based WCF in the IPM3 (Industrial Park Manufacturing Zone—Industrial Aviation and Aeronautics Center) zoning district are only allowed in support of aviation, aeronautics, or related operation per Article 3, Section 20B of the ordinance.

iii. Tower-based WCF are subject to the application requirements of this Section 23.

iv. Tower-based WCF are subject to compliance with zoning ordinance provisions outlined in Section 23.52.

v. *Historic places*. Tower-based WCF may be located within 100 feet of any building or structure that is listed on the National Register of Historic Places if an approved architectural review certification is obtained pursuant to Article 10, Section 3 of this ordinance.

(c) *Uses on property*.

i. *Principal use*. A tower-based WCF shall be permitted as a sole principal use on a lot.

ii. *Combined with another use*. A tower-based WCF may be permitted on a property with an existing use, or on a vacant parcel in combination with another permitted use.

iii. *Existing uses*. The existing use on the property may be any permitted use in the applicable zoning district and need not be affiliated with the WCF.

iv. *Ability to use.* Where applicable, the WCF owner shall present documentation that the property owner has granted an easement or other property right for the proposed facility.

(d) *Development regulations*.

i. *Minimum lot area*. The minimum lot area shall comply with the requirements for the applicable zoning district and shall be the area needed to accommodate the tower-based WCF and guy wires, the equipment building, security fence, and buffer planting.

ii. *Height.* Tower-based WCFs shall be designed and kept at the minimum functional height. The maximum total height of a tower-based WCF shall not exceed the 150 feet. No WCF applicant shall have the right under these regulations to erect a tower to the maximum height specified in this section unless it proves the necessity for such height.

iii. *Minimum setbacks*. The minimum distance between the base of a tower-based WCF and any property line or street right-of-way line shall equal 110 percent of the proposed height of the tower-based WCF, unless the WCF applicant shows to the satisfaction of the planning commission that the proposed tower-based WCF has been designed in such a manner that a lesser setback will have no negative effects on public safety.

(e) *Design standards.*

i. *Multiple antennae.* Any proposed tower-based WCF shall be designed structurally to accommodate both the WCF applicant's antennae and at least two comparable antennae for future users.

ii. *Security.* Any tower-based WCF shall be equipped with an anti-climbing device, as approved by the manufacturer.

iii. *Lighting*. No tower-based WCF shall be artificially lighted, except as required by law. If lighting is required, the WCF applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under state and federal regulations.

iv. *Surrounding environs*. Existing vegetation, trees and shrubs located within proximity to the tower-based WCF structure shall be preserved to the maximum extent possible.

v. *Fences*. A security fence having a minimum height of six feet and a maximum height of eight feet shall surround any tower-based WCF, as well as guy wires, equipment compound or housing WCF equipment.

vi. *Screening*. A screen of evergreen trees planted eight feet on center, each at least four feet in height, shall surround the tower-based WCF and security fence. Existing vegetation shall be preserved to the maximum extent possible and landscaping is not required where landscaping already exists

vii. *Accessory equipment*. Where feasible, accessory equipment associated, or connected, with a tower-based WCF shall be placed underground. Any above-ground accessory equipment associated or connected with a tower-based WCF shall be screened from public view using stealth technology. All ground-mounted accessory equipment, utility buildings and accessory structures shall be architecturally designed to blend into the environment in which they are situated.

viii. *Accessory equipment buildings.* If accessory equipment is to be located in a separate building, the building shall comply with the minimum requirements for accessory structures in the applicable zoning district.

ix. *Accessory equipment*. Accessory equipment not exceeding 500 square feet in area shall be permitted for each unrelated company sharing space on the tower-based WCF.

x. *Access road*. Where necessary, an access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to tower-based WCF. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion.

xi. *Visual appearance*. Tower-based WCF shall employ stealth technology which may include painting or finish of the tower portion. All tower-based WCF and accessory equipment shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible.

23.9 *General requirements for wireless communication facilities.* The following shall apply to all types of wireless communication facilities. Each application for a WCF shall require proof of compliance with the following.

23.91 *Standards for wireless communication facilities.*

(a) *Wind and ice*. Each WCF shall be designed to withstand the effects of wind gusts and ice to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/TIA-222, as amended), or to the industry standard applicable to the structure.

(b) *Aviation safety*. WCF shall comply with all federal and state laws and regulations concerning aviation safety.

(c) *Interference*. WCF shall not interfere with public safety communications or the reception of broadband, television, radio or other communication services by occupants of nearby properties.

(d) *Radio frequency emissions.* WCF shall not, by itself or in conjunction with other WCFs existing on the same structure at the time of installation, generate radio frequency emissions in excess of the standards and regulations of the FCC, including, but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.

(e) *Signage.* WCF owners shall post a sign in a readily visible location identifying the name, phone number of a party to contact in the event of an emergency, and permit number. The only other signage permitted on the WCF shall be those required by the FCC, or any other federal or state agency.

(f) *Noise.* WCF shall be operated and maintained so as not to produce noise in excess of applicable noise standards under state law and the City Code, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis only.

(g) *Engineer seal and signature*. All plans and drawings for a WCF shall contain a seal and signature of a professional structural engineer, licensed in the State of Delaware.

(h) *FCC license*. Each person that owns or operates a tower-based WCF shall submit a copy of its current FCC license, including the name, address, and emergency telephone number for the operator of the facility.

23.92 *Maintenance and care of wireless communications facilities.*

(a) *Standard of care*. Any WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including, but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, National Association of Tower Erectors, or to the industry standard applicable to the structure.

(b) *Maintenance*. Any WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or damage any property in the city. Such maintenance shall be performed to ensure the upkeep of the WCF in order to promote the safety and security of the city's residents and utilize industry standard technology for preventing failures and accidents. The following maintenance requirements shall apply:

i. The WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.

ii. Such maintenance shall be performed to ensure compliance with applicable structural safety standards and radio frequency emissions regulations.

iii. All maintenance activities shall conform to industry maintenance standards.

(c) *Lighting*. The WCF applicant shall promptly report any outage or malfunction of FAA-mandated lighting to the appropriate governmental authorities and to the city.

(d) *Graffiti*. Any graffiti on the WCF or on any accessory equipment shall be removed at the sole expense of the owner within 30 days of notification by the city.

23.93 *Inspection of wireless communication facilities.* The city reserves the right to inspect any WCF to ensure compliance with the provisions of the Appendix B: Zoning and any other provisions found within the City Code or state or federal law. The city and/or its agents shall have the authority to enter the lease area of any property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

23.94 *Construction and repairs in the right-of-way*.

(a) *Work in right-of-way.* The City of Dover Electric Department and the City of Dover Public Works Department, in consultation with the city planning department, shall determine the time, place and manner of construction, maintenance, repair and/or removal of all small WCF in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. All construction, maintenance, repair and/or removal of small WCF shall comply with the applicable requirements of the City Code.

(b) *Pole repairs.* In the event of damage to a small WCF attached to a utility pole owned or controlled by the City of Dover Electric Department, the owner of the small WCF shall be solely responsible for all costs associated with the repair of the small WCF, unless such damage was caused by the city's own negligence or willful misconduct.

(c) *Repairs of city property*. In the event of damage to city property during installation of any WCF, including utility poles, streets, sidewalks, streetlights, signs, or other infrastructure, the company responsible for the damage shall make repairs accepted by the city or shall reimburse the city for the cost of such repairs.

(d) *Change or alteration required.* Within 90 days following written notice from the city, or such longer period as the city determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a small WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the city, consistent with its police powers and applicable public utility commission regulations, determines that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

i. The construction, repair, maintenance or installation of any city or other public improvement in the right-of-way;

ii. The operations of the city or other governmental entity in the right-of-Way;

iii. Vacation of a street or road or the release of a utility easement; or

iv. An emergency as determined by the city.

In such cases the city will make reasonable efforts to assist the WCF owner in identifying and permitting an alternate location for the WCF.

23.95 *Removal*. In the event that use of a WCF is to be discontinued, the owner shall provide written notice to the city of its intent to discontinue use and the date when the use shall be discontinued and removed. Unused or abandoned WCF, or portions of WCF, shall be removed as follows:

(a) Complete removal of the structure of a tower-based WCF shall require a demolition permit in accordance with permit policies and procedures pursuant to Appendix B, Article 8, Section 1—Building Permit.

(b) Any unused portions of tower-based WCF, including antennae, shall be removed within 90 days of the time of cessation of operations. All replacements of portions of a tower-based WCF previously removed are subject to the provisions of this Section 23.

(c) All used or abandoned WCFs and accessory equipment shall be removed from the wireless support structure within 90 days of the cessation of operations at the site unless a time extension is approved by the city.

(d) If the WCF or accessory equipment is not removed from the wireless support structure within 90 days of the cessation of operations at a site, or within any longer period approved by the city, the WCF and/or associated facilities and equipment may be removed by the city and the cost of removal assessed against the owner of the WCF.

(Ord. No. 2020-13, 11-9-2020)

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF June 5, 2024

PLANNING COMMISSION MEETING June 17, 2024

Plan Title:	Procter & Gamble Warehouse Expansions & Parking Improvements S-24-09
Plan Type:	Site Development Plan/Site Development Master Plan
Property Owner: Equitable Owner:	The Dover Wipes Company Procter & Gamble
Location:	South side of W. North Street/Hazlettville Road at the southeast corner of Electric Avenue and Mifflin Road intersection with W. North Street
Address:	1340 W. North Street
Tax Parcel:	ED-05-076.00-01-07.00-000
Site Area:	84.10 acres+/-
Zoning:	IPM (Industrial Park Manufacturing Zone) SWPOZ (Source Water Protection Overlay Zone): Tier 3 Excellent Recharge Area
Present Use:	Manufacturing Facility
Proposed Use:	Manufacturing Facility with Warehouse Additions and Parking Improvements
Sanitary Sewer:	City of Dover
Water Supply:	City of Dover
Waivers Requested:	Elimination of Upright Curbing Partial Elimination of Sidewalks
For Consideration:	Performance Standards Review Application

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: June 5, 2024

APPLICATION: Procter & Gamble Warehouse Expansions & Parking Improvements

FILE #: S-24-09 REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Dawn Melson-Williams, AICP PHONE #: 302.736.7196

I. PLAN SUMMARY

This is a Site Development Plan/Master Plan at Procter & Gamble to permit a phased construction of a 110,000 SF addition to JE Warehouse, a 20,000 SF addition to Warehouse 3, an expansion of employee/visitor parking lot, an expansion and reconfiguration of contractor parking lot, and expansion of truck drop Lots A & B with associated site improvements. The property of 84.10 acres ± is zoned IPM (Industrial Park Manufacturing Zone) and is subject to the SWPOZ (Source Water Protection Overlay Zone): Tier 3 – Excellent Recharge Area. The property is located on the south side of W. North Street/Hazlettville Road at the southeast corner of Electric Avenue and Mifflin Road intersection with W. North Street. The owner of record is The Dover Wipes Company and equitable owner Procter & Gamble. Property Address: 1340 W. North Street. Tax Parcel: ED-05-076.00-01-07.00-000. Council District 2.

Preliminary Land Use Services Review (PLUS)

An application (PLUS Review #2024-04-05) related to this Procter & Gamble project was reviewed by the State's Preliminary Land Use Services, as required by the City of Dover's Memorandum of Understanding (MOU). It was reviewed by the State at the meeting on April 24, 2024. This MOU requires that non-residential developments of over 75,000 square feet complete the PLUS Review process prior to application submission. Copies of the PLUS Review Comments (dated May 20, 2024) and of the applicant's response letter (dated June 6, 2024) are attached to this Report. There also was a PLUS Review #2013-07-15 in 2013 for a similar project that was not constructed.

II. PROJECT DESCRIPTION

The Site Development Plan/Master Plan proposes a phased construction of a series of warehouse expansions (a 110,000 SF addition to JE Warehouse and a 20,000 SF addition to Warehouse 3); and truck parking/drop lots (Lots A & B/C) to stage and store trucks involved in delivery of raw materials and the shipping out of finished products. Additionally, the parking lot for contractors (working in the facility) and the parking lot for employees/visitors will be reconfigured and improved. Overall, the project involves the following phases per the Plan as shown on Sheet SP1.0 in colored areas:

- Phase 1 (Blue): Contractor Parking Lot reconfiguration for 113 vehicle parking spaces and entrance improvement from Electric Avenue; Expansion of Truck Drop Lot B/C for 186 truck/trailer parking spaces.

- Phase 2 (Green): Warehouse Expansions consisting of 110,000 SF addition to JE Warehouse and a 20,000 SF (21,400 SF) addition to Warehouse 3. And stormwater management improvements to pipe a stream/swale on west side of building.
- Phase 3 (Red): Improvements to Truck Drop Lot A for 117 truck/trailer parking spaces.
- Phase 4 (Yellow): Improvements to Employee/Visitor Parking Lot area for 262 vehicle parking spaces.

The project includes stormwater management facility improvements as an unnamed tributary of the Puncheon Run crosses through the property. The site will be subject to a Performance Standards Review Application to ensure the proposed use complies with Zoning Regulations. See Section IX of this Report.

Previous Applications

The property was developed initially (prior to 1992) for a paper products manufacturing facility (Scott Paper) which later became Procter & Gamble. Over the years, there have been multiple development applications that have expanded the facility. Mostly recently these plans include: a Site Plan S-98-35 Procter & Gamble Addition of building additions totaling 76,340 SF with parking lot areas, stormwater management improvements, and tree plantings/reforestation area in 1998; MI-02-09 Procter & Gamble Entrance; Site Plan S-04-02 Revised Procter & Gamble Truck Loading Dock Addition in 2004; and V-13-10 Procter & Gamble (Area Variance related to parking).

Surrounding Properties

The subject property of Procter & Gamble is located on the south side of W. North Street where other lands are also zoned IPM (Industrial Park Manufacturing Zone) including the Kraft Heinz facility, a City elevated water tank, and an electric generating facility. To the south is the City's VanSant Generating Station and the City's Public Works yard on a parcel zoned ROS (Recreational and Open Space Zone). To the west and south across Electric Avenue is Schutte Park which includes the Pitts Recreation Center and various sports fields and is zoned ROS (Recreational and Open Space Zone). To the north across W. North Street, are a series of single family residences zoned R-8 (One Family Residence Zone), and then areas zoned IPM including office building, the Capital School District Offices, and other buildings in the Enterprise Business Park.

III. ZONING REVIEW

IPM (Industrial Park Manufacturing Zone)

Zoning Ordinance, Article 3 Section 20 lists the permitted uses, conditional uses, and other provisions of the IPM (Industrial Park Manufacturing Zone) zone. In Article 3 Section 20.11, it notes for the IPM zone that the use of as manufacturing facility is an allowable use and also allowed area warehousing, transshipment and distribution, and logistics support and trucking terminals. The bulk standards for the IPM zone (Conventional Lot Development) are listed in Article 4 Section 4.16.

SWPOZ – Source Water Protection Overlay Zone, Tier 3: Excellent Recharge Area

The subject area is also partially subject to the SWPOZ (Source Water Protection Overlay Zone). In this case, the SWPOZ: Tier 3 – Excellent Recharge Area crosses through the southwestern portion of the subject area. The regulations regarding the Tier 3 - Excellent Recharge Areas of the SWPOZ can be found in Article 3 §29.79 of the *Zoning Ordinance.* For Tier 3: Excellent Recharge Areas, the maximum lot coverage for the site is 30% unless infiltration is utilized then the

maximum lot coverage is 60%. In the SWPOZ, the differential volume of stormwater between the 30% and 60% lot coverage must utilize infiltration. The Plan indicates that the impervious coverage in the SWPOZ area is 39% and they are planning for infiltration measures.

The purpose of the Source Water Protection Overlay Zone (*Zoning Ordinance* Article 3 §29) is to provide a safe drinking water supply and to ensure that groundwater is adequately protected and maintained. The following uses listed below are prohibited throughout the SWPOZ, including in the Tier 3 area. The proposed use of this type of manufacturing facility and associated warehouse additions and parking areas would be allowed.

> *Zoning Ordinance* Article 3 Section 29
> 29.51 *Uses prohibited:*
> a) Automobile body/repair shop, motor vehicle, boat or farm equipment service;
> b) Gas stations and motor vehicle service stations;
> c) Fleet/trucking/bus terminal;
> d) Dry cleaner;
> e) Electrical/electronic manufacturing facility;
> f) Machine shop;
> g) Metal plating/finishing/fabricating facility;
> h) Chemical processing/storage facility;
> i) Wood preserving/treating facility;
> j) Junk yard/scrap yard/salvage yard;
> k) Mines/gravel pit;
> l) Land divisions resulting in high density (> one unit/acre) septic systems;
> m) Equipment maintenance/fueling areas;
> n) Injection wells/dry wells/sumps, except for single-family residences directing gutter downspouts to a drywell;
> o) Underground storage tanks;
> p) All uses not permitted in the underlying zone district.

Tier 3 – Excellent Recharge Area and the use of infiltration to allow for impervious surface coverage of 39% will be reviewed as part of the Stormwater Management Plan by the Kent Conservation District.

Site Development Master Plan

The plan for this project is submitted for review under the Site Development Master Plan process (See *Zoning Ordinance,* Article 10 §2.44 listed below). This process allows for a series of construction phases to be outlined in a Master Plan for Planning Commission review and approval. Prior to each Phase of construction, a Site Plan specific to that phase is submitted for Administrative Site Plan review.

> Article 10 §2.44 Site development master plans. Conceptual site development master plans shall be reviewed by the planning commission in accordance with the provisions of subsection 2.43. Conceptual site development master plans shall depict a site development proposal that reflects general compliance with the provisions of the zoning ordinance and shall also reflect the following information on the plan:
>
> (A) Conceptual Master Plan. Conceptual Master Plan shall include the proposed general layout of building, streets, parking, open space, landscape concepts, and stormwater management areas.
> (1) Detailed site construction plans, details, and specifications are not required as part of a site development master plan submission.
> (2) The plan shall illustrate distinct phase boundaries for each proposed construction

phase and shall depict proposed construction and site improvements planned for each phase. Bulk quantities and area totals for each construction phase, and for the total site, shall be tabulated in a data column on the plan.

(3) Each construction phase shall be enumerated in sequential order on the site development master plan according to the order of construction contemplated by the plan. Phases shall be implemented in accordance with the approved site development master plan unless the city planner approves an alternate phasing.

(4) Each construction phase represented on the master plan shall be planned and designed to function independent of construction and site improvements contemplated in future construction phases in all respects, including but not limited to bulk area provisions of the zoning district in which the site is located, off-street parking requirements, site entrances, emergency access requirements, site utilities, and stormwater management improvements except where the requirements and needs of a later phase are met and remain met by a previous phase of completed construction.

(5) Any special agreements or conditions of approval relative to the overall development that have been specified by regulatory agencies shall be documented on the site development master plan.

(B) Phased site plan approval. Individual phased components of the Conceptual Master Plan are to be reviewed and approved as an Administrative Site Plan. Final site construction plans, including detailed site grading, paving, utilities, stormwater management, and tree planting and preservation plans shall be submitted for final approval by the city planner and/or authorized designee, and to other agencies having jurisdiction, on a phase by phase basis in accordance with the approved site development master plan, and all regulations of the City of Dover governing the approval of site plans as set forth in subsection 2.4 and 2.5.

IV. PARKING SUMMARY

The parking requirement in the IPM zoning district is one space per 800 S.F. floor area or one space per employee of the largest shift. With this Master Plan, the total floor area of the facility is estimated at 662,942 SF and the largest shift is identified as 185 employees. The plan shows an Employee/Visitor Parking Lot and a Contractor Parking Lot as parking spaces for (passenger) vehicles. Additionally, there are truck parking areas in the Truck Drop Lots A and B/C (not at the loading docks) allows for more parking functionally related to building operations for staging of trucks on-site. From the plan, there appear to be 387 car parking spaces and 303 truck/trailer parking spaces.

The applicant has provided a narrative letter regarding parking at this facility which analyzed a previous variance application V-13-10; company employee and contractor projections; the parking strategy; and truck traffic volumes and distribution. See attached Letter and attachments of June 6, 2024.

Planning Staff is satisfied that the project Master Plan meets its parking requirements. Planning Staff in evaluating the parking compliance for this project site considered the 2013 Board of Adjustment Application V-13-10 that established a parking requirement of 306 parking spaces (a reduction from 766 parking spaces based on a rate of one parking space per 800 SF of the floor area at the site for just over 600,000 SF floor area). This variance as analyzed by the applicant suggests it could translate to a rate of one parking space per 1,961 SF of floor area which would also cover the anticipated employee population of the facility. There are clearly over 306 parking spaces for passenger vehicles proposed in this Master Plan S-24-09. The Building Additions that are proposed for this Master Plan are for warehouse areas where the Truck Drop Lot Parking is more closely associated with that function operationally; and the truck/trailer parking will be expanded by this project. The Truck Drop Lot parking area could also be viewed as accommodating passenger

vehicle parking (at 2 cars per truck space) which would clearly meet the parking requirements based on total floor area (662,942 SF floor area requires 829 spaces).

Loading Spaces

The requirement for loading spaces in the IPM zone is based on building square footage of the specific uses. However, the number of required loading spaces for buildings in excess of 150,000 square feet is not specified and the applicant is to provide sufficient off-street loading berths for the operations. Planning Staff is to evaluate the sufficiency of the loading area proposed. This plan shows multiple loading dock locations around the building to satisfy this requirement. Additionally, there are a series of parking spaces for truck/trailer parking.

Bicycle Parking

The site is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Several bike rack locations are noted on the plan.

V. BUILDING ARCHITECTURE

The proposed Warehouse additions are expansions of the existing building and area anticipated to be similar in architectural appearance. Specific elevations were not submitted; building addition are exempt from this submission requirement per *Zoning Ordinance*, Article 5 §19 (3). The facility must comply with the maximum height limitations of the IPM zoning district. For this zoning district, the maximum height is limited to distance of the element from the nearest property line. The building placement is within the buildable area established by the front yard setback of 60 feet and side yard and rear yard setbacks of 40 feet.

VI. SITE CONSIDERATIONS

Access

The site has a main access/egress points to W. North Street where access onto the property is controlled by a proposed improved Logistics and Security Office kiosk building. The Contractor Parking Lot will have access from Electric Avenue only.

Lighting

The lighting internal to the site is shown within the parking lots in island areas and the perimeters of the truck drop lot parking areas. There is likely other lighting attached to or in proximity of the building.

Dumpster

For non-residential uses, a minimum of two Dumpsters are required for the site. The plan indicates several locations serving as a Dumpster area.

Sidewalk

Waiver Request - Partial Elimination of Sidewalk

Sidewalk is required along all street frontages and within the site in accordance with *Zoning Ordinance,* Article 5 §18. A multi-use path/sidewalk exists along the frontage of W. North Street. The project proposes construction of a sidewalk along about 450 feet of the Electric Avenue extending from the W. North Street /Hazlettville Road intersection south to the improved contractor parking lot entrance (on Electric Avenue). They have submitted a Waiver Request to eliminate the sidewalk on the east side of their remaining Electric Avenue frontage (approximately 2,300 linear feet) as pedestrians are not desired in that area; see Letter of May 3,

2024. The Planning Commission should act on this waiver request as part of their review of the Site Development Plan; see the following *Zoning Ordinance* citation on waivers of pathways. Sidewalks are a type of pathway.

> Article 15 §18.5 *Waiver of pathway locations requirements*. The property owner or developer may request a waiver from the planning commission or city planner, according to the type of plan review required by article 10 of this ordinance, under the following circumstances in order to reduce or eliminate the requirements for pathway installation:
>
> a) When the property is isolated from the existing pathway network, with no existing pathways within the immediate vicinity of the property.
> b) When the proposed use would not generate or attract additional pedestrian, bicycle, or other non-motorized trips.
> c) When physical characteristics of the property are such that pathway installation is impractical or impossible.

As part of the Waiver Request, they have proposed an Alternative Method of Compliance with an offer to expand the sidewalk on the west and southern sides of Electric Avenue from the current pathway terminus (near the first curve of Electric Avenue) to the Dover Little League Complex area. This offer would have to be evaluated by the City of Dover for feasibility.

In addition, on the site, sidewalks are shown connecting from the street frontage sidewalks into the site and for pedestrian access from parking areas to building entrances.

Curbing

Waiver Request: Partial Elimination of Curbing

The *Zoning Ordinance*, Article 6 §3.6(b) requires upright curbing for all parking areas and access drives. The presence or lack of curbing surrounding the parking lots and truck drop lot areas must be clarified. A written waiver request for the elimination of upright curbing in select area of the Contractor and Employee Parking Lots was submitted to the Planning Office in a Letter of June 6, 2024 citing the reasons for the request related to drainage related to stormwater management. The Letter indicates that curbing will be utilized in the Truck Drop Lot areas.

Wetlands & Buffering

The *Zoning Ordinance*, Article 5 §11.22 prescribes provisions related to wetland areas. It requires setbacks from wetland areas that are over 0.25 acres in size. This plan depicts Non-Tidal wetlands which coincide with a stream in the wooded area to the south of the existing building in the vicinity of the existing stormwater management facility. A 100-foot setback is required; however, this can be reduced to 50 feet with implementation of a Riparian Buffer or reduced to 30 feet with bank stabilization. Adjacent to the wetland/stream the plan shows a 100 foot riparian buffer on its south side where existing woodland vegetation will be maintained. Portions on the northern side of the wetland area are non-conforming to this buffer requirement as adjacent development predates these requirements.

VII. SPECIAL FLOOD HAZARD AREAS

Flood Hazard Area

Portions of the subject property are within the Special Flood Hazard Area (100-year floodplain/ 1% chance of annual of flooding). This property is found on the FEMA FIRM Panels of Kent County Delaware Map Number 10001C0168H effective 5/5/2003. The *Zoning Ordinance*, Article 5 §11.21 requires that flood hazard areas (100-year floodplain) remain as open natural

areas with no impervious surfaces. The select areas on the along the southeastern area of this tract of land are where the Special Flood Hazard Area is found will remain as the natural area and it is outside of the proposed development area.

VIII. TREE PLANTING AND LANDSCAPE PLAN

The Landscape Plan shows a concept for woodland area preservations, existing tree preservation, and the concept for new tree plantings. *Zoning Ordinance,* Article 5 Section 16 lays out the requirements for tree planting and preservation. A new project is required to provide tree planting at a rate of one (1) tree per 3,000 SF of "Development Area." The *Zoning Ordinance* Article 5, Section 16 defines "Woodland" as follows:

> *Woodland.* An area of contiguous wooded vegetation (7,500 square feet or greater), where trees exist at a density of at least one tree with a caliper dimension of six inches or greater per 375 square feet of land and where the tree branches form a contiguous canopy.

According to plans, there are x acres of existing woods, and they propose to remove a portion of the woodland area (4.1 acres) to make way for the Truck Drop Lot B/C expansion development and preserving 89% of the woodland. The maximum amount of woodland that can be cleared is 50% with anything over that amount requiring mitigation.

Based on a development area of 25.87 acres, the minimum required number of trees is 376. The site plans show existing and proposed trees spread over the site around the parking lots, in a lawn area in front of the building, and other locations.

IX. PERFORMANCE STANDARDS REVIEW

Uses in the IPM (Industrial Park Manufacturing Zone) are subject to the performance standards summarized in *Zoning Ordinance,* Article 5 §8.1 and as more specifically outlined in Article 5 §8.5.

> *Article 5 §8.1 Dangerous and objectionable elements.* No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

The project's compliance with a series of performance standards for the "dangerous and objectionable elements" are to be considered by the Planning Commission. The "dangerous and objectionable elements" are as follows:

- Fire and explosion hazards (activities with and storage of)
- Radioactivity or electromagnetic disturbance
- Noise (sound pressure level)
- Vibration
- Smoke

- Odors (Odorous gases or odorous matter)
- Fly ash, dust, fumes, vapors, gases, and other forms of air pollution
- Glare (from lighting or high temperature processes)
- Liquid or solid wastes
- Traffic congestion (Level of Service E)

The project cannot cause the above conditions to exist so that they adversely affect the surrounding areas or adjoining properties. The specific limits of each performance standard are described in the *Zoning Ordinance*. Where the performance standards conflict with regulations established by other state or local agencies such as the Delaware Department of Natural Resources and Environmental Control (DNREC), the more restrictive regulations apply.

As part of this procedure, a *Performance Standard Review Application* is required to accompany this Plan submission for review and approval. The Applicant has submitted a Performance Standard Review Application Report (dated May 2, 2024) indicating how the proposed development would restrict the emission of dangerous and objectionable elements detailed in Article 5, Section 8.5.

VIII. CITY AND STATE CODE REQUIREMENTS:

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

1) Review and Approval of the *Performance Standards Review Application* is required for the property development in accordance with *Zoning Ordinance,* Article 5 §8. The applicant has submitted a Performance Standard Review Application Letter indicating how the proposed development would restrict the emission of dangerous and objectionable elements detailed in *Zoning Ordinance,* Article 5, Section 8.5.

2) Upright curbing must be provided around all parking areas and circulation drives in accordance with the *Zoning Ordinance.* A waiver may be granted by the City Planner, if necessary, for stormwater management. A Waiver Request was submitted.

3) Sidewalks must be provided along the full frontage of Electric Avenue unless the Waiver Request is approved for the partial elimination of the sidewalk. The Planning Commission will consider the Waiver Request for the partial elimination of sidewalks.

4) Sheet T-1, Cover Sheet:
   a) Add title of signee for the owner/developer.
   b) Indicate the location of zoning SWPOZ (Source Water Protection Overlay Zone).
   c) Zoning Location Map does not include the location of the SWPOZ; add or note for clarify. The map also references Sussex County rather than Kent County.
   d) General Notes:
      i) Update reference for Miss Utility to new name.
   e) Site Data Column:
      i) List SWPOZ (Source Water Protection Overlay Zone): Tier 3 – Excellent Recharge Area under Zoning.
      ii) List Building Additions individually by area.

iii) List activities of each Phase.
iv) Identify size of area in SWPOZ in square feet.
v) Clarify the listing of Parking Requirements as it appears to mix vehicle and truck parking.
vi) List bicycle parking calculation and number provided.

5) Sheet Series EX, Existing Conditions Plan:
   a) Show the location of the Floodplain boundary.
   b) Label sizes of wetland areas.
   c) In Legend identify line and hatch as SWPOZ (Source Water Protection Overlay Zone: Tier 3 – Excellent Recharge Area.). Ensure Legend includes all linework items.
   d) Check the labels of the Match lines to ensure they reference the correct sheet series.
   e) Label number of bicycle parking spaces at each rack identified.
   f) List complete Zoning Ordinance reference for the wetland buffers (*Zoning Ordinance,* Article 5 Section 11).
   g) Show boundary of stormwater pond to the south of the building.

6) Sheet series SP – Site Plan:
   a) Clarify locations of areas of curbing.
   b) Label existing/ proposed fences and their materials and height.
   c) Add a detailed listing of components of each Phase.
   d) Identify width of walkway trails and sidewalks and format of crosswalk areas.
   e) Add traffic control signage for fire lanes and handicapped parking signage/markings locations.
   f) Ensure accessible ramps are provided from handicapped spaces onto sidewalk system and also at points of intersection of sidewalk with parking lot.
   g) Ensure access point through new fence to maintain new stormwater management pond.

7) Sheet series LS - Landscape Plan:
   a) Complete listings of calculations of development area and tree plantings.
   b) Update Match line labels to this sheet series.
   c) Confirm the woodland area and woodland clearing amounts in the Development Area.
   d) Information and tree planting calculations will need to be made by Phase.
   e) Provide a list of existing trees to remain and check the number of existing trees to be retained.
   f) Check tree placement for utility conflicts and relocate as necessary to maintain adequate separation distances.

8) Clarify size of Warehouse 3 Addition as in the documents it is listed as 20,000 SF and 21,400 SF.

9) Construction details for items such as curbing, parking bumpers, traffic control signage, light fixtures, stormwater, and utility details, etc. will need to be provided as part of Administrative Site Plan submissions.

10) A separate Record Plan sheet must be submitted to show items such as right-of-way dedications, any easements, and other items affecting the property lines or if required by another agency's approval process.

11) The Master Plan/ Site Plans must reflect any changes recommended by the Planning Commission. Add notes for any waivers or conditions acted upon by the Planning Commission.

12) The proposed sign locations shown on this plan sheet are for informational purposes only and approval of this plan does not grant approval to this signage. All signage must comply with Sign Regulations of the *Zoning Ordinance* and is subject to a separate Sign Permit Application. Signs are subject to a separate review and approval process in the City of Dover.

13) Any Sediment & Stormwater Management Plans granted approval by the Kent Conservation District must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.

14) Additional review comments may be provided in the future as more detailed plans are developed during the Administrative Site Plan review process.

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

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

1) Approved Waiver Request:
    a. Waiver Request - Elimination of Upright Curbing: Planning Staff grants approval to the elimination of upright curbing for select areas of the parking lots recognizing existing conditions and anticipated stormwater management practices where parking lot are being expanded or improved.

2) Recommendation on Waiver Request:
    a. Waiver Request – Partial Elimination of Sidewalk: Planning Staff recommends approval of the waiver request to eliminate the requirement for the construction of sidewalks along eastern side of Electric Avenue south of the Contractor Parking Lot entrance. This is based on the findings of the physical characteristics of this frontage area and that it is segment unlikely to be traveled by pedestrians for access purposes.

3) Parking: Planning Staff has evaluated the Master Plan for parking compliance and finds based on the previously established variance V-13-10; the proposed Parking Lot areas and Truck Drop Lots; the building floor area and facility function; and the expected employee population for the Procter & Gamble facility that the Plan proposed satisfies the parking requirements. See discussion in the Report (page 5).

4) Consideration of Performance Standards Review Application: Planning Staff has reviewed the Performance Standards Review Letter submitted and finds that it sufficiently demonstrates the intent to comply with the restrictions as provided in *Zoning Ordinance,* Article 5 Section 8.1 and 8.2 and that the continued use of the building as a manufacturing facility, its warehouse additions, and truck drop/parking facilities are not likely to cause these objectionable elements.

5) Electric Vehicle: Planning Staff encourages this project to consider the installation of Electric Vehicle Charging Stations in its parking lots/parking areas. Currently, the *Zoning Ordinance* does not require them, but many other jurisdictions have implemented such requirements. Electric Vehicle Charging Stations formats include EV-Capable, EV-Ready, and EV-Installed.

Other agencies may recommend additional considerations to meet code objectives in accordance with their areas of expertise. Action on all considerations identified in this section is at the discretion of the Planning Commission.

ADVISORY COMMENTS TO THE APPLICANT:

1) The Planning Commission should act upon the request for waivers as part of any motion regarding this project application, or as a separate motion as necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.

2) The site is located within the SWPOZ (Tier 3: Excellent Recharge Area) and the Planning Office and Kent Conservation District will coordinate to ensure compliance.

3) In the event, that major changes and revisions to the Site Development Plan/ Master Plan occur in the finalization of the Plan contact the Planning Office. Examples include reorientation of the complex/building, relocation of site components like stormwater management areas, and increases in floor area count. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regard to the plan.

4) Following Planning Commission approval of the Site Development Master Plan, the Plan must be revised to document all conditions of approval from the Development Advisory Committee or as otherwise noted. This process involves submission of Check Prints in order to achieve Final Plan approval; the finalization of the Master Plan and the Site Plan for Phase 1 can be achieved together. Then the Site Plan of each construction phase/project area (Phases 2-4) must be submitted for Administrative Site Plan Review by the Planning Office and other agencies. *Zoning Ordinance*, Article 10 §2.44 (D) sets forth the construction timing in relation to approvals.

   Article 10 §2.44
   (D) Expiration of planning commission approval. For projects which are reviewed and approved by the planning commission as conceptual master plans, approval of the conceptual master plan shall remain valid for a period not to exceed five years from the date of planning commission approval, provided that the authorized construction or use has commenced within two years of approval and is proceeding toward completion. In addition,

the time between the completion of one phase and the initiation of the next phase shall not exceed a period of two years.

5) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.

6) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections, Pre-Construction meeting and permits/licenses are required.

7) Construction may have an effect on the nearby properties and the travel lanes of W. North Street and Electric Avenue. Any work requiring the closing or rerouting of visitors to other properties served by this road should be coordinated as to offer the least amount of inconvenience.

8) For building new construction, the requirements of the building code and the fire code must be complied with. Consult with the Chief Building Inspector and City of Dover Fire Marshal for these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.

9) The applicant shall be aware that Master Plan/Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign. It is recommended that the applicant discuss the sign regulation requirements with the Planning Staff prior to applying for a Sign Permit.

10) The applicant shall be aware that Master Plan/Site Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover.

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: MAY 29, 2024

APPLICATION: **Procter & Gamble Warehouse Expansion & Parking Improvements**

FILE #: **S-24-09**

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

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

CONTACT PHONE #: **302-736-7025**

CONTACT EMAIL #: **jlyon@dover.de.us**

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

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

CITY AND STATE CODE REQUIREMENTS

SANITATION

1. The property will require private trash collection services.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.
2. Please add the following notes to the plans:
   a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.
   b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.
3. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at

driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
   b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
   c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
   b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "…any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. No trees may be planted within ten feet (10') of utility infrastructure.
3. No structure may be installed within ten feet (10') of city owned utility infrastructure, please depict all underground utilities and structures on the utility plan sheet to confirm compliance.
4. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2018 (.dwg format).
   b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / GENERAL

1. None.

WATER

1. The water infrastructure on this site is privately owned and maintained. We suggest that structures should be installed within ten feet (10') of water infrastructure.

WASTEWATER

1. The wastewater infrastructure on this site is privately owned and maintained. We suggest that structures should be installed within ten feet (10') of wastewater infrastructure.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees may be required to be paid prior to Certificate of Occupancy for this project.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees may be required to be paid prior to Certificate of Occupancy for this project.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

SANITATION / STORMWATER / STREETS

1. None.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER ELECTRIC

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MAY 29, 2024

APPLICATION: **Procter & Gamble Warehouse Expansions & Parking Improvements**

FILE #: **S-24-09**

REVIEWING AGENCY: **City of Dover Electric Department**

CONTACT PERSON: **Shawn Burgett, Engineering Services & System Ops Superintendent**

CONTACT PHONE #: **302-674-7568**

CONTACT EMAIL #: **sburgett@dover.de.us**

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all existing underground electric, communications and water facilities.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.

13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: https://evogov.s3.amazonaws.com/media/27/media/13108.pdf.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

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

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 29, 2024

CITY OF DOVER FIRE MARSHAL

APPLICATION: Proctor & Gamble Warehouse Expansions and Parking Improvements

FILE #: S-24-09 REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

CONTACT PERSON: **Jason Osika, Fire Marshal** PHONE #: **(302) 736-4457**
josika@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 ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Proposed occupancy classification is warehouse/storage.

2. Building Access shall be no further than 50 feet from a primary entrance.

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

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

4. Perimeter access shall be 50% and clearly shown on the plans.

   Perimeter Access minimum width shall be10 feet for one-story buildings and 15 feet for buildings of two or more stories, measured from the face of the building at grade with a maximum slope of ten percent (10%). Plantings and utility services (includes condenser units, transformers, etc.) shall be permitted within the perimeter access, and shall not interfere with emergency services fire ground operations.

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

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

5. Fire lanes shall cover 25% of the proposed building.

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

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

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

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

7. All Fire Lanes shall be marked as follows:

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

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

9. Fire lane signs shall be located as follows:

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

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

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

11. All access roadways shall be paved and be a minimum of 20 feet clear width for two-way traffic and 14 feet clear width for one-way traffic. The paved width of access roadway shall be measured from edge of parking spaces, or face of curb for vertical curb and back of curb for mountable curb, or edge of pavement if there is no curbing.(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 5.2)

12. Multiple Access Roads shall be provided when a fire department access road (fire lane) is determined by the Fire Marshal to be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access such as placement of fire hose from fire equipment.

13. Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

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

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

    Alley
    12 feet wide

14. Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.

15. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.

16. Gated Areas: Fire Department access shall be provided to the property through the use of a system or device approved by the Fire Marshal. The system or device required shall be located in an area accessible to the fire department and approved by the Fire Marshal. All gates shall be either automatic or manual.

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

    A manual gate shall consist of one manual means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the means to open. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of the manual means to open.
    To be considered accessible for fire department apparatus the actual clear openings shall be not less than 14 feet, the paved surface through the gate shall be not less than 12 feet, and the gate shall be setback from the perpendicular street by at least 50 feet.

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

17. Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations. City Ordinance Sec 46-9 (f).
    5.1.1 Hydrant spacing as shown in the Fire Flow Tables shall be used as a general rule. Hydrants shall be located at the direction of the State Fire Marshal so as to minimize friction in fire hose. All hydrant spacing shall be located along available roads or at the direction of the State Fire Marshal. This measurement shall be calculated by way of accessible thoroughfare(s) from the building to be

protected to the hydrant and may not necessarily be a radius. 5.1.3 Additional hydrants shall be provided when the State Fire Marshal deems it necessary based on the configuration of the site, building(s), exposures, construction, occupancy, and/or specific hazard(s).
Fire Flow table 2, hydrant spacing shall be 800 feet on center for one and two family detached dwellings, other residential, rowhouses and townhouses, assembly, health care, business, education, storage, industrial, mercantile, and mini storage. (702, Chapter 6)

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

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

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

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

    Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four-inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane.
    (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)
    The owner is responsible if the hydrant is private.

19. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM -1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black.
    (2021 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)
    The owner is responsible if the hydrant is private.

20. Hydrants are to be Darling Co. B-62-B Breakaway https://american-usa.com/products/valves-and-hydrants/fire-hydrants/5-1-4-american-darling-b-62-b-5

21. NFPA 72 compliant Fire Alarm System required per occupancy code requirements.

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

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

Public mode audible requirements. To ensure that audible public mode signals are clearly heard by occupants of a structure, they shall have a sound level at least 15 decibels (dB) above the average ambient sound level or five decibels (dB) above the maximum sound level having a duration of at least 60 seconds, whichever is greater, measured five feet (1.5m) above the floor in the area required to be served by the system using the A-weighted scale dBA. In the event the stated requirement cannot be met a shunt trip relay/switches shall be the approved method of meeting the intent of this section of the Code.
(City Code of Ordinances 46-171)

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

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

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

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

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

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

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

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

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

In all buildings used as health care occupancies as defined in the Life Safety Code, NFPA 101, as adopted and/or modified by these Regulations. In all buildings or areas classified as "high hazard" under the Life Safety Code, NFPA 101, or "extra hazard" under the Standard for the Installation of Sprinkler Systems, NFPA 13, as adopted and/or modified by these Regulations.

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

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

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

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

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

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

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

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

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

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

New educational occupancies of 5,000 square feet or greater shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13.
(City of Dover Code of Ordinances 46-162)

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

Fire department connections. Unless otherwise approved by the fire marshal, fire department connections shall be on the street side of the building and shall be located and arranged so that hose lines can be readily and conveniently attached to without interference from any nearby obstructions as defined by the fire marshal's office. Fire department connections shall be a five-inch Storz. Fire department connections shall be within 300 feet of an approved City of Dover Fire Hydrant and within 50 feet of the main entrance of the structure it serves. All fire department connections shall be not less than three feet nor more than five feet in height above finished grade. The fire marshal shall have the authority to require more stringent requirements when deemed necessary. (City of Dover Code of Ordinances 46-162)

24. Parking and/or obstructions shall be prohibited in front of fire department connections for a distance measuring from the center line and extending four feet on both sides.
(2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.4)

25. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.

26. If there is any type of rack storage, the following will be required: 1) a diagram showing the layout and type of rack system 2) a list and quantity of items being stored 3) a letter from an authorized/licensed fire suppression contractor stating that in rack sprinklers are or are not needed. If in rack sprinklers are not needed, a letter may be requested from an authorized/licensed fire suppression contractor to ensure that the sprinkler system is adequate for the storage presented.

27. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface). All fire department connections (standpipe and sprinkler) shall have a minimum 12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)

28. Standpipes shall be provided in all areas and buildings as required in the codes and standards listed in Regulation 701 as well as the following areas or buildings:

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

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

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

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

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

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

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

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

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

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

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

29. 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)

30. 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, t*he number shall measure a minimum of four inches in height, *location, t*he number shall be placed on the house above or to the left or right of the front entrance, *color, t*he number shall be contrasting to the background color, A*rabic numerals, a*ll numbers shall be Arabic numerals.

    *Multiple-family dwellings, measurements, t*he 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, n*umbers 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, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll numbers used shall be Arabic numerals.

    *Commercial, industrial and office buildings, height, t*he numbers shall measure a minimum of 12 inches in height, *location generally, n*umbers 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, n*umbers shall be contrasting to the background color and shall be placed on each building in the complex,

*Arabic numerals, a*ll 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)

31. All required means of egress shall have an exit discharge consisting of a non-slip surface and leading to and terminating at a public way. NFPA 101

32. All new passenger elevators in a building shall be provided with a car sized to accommodate an ambulance cot 24 inches (609 mm) by 84 inches (2133 mm) in its horizontal open position. Where two or more new passenger elevators are located in a single hoist way and serve all or the same portion of the building, only one elevator car that provides a car sized to accommodate an ambulance cot 24 inches by 84 inches in its horizontal position for each hoist way shall be required. Elevator cars required to comply with 15.1 or 15.2 shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed inside on both sides of the hoist way door frame. Firefighter recall keys shall be provided in a manner acceptable to the local fire department. (2021 Delaware State Fire Prevention Regulations 705, Chapter 1, 15)

33. Buildings over 25,000 Sq. Ft are to have radio performance testing done prior to Final CO. This must be scheduled in advance with an authorized vendor.

34. Project to be completed per approved Site Plan.

35. Full building and fire plan review is required.

36. Separate building permits/plans submission will be required for each building and/or tenant fit out. If the permit submission is for a "shell" a Certificate of Occupancy will not be issued. Separate plans and permits submissions will be required for each "tenant fit out" at which time a Certificate of Occupancy will be issued upon compliance/completion of each "tenant fit out".

    Each "shell" will require a fire permit for sprinkler and fire alarm if applicable. Those systems (for the "shell") must be accepted into service prior to any "tenant fit out" fire permits being issued.

37. Construction or renovations cannot be started until building plans are approved.

38. Fire alarm systems, fire suppression systems, hoods, exhaust ducts, and hood suppression systems require a fire permit from the Fire Marshal's Office. This work cannot be started until the permit is approved.

39. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

40. The following is City Ordinance, Appendix B-Zoning, Article 8 Enforcement and Penalties:

    Section 1. - Building permits.
    No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect,

without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful (see section 4 for penalties).

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

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

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

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

(Ord. of 7-12-1993, § 3)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please provide the distance from the building to the edge of the fire lane (see item # 5 listed above)
2. Please confirm that the entrance roadway at the guard booth is at least 14' wide (see item # 11 listed above) unless it is existing
3. There are two existing fire hydrants. Does one stay and the other is relocated?
4. Need to discuss hydrants and if they are the same system as the fire pump or separate. Need to ensure that they have the proper PSI
5. Please add a fire hydrant to the Southeast corner where the 20,000 ft2 warehouse is being built.
6. Please see the attached items listed below for large area buildings. Some of the requirements are the following:
   a. Standpipes
   b. Voice Evacuation for the fire alarm
   c. Smoke management.
   d. Standby power
   e. Complete floor plans to be placed at the fire alarm panel

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.**

"Large Area Building" Any building that exceeds one-hundred thousand (100,000) square feet gross floor area on any one floor.

Chapter 5 Mid Rise, High Rise and Large Area Buildings

1.0 Application

1.1 This chapter shall apply to all new buildings and this chapter shall apply to all existing buildings that undergo a change in occupancy.

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

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

Note: It is the intent of this subsection to prevent a submission for review and approval of a project in such stages that would have the effect of being less than the 50% of the square footage, in order to avoid having to have the building, etc., meet current standards.

19 DE Reg. 843 (03/01/16)

4.0 Large Area Buildings.

4.1 Application. The application of this Chapter pertains to any building exceeding one-hundred thousand (100,000) square feet gross floor area on any one floor. This Chapter does not apply to Strip Shopping/Office Center with no individual tenant exceeding 100,000 sq. ft.

4.1.1 If any one individual tenant in a Strip Shopping/Office Center exceeds 100,000 sq. ft. per floor, these requirements shall apply only to those tenants.

4.2 Horizontal Standpipes.

4.2.1 Horizontal Standpipes shall be required in accordance with Regulation 702, Chapter 4 of these Regulations

4.3 Emergency Voice/Alarm Communications and Detection System.

4.3.1 Large area buildings shall be equipped with a voice alarm, communication and detection system which shall be installed in accordance with the applicable codes and standards listed in Regulation 701 of these Regulations; and approved by the Office of the State Fire Marshal

4.4 Fire Command Station.

4.4.1 Large area buildings containing Health Care Occupancies, Ambulatory Health Care and Detention and Correction Occupancies shall contain a fire command center for fire department operations in a location reviewed by the responsible Fire Chief and approved by the Office of the State Fire Marshal. The Office of the State Fire Marshal may require a Fire Command Center for other Large Area Buildings.

4.4.2 The fire command center shall contain the following:

4.4.2.1 Voice alarm and public address panels

4.4.2.2 Fire department communications panel

4.4.2.3 Fire detection and alarm system annunciator panels and smoke management panels

4.4.2.4 Status indicator for elevator and annunciator indicating which elevators are operational

4.4.2.5 Status indicators and controls for air handling systems

4.4.2.6 Controls for unlocking all fire exit stairway doors simultaneously

4.4.2.7 Emergency power, light and system controls; and status indicators

4.4.2.8 Telephone and internet access for fire department use

4.4.2.9 Emergency and standby power status indicators

4.4.2.10 Generator supervision devices and manual start and transfer features

4.4.2.11 Public address system, where specifically required by other sections of this Code

4.4.2.12 Controls required for smoke control

4.4.2.13 Important keys to include

4.4.2.13.1 Elevator machine room

4.4.2.13.2 Elevator hoistway door access key

4.4.2.13.3 Side access door elevator car key

4.4.2.13.4 Electric room keys

4.4.2.13.5 Fire pump room keys

4.4.2.13.6 Mechanical room keys

4.4.2.13.7 Any master key

4.4.2.14 As built drawings. Specific types and format of drawings to be determined by the Office of the State Fire Marshal at time of plan review.

4.4.3 The fire command center shall be separated from the remainder of the building by one-hour construction and equipped with a heating, ventilating and air conditioning system that will prevent smoke laden air from entering the space.

4.4.4 It is not the intent of this section to require a room dedicated for this purpose, but the area provided must be available for immediate use in case of emergency.

4.4.5 The room shall be a minimum of 96 square feet with a minimum dimension of 8 feet.

4.4.6 The fire command room door shall be clearly identified for use by the fire department.

4.5 Smoke Management Systems

4.5.1 Large area buildings shall be equipped with a smoke management system approved by the Office of the State Fire Marshal, designed in accordance with §4.5.2 or §4.5.3, and shall be capable of being operated by the fire department.

4.5.2 This smoke control system shall, at a minimum, consist of manually operated smoke vents installed in accordance with the Standard for Smoke and Heat Venting, NFPA 204 with the following criteria:

4.5.2.1 One, 100 sq. ft. vent per 25,000 sq. ft. of floor area.

4.5.2.2 Each vent shall be centrally located within the 25,000 sq. ft. protected area.

4.5.3 Large Area buildings using mechanical means of smoke management shall be installed in accordance with NFPA 92A, NFPA 92B and approved by the Office of the State Fire Marshal. Such system shall provide the following:

4.5.3.1 Egress Stair Tower Pressurization if stairs are more than three (3) communicating floor levels

4.5.3.2 Area of Refuge Pressurization

4.5.3.3 Horizontal Exit Passageway Pressurization

4.5.3.4 Fire Floor or Fire Area Smoke Exhaust

4.5.3.5 Other Criteria as deemed necessary by the Office of the State Fire Marshal for Unusual Spaces

4.5.4 Smoke management system operation/actuation shall be approved by the Office of the State Fire Marshal.

Note: As per NFPA 92A and NFPA 92B, the smoke management system shall be provided with a graphic annunciator and manual override panel to be located in the fire command center. The design and operation of the graphic annunciator shall be approved by the Office of the State Fire Marshal.

4.6 Standby Power, Light, and Emergency Systems.

4.6.1 Large area buildings shall be equipped with standby power, light, smoke management system and emergency systems which shall comply with the provisions of the Standard for Emergency and Standby Power Systems, NFPA 110, as adopted and/or modified by these Regulations.

Exception: If the occupancy is such that "standard" battery operated emergency systems (emergency lighting, exit signs, fire alarm signaling system backup power, etc.), are deemed to be adequate by the State Fire Marshal.

13 DE Reg. 629 (11/01/09)

19 DE Reg. 843 (03/01/16)

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

DELDOT

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APPLICATION: Procter & Gamble Warehouse Expansions & Parking Improvements

FILE#: S-24-09 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Will Mobley PHONE#: 302-760-2141

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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. The Department has held a pre-submittal meeting with the applicant on 23 May 2024. The applicant will utilize the formal plan submission process (Record and Entrance Plans) for approval from the Department. Frontage improvements on North St will be required and identified in the plan submission. Please refer to the Development Coordination Manual for guidelines to submission and submit via the PDCA online portal. Direct all questions to Will T Mobley III, Kent County Review Coordinator Delaware Department of Transportation.

KENT CONSERVATION DISTRICT

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
JUNE 2024

APPLICATION: Proctor & Gamble Warehouse Expansions & Parking Improvements

FILE #: S-24-09

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Kate Owens

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. Changes or revisions to the approved site plan must be reviewed and approved by Kent Conservation District prior to commencing construction.
2. A Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity must be submitted for the owner of record and accepted by DNREC.

ADVISORY COMMENTS TO THE APPLICANT:

1. This will be submitted as a detailed sediment and stormwater management plan. Application for a detailed plan review, fee schedule, and review checklist may be accessed on the Kent Conservation District's website: https://www.kentcd.org/services/sediment-stormwater/design-permitting

2. Performance of any required maintenance of the existing stormwater facility may be a condition of approval.

3. A letter of no objection to recordation will be provided once the Sediment and Stormwater Management Plan has been approved.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 6/5/2024

Dover/Kent County Metropolitan Planning Organization

S-24-09 Procter & Gamble Warehouse Expansions & Parking Improvements

FILE # S-24-09 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob PHONE #: (302) 387-6030

Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission
Site Development Plan Review

S-24-09 Procter & Gamble Warehouse Expansions & Parking Improvements

No objections to the current site plan. Note that Dover Kent MPO is currently working on two separate studies related to freight in the Dover area. The first of these is the Dover Municipal Freight Plan, which will examine the existing freight conditions in the City of Dover and propose solutions to some of the recurring problems. Solutions may include both physical changes to the existing infrastructure and changes to local policies or truck routes.

The second study is Phase II of the Kent County East-West Truck Freight Route Feasibility Analysis. This study will cover the entirety of Kent County, including Dover. It will use a combined technical analysis and engagement with relevant stakeholders to determine how east-west truck movement may be improved. The solutions are intended to make travel easier for truck drivers while also alleviating truck congestion and parking concerns in downtown areas. (See Phase I of the study here.)

The site changes at the Procter & Gamble facility are likely to improve parking and staging conditions for the property owner, which is something the MPO regularly advocates for. The site plan will also be beneficial when crafting recommendations for both of the current studies.

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

DOVER/KENT COUNTY MPO
METROPOLITAN PLANNING ORGANIZATION

BEACON ENGINEERING LLC
CELEBRATING 10 Years of Service
23318 Cedar Lane · Georgetown, DE 19947 · 302.864.8825
info@beaconengineeringllc.com

Transmitted via Email: dmelson@dover.de.us

June 6, 2024

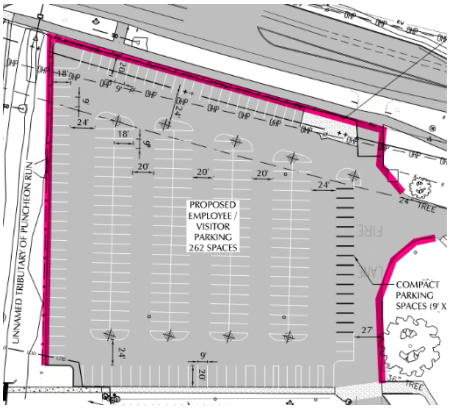
City of Dover
Department of Planning & Inspections
15 Lookerman Plaza
Dover, Delaware 19903

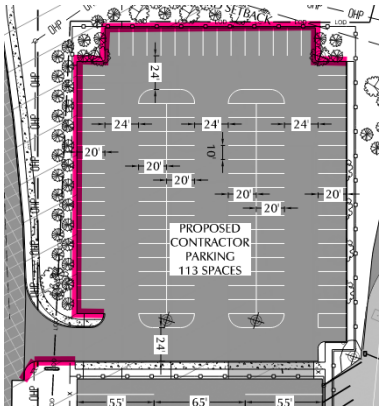
Attn: Ms. Dawn Melson-Williams, AICP, Principal Planner

RE: Curb Waiver Request – *Zoning Ordinance*, Art. 6 §3.6(b)
Warehouse Expansion & Parking Improvements
Procter & Gamble
Tax Map # 2-05-07600-01-0700
City of Dover, East Dover Hundred
Kent County, Delaware
Project No. P&G01-02

Dear Ms. Melson-Williams:

The purpose of this letter would be to request a waiver from providing certain sections of upright curbing as required by *Zoning Ordinance*, Art. 6 §3.6(b). The areas in question are associated with the proposed contractor parking lot and employee parking lot and are highlighted in the exhibits enclosed in this letter. The purpose for requesting this waiver would be to maintain existing runoff patterns associated with the employee parking lot and to provide flexibility with regard to localized stormwater quality BMPs associated with the contractor parking lot. Truck curb is proposed around the perimeter of both Drop Lot A and Drop Lot B.





Should you have any questions, please call.

Respectfully Submitted,

Robert J. Palmer, P.E.
President | Senior Engineer

BEACON ENGINEERING LLC
CELEBRATING 10 Years of Service
23318 Cedar Lane · Georgetown, DE 19947 · 302.864.8825
info@beaconengineeringllc.com

Transmitted via Email: dmelson@dover.de.us

May 3, 2024 (**Revised June 6, 2024**)

City of Dover
Department of Planning & Inspections
15 Lookerman Plaza
Dover, Delaware 19903

Attn: Ms. Dawn Melson-Williams, AICP, Principal Planner

RE: Waiver Request – Sidewalk along Public Street Frontage
Warehouse Expansion & Parking Improvements
Procter & Gamble
Tax Map # 2-05-07600-01-0700
City of Dover, East Dover Hundred
Kent County, Delaware
Project No. P&G01-02

Dear Ms. Melson-Williams:

The purpose of this letter would be to respectfully request consideration that a waiver with regard to sidewalk placement be granted by the Planning Commission during the June 17th Public Hearing where the above referenced project is anticipated to be considered for the grant of preliminary site development master plan approval. Specifically, App. B, Art. 5, Sec. 18.3(a) requires "…Standard City of Dover sidewalk…shall be required to be installed along the entire public street frontage of a property." This request pertains to the portion of the subject property that runs by and with Electric Avenue in Schutte Park. This waiver request considers elimination of approximately 2,300 linear feet of sidewalk as shown in Exhibit 1.

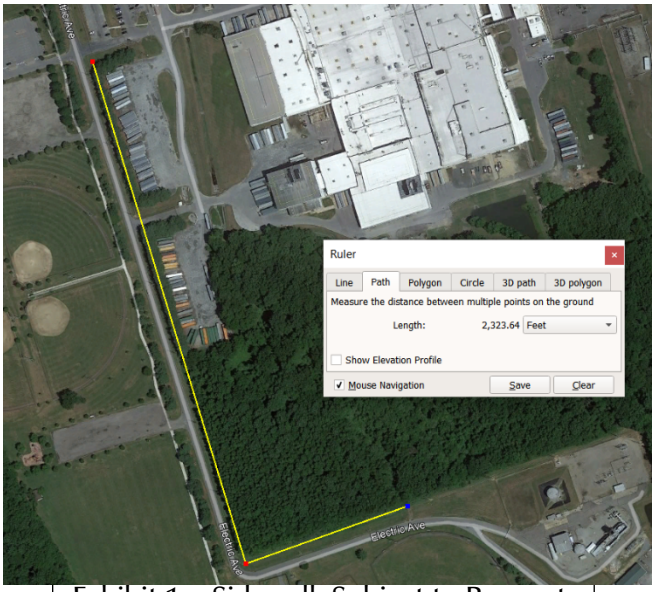


Exhibit 1 – Sidewalk Subject to Request

The preliminary master development plan proposes to extend the existing pedestrian network along West North Street by installing approximately 450 linear feet of City of Dover sidewalk along the easterly side of Electric Avenue between West North Street and the proposed entrance to a contractor parking lot at the Procter & Gamble (P&G) facility as shown in Exhibit 2 to promote multimodal transportation options for P&G contractors. However, continuing a pedestrian route

south of this connection is not desired by P&G because it is considered to be a safety and security issue with citizens potentially illegally entering the property. With the presence of a sidewalk/path that runs through Schutte Park on the west side of Electric Avenue, a pedestrian network exists to support activities within the park. An extension of the pedestrian network along the east side of Electric Avenue is not viewed as a benefit because pedestrians travelling to P&G would access the property using the existing shared use path that runs along the entire frontage of West North Street or via the proposed sidewalk to the contractor parking lot. Also, pedestrian access to the City facilities on the east side of Electric Avenue are likewise not viewed as facilities that would be supported by pedestrian traffic. As a result, P&G would prefer park related pedestrian traffic to be on the Park side of Electric Avenue.

Exhibit 2 – Proposed Sidewalk

Following your review, please contact me with any questions or concerns.

Respectfully Submitted:

Robert J. Palmer, P.E.
President | Senior Engineer

RJP/

cc: Mr. Justin Hebert, Project Manager via Email
Mr. Joseph L. Taylor, EH&S Team Leader via Email

BEACON ENGINEERING LLC
CELEBRATING 10 Years of Service
23318 Cedar Lane · Georgetown, DE 19947 · 302.864.8825
info@beaconengineeringllc.com

Transmitted via Email: dmelson@dover.de.us

June 6, 2024

City of Dover
Department of Planning & Inspections
15 Lookerman Plaza
Dover, Delaware 19903

Attn: Ms. Dawn Melson-Williams, AICP, Principal Planner

RE: Variance Clarification Request – V-13-10
Warehouse Expansion & Parking Improvements
Procter & Gamble
Tax Map # 2-05-07600-01-0700
City of Dover, East Dover Hundred
Kent County, Delaware
Project No. P&G01-02

Dear Ms. Melson-Williams:

The purpose of this letter would be to request clarification to apply the purpose and intent of variance V-13-10 that was granted by the Board of Adjustment on July 12, 2013. This variance granted relief from the requirement that the larger of 1 parking space per 800 square feet of floor area or 1 space per employee per the largest working shift be provided. At the time this variance was granted, Mr. Bramble, EH&S and Utilities Manager, testified that 186 people were employed at P&G, which resulted in 96 parking spaces required for the employee calculation. Mr. Bramble also testified that the gross floor area calculation based upon a then 600,013 SF building warranted 766 spaces. The variance granted the request to reduce the total parking to 306 spaces, a variance of 460 spaces without assigning a future method of calculating the required parking for future expansion. If the parking calculation is based upon 306 spaces being provided for a 600,000 SF building, a reasonable method for calculating parking based on the spirit of the variance would result in 1 parking space provided per 1,961 SF of floor area.

Enclosed, please find e-mail correspondence between P&G representatives and Beacon Engineering where the 10-year employee and contractor census projection would be 215 and 80 persons, respectively (refer to pages 9 & 10 of the document. The site development master plan (master plan) site data column publishes a proposed building area of 662,942 square feet. Applying 1,961 square feet of floor area per parking space, the total parking required would be 338 spaces. The master plan demonstrates 371 parking spaces are proposed, not including the 15 spaces north of the guard house.

With the contractor and employee populations using separate parking areas, it is also important to demonstrate that each population is apportioned an appropriate number of parking spaces. The 10-year projection for contract employees is 80, and 112 spaces are proposed in the contractor parking lot. The 10-year employee projection is 215, and 259 spaces are proposed in the employee lot. As a result, it appears that the total parking is consistent with variance V-13-10, and the apportionment of parking between contractors and employees also supports the census.

Following your review, please confirm that the above described parking rationale remains in harmony with the variance V-13-10 and the proposed contractor and employee parking is consistent with the intent of that variance. Should you have any questions, please call.

Respectfully Submitted,

Robert J. Palmer, P.E.
President | Senior Engineer

Enclosure

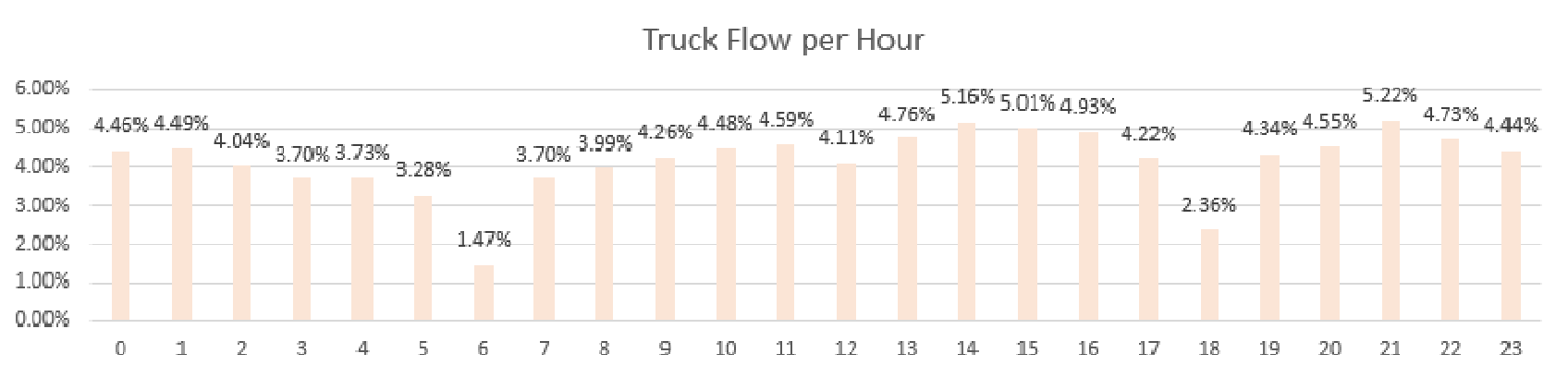
RJP/

Brian Sweetman

From: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Sent: Thursday, March 7, 2024 10:09 AM
To: Brian Sweetman
Cc: Robert Palmer; Laura Hudson; Elobeid, Mohammed
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

Brian,

I asked our team to analyze the truck volume by hour and was actually more even loaded than I imagined.



Let me know if you need anything else to complete the DOT submission.

Cheers,
Justin

Justin Hebert
Engineering, Innovation, Leadership Consultant at *Faith Innovation Inc.*
+1-513-332-3120 (mobile)
Hebert.j.1@pg.com
Justin@FaithInnovation.net

From: Hebert, Justin [Non-PG]
Sent: Friday, March 1, 2024 9:50 AM

To: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>; Elobeid, Mohammed <elobeid.m@pg.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

Answers below:

Justin Hebert
Engineering, Innovation, Leadership Consultant at *Faith Innovation Inc.*
+1-513-332-3120 (mobile)
Hebert.j.1@pg.com
Justin@FaithInnovation.net

From: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Sent: Friday, March 1, 2024 9:28 AM
To: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>; Elobeid, Mohammed <elobeid.m@pg.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

[EXTERNAL]

Justin:

Thanks for the updated data. I have a few follow up questions. Your data says currently 64 trucks a day. Is that total the number of trucks entering and exiting or just trucks entering? This is the total number of physical trucks, each one entering and exiting once. Please confirm if the FedEx, UPS, and USPS deliveries will use the truck entrance or the employee entrance. They will use the truck entrance. Do these truck numbers already include the FedEx, UPS, and USPS deliveries? Yes these numbers include courier deliveries. Is the truck traffic evenly distributed threw out the day or do you know when the peak number of trucks typically enter and or exit the site? Definitely peaks during daytime business hours. Would you like an estimate here?

Regards,

Brian Sweetman
Senior Civil Designer / GIS
Beacon Engineering, LLC
23318 Cedar Lane
Georgetown, DE 19947

Phone: 302.864.8825
Email: bsweetman@beaconengineeringllc.com

From: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Sent: Thursday, February 29, 2024 5:34 PM
To: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>; Elobeid, Mohammed <elobeid.m@pg.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

Brian, thanks for your patience here. The detailed truck analysis took time to iron out and showed significantly more traffic than our first look.

See below the answers to your questions:

Justin

Justin Hebert
Engineering, Innovation, Leadership Consultant at *Faith Innovation Inc.*
+1-513-332-3120 (mobile)
Hebert.j.1@pg.com
Justin@FaithInnovation.net

From: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Sent: Tuesday, February 13, 2024 8:47 AM
To: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

[EXTERNAL]

Justin:

The purpose of this request would be to establish current traffic patterns and trip distribution to support the DelDOT Pre-Submittal Meeting Request we are currently preparing.

Existing truck traffic data request:

Please provide the current daily truck traffic totals for all trucks entering and leaving the property. The numbers should include delivery trucks, the trailers that are leaving the site and being stored off site, the stored trailers returned to the property to be stored or unloaded, and the outbound shipments. This could be the truck totals over the span of a month, quarter, or a year. It would also be helpful to have a narrative that describes the trucking operations in your current arrangement so that we may clearly convey to DelDOT the impact associated with the use of offsite warehousing and drop lots.

Current Daily truck traffic: 64 trucks per day. This is based on the six month period from July 1 2023 to Dec 31 2023.

Incoming materials are received at the site and unloaded directly or redirected to offsite storage; offsite materials come back to the site again when ready for consumption. This results in double-handling and extra trucks coming from/going to the site.

Finished product bound for P&G's distribution network always departs from the site directly; product that is stored temporarily at offsite storage returns to the site before departing again for the distribution network. This results in double-handling and extra trucks coming from/going to the site.

Proposed truck traffic data request:

Please provide the projected daily truck totals in similar manner as in the existing traffic data request. Indicate how the proposed warehouse and drop lots will reduce, or eliminate, the dependence on offsite warehousing and drop lots.

The addition of warehouse capacity for raw materials and finished product, as well as drop lot capacity, will eliminate the need to rely on external warehouses and lots for storage. This will result in a *reduction* of truck traffic despite projections of production growth in the coming 3-5 years. After the project is operational, truck traffic will reduce to 41 trucks/day.

Please let me know if you have any questions.

Regards,

Brian Sweetman
Senior Civil Designer / GIS
Beacon Engineering, LLC
23318 Cedar Lane
Georgetown, DE 19947

Phone: 302.864.8825
Email: bsweetman@beaconengineeringllc.com

From: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Sent: Monday, February 12, 2024 4:59 PM
To: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

Hi Brian,

I talked this with Miebach last week and they requested until the end of this week, earliest, to provide that data.

In addition to future state of trucks coming/going, is there other data you need from the study? In Bob's meeting notes today, he stated:

ACTION ITEMS:
*1. **Beacon – P&G:** Coordinate with PM Hebert to finalize site circulation for shipping and receiving on the north side of the warehouse. Internal P&G analysis is in process. Details will be provided in the next few weeks.*

Let me know what this looks like, as specific as you can, so I can be sure to pass on to the consulting team.

Thanks,
Justin

Justin Hebert
Engineering, Innovation, Leadership Consultant at *Faith Innovation Inc.*
+1-513-332-3120 (mobile)
Hebert.j.1@pg.com
Justin@FaithInnovation.net

From: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Sent: Monday, February 12, 2024 4:04 PM
To: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>

Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

[EXTERNAL]

Justin:

Do you have the breakdown of the truck traffic for how many trucks are going to/coming from external storage to understand the future ideal state?

Regards,

Brian Sweetman
Senior Civil Designer / GIS
Beacon Engineering, LLC
23318 Cedar Lane
Georgetown, DE 19947

Phone: 302.864.8825
Email: bsweetman@beaconengineeringllc.com

From: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Sent: Monday, January 22, 2024 7:27 AM
To: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

Brian,

I got a first look at raw data for trucks this morning: In 2023 there were a total of 7100 trailer trucks arriving and leaving the site. I do not yet have a breakdown of how many of these are going to/coming from external storage to understand the future ideal state.

Note that these numbers do not include UPS/Fedex/USPS/Amazon/catering deliveries. If you need to include those, we will need to estimate. A starting p might be 3 deliveries per business day (~250 days/year, or 750 deliveries/year).

I'll pass on the breakdown of external storage trucks soon. Is there any other data you might need?

Cheers,
Justin

Justin Hebert
Engineering, Innovation, Leadership Consultant at *Faith Innovation Inc.*
+1-513-332-3120 (mobile)
Hebert.j.1@pg.com
Justin@FaithInnovation.net

From: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Sent: Thursday, January 18, 2024 9:11 AM
To: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

[EXTERNAL]

Justin:

Thanks, have a great day.

Regards,

Brian Sweetman
Senior Civil Designer / GIS
Beacon Engineering, LLC
23318 Cedar Lane
Georgetown, DE 19947

Phone: 302.864.8825
Email: bsweetman@beaconengineeringllc.com

From: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Sent: Thursday, January 18, 2024 9:09 AM
To: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

Brian,

Yes the dayshift workers are nominally 09:00-17:00 and the shift workers are the 07:00-19:00.

Raw data for truck movements should be available in a few business days.

Thanks,
Justin

Justin Hebert
Engineering, Innovation, Leadership Consultant at *Faith Innovation Inc.*
+1-513-332-3120 (mobile)
Hebert.j.1@pg.com
Justin@FaithInnovation.net

From: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Sent: Thursday, January 18, 2024 9:06 AM
To: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

[EXTERNAL]

Justin:

Thanks, Yosra provided us with the same numbers as the Design target (+10% buffer) column. I believe this email will work for the employee/contractor data I requested. I want to clarify a point of your data. When you say dayshift employees do you mean people working 09:00-17:00? I want to confirm the shift x2 shifts workers are the ones working from 07:00-19:00.

I look forward to receiving the truck data when it is available.

Regards,

Brian Sweetman
Senior Civil Designer / GIS
Beacon Engineering, LLC
23318 Cedar Lane
Georgetown, DE 19947

Phone: 302.864.8825
Email: bsweetman@beaconengineeringllc.com

From: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Sent: Wednesday, January 17, 2024 8:11 PM
To: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

Here are the assumptions from Yosra, as I can find in email history. Can you confirm this lines up with your data?

This is for dayshift peak, at shift exchange:

Day shift	Current	Future (10 years)	Design target (+10% buffer)
P&G Parking	165	195	**215**

Per Ownership, average daily visitor traffic represents 10% of employee traffic.

Contractor Parking	82	72	**80**
Trailer Drop Lot Parking	205	250	**275**

The 195 P&G employees consist of approximately 50 per shift x2 shifts (at exchange) and 95 dayshift employees.

The 80 contractors consists of 20 per shift x2 shifts (at exchange) and 40 dayshift employees.

Does that answer your questions here?

Cheers,
Justin

Justin Hebert
Engineering, Innovation, Leadership Consultant at *Faith Innovation Inc.*
+1-513-332-3120 (mobile)
Hebert.j.1@pg.com
Justin@FaithInnovation.net

From: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Sent: Wednesday, January 17, 2024 10:19 AM
To: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

[EXTERNAL]

Justin:

Thank you, I look forward to receiving the truck data when it is available. Yosra did provide employee / contractor totals. I wanted to confirm those numbers are still correct and if you could provide the split between shifts per each group employees and contractors.

Regards,

Brian Sweetman
Senior Civil Designer / GIS
Beacon Engineering, LLC
23318 Cedar Lane
Georgetown, DE 19947

Phone: 302.864.8825
Email: bsweetman@beaconengineeringllc.com

From: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>
Sent: Wednesday, January 17, 2024 10:07 AM
To: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: RE: P&G01-02 - Existing and proposed traffic data for the site

Hi Brian,

We are working a model of the truck flows this month and can tie in your request to that work. It will take a week or two to complete the analysis.

In the meanwhile, I can confirm that shift change occurs at 07:00 and 19:00.

For the employee/contractor totals, didn't Yosra provide these to Beacon in order to converge on the latest concept? I'll have to find that communication to confirm.

Thanks,
Justin

Justin Hebert
Engineering, Innovation, Leadership Consultant at *Faith Innovation Inc.*
+1-513-332-3120 (mobile)
Hebert.j.1@pg.com
Justin@FaithInnovation.net

From: Brian Sweetman <BSweetman@beaconengineeringllc.com>
Sent: Wednesday, January 17, 2024 9:27 AM
To: Hebert, Justin [Non-PG] <hebert.j.1@pg.com>

Cc: Robert Palmer <RPalmer@beaconengineeringllc.com>; Laura Hudson <LHudson@beaconengineeringllc.com>
Subject: P&G01-02 - Existing and proposed traffic data for the site

[EXTERNAL]

Hi Justin:

Bob asked me to contact you to seek the existing and proposed traffic data for the site. The purpose of this request would be to establish current traffic patterns and trip distribution to support the DelDOT Pre-Submittal Meeting Request we are currently preparing.

Existing traffic data request:

Please provide the current daily truck traffic totals for all trucks entering and leaving the property. The numbers should include delivery trucks, the trailers that are being stored off site, the stored trailers returned to the property to be stored or unloaded, and the outbound shipments. This could be the truck totals over the span of a month, quarter, or a year. It would also be helpful to have a narrative that describes the trucking operations in your current arrangement so that we may clearly convey to DelDOT the impact associated with the use of offsite warehousing and drop lots.

Please also provide the current number of employees and contractors that access the site daily on a daily basis, by shift. Please confirm the shift change occurs in the 07:00 and 19:00 hours.

Proposed traffic data request:

Please provide the projected daily truck totals in similar manner as in the existing traffic data request. Indicate how the proposed warehouse and drop lots will reduce, or eliminate, the dependence on offsite warehousing and drop lots.

Please confirm the projected number of employees at 215 and contractors at 80. At this point, we have assumed that this data is split evenly between the 2 shifts, but if one shift is more heavily populated, that would be important to understand.

Please let me know if you have any questions.

Regards,

Brian Sweetman
Senior Civil Designer / GIS
Beacon Engineering, LLC
23318 Cedar Lane
Georgetown, DE 19947

Phone: 302.864.8825
Email: bsweetman@beaconengineeringllc.com

I. Introduction

Procter & Gamble contracted with Beacon Engineering, LLC (BEACON) to prepare a Site Development Master Plan, for a warehouse expansion with parking, located in the City of Dover corporate limits. The site is situated on tax parcel ED-05-076.00-01-07.00-00001. The property is zoned IPM (Industrial Park Manufacturing). The site is located at the southeasterly corner of the intersection of West North Street and Electric Avenue. The northern boundary runs by and with West North Street. This parcel is bound to the south and west by Electric Avenue, Schutte Park, and the City of Dover VanSant Generating Station. The parcel is bound to the east by DOC Energy.

The property consists of 84.10 acres of land, 13.7 of which are the subject of this performance standards evaluation report. The parcel is currently developed as an industrial manufacturing facility that supplies all Pampers and Luvs brand baby wipes to North America. The property contains 37.01 acres of woodlands, and 4.1 acres are proposed to be cleared to support the proposed warehouse and parking expansion. A total of 89% of existing woodland would remain after the conclusion of this project.

The property is partially subject to the City Source Water Protection Overlay Zone being mapped in an excellent recharge area. The existing and proposed impervious surfaces within the mapped excellent recharge area would be increased from 25% to 39%. The property is situated in the Puncheon Run Creek Watershed which is a watershed of concern due to flooding observed in the lower reaches of the watershed.

II. Proposed Development

Procter & Gamble intends to redevelop this property through the construction of a 110,000 SF addition to the JE Warehouse, a 20,000 SF addition to Warehouse 3, expansion of the existing employee/visitor parking lot, expansion and reconfiguration of the existing contractor parking lot, and expansion of truck drop lots A & B. The additional employee parking is intended to support future expansion of production as well as a migration from contract employees. The contractor entrance is proposed to be relocated from the main (truck) entrance on West North Street to Electric Avenue to reduce traffic volumes entering and exiting the site directly from West North Street. The Electric Avenue entrance will improve traffic safety on West North Street by making use of the controlled movements at the West North Street/Hazletteville Road – Electric Avenue/Mifflin Road intersection. The expanded truck drop lot space is intended to support the future expansion of production and eliminate the existing need for offsite material storage. The truck drop lot expansion is intended to reduce the truck traffic as more particularly described below. The existing buildings will be minimally affected as a result of this project.

III. Performance Standards

In accordance with Appendix B, Article 3 – Section 20.5, All uses within the IPM district are subject to performance standards as set forth in Article 5, Section 8. This section is listed below with descriptions of compliance.

8.1 Dangerous and objectionable elements. No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

The proposed project will not produce any dangerous or objectionable elements. The expansion of Drop Lots A & B and the additions proposed to the JE Warehouse and Warehouse 3 will reduce the traffic impacts of the existing facility entrance. These items are described in greater detail in the following subsections.

8.2 Uses requiring performance standards review procedure. Those uses in the C-3, IPM, IPM2, IPM3, and M zones and uses accessory thereto, which are specified as being subject to performance standards review procedure, are subject to the procedure specified in article 5, section 8.6 in obtaining a site plan approval. The city planner may require other uses, whether existing or proposed and regardless of the particular zoning district, to submit to the performance standards review procedure when there exists reasonable grounds to believe that a proposed use is in violation, or is likely to violate, the performance standards, in which event, the property owner shall comply with [the] performance standards review procedure.

It is understood that this project, which is within the IPM district, will require a performance standards review. This letter is to serve as the statements of compliance to satisfy this requirement.

8.3 Enforcement provisions applicable to other uses. Even though compliance with the performance standards procedure in obtaining a site plan approval is not required for some proposed uses, initial and continuing compliance with the performance standards themselves is required of every use, and provisions for enforcement to ensure continued compliance with the performance standards shall be invoked by the city planner against the property owner, tenant, or other responsible party if there are reasonable grounds to believe that performance standards are being violated by a particular activity or use.

It is understood that these performance standards are perpetual in nature, and that future compliance with these standards will be required and enforced by the City.

8.4 Nonconforming uses. Certain uses established before the effective date of this ordinance and nonconforming as to performance standards shall be given a reasonable time in which to conform therewith, as provided in article 7, section 1.53.

This section is not applicable to this application for development.

8.5 Performance standards regulations. Where the following regulations overlap regulations of the Delaware Department of Natural Resources and Environmental Control or other state or local agencies,

the more restrictive regulations shall apply in case of a conflict:

8.51 Fire and explosion hazards. All activities involving, and all storage of, inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires is prohibited at any point. The relevant provisions of the state and local laws and regulations shall also apply.

There are no anticipated fire or explosion hazards with this development application. It is understood that open fires are prohibited. The site is supported by 3 diesel tanks that are the fuel supply for fire protection equipment and emergency generators. All tanks are of a double wall design. One 500 gallon and 1 300 gallon tank are located inside of buildings. One 300 gallon tank is located outside, near the boiler house on the east side of the property.

8.52 Radioactivity or electromagnetic disturbance. No activities shall be permitted which emit dangerous radioactivity at any point, or electromagnetic disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

There are no anticipated radioactive or electromagnetic hazards with this development application or located on the property.

8.53 Noise. The maximum sound pressure level radiated by any use or facility (other than transportation facilities open to the public) at the property line shall not exceed the values in the designated octave bands given in [the following] table I, after applying the corrections shown in [the following] table II. The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z243-1944, American Standards Association, Inc., New York, N.Y., and American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953, American Standards Association, Inc., New York, N.Y., shall be used).

There are no anticipated significant sources of excessive noise associated with this development application or located on the property. The loudest anticipated noises will be the yard trucks moving the trailers around the property. A copy of the 2022 noise analysis is enclosed with this narrative.

8.54 Vibration. No vibration shall be permitted which is discernible without instruments at the property line.

There is no anticipated vibration with this development application or located on the property.

8.55 Smoke. No emission shall be permitted at any point, from any chimney or otherwise, of visible grey smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringlemann Chart, published by McGraw-Hill Publishing Company, Inc., and copyrighted 1954 (being a direct facsimile reduction of the standard Ringlemann chart as issued by the United States Bureau of Mines), except that visible grey smoke of a shade equal to No. 2 on said chart may be emitted for four minutes in any 30 minutes. These provisions applicable to visible grey smoke shall also apply to visible smoke of a different color, but with an apparently equivalent opacity. Any emission shall be in conformance with air pollution regulations of the Delaware Department of Natural Resources and Environmental Control.

There are no anticipated smoke emissions with this development application. All emissions are existing from equipment on the property and are permitted by a DNREC synthetic minor air permit. No discharge is permitted other than when the fire pumps and generators are exercised. The stacks are visually monitored for compliance with the permit requirements and to visually document the opacity of the startup smoke disappears within the required period allowed by the permit. The engines that drive the fire pumps are operated for 30 minutes on a weekly basis. The emergency generators are operated for 20 minutes on a weekly basis.

8.56 *Odors. No emission shall be permitted of odorous gases or other offensive odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air emitted to four volumes of clean air. Any process which may involve the creation or emission of any offensive odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors Table III, Odor Thresholds, in chapter 5, "Air Pollution Abatement Manual," copyright 1951 by Manufacturing Chemists' Association, Inc., Washington D.C., and said manual and/or table as subsequently amended.*

There are no anticipated odors associated with this development application or located on the property. Please also refer to responses found in performance standard 8.53.

8.57 *Fly ash, dust, fumes, vapors, gases, and other forms of air pollution. No emission shall be permitted which can cause any damage to health, to animals, vegetation, or other forms of property, or which can cause any excessive soiling, at any point, and/or which does not conform to air pollution regulations of the Delaware Department of Natural Resources and Environmental Control, and, in no event, any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding 0.3 grain per cu. ft. of the conveying gas resulting from combustion. Standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and 50 percent excess air.*

There are no anticipated fly ash, dust, fumes, vapors, gases, or other forms of air pollution anticipated with this development application. Please also refer to responses found in performance standard 8.55.

8.58 *Glare. No direct or sky-reflected glare, whether from floodlights or from high-temperature processes such as combustion or welding or otherwise, shall be permitted. This restriction shall not apply to signs otherwise permitted by the provisions of this ordinance.*

There are no anticipated sources of glare associated with this development application or located on the property. All lighting will be shielded, downturned, and will comply with City of Dover Lighting Regulations.

8.59 *Liquid or solid wastes. No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, except in accord with standards approved by the Delaware Department of Natural Resources and Environmental Control, of any materials of such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements.*

All liquid and solid waste generated at this facility is managed in conformance with DNREC, Kent County, and the City of Dover regulations. Hazardous waste that is generated at this facility is

managed by Clean harbors/Safety Clean and is processed at a permitted offsite location. Universal waste that is generated at this facility is managed by Covanta and is incinerated to produce waste energy. Metal, plastic, and cardboard waste is recycled to the maximum extent practicable.

Process wastewater generated at this facility is discharged through the East and South outfalls and is governed by an industrial pretreatment permit issued by the Kent County Wastewater Treatment Facility. Domestic wastewater associated with the facility restrooms are discharged through the North outfall.

Stormwater runoff associated with this application will be collected and managed using an infiltration basin, and it is planned that stormwater runoff through the 100-yr storm event will be infiltrated with little to no discharge to the unnamed tributary of Puncheon Run Creek. Stormwater management will meet or exceed all requirements of the Delaware Sediment & Stormwater Regulations, the Kent Conservation District requirements to overmanage stormwater runoff to mitigate downstream flooding, and the City of Dover Source Water Protection Overlay Zone.

8.60 *Traffic congestion. When, in the surrounding highway network, operating conditions are at or near the design capacity level beyond which would result in functional failure of the surrounding highway network. All speeds are reduced to a low, but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver or pedestrian frustration is generally high. Operations at this level are usually unstable, because small increases in flow or minor perturbations within the traffic stream will cause functional failures beyond acceptable levels. (The conditions described in this [sub]section are also used to describe "level of service E" as defined by the highway capacity manual developed by the transportation research board, dated 1985.)*

There are no anticipated traffic congestion concerns associated with this development application. The expansion of Drop Lot A and B will reduce the need for offsite storage of trucks. Currently, trucks that bring raw materials to the property are checked in and either dispatched to 1 of the onsite drop lots or to an offsite warehouse for temporary storage. Trucks that are loaded with finished product are likewise dispatched to one of the onsite drop lots or taken to an offsite warehouse for temporary storage. When offsite raw materials are ready for manufacturing or finished products are ready for distribution, trucks from the facility are dispatched to retrieve the product for inspection at the plant before raw materials are brought into the plant or finished products are transported to the global distribution network. The current trucking operation generates 128 trips per day.

The proposed warehouse expansions will reduce the need for offsite warehousing of raw materials and finished goods with a goal of all raw materials and finished product being warehoused on site and only passing 1 time through the facility entrance. The proposed truck traffic, when this project is complete, will be reduced to 82 trips per day associated with the facility 10-year master plan. This represents a 36% reduction in truck traffic on Dover and DelDOT truck routes.

The addition of the contractor entrance on Electric Avenue will reduce traffic congestion at the entrance on West North Street and direct this traffic to a controlled movement intersection.

Coordination with DelDOT is ongoing. A pre-submittal meeting is scheduled for May 23, 2024. This project will comply with all DelDOT and the City of Dover traffic requirements and regulations.

Signed Affidavit:
"I am aware of the performance standards required by Article 3, Section 8, and I have read and understand these standards. I hereby agree to always conform to the applicable standards."

Joseph L. Taylor

Joseph L. Taylor
Environmental Health and Safety Program Leader
Procter & Gamble

City of Dover Noise Ordaince: Dover, Delaware, Code of Ordinances/Part II - Code of Ordinances/Appendix B-Zoning/Article 5. - Supplementary Regulations/Section/Section 8. - Performance Standards/ Section 8.53 Noise which states:

The maximum sound pressure level radiated by any use or facility (other than transportation facilities) at the property line shall not exceed the values in the designated octave bands given in [the following] table I, after applying the corrections shown in [the following] table II. The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z243-1944, American Standards Association, Inc., New York, N.Y., and American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953, American Standards Association, Inc., New York, N.Y., shall be used).

Table 1	
Octave Band Range In Cycles per Second	*Sound Pressure Level in Decibels re 0.0002 dyne/cm²*
30-300	*60*
301-2,400	*40*
Above 2,400	*30*

*** If the noise is not smooth and continuous and is not radiated between the hours of 10:00 p.m. and 7:00 a.m., one or more of the corrections in table II shall be applied to the decibel levels given in table I.**

Table 2	
Type of Location of Operation or Character of Noise	Correction in Decibels
Daytime Operation Only	
Noise Source operates less than*	
20 percent of any one-hour period	5
05 percent [sic] of any one-hour period	10
Noise of impulsive character (hammering, etc.)	-5
Noise of periodic character (hum, screech,etc.)	-5
Property is located in one of the following zones and is not withing 500 feet of any residential district*	
Central commercial C-2 Zone	5
Service commercial C-3 Zone Manufacturing M Zone	10
Property is located in industrial park manufacturing zone IPM	10

Location of Test	Limit-60+10 (dB) 30-300	Limit-40+10 (dB) 301-2400	Limit-30+10 (dB) >2400	Combined (dB)	Odor	Add state requirement to colum E
Command Center Front Fence	29	18	18.5	54.5	No	
	36	18.1	17.5	55.9	No	
	23	15.8	16.7	52	No	
	33.3	16.7	18.8	50.8	No	

	35.5	17	15	51.9	No
	33.1	15.6	18.7	52.8	No
North East Corner	37.4	18.1	17.1	50.9	No
	34	17	16.7	56.6	No
	33	16.4	18	57.1	No
	44.9	19	12.3	59.9	No
	44.9	16.4	15.7	62.9	No
	45.6	20.6	17.5	62	No
	45	19.2	15.8	60.9	No
Boiler House Hydro Thrift Running	49	13.2	15.6	61.7	No
	32	15.8	19.5	63.7	No
	44	17.2	18.3	65	No
	47	17	18	65.5	No
	45.4	16	14	63.6	No
South East Corner Plant	47.6	17	10.2	65.4	No
	49.2	19	13.1	66.2	No
	46.9	16	12.3	59.4	No
	20	18	15	49.9	No
	29	19.4	16.7	48	No
	28	18.6	13.8	48.2	No
	18	18	10	61.2	No
Diesel Fire Pump (not running)	20.4	20.4	19.5	45	No
	24.6	24	26	41.2	No
	26	16	13.1	47	No
	21.4	26	15.3	48.2	No
	13.7	17.2	17.7	48.4	No
	14.1	18.7	15	54.7	No
	26	19.8	23	56.7	No
	21	22.5	17.7	51	No
Drop Lot B	36	17	16.1	54.2	No
	25	16.1	11.6	53	No
	24.4	14.9	14.5	60	No
	21.7	12.3	11.1	58.7	No
Drop Lot A	27.9	13.3	15.5	55.8	No
	22.3	14.4	16.4	57.6	No
	20.5	16.8	13.8	52.3	No
	16.9	16.9	20	60	No
	24.3	17.4	19.9	50	No
sw corner of contractor parking lot	29.3	17.9	10.5	55	No
nw corner of contractor parking lot	20.3	18	16.7	59.8	No
nw light pole inside PG parking lot	23.7	19.8	17.9	55.9	No
	24.9	11.2	13.6	54	No
	29.3	13.8	14.1	57	No

STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

May 20, 2024

Robert Palmer
Beacon Engineering, LLC
23318 Cedar Lane
DE, Georgetown 19947

RE: PLUS review – 2024-04-05; Procter & Gamble Warehouse Expansion

Dear Mr. Palmer:

Thank you for meeting with State agency planners on April 24, 2024, to discuss the Procter & Gamble Warehouse Expansion. According to the information received, you are seeking review of a proposed site plan for a 110,000 SF expansion of the existing JE warehouse and 20,000 SF expansion of warehouse 3 as well as improved truck storage and parking. This project is on 13.6 acres zoned IPM (Industrial Park Manufacturing).

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that the City of Dover is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the City.**

Strategies for State Policies and Spending

This project is located in a Level 1 investment area, which is consistent with the 2020 Strategies for State Policies and Spending. This site is located in the City of Dover and consistent with their Comprehensive Plan.

Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. Because development in Level 1 is consistent with the 2020 Strategies for State Policies and Spending, the Office of State Planning Coordination has no objections to this site plan, provided it meets the relevant codes and ordinances of the City of Dover.

Code Requirements/Agency Permitting Requirements

Department of Transportation (DelDOT) – Contact Stephen Bayer 302-760-4834

- This project is located within the regulated airspace of Dover Air Force Base (DAFB). Federal Aviation Regulation (FAR) Part 77 imposes height restrictions on any structures within these zones. DelDOT requires that the applicant for this project submits a "Proposed Construction/Alteration in Airport Zones Notification Form" in accordance with Delaware Code (2 Del. C. § 602). This notification form can be submitted during the plan approval process with the local land use jurisdiction, but DelDOT's Office of Aeronautics is willing to test hypothetical height numbers to prevent any future project complications. Please contact Mr. Austin Gray with the Office of Aeronautics at (302) 760-2145 with any questions or concerns. A copy of the notification form can be found at this address: https://www.deldot.gov/Programs/aviation_svcs/pdfs/aviation_obstruction_review_form. pdf?012913.

- Any site access points onto State maintained roads must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline of West North Street along the site's frontage. The following right-of-way dedication note is required, "**An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "**A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
    - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 1 and 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml. Based on the updates to this project since the original Auxiliary Lane Worksheet submission a new sheet is necessary.

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

DART First State – Contact Jared Kauffman 302-576-6062

- A Type 2 (5x8) bus stop pad is needed on Hazlettville Road.
- Bicycle parking is recommended.

Department of Natural Resources and Environmental Control (DNREC) – Contact Beth Krumrine 302-735-3480

Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

Special Stormwater Management Requirements
Time stormwater release exists for the stormwater system receiving any additional flow volume to lessen flooding conditions downstream.

- The project applicant must consult with the Kent Conservation District on the timing of stormwater released into this system.

Plan review agency contact: Kent Conservation District at (302) 608-5370.
Website: http://kentcd.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

General Stormwater Management Requirements
The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Kent Conservation District.

- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically https://enoi.dnrec.delaware.gov/, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Kent Conservation District at (302) 608-5370.
Website: http://kentcd.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Industrial Stormwater
This site may hold an existing industrial stormwater discharge permit under the National Pollutant Discharge Elimination System.

- The applicant must contact the DNREC Surface Water Discharges Section to determine regulatory requirements.

Contact: DNREC Surface Water Discharges Section at (302) 739-9946.
Website: https://dnrec.delaware.gov/water/commercial-government/npdes/industrial-stormwater/

Wetlands and Waterways
Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site, as also marked on the preliminary plan. The application indicates that wetlands have been delineated, with no direct impacts to the wetlands expected.

- If the site design changes and dredge or fill of wetlands or waterways becomes necessary, permitting and/or authorization requirements may apply.
- Federal permits from the U.S. Army Corps of Engineers may also be necessary if plans change and dredge or fill is proposed in non-tidal wetlands or streams. A delineation of waterways and wetlands may be required, to be completed by a qualified professional hired by the landowner. In certain cases, permits from the US Army Corps of Engineers may trigger additional certifications from DNREC (Coastal Zone Federal Consistency Certification and 401 Water Quality Certification). Work with the U.S. Army Corps of Engineers to determine the appropriate permitting requirements if federal permits are required.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.
Website: https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/
State Contact: DNREC Wetlands and Waterways Section at (302) 739-9943.
Website: https://dnrec.delaware.gov/water/wetlands/

Wellhead Protection Area
A Wellhead Protection Area is located at the far southeastern corner of the site. Wellhead Protection Areas are the surface and subsurface areas surrounding a water well, or a public water supply wellfield. Contaminants leaching into the soil have the potential to reach the water supplies in these areas.

- The applicant must comply with all county and municipal codes that affect public drinking water supply Wellhead Protection Areas.

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945.
Website: https://dnrec.delaware.gov/water/supply/ground-water-protection/

Excellent Groundwater Recharge Area
An Excellent Groundwater Recharge Area is located on the western half of the property. The proposed tractor trailer expansion and 110,000 square foot building expansion, as designed, would sit immediately over this Excellent Groundwater Recharge Area. These areas have soils that are conducive to water infiltrating downward from surface water into groundwater.

Preservation of these areas is important for replenishing groundwater supplies and ensuring drinking water for future generations.

- The applicant must comply with all county and municipal requirements for construction and uses in Excellent Groundwater Recharge Areas.

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945. Website: https://dnrec.delaware.gov/water/supply/ground-water-protection/

Previous Contamination
DNREC records indicate that contamination has occurred on the project site. Records show that Scott Paper Company - Dover Plant (project ID DE-060) is a closed remediation site under the Hazardous Substance Cleanup Act (HSCA).

- No issues have been identified at this time. Contact the DNREC Remediation Section for any concerns.

- Additional information may also be found online by searching Delaware's Environmental Navigator at https://den.dnrec.delaware.gov/.

Contact: Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600. Website: https://dnrec.delaware.gov/waste-hazardous/remediation/

Leaking Underground Storage Tanks
Based on DNREC records, there has been one or more confirmed leaking underground storage tank(s) located on the proposed site.

- Additional information may be found online through Delaware's Environmental Navigator at https://den.dnrec.delaware.gov/.

- Contact the Division of Waste and Hazardous Substances Remediation Section to determine the status of the remedy for the leaking underground storage tank and any associated restrictions.

- If any indication of a Release of a Regulated Substance from a tank is discovered, the Responsible Parties shall report it within 24 hours: 24-hour Release Hot Line, (800) 662-8802.

Contact: Division of Waste and Hazardous Substances Remediation Section at (302) 395-2600. Website: https://dnrec.delaware.gov/waste-hazardous/remediation/

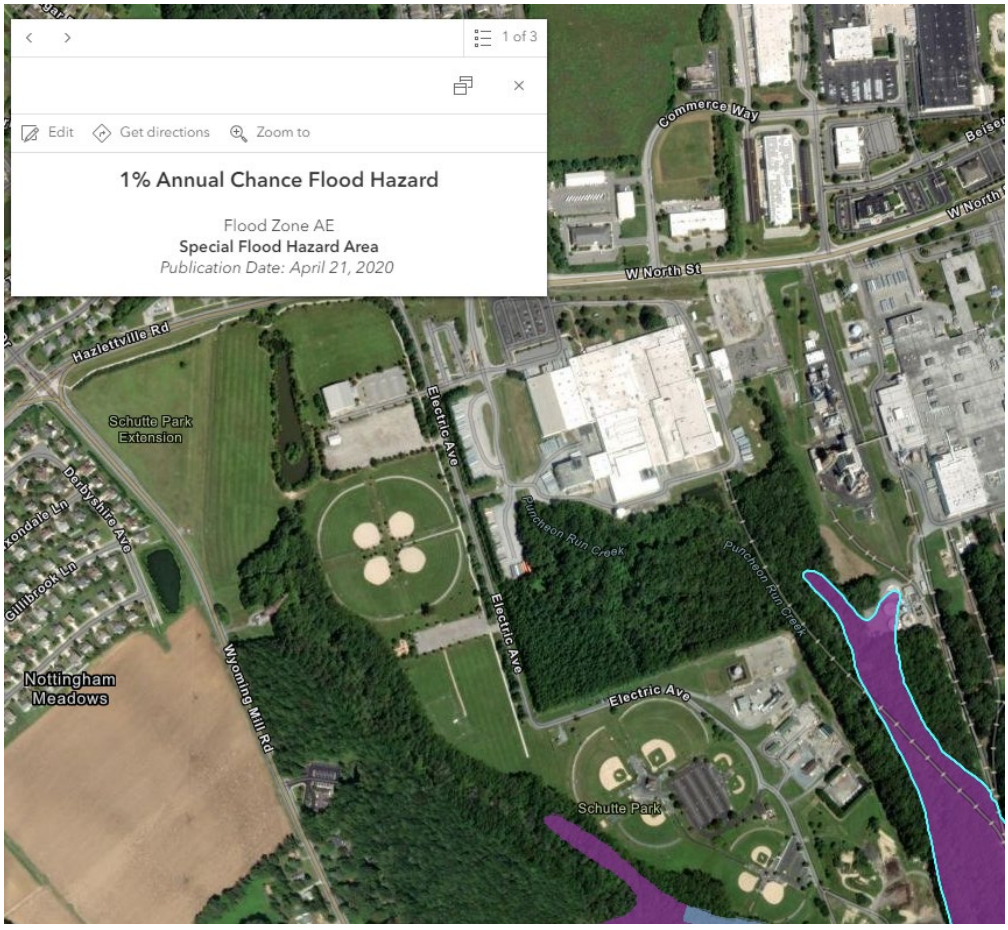
Delaware Department of Agriculture (DDA) – Contact Milton Melendez 302-698-4500

- No Delaware Department of Agriculture code or regulations apply to this PLUS project.

Delaware Emergency Management Agency (DEMA) – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

- The majority of this parcel primarily is located within an area of **Minimal Flood Concern of 1,000 years or greater** and therefore no direct concern; however, the southeastern portion borders a Special Flood Hazard Area identified as Flood Zone AE—a 1% Annual Chance Flood Hazard or 100-year Flood Plain—that follows the Beaver Dam Creek. Though no construction appears to be directly within the flood zone.



Parcel Status within County Evacuation Zone Location

- The parcel is not yet located within a Kent County Evacuation Zone.

Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant

- The parcel **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

State Historic Preservation Office (SHPO) – Contact Carlton Hall 302-736-7400

- There are no known archaeological sites or known National Register-listed or eligible properties on the parcel.
- The proposed expansion includes expanded truck storage and stormwater management on the southwestern portion of the parcel. The southwestern portion of the parcel is adjacent to a stream and is composed of well-drained soils.
- There are considered favorable conditions for past human occupation. Historic maps and aerials show an occupation in the southwestern corner of the parcel. Due to known occupation, there is high potential for historic archaeological sites.
- Our Office recommends an archaeological survey prior to any ground disturbance for the proposed Trailer Lot B/C and stormwater pond. The developer should be aware of Delaware's Unmarked Human Remains Law (Del. Code Title 7 Chapter 54).
- If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400**.**

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Department of Transportation (DelDOT) – Contact Stephen Bayer 302-760-4834

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019, and March 16, 2021. The notes can be found at https://www.deldot.gov/Business/subdivisions/

Department of Natural Resources and Environmental Control (DNREC) – Contact Beth Krumrine 302-735-3480

Wetlands and Waterways/Vegetated Buffer Zones

- As proposed, implement an upland buffer of at least 100 feet along all wetlands (or increase the wetland buffer to 100 feet across the entire site), including those containing existing forest or natural vegetative cover.

- Use wide, open bottom box culverts to allow for passage of amphibians.

- Maintain habitat connections to undeveloped open space, which are especially important for species movement across the landscape.

- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.

- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- Grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: https://dnrec.delaware.gov/fish-wildlife/contact-information/

Land and Water Conservation Fund or Outdoor Recreation, Parks, and Trails

This site is adjacent to Schutte Park, a property that is held under Outdoor Recreation, Parks, and Trails (ORPT) protection. State grant funding was specifically used to improve public-use areas such as playgrounds, trails, and other recreational opportunities.

- It is recommended to extend the existing raised berm and plant evergreen trees sufficient to continue the existing tree line the full length of said berm. The berm should run the full length of the proposed parking lot edge facing Schutte Park.

Contact: DNREC Division of Parks and Recreation, Parks Resource Office at (302) 739-9215. Website: https://dnrec.delaware.gov/parks/planning/recreation-parks-trails/

Removal of Forest

The preliminary plan proposes to remove 3.8 acres of forest on the site, while allowing 33.8 acres of forest to remain intact. The removal is limited to the placement of a stormwater management pond and the expansion of trailer drop lot B/C.

- Removing forested areas for development should be avoided to the greatest extent possible.

- In general, contiguous forest and connected areas of natural habitat are more beneficial to wildlife, allowing for safer movement from one area to another while reducing roadway mortality.

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.
Website: https://dnrec.delaware.gov/fish-wildlife/contact-information/

Water Quality

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable. Break up large parking lots with planted islands.

- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. https://dnrec.alpha.delaware.gov/watershed-stewardship/

Excellent Groundwater Recharge Area

- For Excellent Groundwater Recharge Areas, limit impervious surfaces to no more than 20% of the entire area designated as having excellent recharge.

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945. Website: https://dnrec.delaware.gov/water/supply/ground-water-protection/

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.
- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Kent Conservation District at (302) 608-5370.
Website: http://kentcd.org/
General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Drainage

- All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.
- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Waterways Section prior to clearing and/or excavating ditch channels.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream of the project or create any off-site drainage problems downstream by the release of on-site storm water.
- Any area designated as a drainage/utility easement should be open space and not owned by the individual landowners.
- Any drainage/utility easement should not possess structures such as decks, buildings, sheds, kennels, or fences within the drainage easement to allow for future drainage maintenance. Trees and shrubs planted within a drainage/utility easement should be spaced to allow for drainage maintenance at maturity.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/

Sustainable Practices

- On large expanses of impervious surfaces and asphalt, design parking areas to include trees for shading.
- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

- Consider installing electric vehicle charging stations for staff/visitors. Installation costs can vary significantly depending on the parking and electricity distribution at a given location, so it is often easier and cheaper to plan for the installation at construction, rather than doing costly retrofits later. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 80% of the cost of the charging station for commercial, multi-unit dwelling and other public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality (https://dnrec.delaware.gov/climate-coastal-energy/clean-transportation/).
- Consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities ((https://dnrec.delaware.gov/climate-coastal-energy/renewable/assistance/).
- Consider planting stands of native trees. Native trees improve air, water, and soil quality. Planting and nurturing trees is also a nature-based solution to reducing the greenhouse gases that drive climate change. In addition, native trees have an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.
- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.
- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.
- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.
Website: https://dnrec.delaware.gov/climate-coastal-energy/

Delaware Emergency Management Agency (DEMA) – Contact Phillip Cane 302-659-2325

Population

- The county has a population density of 310.20 persons per square mile based on the US 2020 Census report; an increase from 2010 at 271.30 persons per square mile. The specific census block(s) the project is located on has a total population of 15 persons, though, with development, this will undoubtedly change. The 15 adjacent blocks aggregated bring the area to a total population of 1230 persons.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.

Expected Annual Loss
× Social Vulnerability
÷ Community Resilience
= Risk Index

- According to FEMA's National Risk Index, the parcel **is** considered **relatively low** for overall natural hazards risks.
- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.
- Its community resilience is rated at **relatively high** whereas its social vulnerability is rated as **very high.**

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **utility/natural gas** as the predominant fuel type for heating purposes.
- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure. Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs or solar panels where applicable and allowable, and the like.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

David L. Edgell, AICP
Director, Office of State Planning Coordination

BEACON ENGINEERING LLC
CELEBRATING 10 Years of Service
23318 Cedar Lane · Georgetown, DE 19947 · 302.864.8825
info@beaconengineeringllc.com

Transmitted via Email: rose.zappacosta@delaware.gov for Mr. David L. Edgell, AICP

June 6, 2024

Office of State Planning Coordination
122 Martin Luther King junior Blvd. South- Haslet Armory, 3rd Floor
Clover, DE space 19901

Attn: Mr. David L. Edgell, AICP, Director

RE: PLUS Review – 2024-04-05
Warehouse Expansion & Parking Improvements – Procter & Gamble
Tax Map # 2-05-07600-01-0700
City of Dover, East Dover Hundred
Kent County, Delaware
Project No. P&G01-02

Dear Ms. Edgell:

The purpose of this letter would be to provide a general acknowledgement of comments and recommendations provided by the various government and regulatory agencies that participated in the above reference PLUS review. Generally, it is the Design Team's intent to comply with the spirit of those recommendations subject to the following:

Build Requirements/Agency Permitting Requirements

DelDOT: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DART First State: The Design Team has coordinated with DART First Sand DelDOT Planning to locate a Type 2 bus stop. Also, please note that bicycle parking is proposed at numerous locations throughout the facility.

DNREC: Special Stormwater Management Requirements: Prior to this PLUS meeting, the Design Team coordinated with the Kent Conservation District to establish design and permitting objectives.

DNREC: General Stormwater Management Requirements: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Industrial Stormwater: This facility is subject to an industrial stormwater discharge permit. All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Wetlands & Waterways: A wetland delineation has been prepared by Environmental Resource Insights, and this delineation has been reviewed with the Wetlands and Waterways Section and the US Army Corps of Engineers. No disturbance of wetlands or the City prescribed 100-foot riparian buffer from non-tidal wetlands is proposed. All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Excellent Groundwater Recharge Area: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Previous Contamination: All known contamination has been remediated consistent with State and Federal requirements.

DNREC: Leaking Underground Storage Tanks: All leaking underground storage tanks have been closed in accordance with State and Federal requirements.

DDA: Acknowledged. This agency is not applicable to this project.

DEMA: This agency indicated that the proposed project does not adversely impact this agency's programs and objectives.

SHPO: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

Recommendations/Additional Information

Though the suggestions made by the referenced agencies do not represent State code requirements, it is the intent of the Design Team to generally comply with the suggestions made by the following agencies:

DeLDOT: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Wetlands and Waterways/Vegetated Buffer Zones: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Land and Water Conservation Fund or Outdoor Recreation, Parks and Trails: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Removal of Forest: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Water Quality: Given the heavy traffic associated with the proposed use, the use of permeable paving is not advised because permeable paving does not provide a durable surface that is warranted for this use. Consideration will be provided to convert certain areas of the developed land to meadow.

DNREC: Excellent Groundwater Recharge Area: The Design Team intend to comply with the City of Dover Code with regard to the Tier 3 Excellent Recharge Area.

DNREC: Stormwater Management: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Drainage: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

DNREC: Sustainable Practices: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan) with the exception of the following:

- No electric vehicle charging stations will be provided because this recommendation is not consistent with current corporate policy

DEMA: All comments and recommendations are acknowledged and will be incorporated into the site development master plan (master plan).

Should you have any questions, please call.

Sincerely,

Robert J. Palmer, P.E.
President | Senior Engineer

CC: Ms. Dawn Melson-Williams, AICP, Principal Planner – City of Dover

WAREHOUSE EXPANSION & PARKING IMPROVEMENTS

PRELIMINARY SITE DEVELOPMENT MASTER PLAN

SAINT JONES RIVER WATERSHED, CITY OF DOVER, EAST DOVER HUNDRED, KENT COUNTY, DELAWARE

TAX MAP # ED-05-076.00-01-07.00-00001

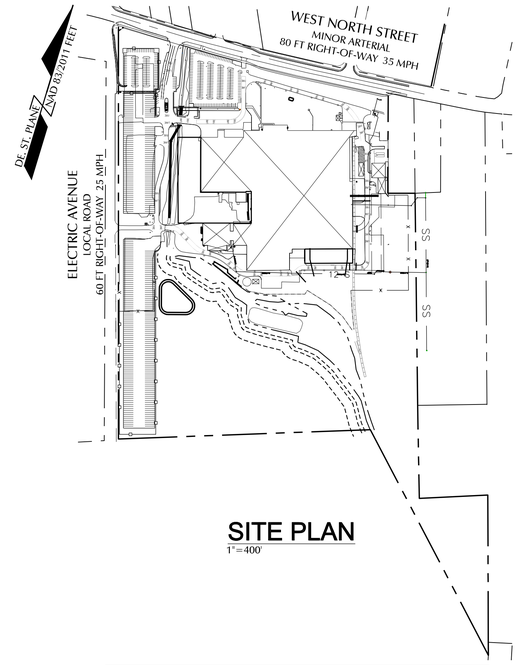
APRIL 2024 P&G01-02

GENERAL NOTES

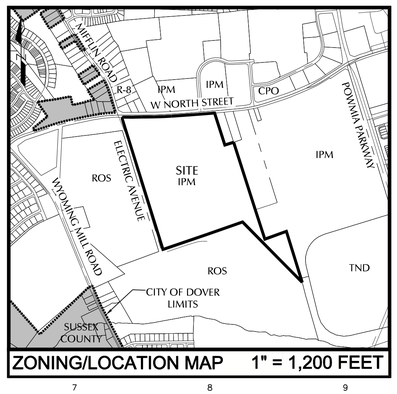
1. TOPOGRAPHIC SURVEY WAS PERFORMED IN MARCH 2021 BY TRUE NORTH LAND SURVEYING, INC. & UPDATED FEBRUARY 2024 BY TRUE NORTH LAND SURVEYING, INC. HORIZONTAL DATUM IS NAD 83/2009, DELAWARE SPC. VERTICAL DATUM IS REPORTED IN NAVD 88/2009. ALL UNITS ARE IN FEET.
2. THE CONTRACTOR SHALL PROVIDE ALL STAKEOUT WORK NECESSARY FOR PROJECT CONSTRUCTION BY A SURVEYOR LICENSED IN THE STATE OF DELAWARE.
3. CONTRACTOR SHALL NOTIFY 'MISS UTILITY OF DELMARVA' AT (1-800-282-8555) AT LEAST 48 HOURS PRIOR TO EXCAVATION, TO HAVE EXISTING UNDERGROUND UTILITIES LOCATED AND MARKED.
4. CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES. ALL PROPOSED UTILITIES ARE TO BE CONSTRUCTED WITHIN THE ROADWAY OR DESIGNATED EASEMENT.
5. EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLANS ARE BASED UPON THE BEST AVAILABLE INFORMATION AND ARE SHOWN FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. NO GUARANTEE IS MADE OR IMPLIED REGARDING THE ACCURACY OR COMPLETENESS THEREOF, CONTRACTOR IS RESPONSIBLE FOR THE VERIFICATION OF DEPTH, SIZE AND MATERIAL OF ALL UNDERGROUND UTILITIES BEFORE BEGINNING ANY EXCAVATION OR PIPE INSTALLATION BY TEST PITTING. IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. PROVIDING THE INFORMATION ON THE PLANS DOES NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL LOCATED OR UN-LOCATED EXISTING UTILITIES AND STRUCTURES. SHOULD ANY EXISTING UTILITIES BE DAMAGED BY THE CONTRACTOR, THEN THE CONTRACTOR SHALL REPAIR THE DAMAGE CAUSED TO THE OWNERS SATISFACTION, AT THE CONTRACTORS EXPENSE.
6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS, AND THE CONTRACT SPECIFICATIONS.
7. ALL PAVING, FENCING, SIGNS, OBJECTS, ETC. DAMAGED BY THE WORK SHALL BE RESTORED TO ORIGINAL CONDITION.
8. THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAIL BOXES, SIGNS, LANDSCAPING, TREES, GUY WIRES, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL, REGULATORY, WARNING, AND INFORMATIONAL SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES.
9. ONLY SUITABLE AND APPROVED GRANULAR MATERIAL SHALL BE USED FOR BACKFILL.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF TRAFFIC IN ALL WORK AREAS.
11. DRAWINGS & SPECIFICATIONS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE PERFORMED IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL APPLICABLE RULES AND REGULATIONS.
12. THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS UNLESS WRITTEN APPROVAL HAS BEEN PROVIDED BY THE ENGINEER.
13. CONTRACTOR SHALL ADJUST TO FINISH GRADE AS REQUIRED ANY EXISTING OR NEW VALVE BOXES, MANHOLES, CATCH BASINS ETC., PRIOR TO PLACING PAVING.
14. WETLAND DELINEATION PREPARED BY ERI, INC. LIMITS OF STATE AND FEDERAL WETLANDS ARE AS SHOWN.
15. DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING THE EXCAVATION FOR STRUCTURES AND UTILITY LINES ON AND OFF SITE MUST BE REMOVED AND PROPERLY DISCARDED. ANY REMEDIAL ACTION REQUIRED IS THE RESPONSIBILITY OF THE OWNER.

DRAWING INDEX:

T1.1	TITLESHEET
T1.2	GENERAL AND CONSTRUCTION NOTES
EX1.0	EXISTING CONDITIONS PLAN
EX1.1	EXISTING CONDITIONS PLAN
EX1.2	EXISTING CONDITIONS PLAN
EX1.3	EXISTING CONDITIONS PLAN
SP1.0	SITE PHASING PLAN
SP1.1	SITE PLAN
SP1.2	SITE PLAN
SP1.3	SITE PLAN
LS1.0	TREE PRESERVATION AND SELCTIVE CLEARING PLAN
LS1.1	TREE PRESERVATION AND SELCTIVE CLEARING PLAN
LS1.2	TREE PRESERVATION AND SELCTIVE CLEARING PLAN
UP1.0	UTILITY PLAN
UP1.1	UTILITY PLAN
UP1.2	UTILITY PLAN
FM1.1	FIRE MARSHAL SITE PLAN
CD1.1	CONSTRUCTION DETAILS



SITE PLAN
1"=400'



ZONING/LOCATION MAP 1" = 1,200 FEET

SITE DATA

OWNER/APPLICANT
THE DOVER WIPES COMPANY
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OHIO 45202
PHONE: 302-678-2600

EQUITABLE OWNER
PROCTER & Gamble
1340 WEST NORTH STREET
DOVER, DELAWARE 19904

CONSULTANT:
BEACON ENGINEERING, LLC
23318 CEDAR LANE
GEORGETOWN, DELAWARE 19947
PHONE: 302-864-8825
RPALMER@BEACONENGINEERINGLLC.COM

PROPERTY & ZONING DATA:

LAND USE APPROVAL AGENCY:	CITY OF DOVER PLANNING & ZONING
TAX MAP:	ED-05-076.00-01-07.00-00001
LATITUDE:	39.149143° N
LONGITUDE:	-75.552685° W
ZONING:	IPM (INDUSTRIAL PARK MANUFACTURING)
EXISTING PROPERTY AREA:	84.10 AC
EXISTING CONDITION:	INDUSTRIAL PARK
WETLAND AREA:	3.59 +/- AC PER WETLAND DELINEATION PREPARED BY ERI, INC.
PROPOSED PROPERTY AREA:	84.10 AC
PRESENT USE:	MANUFACTURING
PROPOSED USE:	MANUFACTURING
WATER:	CITY OF DOVER
SEWER:	CITY OF DOVER
NUMBER OF EXISTING LOTS:	1
NUMBER OF PROPOSED LOTS:	1
PROPOSED LIMIT OF DISTURBANCE:	13.64 +/- AC
SITE ACCESS:	WEST NORTH STREET
VERTICAL DATUM:	NAVD 88, FEET
HORIZONTAL DATUM:	DELAWARE STATE PLANE, NAD 83
DEED REFERENCE:	DEED BOOK 0176, PAGE 0136
EXISTING BUILDING AREA:	532,903 SF
PROPOSED BUILDING AREA:	662,942 SF
STATE STRATEGIES INVESTMENT LEVEL:	1
POSTED SPEED LIMIT:	35 MPH
NEAREST TOWN:	DOVER
BOUNDARY SURVEYOR:	TRUE NORTH LAND SURVEYING, INC.
DATE OF BOUNDARY SURVEY:	MARCH 2021, UPDATED FEBRUARY 2024

PORTIONS OF THIS SITE LIE WITHIN THE 100 YR FLOOD PLAIN PER FEMA MAP NUMBERED 10001C0168H MAY 05, 2003.
THIS PROJECT WILL BE CONSTRUCTED IN 4 PHASES.

SOURCE WATER PROTECTION OVERLAY: TIER 3 EXCELLENT

MAX. IMPERVIOUS ALLOWED ON PORTION OF LAND WITHIN TIER 3:	30%
MAX. IMPERVIOUS ALLOWED WITH INFILTRATION:	60%
IMPERVIOUS PROPOSED WITHIN TIER 3 WITH INFILTRATION:	39%

HEIGHT, AREA & BULK REQUIREMENTS IPM:

MIN. LOT AREA:	2.5 AC
MIN. LOT WIDTH:	200 FT
MIN. LOT DEPTH:	300 FT
MIN. FRONT YARD:	60 FT
MIN. SIDE YARD:	40 FT
MIN. REAR YARD	40 FT
MIN. SIDE OR REAR YARD WHICH ADJOINS A RESIDENTIAL ZONE:	100 FT
BUILDING HEIGHT STORIES:	NO LIMIT
BUILDING HEIGHT FEET:	EQUAL TO DISTANCE TO NEAREST LOT LINE
FLOOR AREA RATIO:	0.5
MAX LOT COVERAGE:	75%
PROPOSED LOT COVERAGE:	42%
PROPOSED HEIGHT OF 2 STORY 21,000 SF BUILDING ADDITION (WAREHOUSE 3):	40 FT
PROPOSED HEIGHT OF 110,000 SF BUILDING ADDITION (JE WAREHOUSE) :	45 FT

PARKING REQUIREMENTS:

INDUSTRIAL PARK MANUFACTURING:	1 PER EMPLOYEE (101 EMPLOYEES ON LARGEST SHIFT) 185 EMPLOYEES ON THE LARGEST SHIFT FOR MANUFACTURING, WHOLESALE, OR STORAGE USES IN THE M OR IPM ZONE, AND FOR BUILDINGS IN EXCESS OF 150,000 SQUARE FEET IN ANY ZONE, SUFFICIENT OFF-STREET LOADING BERTHS SHALL BE PROVIDED.
LOADING SPACES:	
TOTAL SPACES REQUIRED:	185 SPACES

PARKING PROVIDED:

PROPOSED SPACES:	316 SPACES (INCLUDES 8 ADA SPACES)
TOTAL SPACES PROVIDED:	316 SPACES PROVIDED

ACCESSIBLE PARKING REQUIREMENTS:

PARKING (301-400):	8 SPACES (INCLUDES 2 VAN SPACES)

ACCESSIBLE PARKING PROVIDED:

PARKING (301-400):	8 SPACES PROVIDED
TOTAL ACCESSIBLE PARKING:	8 SPACES PROVIDED
TOTAL PARKING PROVIDED:	316 SPACES (303 TRAILER SPACES)

OWNER'S / DEVELOPER'S CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE OWNER /DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, AND I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN CONSTRUCTED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

OWNER: THE DOVER WIPES COMPANY
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OHIO 45202
DATE

ENGINEER'S CERTIFICATION

I, ROBERT J. PALMER, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE AND THAT THIS PLAN WAS EITHER PREPARED BY ME OR UNDER MY DIRECTION. TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAN REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE. MY LICENSE NUMBER IS 11563, AND EXPIRES ON JUNE 30, 2024.

05/02/2024
ENGINEER: ROBERT J. PALMER, P.E.
BEACON ENGINEERING, LLC
23318 CEDAR LANE
GEORGETOWN, DELAWARE 19947
DATE

Seal: ROBERT J. PALMER LICENSE NO. 11563 DELAWARE PROFESSIONAL ENGINEER 05/02/2024

BEACON ENGINEERING LLC
23318 Cedar Lane | Georgetown | Delaware | 19947
302.864.8825 | info@beaconengineeringllc.com

Date:	
By:	
Revision:	

WAREHOUSE EXPANSION & PARKING IMPROVEMENTS
PROCTER & GAMBLE
SAINT JONES RIVER WATERSHED, CITY OF DOVER,
EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

TITLE SHEET

Date: MAY 3, 2024
Scale: AS SHOWN
Dwn.By: BAS
Proj.No.: P&G01-02

Dwg.: T1.1

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SEDIMENT AND STORMWATER CONSTRUCTION NOTES

1. THE KENT CONSERVATION DISTRICT MUST BE NOTIFIED IN WRITING FIVE (5) DAYS PRIOR TO COMMENCING WITH CONSTRUCTION TO SCHEDULE A PRE-CONSTRUCTION MEETING. FAILURE TO DO SO CONSTITUTES A VIOLATION OF THE APPROVED SEDIMENT AND STORMWATER PLAN.

2. REVIEW AND OR APPROVAL OF THE SEDIMENT AND STORMWATER MANAGEMENT PLAN SHALL NOT RELIEVE THE CONTRACTOR FROM HIS OR HER RESPONSIBILITIES FOR COMPLIANCE WITH THE REQUIREMENTS OF THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS, NOR SHALL IT RELIEVE THE CONTRACTOR FROM ERRORS OR OMISSIONS IN THE APPROVED PLAN.

3. IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY DNREC OR THE KENT CONSERVATION DISTRICT.

4. FOLLOWING SOIL DISTURBANCE OR REDISTURBANCE, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED FOR ALL PERIMETER SEDIMENT CONTROLS, SOIL STOCKPILES, AND ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT SITE WITHIN 14 CALENDAR DAYS UNLESS MORE RESTRICTIVE FEDERAL REQUIREMENTS APPLY.

5. ALL EROSION & SEDIMENT CONTROL PRACTICES SHALL COMPLY WITH THE DELAWARE SEDIMENT CONTROL HANDBOOK, LATEST EDITION.

6. AT ANY TIME A DEWATERING OPERATION IS USED, IT SHALL BE PREVIOUSLY APPROVED BY THE AGENCY CONSTRUCTION SITE REVIEWER FOR A NON-EROSIVE POINT OF DISCHARGE, AND A DEWATERING PERMIT SHALL BE APPROVED BY THE DNREC WELL PERMITTING BRANCH.

7. APPROVED PLANS SHALL REMAIN VALID FOR 5 YEARS FROM THE DATE OF APPROVAL.

8. POST CONSTRUCTION VERIFICATION DOCUMENTS SHALL BE SUBMITTED TO THE KENT CONSERVATION DISTRICT WITHIN 60-DAYS OF STORMWATER MANAGEMENT FACILITY COMPLETION.

9. APPROVAL OF A SEDIMENT & STORMWATER PLAN DOES NOT GRANT OR IMPLY A RIGHT TO DISCHARGE STORMWATER RUNOFF. THE OWNER/DEVELOPER IS RESPONSIBLE FOR ACQUIRING ANY AND ALL AGREEMENTS, EASEMENTS, ETC., NECESSARY TO COMPLY WITH STATE DRAINAGE AND OTHER APPLICABLE LAWS.

10. THE NOTICE OF INTENT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER A NPDES GENERAL PERMIT FOR THIS PROJECT IS #7110. THE PERMITTEE OF RECORD SHALL NOT BE RELIEVED OF THEIR RESPONSIBILITIES UNTIL A NOTICE OF TERMINATION HAS BEEN PROCESSED BY THE DEPARTMENT.

11. THE OWNER SHALL BE FAMILIAR WITH AND COMPLY WITH ALL ASPECTS OF THE NPDES CONSTRUCTION GENERAL PERMIT.

12. THE CONTRACTOR SHALL AT ALL TIMES PROTECT AGAINST SEDIMENT OR DEBRIS LADEN RUNOFF OR WIND FROM LEAVING THE SITE. PERIMETER CONTROLS SHALL BE CHECKED DAILY AND ADJUSTED AND/OR REPAIRED TO FULLY CONTAIN AND CONTROL SEDIMENT FROM LEAVING THE SITE. ACCUMULATED SEDIMENT SHALL BE REMOVED WHEN IT HAS REACHED HALF OF THE EFFECTIVE CAPACITY OF THE CONTROL. IN ADDITION, THE CONTRACTOR MAY NEED TO ADJUST OR ALTER MEASURES IN TIMES OF ADVERSE WEATHER CONDITIONS, OR AS DIRECTED BY THE AGENCY CONSTRUCTION SITE REVIEWER.

13. BEFORE ANY EARTHWORK OR EXCAVATION TAKES PLACE, THE CONTRACTOR SHALL CALL MISS UTILITY AT 811 OR 1.800.282.8555 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION, TO HAVE ALL EXISTING UTILITIES MARKED ONSITE.

14. BEST AVAILABLE TECHNOLOGY (BAT) SHALL BE EMPLOYED TO MANAGE TURBID DISCHARGES IN ACCORDANCE WITH REQUIREMENTS OF 7. DEL C. CH 60, REGULATIONS GOVERNING THE CONTROL OF WATER POLLUTION, SECTION 9.1.02, KNOWN AS SPECIAL CONDITIONS FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES, AND DEPARTMENT POLICIES, PROCEDURES, AND GUIDANCE.

15. DOCUMENTATION OF SOIL TESTING AND MATERIALS USED FOR TEMPORARY OR PERMANENT STABILIZATION INCLUDING BUT NOT LIMITED TO SOIL TEST RESULTS, SEED TAGS, SOIL AMENDMENT TAGS, ETC. SHALL BE PROVIDED TO THE KENT CONSERVATION DISTRICT TO VERIFY THAT THE PERMANENT OR TEMPORARY STABILIZATION HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLAN.

16. THE KENT CONSERVATION DISTRICT MAY REQUIRE ADDITIONAL SOIL TESTING AND REAPPLICATION OF PERMANENT OR TEMPORARY STABILIZATION IN ACCORDANCE WITH THE SPECIFICATIONS IN THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, OR ALTERNATIVE MEASURES THAT PROVIDE FUNCTIONAL EQUIVALENCY.

17. WHEN DIRECTED BY THE KENT CONSERVATION DISTRICT, THE OWNER SHALL ACQUIRE THE SERVICES OF A THIRD PARTY CERTIFIED CONSTRUCTION REVIEWER (CCR) TO PERFORM WEEKLY CONSTRUCTION REVIEWS. SEDIMENT AND STORMWATER MANAGEMENT PLANS APPROVED BY THE DEPARTMENT SHALL HAVE A THIRD PARTY CCR.

18. THE SITE CONTRACTOR, UNDER THE DIRECTION OF THE OWNER, SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR TO ALL THE SEDIMENT CONTROL AND STORMWATER MANAGEMENT DEVICES DURING SITE CONSTRUCTION ACTIVITIES INCLUDING UTILITY INSTALLATION.

19. THE OWNER GRANTS THE KENT CONSERVATION DISTRICT PERMISSION TO CONDUCT ONSITE INSPECTIONS. THE OWNER REQUESTS KCD INSPECTORS CHECK IN AT THE BUSINESS' OFFICE UPON ARRIVAL.

20. THE OWNER SHALL MAINTAIN ALL STORMWATER MANAGEMENT DEVICES FOR THE LIFE OF THIS FACILITY.

21. A PERIODIC MAINTENANCE OF ALL SEDIMENT CONTROL MEASURES SHALL BE REQUIRED TO INSURE EFFECTIVE SEDIMENT CONTROL. INSPECTION OF ALL SEDIMENT AND EROSION CONTROL MEASURES OTHER THAN PERIMETER CONTROLS SHALL BE MADE WEEKLY AND AFTER EACH RAINFALL.

22. ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL REMAIN IN PLACE UNTIL FINAL STABILIZATION IS ESTABLISHED AND ACCEPTED BY THE AGENCY CONSTRUCTION SITE REVIEWER.

23. ALL AREAS NOT COVERED BY BUILDING OR PAVEMENT WILL BE SEEDED USING PERMANENT SEED MIXTURE SHOWN ON THIS PLAN. A MINIMUM OF 4" OF TOPSOIL SHALL BE APPLIED TO ALL AREAS REQUIRING SEEDING. AREAS OF "CUT" SHALL BE UNDERCUT AND FINAL GRADES ESTABLISHED WITH A MINIMUM OF 4" TOPSOIL, , 6" MINIMUM IN DELDOT RIGHT-OF-WAY..

24. UPON COMPLETION OF STOCKPILING, TOPSOIL, SEED AND MULCH USING TEMPORARY SEED MIXTURE SPECIFICATIONS IF TO REMAIN IN PLACE LONGER THAN 14 DAYS.

25. SEEDING (PERMANENT):
    A. SHALL BE CONSTRUCTED BETWEEN FEBRUARY 1 TO APRIL 30 OR AUGUST 15 TO OCTOBER 31.
    B. SEED BED PREPARATION: APPLY 23 LBS. OF 10-10-10 FERTILIZER PER 1000 SQ. FT.; HARROW OR DISC INTO SOIL TO A DEPTH OF 3 TO 4 INCHES; APPLY DOLOMITIC LIMESTONE AT 92 LBS. PER 1000 SQ. FT.
    C. SEEDING: APPLY SPECIFIED DELAWARE SEED MIX ON A MOIST SEED BED WITH SUITABLE EQUIPMENT, MINIMUM COVERAGE 1/4 INCH, UNLESS OTHERWISE NOTED. REFER TO STABILIZATION REQUIREMENTS ON SHEET SW2.3.
    D. MULCHING: IMMEDIATELY AFTER SEEDING, UNIFORMLY MULCH ENTIRE AREA WITH UNWEATHERED SMALL GRAIN STRAW AT A RATE OF 92 LBS. PER 1000 SQ. FT. MULCH TO BE ANCHORED WITH MULCH ANCHORING TOOL ON THE CONTOUR OR ASPHALT TIE-DOWN METHODS.

26. ALL FILL SLOPE AREAS SHOWN HEREON ARE TO BE STABILIZED PER PARAGRAPH 24 ABOVE IMMEDIATELY AFTER COMPLETION OF GRADING OPERATIONS FOR THESE SLOPES.

27. IF CONSTRUCTION ACTIVITY IS COMPLETED OR CEASES FOR A PERIOD OF 14 DAYS, ALL DISTURBED AREAS WILL BE STABILIZED EITHER PERMANENTLY OR TEMPORARILY, FOLLOWING THE SPECIFICATIONS AND STANDARDS IN THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.

28. TEMPORARY VEGETATIVE COVER, MULCHING AND/OR SPRINKLING WITH WATER SHALL BE THE METHODS USED AS NECESSARY TO CONTROL DUST. CONTROL DUST USING ONE OF THE APPROVED METHODS SPECIFIED IN DE-ESC-3.4.8. REFER TO DRAWING SW3.1.

29. THE CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY, OR DELETE ANY SEDIMENT CONTROL MEASURES AS IT DEEMS NECESSARY.

30. PROVIDE EXCELSIOR MATTING ON ALL SLOPES OF 3:1 OR GREATER AND IN ALL AREAS OF CONCENTRATED FLOW. USE SSM-1 FOR SLOPES UP TO 3:1 USE SSM-11, FOR SLOPES BETWEEN 2:1 AND 3:1.

31. AREA SHALL BE SWEPT CLEAN AT THE END OF EVERY WORK DAY AND PRIOR TO EXPECTED RAINFALL.

32. ALL STONE USED FOR EROSION CONTROL PRACTICES SHALL BE UNDERLAIN WITH GEOTEXTILE FABRIC (US FABRICS US 315 OR EQUIVALENT.)

Seal:

ROBERT J. PALMER — LICENSE — No. 11563 — DELAWARE PROFESSIONAL ENGINEER

05/02/2024

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SAINT JONES RIVER WATERSHED, CITY OF DOVER,
EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

GENERAL AND CONSTRUCTION NOTES

Date: MAY 3, 2024
Scale: NONE
Dwn.By: BAS
Proj.No.: P&G01-02

Dwg.: T1.2

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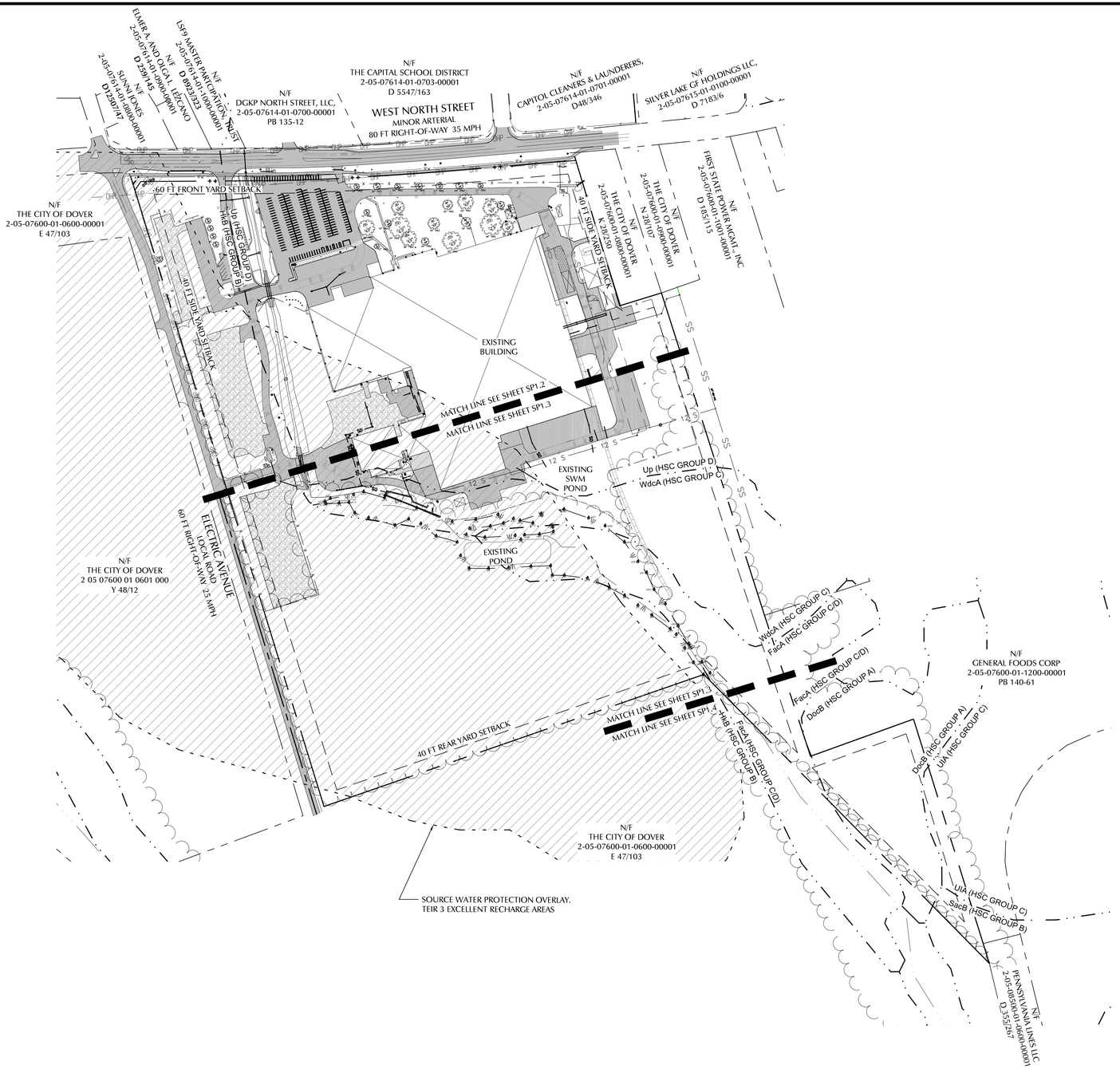
DE ST. PLANE
NAD 83/2011 FEET



LEGEND

EXISTING

- PROPERTY LINE
- RIGHT OF WAY (RW)
- EASEMENT
- YARD SETBACKS
- TREELINE
- WETLAND
- STORM PIPE (SS)
- SOILS — Up (HSC GROUP D) / HkB (HSC GROUP B)
- BUILDING
- PAVING
- CONCRETE
- DITCH/SWALE FLOW DIRECTION
- TREES
- LIGHT POLE

Seal:
ROBERT J. PALMER
LICENSE #
No. 11663
DELAWARE
PROFESSIONAL ENGINEER
05/02/2024

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SAINT JONES RIVER WATERSHED, CITY OF DOVER,
EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

EXISTING CONDITIONS PLAN

Date:	MAY 3, 2024
Scale:	1" = 200'
Dwn.By:	BAS
Proj.No.:	P&G01-02

Dwg.:
EX1.0

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DE ST PLANE
NAD 83/2011 FEET

N/F
SUNNI JONES
2-05-07614-01-0800-00001
D12507/47

N/F
ELMER A. AND OLGA I. LEZCANO
2-05-07614-01-1900-00001
D 259/145

N/F
ISFB MASTER PARTICIPATION TRUST
2-05-07614-01-1000-00001
D 6923/323

N/F
MB (HSC GROUP B),
LP (HSC GROUP D)

N/F
DGKP NORTH STREET, LLC,
2-05-07614-01-0700-00001
PB 135-12

WEST NORTH STREET
MINOR ARTERIAL
80 FT RIGHT-OF-WAY 35 MPH

EXISTING 10 SPACE
BIKE RACK

N/F
THE CAPITAL SCHOOL DISTRICT
2-05-07614-01-0703-00001
D 5547/163

N/F
CAPITOL CLEANERS & LAUNDERERS,
2-05-07614-01-0701-00001
D48/346

N/F
THE CITY OF DOVER
2-05-07600-01-0600-00001
E 47/103

60 FT FRONT YARD SETBACK

EXISTING
CONTRACTOR
PARKING

ELECTRIC AVENUE
(OLD ROAD)
60 FT RIGHT-OF-WAY 25 MPH

UNNAMED TRIBUTARY OF PUNCHEON RUN

EXISTING EMPLOYEE /
VISITOR PARKING LOT

COMPACT
PARKING
SPACES (9' X 16')

N/F
THE CITY OF DOVER
2-05-07600-01-0800-00001
K 28/250

METERING
MANHOLE-NORTH
OUTFALL

N/F
THE CITY OF DOVER
2 05 07600 01 0601 000
Y 48/12

LANDSCAPED AREA

EXISTING
BIKE RACK

EXISTING FIRE
PUMP HOUSE

3 EXISTING DOCK DOORS

3 EXISTING DOCK DOORS

7 EXISTING DOCK DOORS

4 EXISTING DOCK DOORS

60 FT FRONT YARD SETBACK

40 FT SIDE YARD SETBACK

EXISTING
DROP
LOT A

40 FT SIDE YARD SETBACK

EXISTING (2) 40 YARD
DUMPSTERS

EXISTING
BUILDING

EXISTING
METAL
RECYCLING
AREA

EXISTING CONSTRUCTION
ENTRANCE

MATCH LINE SEE SHEET SP1.3

0 60 120 180 FEET

Seal:
ROBERT J. PALMER
LICENSE #
No. 11663
DELAWARE
PROFESSIONAL ENGINEER
05/02/2024

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EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

EXISTING CONDITIONS PLAN

Date:	MAY 3, 2024
Scale:	1" = 60'
Dwn.By:	BAS
Proj.No.:	P&G01-02

Dwg.:
EX1.1

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MATCH LINE SEE SHEET SP1.2

DE ST PLANE
NAD 83/2011 FEET

ELECTRIC AVENUE
LOCAL ROAD
60 FT RIGHT-OF-WAY 25 MPH

N/F
THE CITY OF DOVER
2 05 07600 01 0601 000
Y 48/12

40 FT SIDE YARD SETBACK

EXISTING DROP LOT B

EXISTING BUILDING

4 EXISTING DOCK DOORS

EXISTING DROP LOT C

EXISTING FIRE STORAGE/PUMP HOUSE

UNNAMED TRIBUTARY OF PUNCHEON RUN

EXISTING SWM POND

EXISTING POND

Up (HSC GROUP D)
WdcA (HSC GROUP C)

40 FT SIDE YARD SETBACK

N/F
FIRST STATE POWER MGMT., INC
2-05-07600-01-1001-00001
D 185/115

100 FOOT WETLAND SETBACK PER CITY OF DOVER ORDINANCE 11.222

(THE SETBACK MAY BE REDUCED TO 50 FEET FROM THE TOP OF BANK PROVIDED THAT A RIPARIAN BUFFER IS ESTABLISHED IN THE SETBACK, CONSISTING OF NATIVE VEGETATION. (SEE FIGURE 11-1))

(THE SETBACK MAY BE REDUCED TO 30 FEET FROM THE TOP OF BANK PROVIDED THAT A RIPARIAN BUFFER IS ESTABLISHED IN THE SETBACK, CONSISTING OF NATIVE VEGETATION AND PROVIDED THAT BANK STABILIZATION IS IMPLEMENTED THROUGH THE PLANTING OF NATIVE SPECIES. (SEE FIGURE 11-1))

FacA (HSC GROUP C/D)
HkB (HSC GROUP B)

WdcA (HSC GROUP C)
FacA (HSC GROUP C/D)

40 FT REAR YARD SETBACK

N/F
THE CITY OF DOVER
2-05-07600-01-0600-00001
E 47/103

N/F
GENERAL FOODS CORP
2-05-07600-01-1200-00001
PB 140-61

MATCH LINE SEE SHEET SP1.4

0 60 120 180 FEET
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

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EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
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EXISTING CONDITIONS PLAN

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Dwg.:
EX1.2

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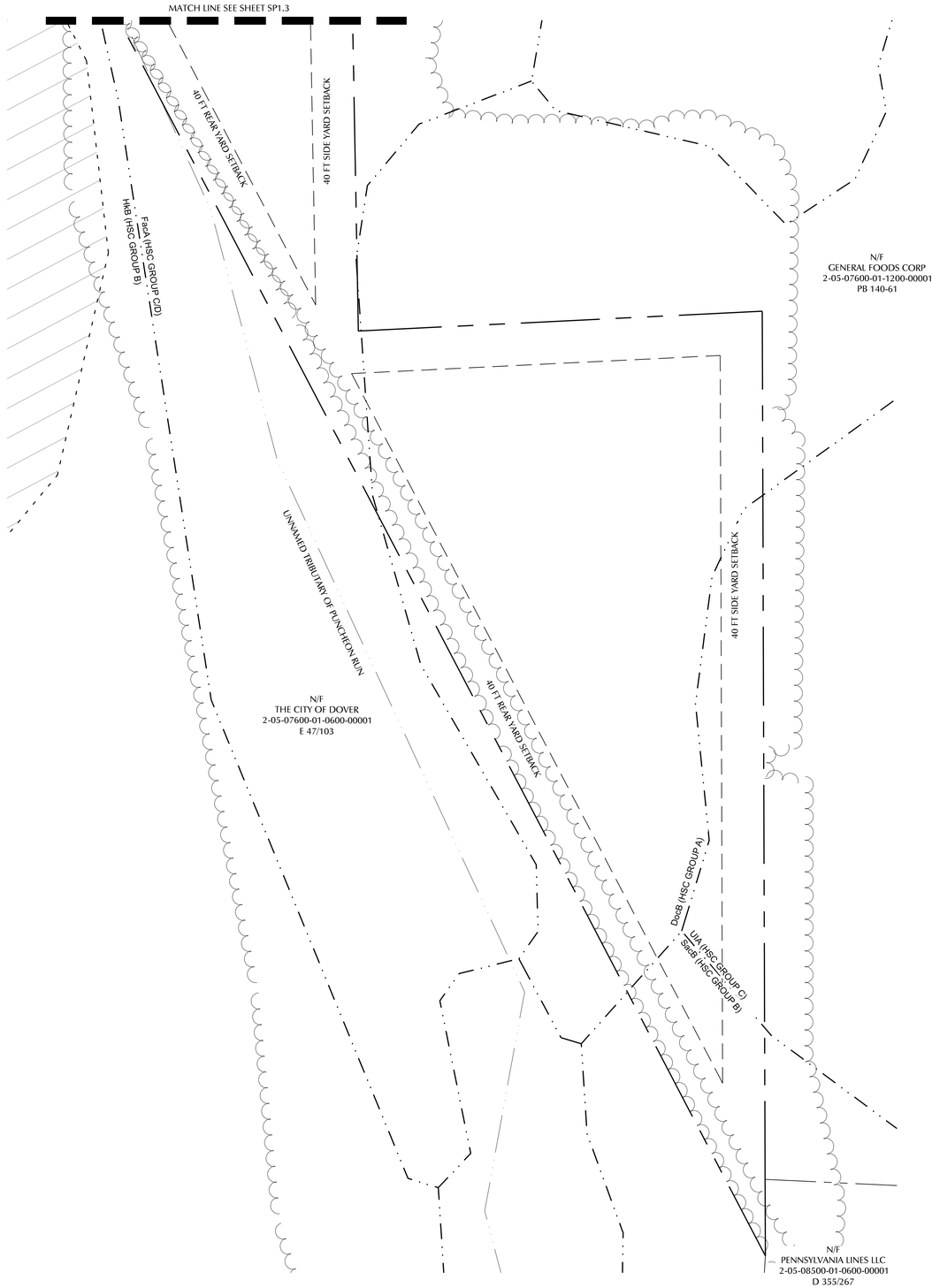
DE ST PLANE
NAD 83/2011 FEET



0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

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EX1.3

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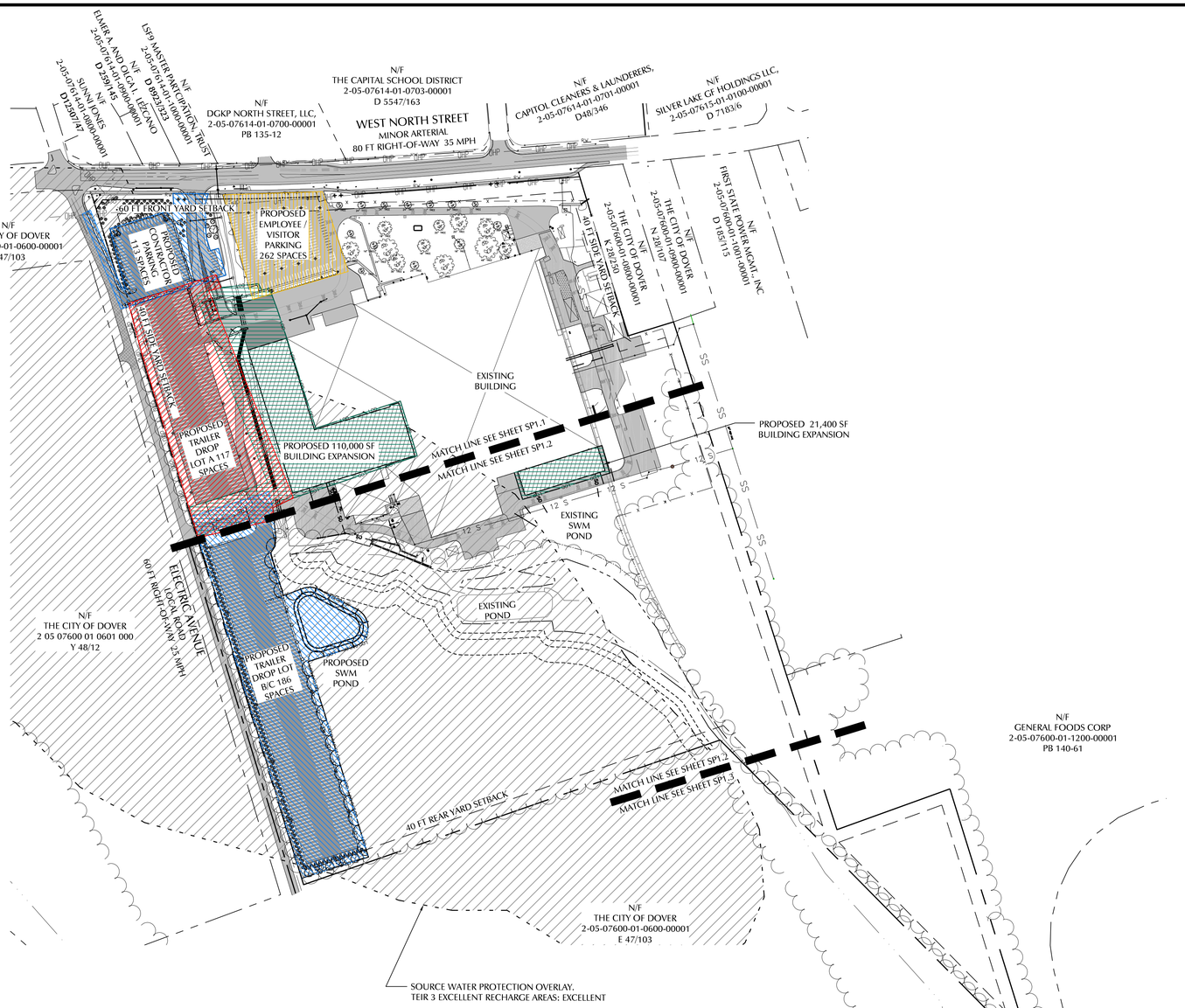
DE. ST. PLANE
NAD 83/2011 FEET



LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
RW	RIGHT OF WAY	RW
++	EASEMENT	++
	YARD SETBACKS	
	TREELINE	
44	CONTOURS	44
	ELECTRIC METER	
	UTILITY POLE	
	SEWER MANHOLE	
	CLEANOUT	
	HYDRANT	
	WATER METER	
	UNDERGROUND UTILITY BOX	
	LIGHT POLE	
OHP OHP OHP	OVERHEAD UTILITY	
G G	GAS LINE	
10 W	WATER LINE	6 W
E E	ELECTRIC LINE	
15 S	SEWER LINE	8 S
X X	FENCE LINE	
SD SD	STORM PIPE	
	BUILDING	
	PAVING	
	CONCRETE	
	PHASE 1	
	PHASE 2	
	PHASE 3	
	PHASE 4	

LAND AREAS FOR EACH PHASE:

	IMPERVIOUS	GRASSED/LANDSCAPED
PHASE 1	6.23 AC	3.01 AC
PHASE 2	4.34 AC	1.62 AC
PHASE 3	3.56 AC	1.79 AC
PHASE 4	2.07 AC	0.14 AC

0 200 400 600 FEET

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

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SITE PLAN

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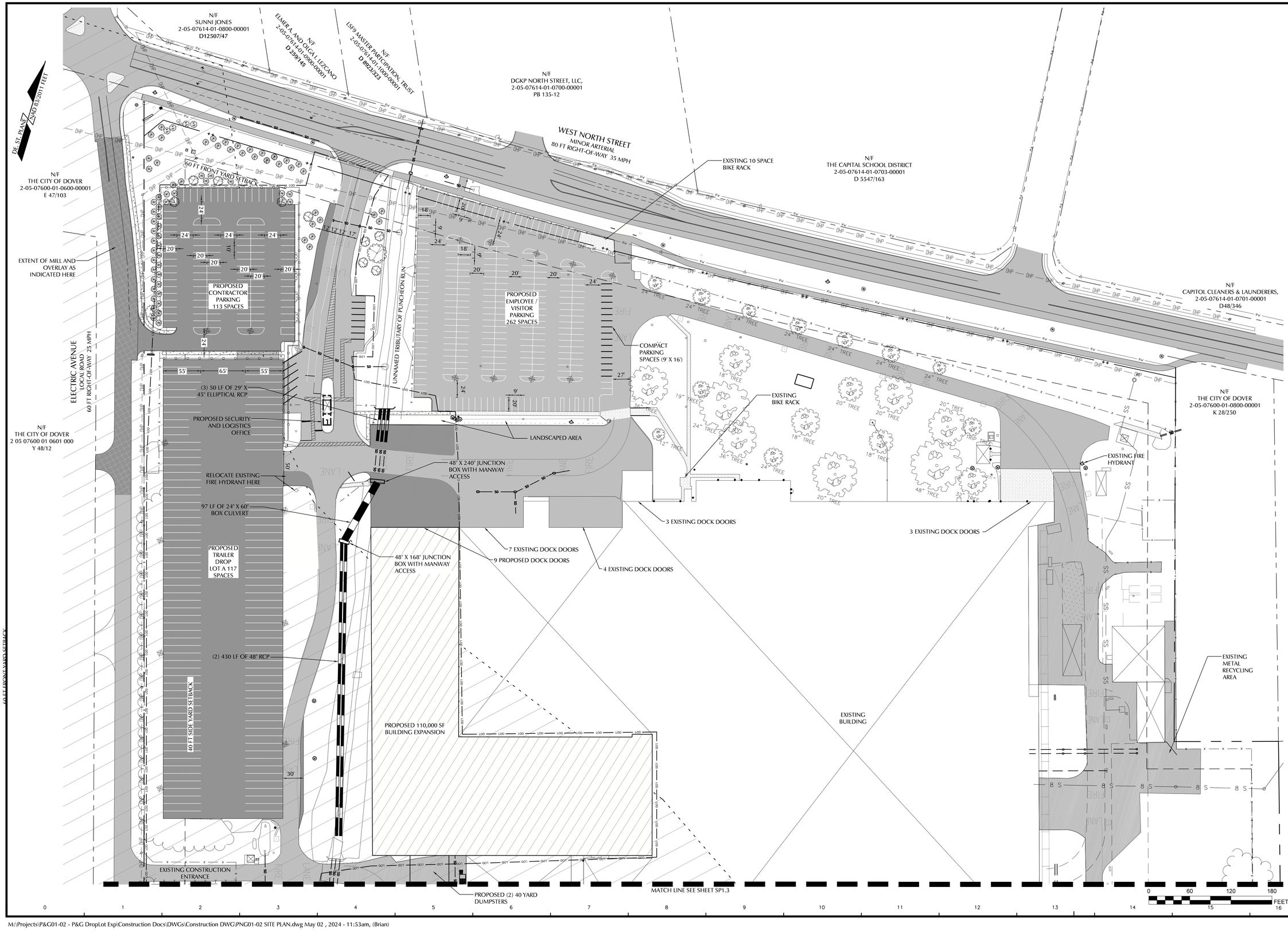

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MATCH LINE SEE SHEET SP1.2

DE ST PLANE
NAD 83/2011 FEET

ELECTRIC AVENUE
LOCAL ROAD
60 FT RIGHT-OF-WAY 25 MPH

55' 65' 55'

40 FT SIDE YARD SETBACK

N/F
THE CITY OF DOVER
2 05 07600 01 0601 000
Y 48/12

PROPOSED TRAILER DROP LOT
B 186 SPACES

PROPOSED SWM POND

UNNAMED TRIBUTARY OF PUNCHEON RUN

EXISTING BUILDING

PROPOSED 20,000 SF BUILDING EXPANSION

EXISTING SWM POND

EXISTING POND

100 FOOT WETLAND SETBACK PER CITY OF DOVER ORDINANCE 11.222

(THE SETBACK MAY BE REDUCED TO 50 FEET FROM THE TOP OF BANK PROVIDED THAT A RIPARIAN BUFFER IS ESTABLISHED IN THE SETBACK, CONSISTING OF NATIVE VEGETATION. (SEE FIGURE 11-1))

(THE SETBACK MAY BE REDUCED TO 30 FEET FROM THE TOP OF BANK PROVIDED THAT A RIPARIAN BUFFER IS ESTABLISHED IN THE SETBACK, CONSISTING OF NATIVE VEGETATION AND PROVIDED THAT BANK STABILIZATION IS IMPLEMENTED THROUGH THE PLANTING OF NATIVE SPECIES. (SEE FIGURE 11-1))

40 FT REAR YARD SETBACK

N/F
FIRST STATE POWER MGMT., INC
2-05-07600-01-1001-00001
D 185/115

N/F
GENERAL FOODS CORP
2-05-07600-01-1200-00001
PB 140-61

N/F
THE CITY OF DOVER
2-05-07600-01-0600-00001
E 47/103

MATCH LINE SEE SHEET SP1.4

0 60 120 180 FEET

Seal:
ROBERT J. PALMER
LICENSE
No. 11663
DELAWARE
PROFESSIONAL ENGINEER
05/02/2024

BEACON ENGINEERING LLC
23318 Cedar Lane | Georgetown | Delaware | 19947
302.864.8825 | info@beaconengineeringllc.com

Revision:	By:	Date:

WAREHOUSE EXPANSION & PARKING IMPROVEMENTS
PROCTER & GAMBLE
SAINT JONES RIVER WATERSHED, CITY OF DOVER,
EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

SITE PLAN

Date:	MAY 3, 2024
Scale:	1" = 60'
Dwn.By:	BAS
Proj.No.:	P&G01-02

Dwg.:

SP1.2

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DE ST. PLANE
NAD 83/2011 FEET

MATCH LINE SEE SHEET SP1.3

N/F
GENERAL FOODS CORP
2-05-07600-01-1200-00001
PB 140-61

UNNAMED TRIBUTARY OF PUNCHEON RUN

N/F
THE CITY OF DOVER
2-05-07600-01-0600-00001
E 47/103

N/F
PENNSYLVANIA LINES LLC
2-05-08500-01-0600-00001
D 355/267

0 60 120 180 FEET

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

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No. 11663
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05/02/2024

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PROCTER & GAMBLE
SAINT JONES RIVER WATERSHED, CITY OF DOVER,
EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

SITE PLAN

Date:	MAY 3, 2024
Scale:	1" = 60'
Dwn.By:	BAS
Proj.No.:	P&G01-02

Dwg.:
SP1.3

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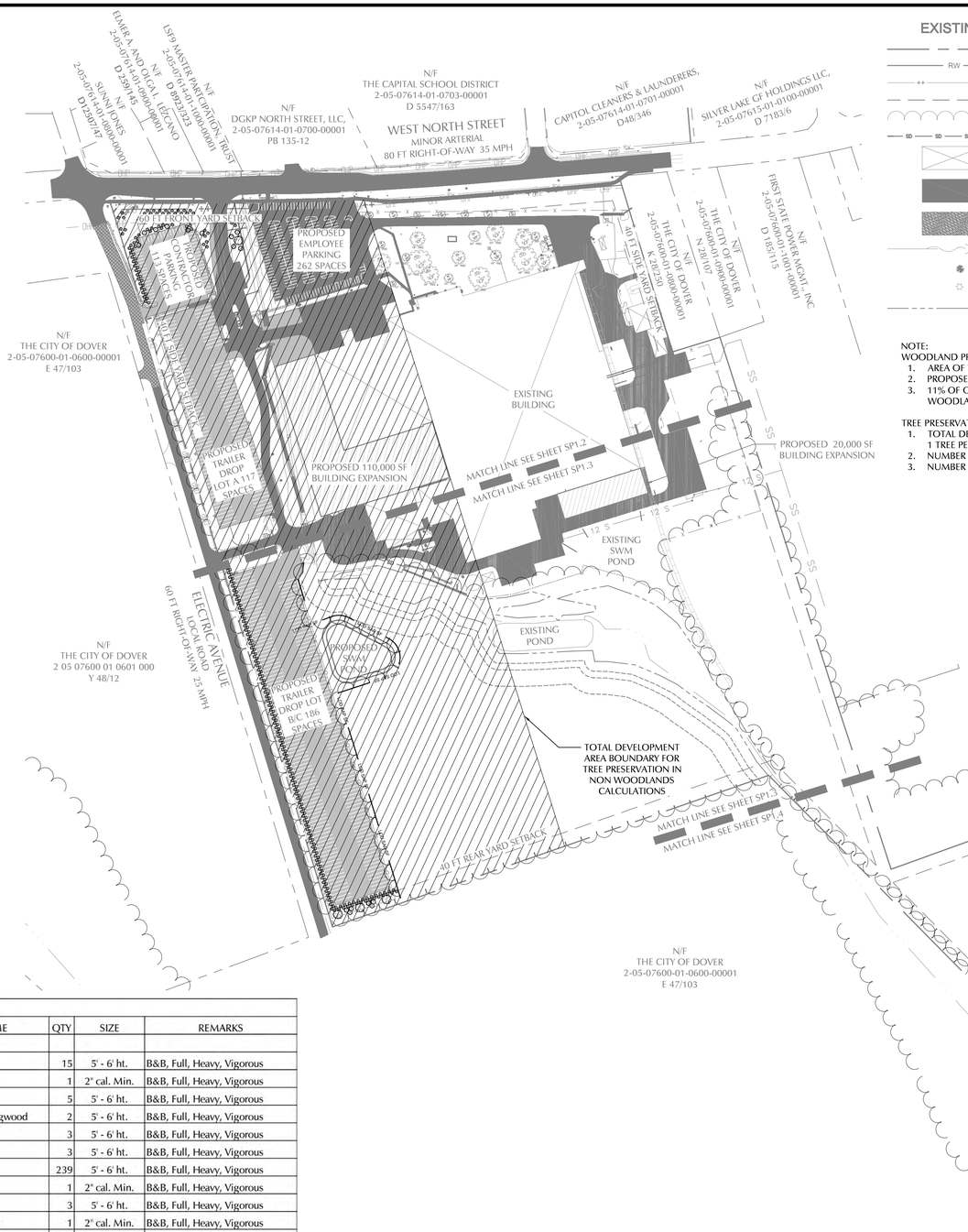
DE: ST. PLANE
ZONE: NAD 83/2011 FEET

GENERAL PLANTING NOTES

1. ALL PLANTINGS SHALL BE GUARANTEED FOR 1 YEAR SURVIVAL WITH A FULL PRICE LABOR AND MATERIALS WARRANTY.
2. NO SOIL OR MULCH SHALL BE PLACED AGAINST ROOT COLLAR OF PLANT.
3. PLANTING DEPTH SHALL BE THE SAME AS GROWN IN THE NURSERY, EXCEPT WHEN NOTED OTHERWISE.
4. AFTER THE INITIAL THOROUGH WATERING BY THE CONTRACTOR, THE OWNER SHALL BE RESPONSIBLE FOR PROVIDING 1 INCH OF WATER PER WEEK WHEN NATURAL RAINFALL IS LESS THAN 1 INCH PER WEEK BETWEEN MAY 1 AND NOVEMBER 30.
5. ALL STAKES AND "ARBOR TAPE" GUYING SHALL BE REMOVED FROM THE TREES AND THE SITE 1 YEAR AFTER PLANTING.
6. IN THE EVENT THAT THERE IS A DISCREPANCY BETWEEN THE QUANTITY OF PLANT MATERIAL ON THE PLAN DRAWING AND THE QUANTITY IN THE PLANT DRAWING AND THE QUANTITY IN THE PLANT LIST, THE QUANTITY OF THE PLANT MATERIAL ON THE PLAN DRAWING SHALL GOVERN.
7. SEED LAWN FOR BALANCE OF NON-PAVED AND NON-LANDSCAPED OR NON-MULCHED AREAS AT 8 LBS. PER 1,000 SF USING DELAWARE SEED MIX 12. LIME, FERTILIZER, STRAW MULCH RATES, PREPARATION AND SEEDING SCHEDULE PER THE CURRENT SEDIMENT AND EROSION CONTROL MANUAL.
8. AS A TREE PROTECTION MEASURE, SENSITIVE AREA PROTECTION FENCING SHAL BE PLACED AS SHOWN ON SHEET LS1.2
9. AS A SEDIMENT INTRUSION PREVENTION MEASURE, SILTFENCE SHALL BE PLACED AS SHOWN ON SHEET LS1.2



LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
RW	RIGHT OF WAY	RW
	EASEMENT	
	YARD SETBACKS	
	TREELINE	
SD SD SD SD	STORM PIPE	
	BUILDING	
	PAVING	
	CONCRETE	
	DITCH/SWALE FLOW DIRECTION	
	TREES	
	LIGHT POLE	
	WETLAND	

NOTE:
WOODLAND PRESERVATION DATA
1. AREA OF WOODLANDS EXISTING ONSITE 37.01AC.
2. PROPOSED AREA OF WOODLANDS TO BE CLEARED 4.1AC.
3. 11% OF ONSITE WOODLANDS TO BE REMOVED, 89% OF WOODLANDS TO REMAIN.

TREE PRESERVATION AND PLANTING IN NON-WOODLANDS DATA
1. TOTAL DEVELOPMENT AREA 25.87AC.
   1 TREE PER 3,000SF = 376 TREES
2. NUMBER OF EXISTING TREES ??
3. NUMBER OF PROPOSED TREES ??

SITE DATA

OWNER/APPLICANT
THE DOVER WIPES COMPANY
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OHIO 45202
PHONE: 302-678-2600

EQUITABLE OWNER
PROCTER & Gamble
1340 WEST NORTH STREET
DOVER, DELAWARE 19904

CONSULTANT:
BEACON ENGINEERING, LLC
23318 CEDAR LANE
GEORGETOWN, DELAWARE 19947
PHONE: 302-864-8825
RPALMER@BEACONENGINEERINGLLC.COM

PROPERTY & ZONING DATA:

LAND USE APPROVAL AGENCY:	CITY OF DOVER PLANNING & ZONING
TAX MAP:	ED-05-076.00-01-07.00-00001
LATITUDE:	39.149143° N
LONGITUDE:	-75.552685° W
ZONING:	IPM (INDUSTRIAL PARK MANUFACTURING)
EXISTING PROPERTY AREA:	84.10 AC
EXISTING CONDITION:	INDUSTRIAL PARK
WETLAND AREA:	3.59 +/- AC PER WETLAND DELINEATION PREPARED BY ERI, INC.
PROPOSED PROPERTY AREA:	84.10 AC
PRESENT USE:	MANUFACTURING
PROPOSED USE:	MANUFACTURING
WATER:	CITY OF DOVER
SEWER:	CITY OF DOVER
NUMBER OF EXISTING LOTS:	1
NUMBER OF PROPOSED LOTS:	1
PROPOSED LIMIT OF DISTURBANCE:	13.64 +/- AC
SITE ACCESS:	WEST NORTH STREET
VERTICAL DATUM:	NAVD 88, FEET
HORIZONTAL DATUM:	DELAWARE STATE PLANE, NAD 83
DEED REFERENCE:	DEED BOOK 0176, PAGE 0136
EXISTING BUILDING AREA:	532,903 SF
PROPOSED BUILDING AREA:	662,942 SF
STATE STRATEGIES INVESTMENT LEVEL:	1
POSTED SPEED LIMIT:	35 MPH
NEAREST TOWN:	DOVER
BOUNDARY SURVEYOR:	TRUE NORTH LAND SURVEYING, INC.
DATE OF BOUNDARY SURVEY:	MARCH 2021, UPDATED FEBRUARY 2024

PORTIONS OF THIS SITE LIE WITHIN THE 100 YR FLOOD PLAIN PER FEMA MAP NUMBERED 10001C0168H MAY 05, 2003.
THIS PROJECT WILL BE CONSTRUCTED IN 4 PHASES.

SOURCE WATER PROTECTION OVERLAY: TIER 3 EXCELLENT

MAX. IMPERVIOUS ALLOWED ON PORTION OF LAND WITHIN TIER 3:	30%
MAX. IMPERVIOUS ALLOWED WITH INFILTRATION:	60%
IMPERVIOUS PROPOSED WITHIN TIER 3 WITH INFILTRATION:	39%

HEIGHT, AREA & BULK REQUIREMENTS IPM:

MIN. LOT AREA:	2.5 AC
MIN. LOT WIDTH:	200 FT
MIN. LOT DEPTH:	300 FT
MIN. FRONT YARD:	60 FT
MIN. SIDE YARD:	40 FT
MIN. REAR YARD	40 FT
MIN. SIDE OR REAR YARD WHICH ADJOINS A RESIDENTIAL ZONE:	100 FT
BUILDING HEIGHT STORIES:	NO LIMIT
BUILDING HEIGHT FEET:	EQUAL TO DISTANCE TO NEAREST LOT LINE
FLOOR AREA RATIO:	0.5
MAX LOT COVERAGE:	75%
PROPOSED LOT COVERAGE:	42%
PROPOSED HEIGHT OF 2 STORY 21,000 SF BUILDING ADDITION (WAREHOUSE 3):	40 FT
PROPOSED HEIGHT OF 110,000 SF BUILDING ADDITION (JE WAREHOUSE) :	45 FT

PARKING REQUIREMENTS:

INDUSTRIAL PARK MANUFACTURING: LOADING SPACES:	1 PER EMPLOYEE (101 EMPLOYEES ON LARGEST SHIFT) 185 EMPLOYEES ON THE LARGEST SHIFT FOR MANUFACTURING, WHOLESALE, OR STORAGE USES IN THE M OR IPM ZONE, AND FOR BUILDINGS IN EXCESS OF 150,000 SQUARE FEET IN ANY ZONE, SUFFICIENT OFF-STREET LOADING BERTHS SHALL BE PROVIDED.
TOTAL SPACES REQUIRED:	185 SPACES

PARKING PROVIDED:

PROPOSED SPACES:	316 SPACES (INCLUDES 8 ADA SPACES)
TOTAL SPACES PROVIDED:	316 SPACES PROVIDED

ACCESSIBLE PARKING REQUIREMENTS:

PARKING (301-400):	8 SPACES (INCLUDES 2 VAN SPACES)

ACCESSIBLE PARKING PROVIDED:

PARKING (301-400):	8 SPACES PROVIDED
TOTAL ACCESSIBLE PARKING:	8 SPACES PROVIDED
TOTAL PARKING PROVIDED:	316 SPACES (303 TRAILER SPACES)

PLANT LIST					
KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE	REMARKS
Trees					
AG	Abies concolor	White Fir	15	5' - 6' ht.	B&B, Full, Heavy, Vigorous
AS	Acer saccharum	Sugar Maple	1	2" cal. Min.	B&B, Full, Heavy, Vigorous
CC	Cercis canadensis	Eastern Redbud	5	5' - 6' ht.	B&B, Full, Heavy, Vigorous
CF	Cornus florida 'Alba'	White Chief Flowering Dogwood	2	5' - 6' ht.	B&B, Full, Heavy, Vigorous
CR	Cornus florida 'Rubra'	Red Flowering Dogwood	3	5' - 6' ht.	B&B, Full, Heavy, Vigorous
CV	Chionanthus virginicus	Fringe Tree	3	5' - 6' ht.	B&B, Full, Heavy, Vigorous
JV	Juniperus virginiana	Eastern Red Cedar	239	5' - 6' ht.	B&B, Full, Heavy, Vigorous
LT	Liriodendron tulipifera	Tulip Tree	1	2" cal. Min.	B&B, Full, Heavy, Vigorous
MG	Magnolia virginiana	Sweetbay Magnolia	3	5' - 6' ht.	B&B, Full, Heavy, Vigorous
NS	Nyssa sylvatica	Black Tupelo (Black Gum)	1	2" cal. Min.	B&B, Full, Heavy, Vigorous
QP	Quercus phellos	Willow Oak	1	2" cal. Min.	B&B, Full, Heavy, Vigorous
TO	Thuja occidentalis "Nigra"	American Arborvitae	6	5' - 6' ht.	B&B, Full, Heavy, Vigorous

LANDSCAPE DESIGNER CERTIFICATION

I, SARAH K. MATAS, HEREBY STATE THAT I AM A LANDSCAPE DESIGNER IN THE STATE OF DELAWARE, THAT THE LANDSCAPE INFORMATION, NOTES AND DETAIL SHOWN HEREON, REPRESENTS GOOD LANDSCAPE DESIGN PRACTICES.

SARAH K. MATAS, BSLA LANDSCAPE DESIGNER — DATE
BEACON ENGINEERING, LLC
23318 CEDAR LANE
GEORGETOWN, DELAWARE 19947
302-864-8825

0 200 400 600 FEET

Seal: ROBERT J. PALMER, LICENSE, No. 11563, DELAWARE, PROFESSIONAL ENGINEER, 05/02/2024

BEACON ENGINEERING LLC
23318 Cedar Lane | Georgetown | Delaware | 19947
302.864.8825 | info@beaconengineeringllc.com

Revision:	By:	Date:

WAREHOUSE EXPANSION & PARKING IMPROVEMENTS
PROCTER & GAMBLE
SAINT JONES RIVER WATERSHED, CITY OF DOVER,
EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

TREE PRESERVATION AND SELCTIVE CLEARING PLAN

Date:	MAY 3, 2024
Scale:	1" = 200'
Dwn.By:	BAS
Proj.No.:	P&G01-02
Dwg.:	LS1.0

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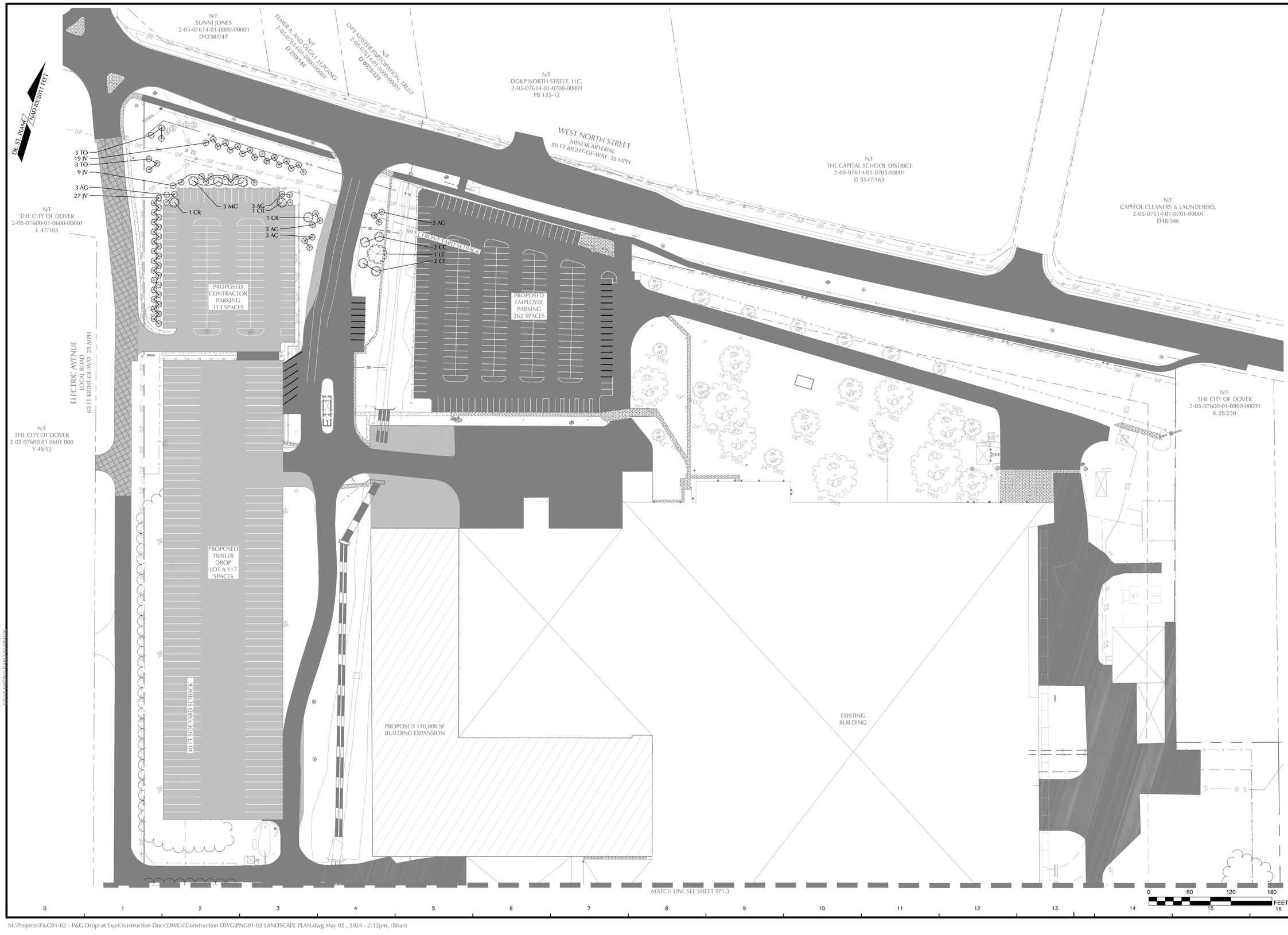

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05/02/2024

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EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

LANDSCAPE TREE PLANTING PLAN

Date:	MAY 3, 2024
Scale:	1" = 60'
Dwn.By:	BAS
Proj.No.:	P&G01-02

Dwg.:
LS1.1

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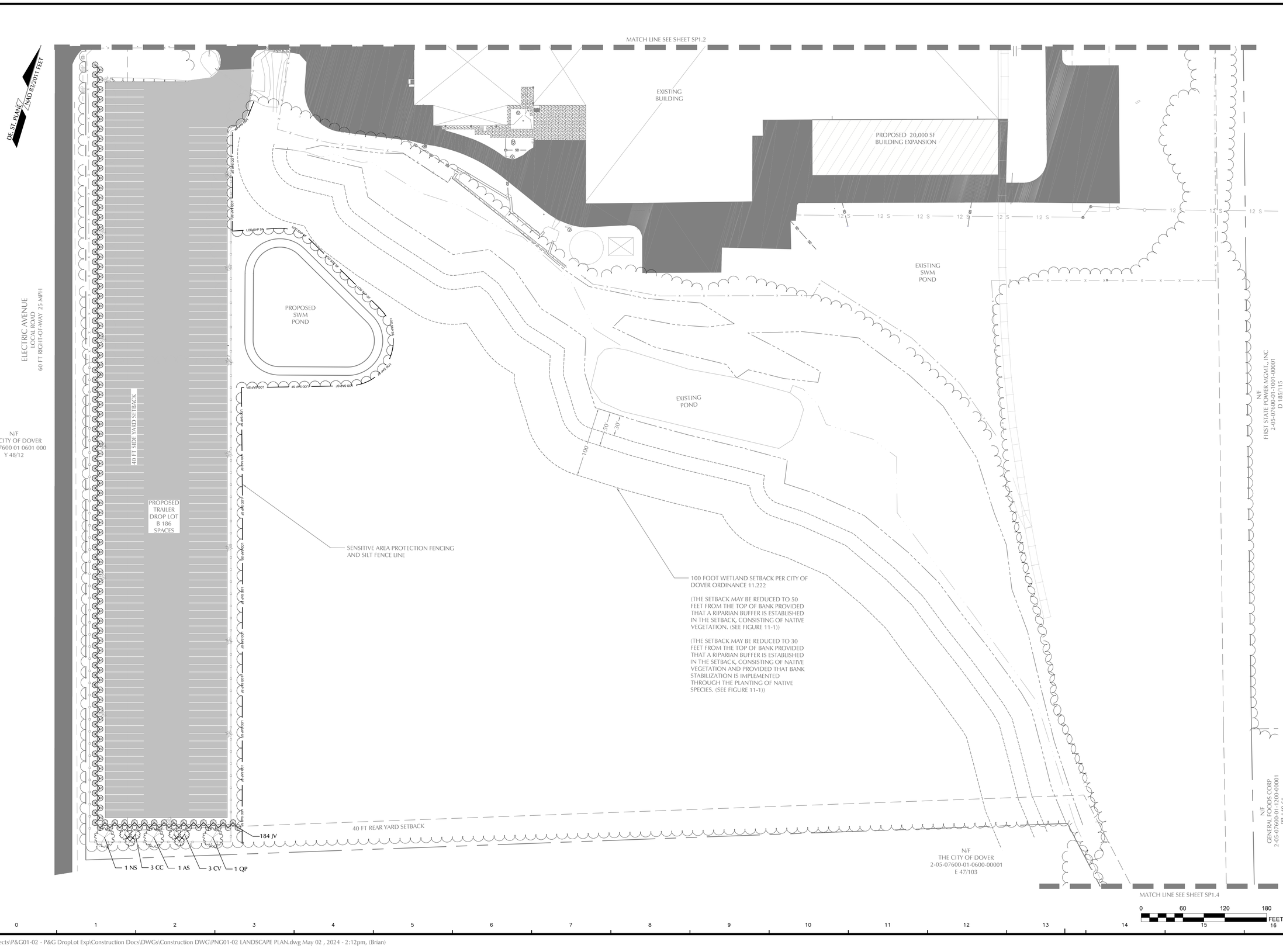

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05/02/2024

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TAX MAP #ED-05-076.00-01-07.00-00001

LANDSCAPE TREE PLANTING PLAN

Date:	MAY 3, 2024
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DE ST PLANE
NAD 83/2011 FEET

N/F
SUNNI JONES
2-05-07614-01-0800-00001
D12507/47

N/F
ELMER A. AND OLGA I. LEZCANO
2-05-07614-01-0900-00001
D 2591/45

N/F
LSF9 MASTER PARTICIPATION, TRUST
2-05-07614-01-1000-00001
D 6923/323

N/F
DGKP NORTH STREET, LLC,
2-05-07614-01-0700-00001
PB 135-12

WEST NORTH STREET
MINOR ARTERIAL
80 FT RIGHT-OF-WAY 35 MPH

N/F
THE CAPITAL SCHOOL DISTRICT
2-05-07614-01-0703-00001
D 5547/163

N/F
CAPITOL CLEANERS & LAUNDERERS,
2-05-07614-01-0701-00001
D48/346

N/F
THE CITY OF DOVER
2-05-07600-01-0600-00001
E 47/103

60 FT FRONT YARD SETBACK

PROPOSED
CONTRACTOR
PARKING
113 SPACES

PROPOSED
EMPLOYEE
PARKING
262 SPACES

ELECTRIC AVENUE
COUNTY ROAD
60 FT RIGHT-OF-WAY 25 MPH

N/F
THE CITY OF DOVER
2 05 07600 01 0601 000
Y 48/12

PROPOSED
TRAILER
DROP
LOT A 117
SPACES

40 FT SIDE YARD SETBACK

PROPOSED 110,000 SF
BUILDING EXPANSION

EXISTING
BUILDING

N/F
THE CITY OF DOVER
2-05-07600-01-0800-00001
K 28/250

MATCH LINE SEE SHEET SP1.3

0 60 120 180 FEET
0 15 16

Seal:
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PROFESSIONAL ENGINEER
05/07/2024

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TAX MAP #ED-05-076.00-01-07.00-00001

UTILITY PLAN

Date:	MAY 3, 2024
Scale:	1" = 60'
Dwn.By:	BAS
Proj.No.:	P&G01-02

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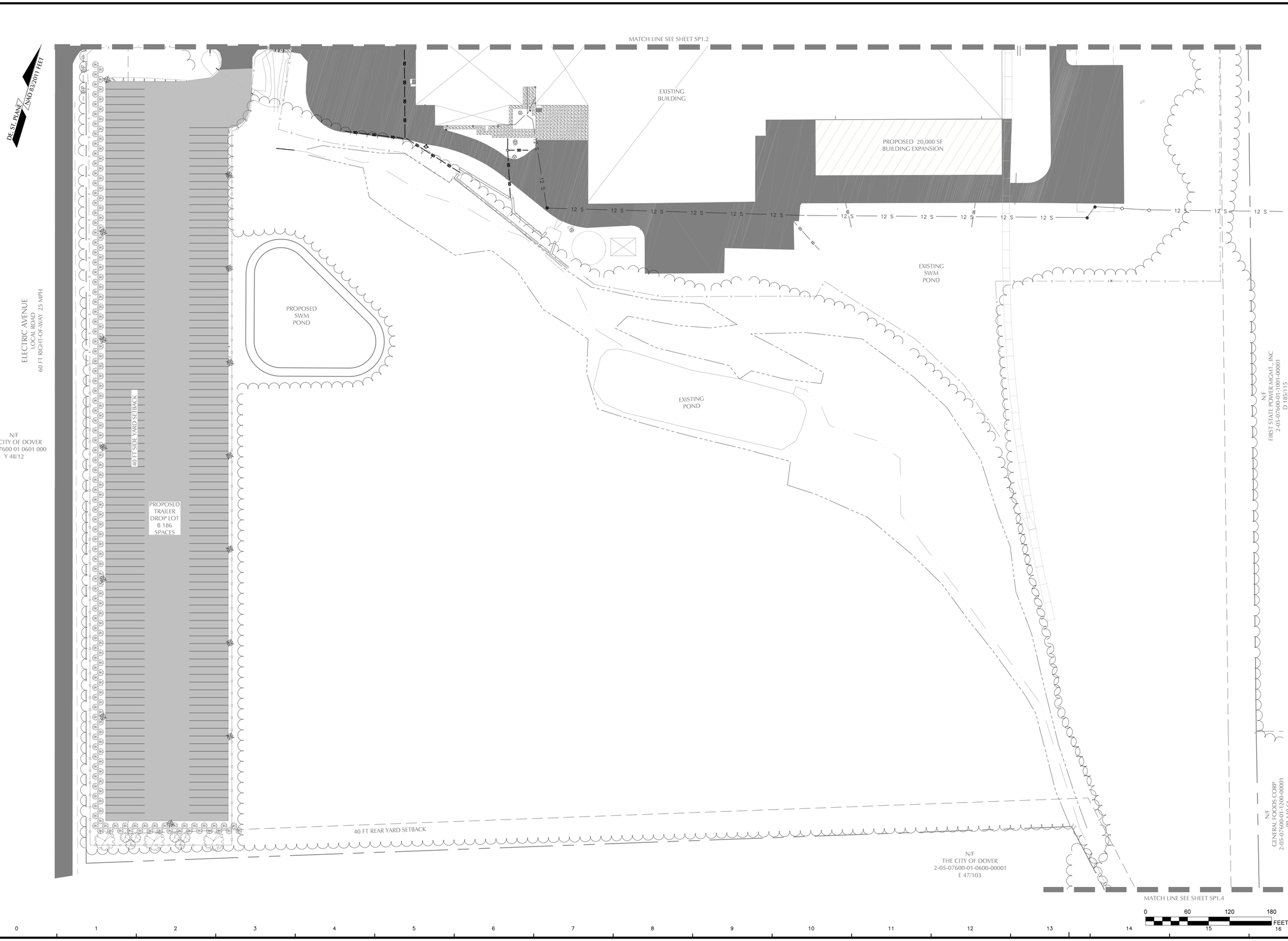

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PROCTER & GAMBLE

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EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

UTILITY PLAN

Date:	MAY 3, 2024
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Dwn.By:	BAS
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Dwg.:

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DE ST PLAN 2 AND 83-2011 FEET

FIRE ACCESS DATA:

PROPOSED WAREHOUSE EXPANSION

A INDUSTRIAL USE, GREATER THAN 10,000 SQ FEET, OVER 25 FEET HIGH, WITH AUTOMATIC SPRINKLER SYSTEM, REQUIRES TBDFM (TO BE DETERMINED IN CONSULTATION WITH THE OFFICE OF THE STATE FIRE MARSHAL) FIRE LANE AND TBDFM PERIMETER ACCESS.

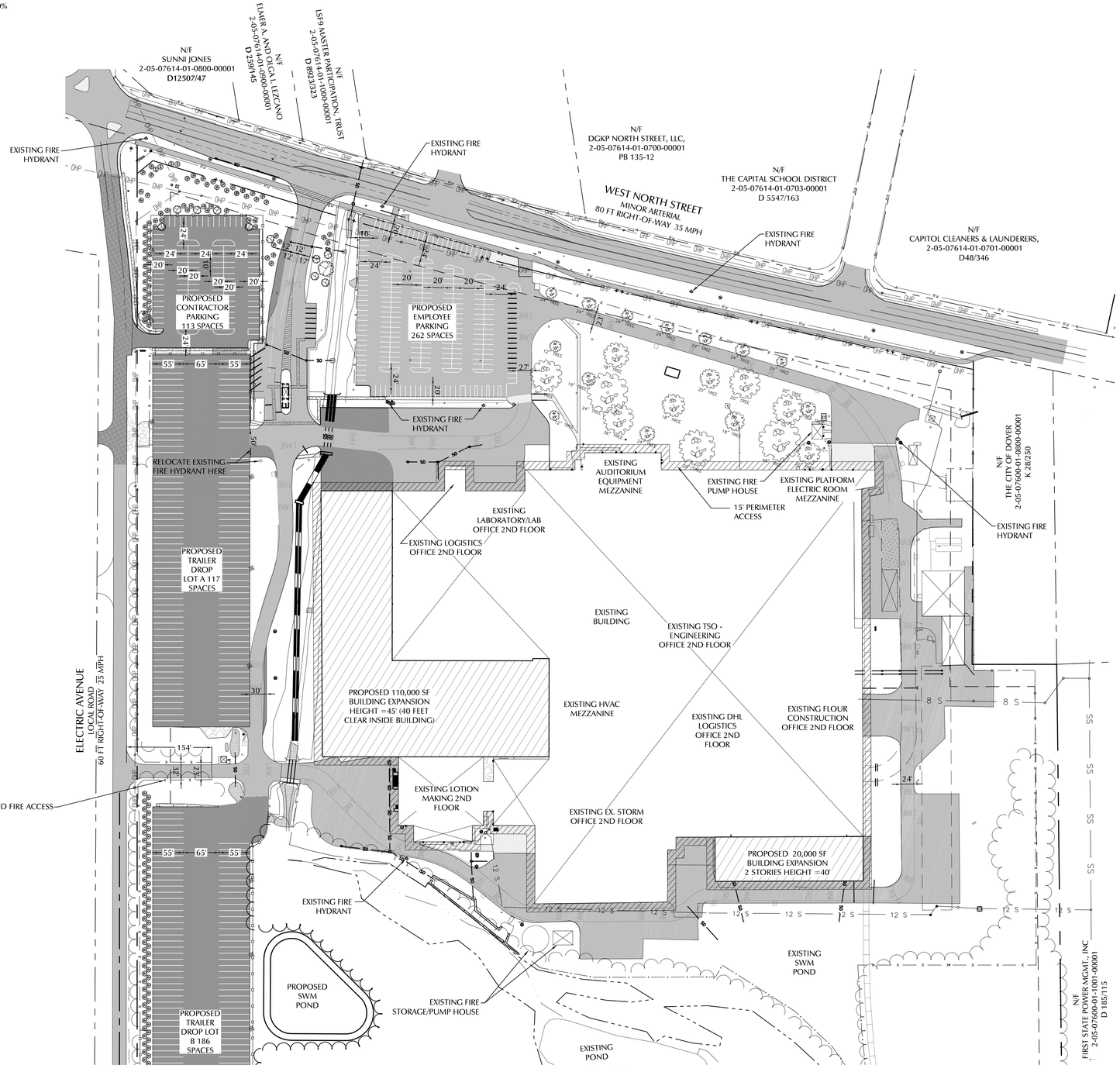
24' WIDE OR GREATER FIRE LANE PROVIDED 4,047' 100%.

15' WIDE FIREFIGHTER PERIMETER ACCESS PROVIDED 4,030' 100%

AUTOMATIC FIRE SPRINKLERS ARE PROPOSED. SEE ARCHITECTURAL PLANS.

NOTE:

1. NO LOCK BOX IS REQUIRED PER SECTION 2.4, EXCEPTION NO. 1 "WHERE AN OCCUPANCY HAS ON-SITE 24 HOUR GUARD SERVICE OR IS OPERATING ON A MANNED 24 HOUR OPERATIONAL CYCLE." THIS FACILITY RUNS 24 HOURS, DAILY.
2. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PROTECTION REGULATIONS.



PLAN

1"=100'

0 100 200 300 FEET

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ROBERT J. PALMER
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EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

FIRE MARSHAL SITE PLAN

Date:	MAY 3, 2024
Scale:	1" = 100'
Dwn.By:	BAS
Proj.No.:	P&G01-02

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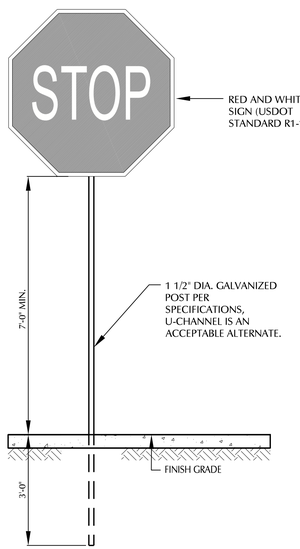
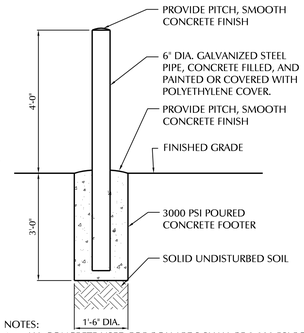


STREET SIGN DETAIL

NOT TO SCALE

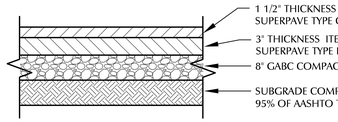


NOTES:

1. ALL CONCRETE USED FOR BOLLARDS SHALL BE 3,000 PSI PORTLAND CEMENT CONCRETE MIX NO. 2.
2. SURFACE PREPARATION FOR PAINTED BOLLARDS INCLUDES REMOVAL OF ANY INK MARKINGS BY WIPING DOWN PIPE WITH CLEAN LINT-FREE-CLOTHS SATURATED WITH DENATURED ALCOHOL, PROVIDING UNIFORM SCARIFICATION AS NECESSARY, AND WIPING OFF DUST RESIDUE.
3. PAINTING OF BOLLARDS TO CONSIST OF PRIMER, INTERMEDIATE AND FINISH COATS AS FOLLOWS: PRIMER - 2.5 TO 3.5 MILS TNEME-ZINC ZINC, INTERMEDIATE - 2 TO 3 MILS HI-BUILD EPOXYLINE II, FINAL - 3 TO 4 MILS ENDURA-SHIELD. TOTAL DRY FILM THICKNESS TO BE 7.5 TO 10.5 MILS.
4. POLYETHYLENE COVERS TO BE AS MANUFACTURED BY IDEAL SHIELD.
5. BOLLARD COLOR SCHEDULE IS AS FOLLOWS: FUEL CANOPIES - RED; HANDICAP SPACES - BLUE; BUILDING FACADES - WHITE OR GRAY; MECHANICAL, ELECTRICAL, AND HVAC EQUIPMENT, HYDRANTS, DUMPSTER ENCLOSURES, AND LOADING ZONES - YELLOW.

6" GALVANIZED STEEL PIPE BOLLARD DETAIL

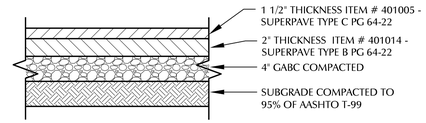
NOT TO SCALE



NOTE:
PROVIDE "WARM MIX" PG 64-22 160GYR
STRUCTURAL NUMBER = 1.5(0.4)+3(0.4)+6(0.14)=2.64

HEAVY PAVING SECTION

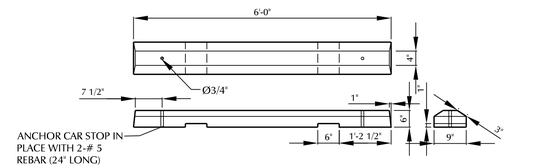
NOT TO SCALE



NOTE:
PROVIDE "WARM MIX" PG 64-22 160GYR
STRUCTURAL NUMBER = 1.5(0.4)+2(0.4)+4(0.14)=1.96

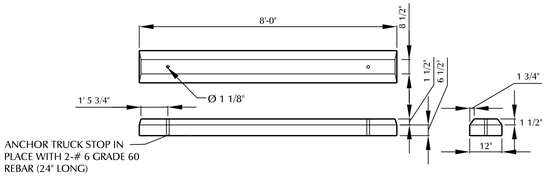
LIGHT PAVING SECTION

NOT TO SCALE



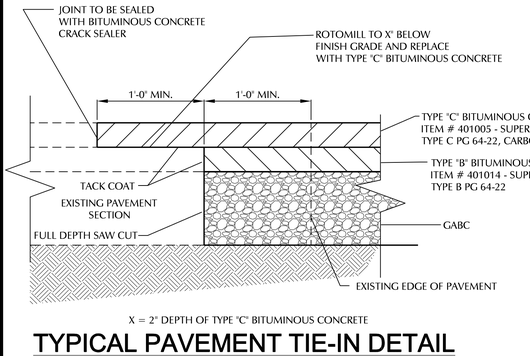
CONCRETE WHEEL STOP DETAIL

NOT TO SCALE



CONCRETE LARGE TRUCK WHEEL STOP DETAIL

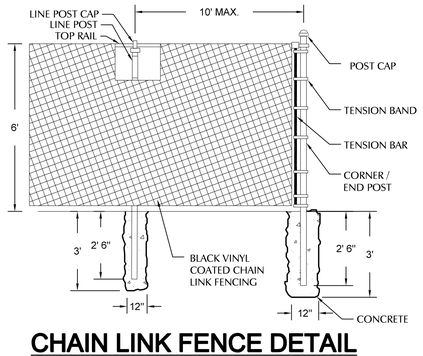
NOT TO SCALE



X = 2" DEPTH OF TYPE "C" BITUMINOUS CONCRETE

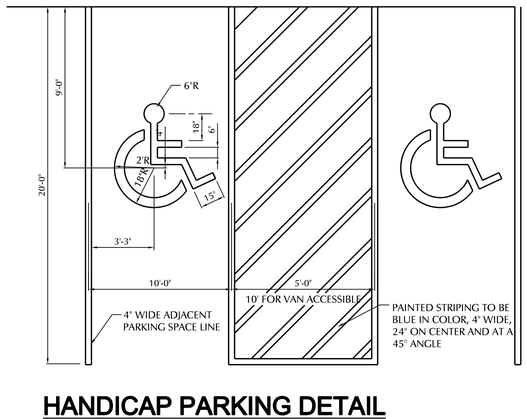
TYPICAL PAVEMENT TIE-IN DETAIL

NOT TO SCALE



CHAIN LINK FENCE DETAIL

NOT TO SCALE



HANDICAP PARKING DETAIL

NOT TO SCALE

Seal:
ROBERT J. PALMER
LICENSE
No. 11663
DELAWARE
PROFESSIONAL ENGINEER
05/02/2024

BEACON ENGINEERING LLC
23318 Cedar Lane | Georgetown | Delaware | 19947
302.864.8823 | info@beaconengineeringllc.com

	Date:								
	By:								
Revision:									

WAREHOUSE EXPANSION & PARKING IMPROVEMENTS
PROCTER & GAMBLE
SAINT JONES RIVER WATERSHED, CITY OF DOVER,
EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
TAX MAP #ED-05-076.00-01-07.00-00001

CONSTRUCTION DETAILS

Date:	MAY 3, 2024
Scale:	NO SCALE
Dwn.By:	BAS
Proj.No.:	P&G01-02

Dwg.:
CD1.1

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City of Dover

ARCHITECTURAL REVIEW REPORT
Before Dover Historic District Commission
May 16, 2024

Appeal of Historic District Commission Action to the Planning Commission for Meeting of June 17, 2024.

Project Name:	Building at 148 South Bradford Street: Building Demolition
Location:	West side of South Bradford Street between West Loockerman Street and Reed Street, just north of the Minor Street Alley. 148 South Bradford Street
Tax Parcel:	ED-05-077.09-02-25.00-000
Property Owner: Applicant:	Russell and Dee Ann Widder Downtown Dover Partnership
Present Zoning:	C-2 (Central Commercial Zone) H (Historic District Overlay Zone)
Present Use:	Offices (Previously a single-family home)
Proposed Use:	Vacant site
File Number:	HI-24-02

Action by Historic District Commission:

The Historic District Commission conducted a public hearing and considered the Application HI-24-02 for Architectural Review Certification to demolish the building at 148 S. Bradford Street. The vote was 2-1 to deny the Architectural Review Certification for demolition (1 member absent and another recused).

Application: HI-24-02 – Building at 148 South Bradford Street: Building Demolition

This Architectural Review Certification application was reviewed by the Historic District Commission on May 16, 2024. The following is the content of the Architectural Review Staff Report and includes information the Historic District Commission considered.

PROJECT DESCRIPTION:

The Historic District Commission will act on an Architectural Review Certificate regarding Demolition of the one-and-half story building located at 148 South Bradford Street. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The parcel consists of 0.13 +/- acres of land. The property is located on the west side of S. Bradford Street and slightly north of Minor Street Alley. The owner of the record is Russell and Dee Ann

Widder. The applicant is the Downtown Dover Partnership. Property Address: 148 S. Bradford Street. Tax Parcel: ED-05-077.09-02-25.00-000.

The following application for demolition at 148 South Bradford Street is submitted to the Historic District Commission regarding the issuance of the Architectural Review Certificate for a Demolition project. Applications for certain types of construction activity within the Historic District Zone (H) are reviewed by the Historic District Commission for Architectural Review Certification as part of the application review process. The Application is for review under the provisions of *Zoning Ordinance*, Article 10 Section 3.23. See below:

> 3.23 *Architectural review certification by the historic district commission.*
>
> (A) The historic district commission shall issue architectural review certificates for the construction or demolition of single-family and two-family homes, and nonresidential structures or additions involving a gross floor area of 3,000 square feet or less, after review of the proposed construction and after a determination that the construction is in general accordance with the standards set forth in subsection 3.25 below.
>
> (B) All applications to the historic district commission for architectural review certification shall be subject to the procedures set forth in subsection 3.26.
>
> (C) All decisions of the historic district commission pursuant to this subsection shall be formalized in a written notice of decision. When the commission grants a conditional approval under this subsection, all conditions of approval shall be set forth in writing in the notice of decision. In the event of a denial, the notice of decision shall state the reasons for denial and shall identify all elements of the application found to be contrary to the provisions or intent of this subsection.
>
> (D) An applicant may appeal the decision of the historic district commission to the planning commission, and such appeal shall be considered as an architectural review certification application to the planning commission and shall meet all of the requirements set forth in subsection 3.24 and subsection 3.26.

The Historic District Commission will act on an Architectural Review Certificate regarding the request for Demolition of the building at 148 S. Bradford Street.

Property Information

This building is located within a National Register of Historic Places Historic District, specifically the Victorian Dover Historic District. Provided below is the building summary from the building inventory listing found within the National Register nomination completed for the Victorian Dover Historic District (nomination completed 1977-78).

> K0396.152 – 148 South Bradford Street – 20th Century, 1 ½, 3-bay, frame, bungalow-style dwelling, now used as a doctor's office; stucco-sheathed; gable roof, dormer, overhang on gable ends with large triangle brackets, hip roof façade dormer; 4/1 sash, Palladian window in gable end, half-round attic window; modern brick porch with iron rail.

The property is located within H (Historic District Zone) as established by the City of Dover.

A series of historic maps were reviewed by Planning Staff for preliminary information on this block of South Bradford Street. The 1868 Beers Map published by Pomeroy & Beers shows the established street grid and rear alley although the parcel lines may be slightly different. There appears to be a building on the site, with a different size, shape, and orientation. The 1885 Bird's

Eye View of Dover shows a series of residential buildings on this west side of S. Bradford Street and smaller detached structures in rear yards. The series of Sanborn Fire Insurance Maps is also a reference source for information on the series of buildings which occupied this property over time. The 1897-1919 Sanborn Maps show a building with a vacant space at the subject site just north of the Minor Street Alley with another building located further north. The 1929 Sanborn Map shows this building present with an accessory structure along the alley and what appears to be a new division of the parcel. (see Attachments at the end of report)

According to the tax records for the City of Dover, the Craftsman style stucco clad building at 148 S. Bradford Street was built in 1930. There is a parking lot at the rear of the property that looks to be connected to the parking lot at 150 S. Bradford Street. The accessory structure that was present in the 1929 Sanborn Map is not mentioned in the 1978 inventory for the National Register of Historic Places application. A small open front porch has a low metal railing.

PROJECT PROPOSAL FOR DEMOLITION

The applicant has filed an application for Architectural Review Certification for the demolition of 148 S. Bradford Street. The submission consists of a narrative with attachments including a photo gallery. The project is described below:

1. Demolition of Building: The project involves the demolition of the existing 1 1/2-story stucco clad frame building on the property.

The scope of Demolition notes that an asbestos survey will be conducted and the process for demolition and removal of debris. Information on the stabilization of the surfaces following removal of the building listed installation of sand/gravel to fill (to bring to grade). The rear of the existing property is paved for parking with access from a rear alley. The future use of the property is part of the Downtown Dover Partnership's strategic plan *Transforming Downtown Dover: Capital City 2030*. This site will be combined with others to create a multi-modal transportation hub to be used for multiple businesses in the area for current and future enhancements to the downtown area. The redevelopment of the site will be subject to a separate review process.

Review of *DESIGN STANDARDS AND GUIDELINES*

The subject property is located in the Dover Historic District Zone within the Loockeman Historic Context. The Loockerman Historic Context is described on pages 2-7 through 2-8. Location within the Dover Historic District Zone requires proposals for specific types of construction activities such as new construction, additions to existing buildings, exterior renovations, and demolition of buildings to receive an Architectural Review Certificate.

As stated in the *Design Standards and Guidelines for the City of Dover Historic District Zone*, an Architectural Review Certificate will be granted for the project "if it is found that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district."

Demolition

The proposal for demolition of the building must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. The *Design Standards and Guidelines* gives guidance to the Historic District Commission by listing specific criteria to be evaluated when considering applications for the demolition of buildings (or portions of buildings) in the historic district (Chapter 4: pages 4-10 to 4-12). These guidelines are summarized below (see *Design Standards and Guidelines* for the complete text); an excerpt of Chapter 4 is attached.

1. Determine the financial implications of maintaining a property versus demolition.

2. Regardless of economic issues the relative significance of the individual buildings slated for demolition should be evaluated.

3. In development related applications the City should review the schematic plans for the new structures to weigh the virtues of the new structure versus what exists.

4. Determine the extent of adequate recordation of a property the applicant would be required to complete if demolition were approved.

5. Lots left vacant by demolition should be treated in a manner that is sympathetic to the historic context.

The *Design Standards and Guidelines* note that parking should not be permitted on vacant lots and suggests alternative uses. Also provided is information about development of parking lots (page 3-27) in the Historic District. The *Guidelines* excerpt for parking lots is as follows:

> Parking lots are the awkward by-product of a mobile culture. Their incorporation into historic districts is problematic. Parking lots should be screened from the street, their layout should include borders, and islands planted with trees and shrubs to break-up expanses of paved areas. Given any parking lot within the Dover Historic District zone, at least 20% of the area within it should be unpaved and planted.

The Applicant, in their narrative, considers the *Design Standards and Guidelines* for Demolition outlining their reasons for such Demolition request.

STAFF COMMENTS AND RECOMMENDATIONS

The following are the Staff comments and recommendations for this application regarding project activities and an Architectural Review Certificate.

1) The *Design Standards and Guidelines* outline specific criteria to be evaluated in considering demolition applications (Chapter 4). The following are Staff's consideration of the criteria for Demolition.
   a) In this instance, the economic maintenance evaluation of the property individually is not the issue for the applicant, but rather the need for the land to as part of a larger project in the Downtown Dover Partnership plan to revitalize the Downtown area and provide central parking. A central parking area would allow people to park their cars and visit businesses and residences on foot.

b) Most of the structures included in the National Register of Historic Places Victorian Dover Historic District were constructed in the mid to late 1800's. The Victorian Era, by definition, goes from 1820-1914. This building was built after the Victorian Era and along the way has had modifications to keep it current with the times and building code.
c) Included in the application is a draft concept of the lots and its future use. However, the redevelopment project is not being reviewed at this time.
d) We have not been provided detailed plans or renderings for the multi-modal transportation hub development. Nor have bids gone out for the demolition of the building. An asbestos survey will be initiated when the project can move forward, as required by the building and inspections department.
e) The lot is not expected to be left vacant past 2026.

2) While it is not the practice of the Planning Staff to recommend Demolition of a historic building that has been adaptively reused, consideration must be given to the future redevelopment of the area. The building generally has integrity of its form of the Craftsman Style Bungalow. However, improvements to some exterior finishes (i.e. window replacements, doors, and roofing) since its original construction as a house. It became an office prior to 1978 and has functioned as that use since.

3) Staff notes the opportunities for the relocation of the building could also be an option for consideration.

4) Staff are not aware of any documentation/recordation of the existing building. The Historic District Commission could require additional documentation/recordation of the building if deemed appropriate.
   a) If demolition is unavoidable then, given the early twentieth century age of the building, the building should also have additional documentation completed in the form of measured drawings of the building's floor plans. This should include other data gathering on the building's construction.
   b) A series of photographs of the building's exterior and interior should be systematically completed to include keyed location map of photographs.

5) If approval for demolition of the building is granted, Staff recommends the following conditions pertaining to the building demolition and site stabilization. These conditions are presented to improve the project's compliance with the recommended guidelines for consideration of demolition in the *Design Standards and Guidelines* and other code provisions:
   a) A specific timeframe for demolition activities and site stabilization should be established.
   b) All utilities must be properly capped and/or abandoned.
   c) Clarify the plan for site stabilization of the site.
      i) The building footprint area following demolition of the building and removal of the basement foundation walls must be restored to grade. The disturbed area is to include stabilization with topsoil and seeding to establish a grass lawn area. The grass lawn area is to be properly maintained.
   d) Staff do not recommend installation of solid (opaque) fencing or chain link fencing on the site. If areas need to be segregated on the site, other alternative fence styles may be more appropriate.

e) Parking could continue on the paved (rear parking) area only. Stabilization of the building footprint area with gravel is not an approved parking surface even as a temporary measure.

ADVISORY COMMENTS:

1) The applicant shall be aware that a Demolition Permit is required to proceed with any demolition activities on the property should Architectural Review Certification be granted for the demolition proposal. The Demolition Permit application must comply with the conditions of approval granted through the Architectural Review Certification process.

2) If major changes and revisions to the project proposal occur, contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Historic District Commission.

3) Any future construction activities such as redevelopment of the site for a building or for an expanded parking facility are subject to additional review processes for permitting and plan review.

4) If the building is or will be vacant prior to the Demolition, then it may be required to be registered as a Vacant Building with the City under the Vacant Buildings program.

Historic District Commission Action

The Historic District Commission at their meeting of May 16, 2024, considered the proposal for demolition of the building at 148 S. Bradford Street and took action to deny the request for Architectural Review Certification for demolition. The application was represented by Diane Laird (Downtown Dover Partnership), Ken Anderson (Downtown Dover Partnership), and Jed Hatfield (Colonial Parking Inc.).

- See Draft Meeting Minutes of May 16, 2024 (being prepared).
- Motion to deny the demolition of the building at 148 S. Bradford Street was passed with a vote of 2-1 with the following Historic District Commission members present; Eric Czerwinski, Ann Baker Horsey, and Ellen Richardson. Mary Terry Mason was absent. Jonathan Street was also in attendance but recused himself as a board member of the Downtown Development Partnership.
- Staff noted that the decision of the Historic District Commission could be appealed to the Planning Commission.

Appeal to the Planning Commission

The *Zoning Ordinance* allows for decisions of the Historic District Commission to be appealed to the Planning Commission (*Zoning Ordinance*, Article 10 Section 3.2 Architectural Review Certification). The Planning Commission is to determine if the proposal for the Demolition of the Building at 148 S. Bradford Street should be granted Architectural Review Certification based on the following standards:

Article 10
3.25 *Architectural review standards.*

(A) An architectural review certificate may be issued if it is found that the architectural style, general design, height, bulk and setbacks, arrangement, location and materials and structures affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district as set forth in the historic district design guidelines and standards adopted by the planning commission and as set forth in the United States Secretary of the Interior's Standards for Rehabilitation.

The "historic district design guidelines" referenced in the *Zoning Ordinance* are the document entitled *Design Standards and Guidelines for the City of Dover Historic District Zone*. The Planning Commission may add conditions to their action.

Attachments:

1) Letter of Notice of Historic District Commission Action
2) Draft Excerpt of Historic District Commission Meeting Minutes of May 16, 2024 (pending completion).
3) HI-24-02 Application Submission Documents.
4) Historical Maps of the property
5) *Design Standards and Guidelines for the City of Dover Historic District Zone* - Excerpts from Chapter 4: New Construction, Additions, Demolition and Relocation.
6) *Design Standards and Guidelines for the City of Dover Historic District Zone* – Excerpt from Chapter 3: Maintenance, Repair, Preservation and Restoration of Existing Historic Buildings.
7) Google Street View photo.
8) Applicant's Letter requesting Appeal dated June 4, 2024.

City of Dover

June 7, 2024

Downtown Dover Partnership
101 W. Loockerman St., Ste 2B
Dover, DE 19904
Emails: ken@downtowndoverpartnership.com & diane@downtowndoverpartnership.com

RE: **Notice of Historic District Commission Action (Architectural Review Certification)**
Demolition Application HI-24-02 to Historic District Commission
Proposed Demolition of the Existing Building at 148 South Bradford Street, Dover DE
Tax Parcel: ED-05-077.09-02-25.00-000

Dear Applicants:

Under the provisions of *Zoning Ordinance,* Article 10, Section 3.23 the Application HI-24-02 was filed for review and consideration by the Historic District Commission regarding the issuance of the Architectural Review Certificate due to its location within the City of Dover's Historic District zone.

Demolition Application HI-24-02 was considered on May 16, 2024, for demolition of the existing building at 148 South Bradford Street in Dover, Delaware. The Project outlined in the Application for Architectural Review Certification submission listed demolition of the building.

The *Design Standards and Guidelines for the City of Dover Historic District Zone,* Chapter 4: New Construction, Additions, Demolition and Relocation presents approaches to activities in the Historic District. For Demolition activities, the *Design Standards and Guidelines* also gives guidance by listing specific criteria to be evaluated when considering applications for the demolition of buildings (or portions of buildings) in the Historic District.

At its Meeting of May 16, 2024, the City of Dover Historic District Commission considered this Demolition Application and acted to deny the Architectural Review Certificate for Demolition Application HI-24-02. After discussion of the request for demolition, the motion to deny was passed by a vote of 2-1 (with one member recused and one member absent).

The appeal process for a Historic District Commission decision is outlined in the *Zoning Ordinance* Article 10, Section 3.23 (D). Please be aware that future uses and/or improvements to the property are subject to additional review processes for plans and permits. If you have questions, please contact the Planning Office at (302)736-7196 or by email at dmelson@dover.de.us .

Sincerely,
On Behalf of the Historic District Commission
Department of Planning and Inspections

Dawn Melson-Williams, AICP
Principal Planner

CC: HI-24-02

Downtown Dover Partnership
Main Street Dover
101 W. Loockerman Street, Ste 2B
Dover, DE 19904
(302)678-2940

April 22, 2024

To: Members of the City of Dover Historic District Review Commission (May 16 meeting)

Re: 148 S. Bradford St., Dover, DE

The Downtown Dover Partnership (DDP) seeks an Architectural Review Certificate for 148 S. Bradford St. The DDP acknowledges and values this historic building, as well as the historic context of which this building is a part. Nevertheless, a larger initiative is underway that will require demolition of this property: The *Capital City 2030: Transforming Downtown Dover!* master plan ("the Plan").

The Downtown Dover Partnership has led development of The Plan, the goal of which is to transform downtown Dover into a thriving residential, cultural, and business district with recreational, arts and music amenities, as well as a multi-modal transportation hub. The plan was created through significant community engagement and has been supported by a broad range of public and private entities, as well as non-profits and individuals. Most recently the Governor committed $25M toward two projects to kick-start the transformation.

The property that has been identified for the public transportation hub is comprised of two existing parcels (city and DDP-owned, respectively) and requires the adjacent parcel of 148 S. Governor's Ave. to complete the land massing for the structure.

We ask that members of the committee be assured that The Plan will not only set the stage for a strong, sustainable future for the downtown business district and neighboring communities of Dover for years to come, but will also ensure that the Downtown Dover Historic Victorian district maintains a majority of its assets, character, and intrinsic value throughout the encompassing transformation that is associated with The Plan.

The DDP appreciates the committee's thoughtful consideration for the proposed demolition.

Sincerely,

Diane Laird
Executive Director

CC: DDP Board of Directors

(11/78)
UNITED STATES DEPARTMENT OF THE INTERIOR
HERITAGE CONSERVATION AND RECREATION SERVICE

FOR HCRS USE ONLY
RECEIVED APR 25 1979
DATE ENTERED JUL 16 1979

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

Victorian Dover Historic District

CONTINUATION SHEET ITEM NUMBER 7 PAGE 42

K-396 INVENTORY

.152 148 South Bradford Street - 20th century, 1½-story, 3-bay, frame, bungalow-style dwelling, now used as a doctor's office; stucco-sheathed; gable roof, overhang on gable ends with large triangular brackets, hip roof facade dormer; 4/1 sash, Palladian window in gable end, half-round attic window; modern brick porch with iron rail.

.153 120-122 South Bradford Street - Pre-1885, 2½-story, 3-bay, frame dwelling; 1-story, 2-bay, frame section north gable end (possibly designed as an office); aluminum siding; gable roof, bargeboard trim, modillion cornice 1-story addition; 2/2 and 2/1 double-hung sash windows, multi-pane sash on 1-story addition.

.154 118 South Bradford Street - Late-19th century, 2-story, frame dwelling; unusual brick veneer, flat surface on edge; gable roof, gable end faces street, bargeboard trim; 2-story tower, low hip roof, finial; 2/2 double-hung sash; 1-story rectangular facade bay window, panelled base; entrance portico, pierced brackets, turned columns, twisted iron railings.

.155 46 South Bradford Street (People's United Church of Christ) - Built 1909; remodelled and enlarged 1923; 2-story, wire-cut brick ecclesiastical building; 3-story, brick bell tower north end of facade; slate gable roof, gable end faces street; coping stones on edge; large, round stained glass window gable end of facade, stained glass windows set in arched openings; large parish house wing added 1923.

.156 38-40 South Bradford Street - Late-19th century, 3-story, masonry, double dwelling; yellow brick facade, natural pressed brick sides and rear walls; slate mansard roof, pedimented dormers, pseudo-Graham gable with two gable dormers, double bracket cornice; 1/1 double-hung sash, brick segmental arches, keystones; facade porch, turned columns, decorative porch cornice, turned balusters; pedimented entrance, shaped wooden shingles in tympanum.

.157 34 South Bradford Street - Late-19th century, 2-story, frame dwelling with a projected 1-bay, 2-story gable end section facing street; originally designed as single-family residence, rehabilitated into apartment units;

148 S. Bradford St.

Page 42

Victorian Dover Historic District:

https://s3.amazonaws.com/NARAprodstorage/lz/electronic-records/rg-079/NPS_DE/79000622.pdf

https://s3.amazonaws.com/NARAprodstorage/lz/electronic-records/rg-079/NPS_DE/79000622.pdf
Amazon.com – Onli... Priceline.com City of Dover, Dela... Downtown Delaware Webmail - Login RFP/RFQ Details Live Cheap & Make... First Fridays Delaware State Ne... Dropbox Extensions
Draw Ask Copilot 165 of 295

148 S. Bradford St
Page 165 Victorian District (https://s3.amazonaws.com/NARAprodstorage/lz/electronic-records/rg-079/NPS_DE/79000622.pdf)

148 SOUTH BRADFORD ST, DOVER, DELAWARE

This application seeks an Architectural Review Certificate of 148 S. Bradford St., one of two adjacent properties within the Dover's (Historic District Zone) for which the applicant is requesting demolition.

Existing 148 S. Bradford Street Building/Property

- See Photo Gallery for series/description of property and views (ATTACHMENT A)

Context for Demolition Request

While the applicant acknowledges and values this historic building(s), as well as the historic context of which the building is a part, a larger initiative is underway that will require demolition of this property. This larger initiative, the *Capital City 2030: Transforming Downtown Dover!* master plan ("the Plan") will not only set the stage for a strong, sustainable future for the downtown business district and neighboring communities of Dover for years to come, but will also ensure that the Downtown Dover Historic Victorian district maintains a majority of its assets, character, and intrinsic value throughout the encompassing transformation that is associated with The Plan. (ATTACHMENT: B)

Anticipated Scope of Demolition

At this writing, Information to Bid (ITB) or Request for Proposals (RFP) has not been released for the demolition of this structure.

An Environment Assessment Asbestos Containing Materials Survey will be initiated to confirm or dismiss the presence of asbestos containing material at the site. This is a requirement prior to the demolition of any structure. The survey will be conducted by an EPA accredited building inspector.

The result of the above survey may or may not dictate any special follow-up actions prior to demotion of the structure.

For this structure, we anticipate responses to any Information to Bid or Request for Proposals, to propose a demolition to the structure utilizing an excavator and skid steer working from the top to the bottom of the structure, and from the front to the rear. Disposing of the resulting work debris would be off-site to DSWA (Sandtown), using a Rolloff truck with containers removing concrete as required. The Rolloff truck containers will also dispose of all vegetation and overgrowth on the lot.

The demolition will include the installation of clean sand and gravel in the demolished area, compacted every 6 to 12 inches. A barricade fence is normally installed around the work area before any work begins or as the City of Dover permit might require. That will be removed once approved by the City of Dover.

In Consideration of Dover's Historic District Guidelines

The *Design Standards and Guidelines for the City of Dover, Historic District Zone*, in Chapter 4 entitled "*New Construction, Additions, Demolition, and Relocation, starting at Page 10 entitled "Demolition* "provided the DDP with guidelines regarding the criteria to be thoughtfully considered prior to the demolition of any structure, for any purpose in the City of Dover Historic District.

After a thorough review of the above guidelines, and coupled with the overall impact to the citizens of the City of Dover, we offer the following to support a proposed authorization to proceed with the demolition of 148 South Bradford Street, Dover Delaware:

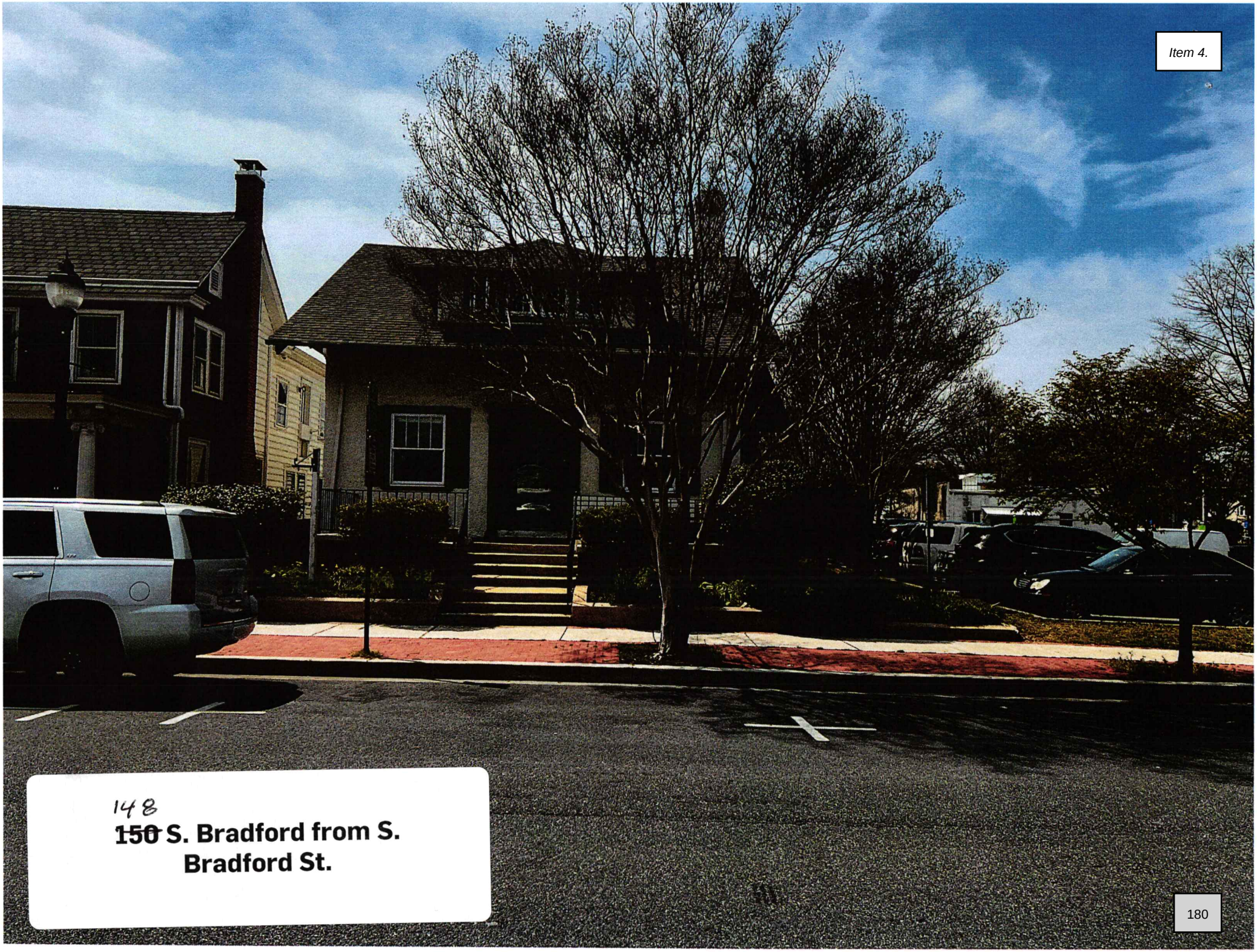
- The 148 South Bradford Street property is being acquired for specific future use and is not being demolished because of catastrophic damage or neglect, nor is the building currently a threat to public safety.
- The DDP is acquiring the property for demolition, to provide a critical component of a multi-modal transportation hub to fulfill a recommendation within The Plan. This plan was resoundingly supported by the State of Delaware, as reflected by a recent award of $25M by Governor Carney toward this transportation hub and a related mixed-use redevelopment project at 120 S. Governors Ave. ($15M ARPA;10M Bond Bill).
- The evolving design of the $14M multi-modal transportation hub requires the footprint of two parcels, one of which is 148 South Bradford Street, Dover, Delaware, which is the subject of this application. ATTACHMENT C

- The 148 South Bradford Street property being acquired for demolition by the DDP, we understand, is not a noteworthy source of revenue currently to the City of Dover.
- The property is included in the inventory of National Register of Historic Places – Victorian Dover Historic District, and is referenced as Item Number 7 on Page 42.
- The projected adaptive reuse of the parcel will be a portion of a multi-modal transportation hub which 100% percent fully funded.
- If requested, the DDP will facilitate the recordation of, and if necessary, provide archival photographs of the property, prior to demolition.
- Upon proposed demolition of 148 South Bradford Street, the resulting parcel is anticipated to be vacant for a very limited time (under one year), as the funding received from the State of Delaware requires that the funds identified for the construction of the multi-modal transportation hub be allocated by the end of 2024 and fully expended by year end 2026.

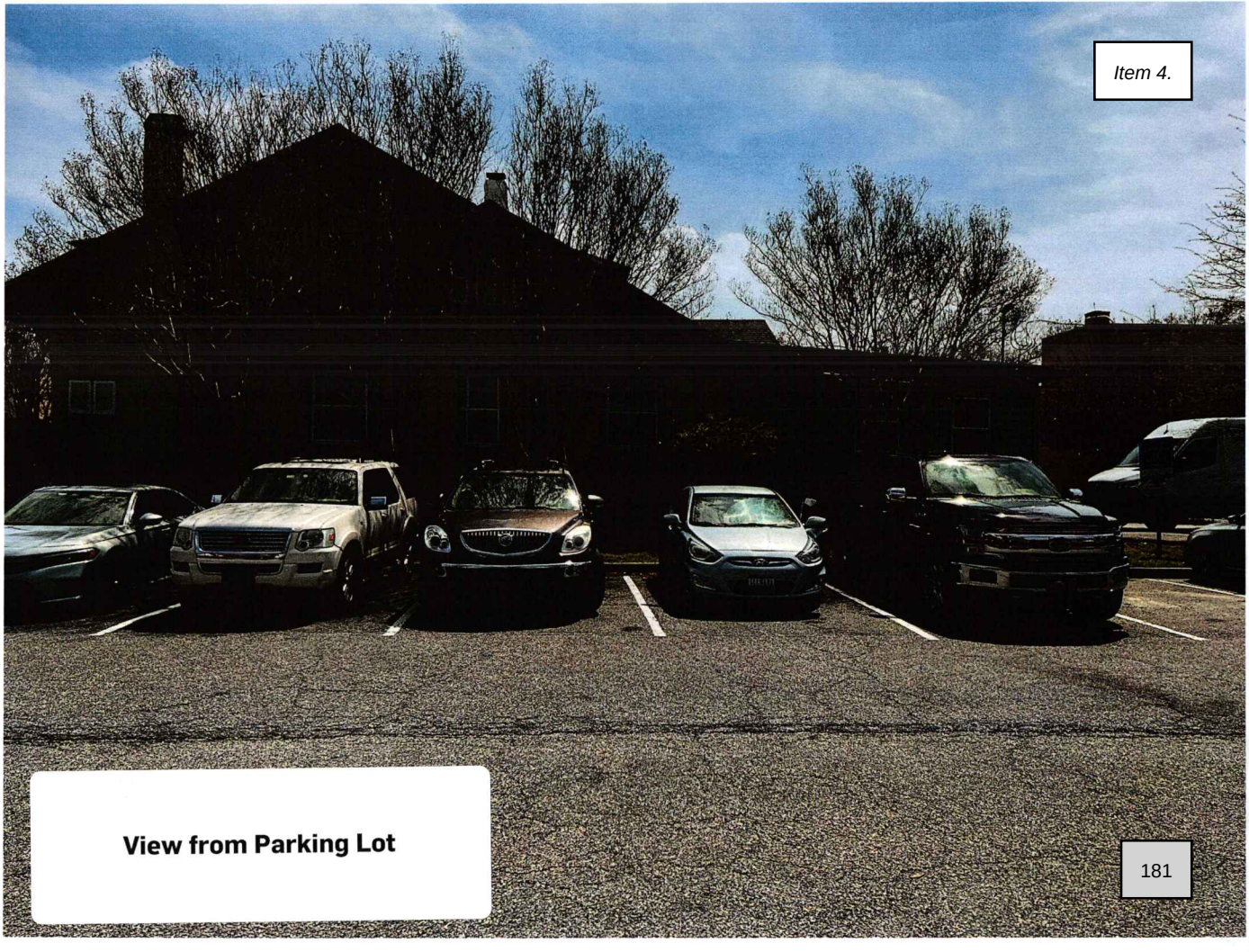
The applicants appreciate the thoughtful consideration of the members of Dover's Historic District Review process and look forward to working with the Commission to ensure our combined goals will support Dover's sustainable and exciting future.

ATTACHMENT A

Photo Gallery

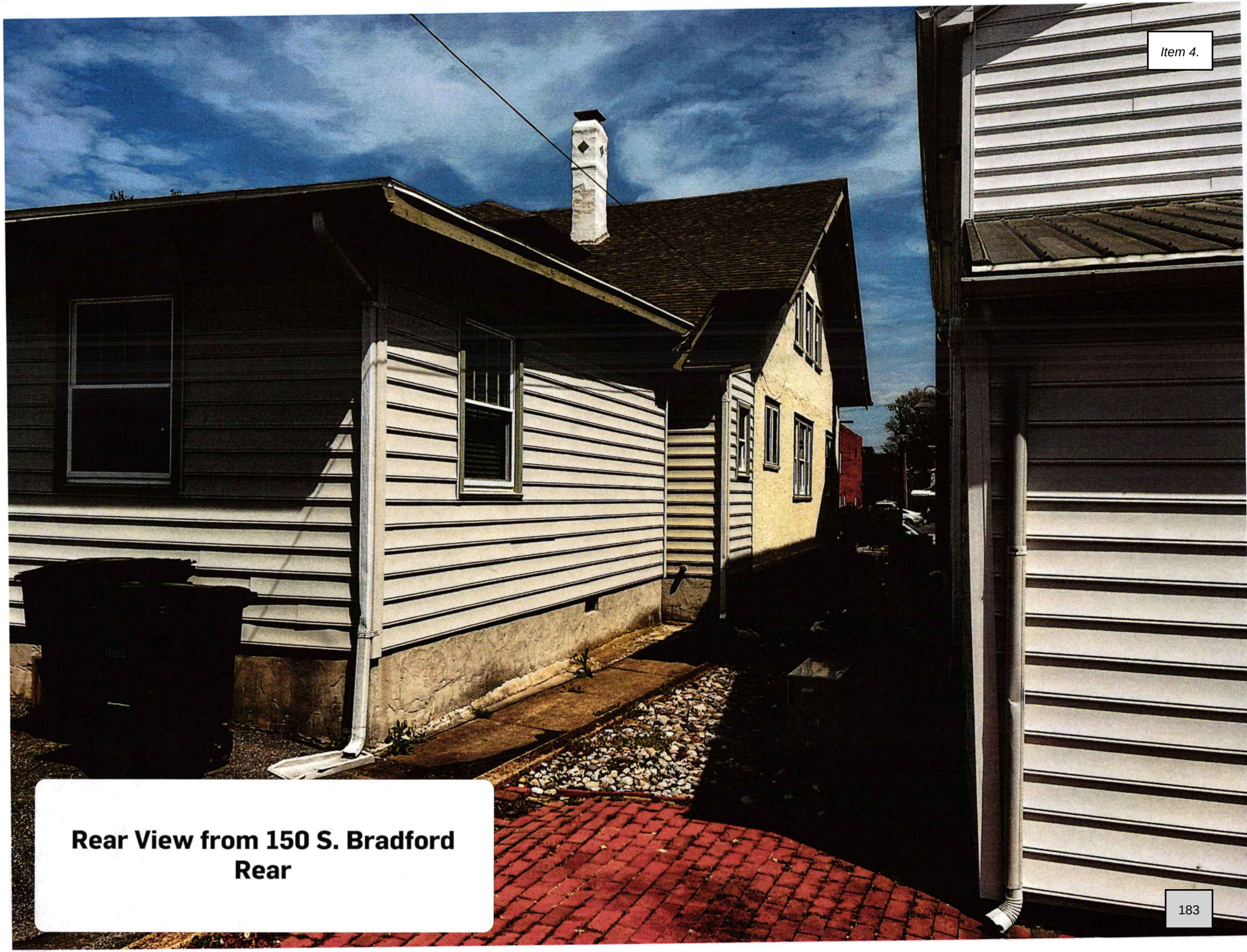


148
~~150~~ S. Bradford from S. Bradford St.

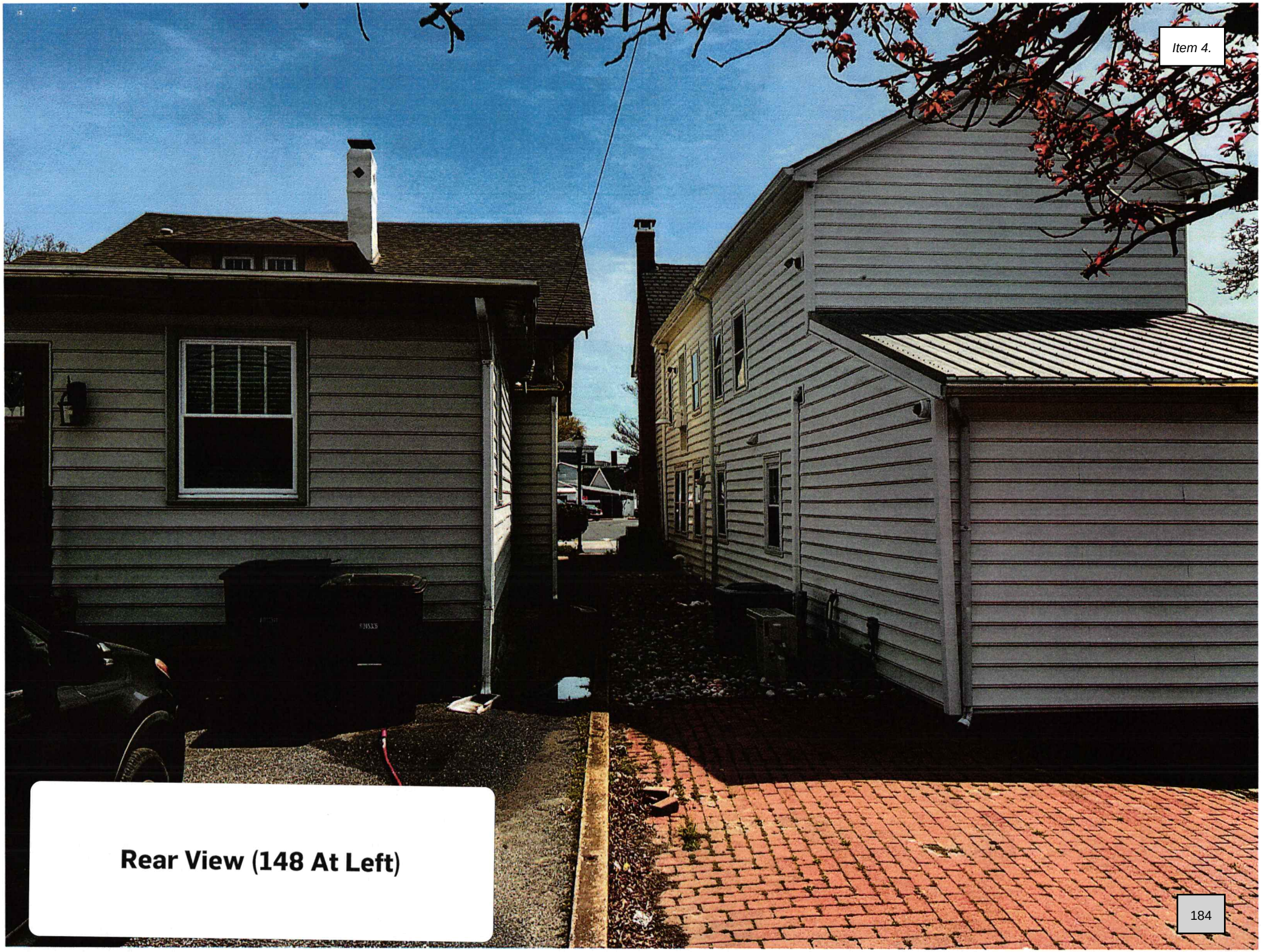


View from Parking Lot

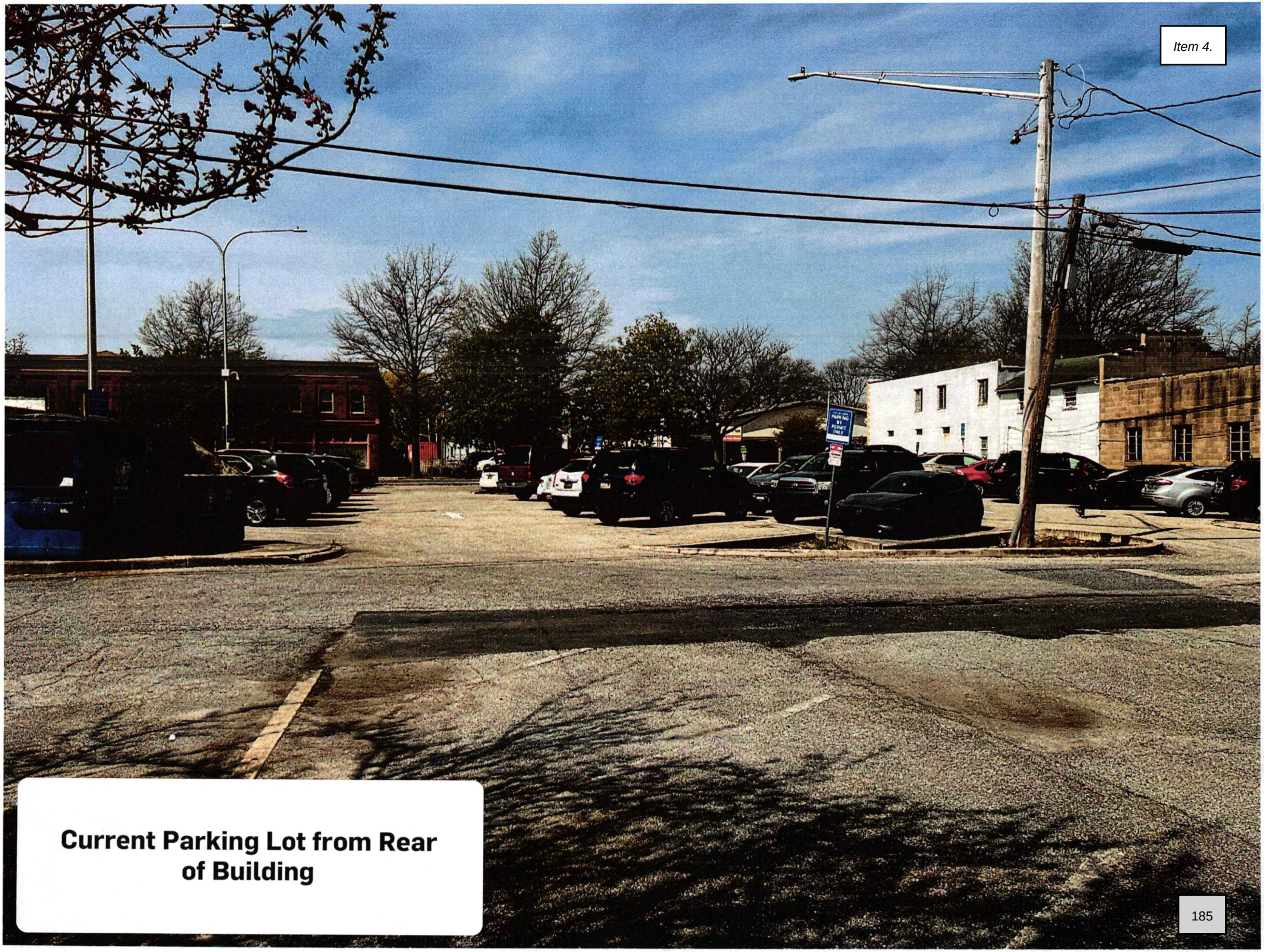
Rear View from Parking Lot



Rear View from 150 S. Bradford Rear



Rear View (148 At Left)



Current Parking Lot from Rear of Building

Bradford Street Parking Lot
148 Bradford Parking
Kent County Head Start
Agapé Body Piercings
Body piercing shop
S Bradford St
Brown, Shiels & Beauregard
Temporarily closed
148
150
Minor St Parking
Minor St
Wells Farg
Downtown Dover

Aerial View

ATTACHMENT B

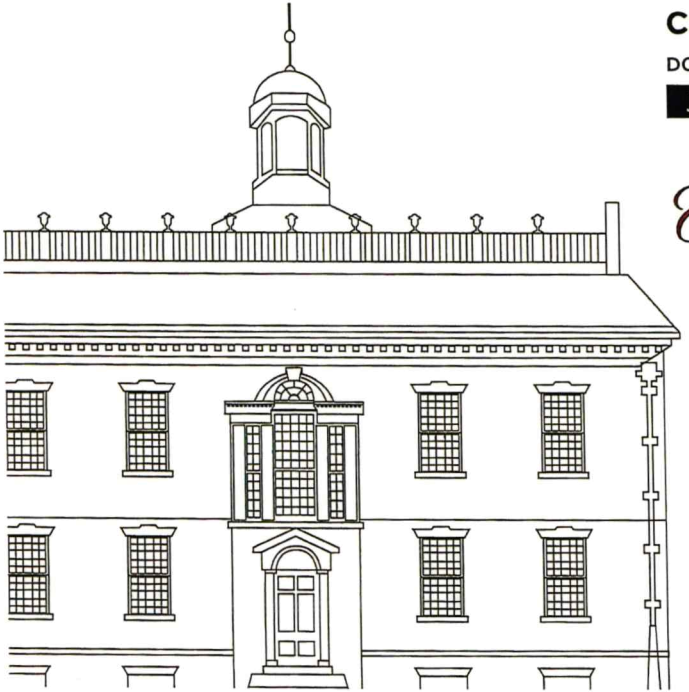
(Master Plan)

Capital City 2030: Transforming Downtown Dover!

For additional information on The Plan:

DOVER_Masterplan_Presentation_1.31.23.pdf - Google Drive

https://tinyurl.com/CapitalCity2030



Transforming Downtown Dover

Capital City 2030

DOVER, KENT COUNTY, DELAWARE

January 2023

Executive Summary

Transforming Downtown Dover:
CAPITAL CITY 2030

TRANSFORMING DOWNTOWN DOVER: CAPITAL CITY 2030 provides a fresh and integrated approach to transform Downtown Dover and the surrounding area into a vibrant, thriving community and regional destination. With the support of the public, the business community and public officials, this document is intended to spur public and private investment to realize this vision.

The team engaged in an intensive listening process, reaching more than 800 residents, business owners, property owners, elected officials, and public and private stakeholders. The team then dissected key issues, needs and concerns to identify opportunities for meaningful growth.

They focused on a range of physical and programmatic solutions to jump start Downtown Dover and augment its already historic and bucolic setting. The areas of focus included key destination points, business attraction and connection, public financial support tools, architectural strategies, ground floor activation, multi modal transportation, public space, permits and zoning and new residential density.

The plan puts people first, with a focus on the customer who may be an employee, a resident, a student, a soldier, a nurse and artist, or a public servant. DDP's plan respects cars but is not constrained by them. The plan welcomes those who walk, cycle, use a scooter, take a bus or drive. We prioritize how streets interact with residents and visitors to increase connection and improve the overall experience on the ground. Specifically, we reimagined the future Loockerman Street to again serve as the spine for the downtown district, having wider sidewalks, better tree infrastructure, brighter store fronts, more food and retail options, outdoor seating and traffic calming strategies.

The central premise of a reignited downtown district calls for density and connection to become the engines that drive change. The future requires new developments that activate ground floor spaces, adding nearly 1000 new residential units, a boutique hotel, centralized parking, more contemporary architecture, upgraded existing building structures, restaurants with outdoor seating, authentic retail, programmed public spaces, streamlined government approvals and government assisted financial incentives.

Our plan recommends incentives for building owners and businesses to stay or come to Downtown Dover. To attract and keep businesses, we recommend continued public investments in infrastructure, creating new financial tools such as TIFs to spur economic development, and an expedited path to approval for projects that align with the DDP plan.

By working with our existing key anchors, we start from a position of strength. These anchors are located within minutes of the downtown district, and include government entities, healthcare, and education. Delaware's state capital, its government agencies, Bayhealth, Delaware State University, and Dover Air Force Base are all longtime investors who could create synergy and directly benefit from a revitalized community.

These anchors employ and/or house thousands of people who currently are not fully engaged with downtown. This plan will build stronger connections through initiatives such as safe and convenient pathways from the anchor sites to downtown, quality residential housing and amenities and other programming that directly supports these anchors.

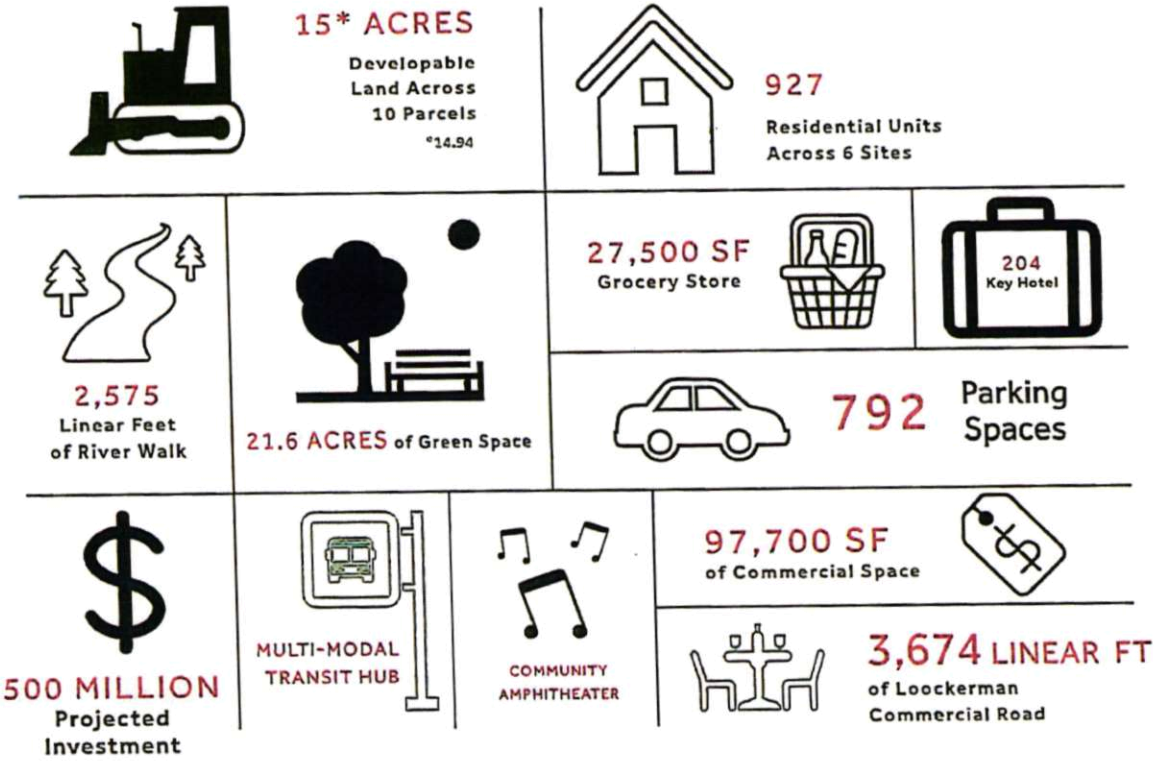
This plan was also built on the principles of equitable development. Building a more vibrant community also means including those who are traditionally left behind in the process. Dover has a large population of low- and moderate-income residents, many of whom need programmatic support to invest in job training, small business development, stabilized housing, and social support.

To help achieve that, we recommend attracting new businesses and training programs that emphasize local hiring, working closely with not-for-profits to leverage all investments, and working with established agencies to lessen the burden of homelessness, vagrancy, drug addiction and crime. The plan creates spaces for young people to learn, create and play, giving them new ways to enjoy the downtown.

To implement this plan, we recommend strengthening public-private cooperation. Leading this plan will be the Downtown Dover Partnership and its supporters. To assist them, we recommend adding a high-level development position to DDP to guide this project, convening a public-private Finance task force to investigate, implement, and manage financial incentives to bring investment to downtown, continue to outreach to the community to maintain support and engage the private sector directly in the development of DDP controlled sites.

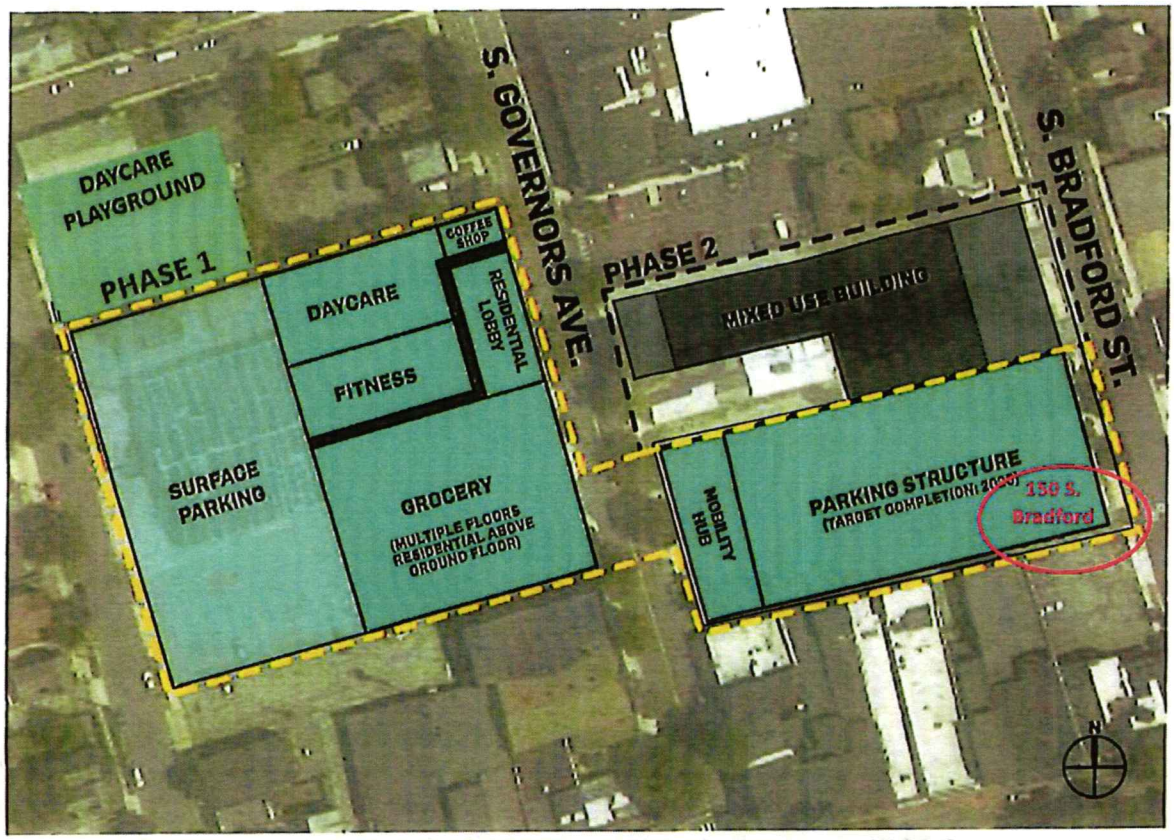
Capital City 2030 will create a new downtown for the City of Dover. This will become a model community for people to live, work, and play. Working together, we can make the Capital of the First state of the nation a true destination worthy of its heritage.

Projected OUTCOMES



ATTACHMENT C

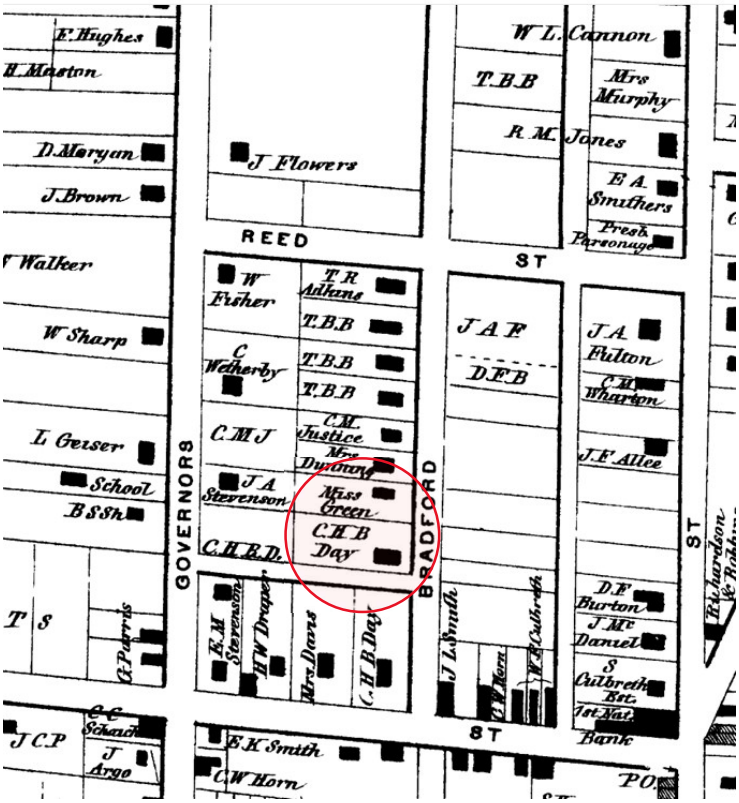
Proposed location of multi-modal transportation hub



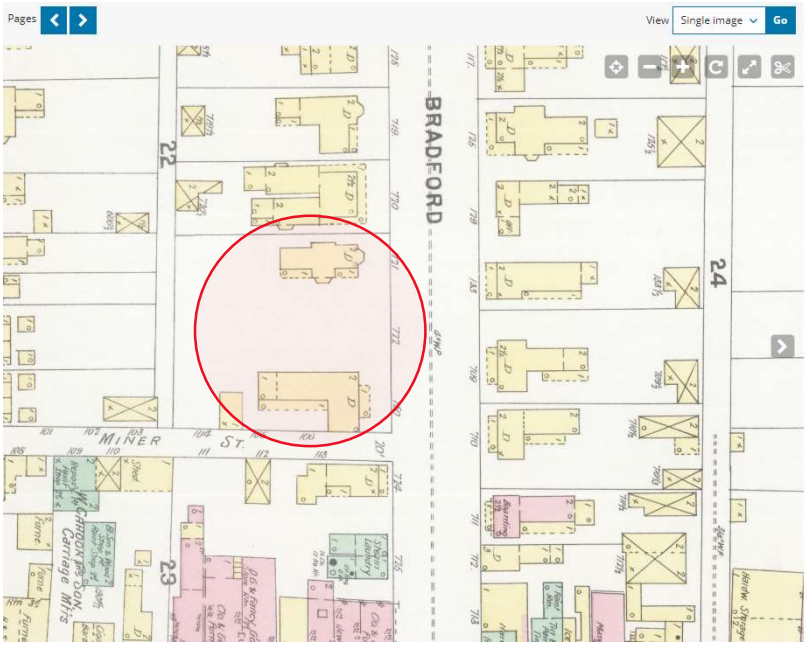
Aerial view of parcels for the Multi Modal Transit Center and 120 S. Governors Ave.

150 S. Bradford Ave. (approximate location)

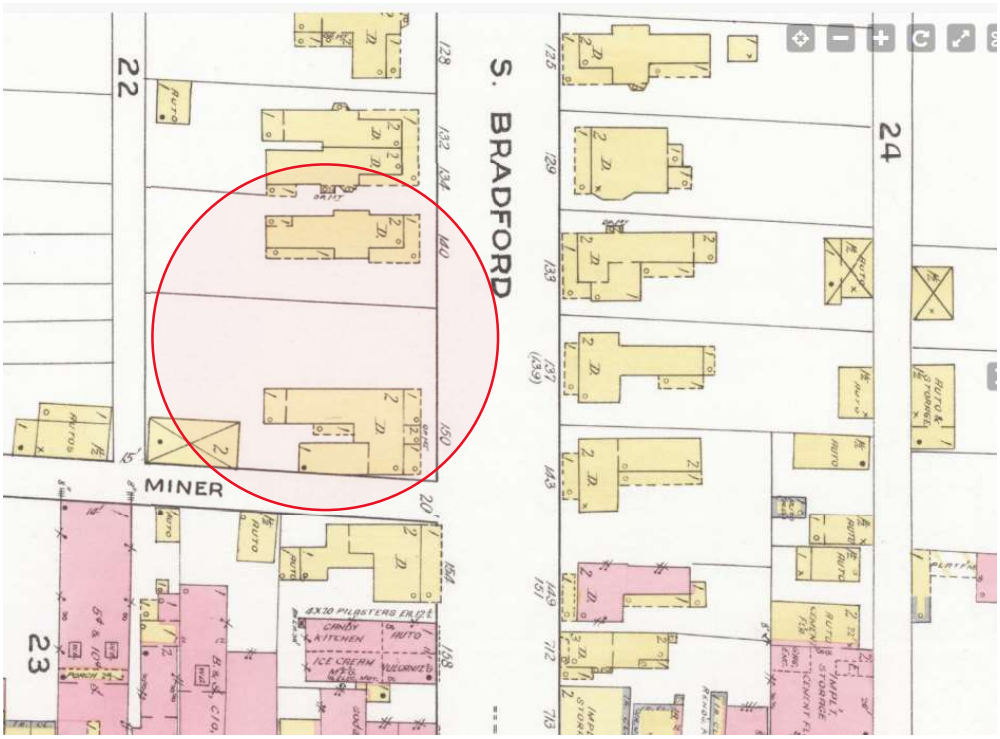
1868 Pomeroy & Beers Map:



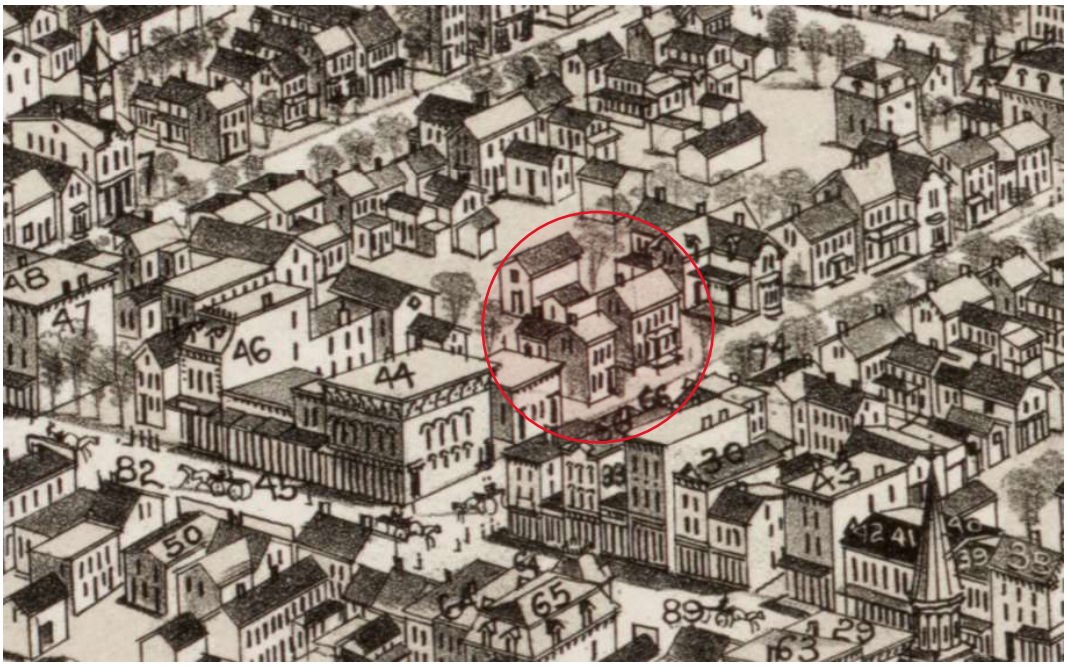
1897 Sanborn Map



1919 Sanborn Map



1885 O.H. Bailey & Co Bird's eye map



Demolition

The pressure to demolish buildings within any historic district is a regrettable fact of life. Either through catastrophic damage or through years of neglect, there are and will continue to be situations when a building is deemed beyond repair and "not worth" preserving. As the Dover Historic District continues to attract new residents and businesses, there will be pressure to "make way" for the "progress" that new construction is believed by some to represent.

Whereas issues of design guidelines for preservation and new construction are driven by architectural and aesthetic considerations, demolition, especially of repairable structures, is more frequently an economic issue. Indeed, the only other legitimate reason for consideration of demolition is if the building poses a threat to public safety. In considering applications for demolition, especially those based on economic or development considerations, the City must weigh issues beyond matters of architectural appropriateness, for demolition of an historic building in an Historic District is rarely if ever appropriate. Rather, the City must be convinced that all possible means of saving the building have been exhausted.

It should be noted that the City of Dover is trying to prevent unnecessary demolition by giving the Historic District Commission the authority to determine when "Demolition by Neglect" is occurring. "Demolition by Neglect" is defined as "improper maintenance or lack of maintenance of a building, structure or object which results in substantial and widespread deterioration of the building, structure or object which threatens the likelihood of preservation, and which presents a threat to the public safety, health and welfare of the immediate community." Once the Historic District Commission determines that a property is in a state of Demolition by Neglect, it can direct the building inspector to take actions under the City's Dangerous Building Code or Housing Code to order repairs. It is the responsibility of all citizens to look for and report instances of Demolition by Neglect to the City of Dover Historic District Commission.

The following criteria should be evaluated in considering applications for the demolition of historic buildings within the Dover Historic District:

To determine the financial implications of maintaining a property versus demolishing it, the City may ask an applicant to submit documentation pertaining to differential costs, structural soundness, suitability for rehabilitation, estimated market value of the property as is and after renovation for continued use, economic feasibility of rehabilitation, purchase price, income, and cash flow information (relating to the property only) and any other information considered necessary.

Regardless of economic issues, the relative significance of the building slated for demolition should be evaluated. If the building is not considered a contributing structure in the District, then its demolition may not be objectionable. If a building is significant, then even a finding of economic hardship may not be sufficient to allow demolition. Some buildings, such as the Richardson mansion, the Parke-Ridgely House, the Rose Cottage, etc., are so significant that extraordinary measures should be made to delay or prevent their demolition. Adaptive reuse of historic buildings is always preferable to demolition and new construction.

In development-related applications, the City should review schematic plans for the new structure, in order to help weigh the virtues of the new versus what exists.

Further, in order to provide some slight mitigation of the effects of unavoidable demolition of historic structures within the Dover Historic District, owners should be required to provide adequate recordation of a property. The extent of such recordation would depend on the significance of the property. At the least, archival photographs should be produced for every historic building that is lost to demolition within the District. When the demolition of an extremely significant building is unavoidable, measured drawings should be produced that comply with the standards of the Historic American Buildings Survey.

Lots left vacant by demolition should be treated in a manner that is sympathetic to the historic context. In the residential and commercial contexts, a 5' high opaque barrier should be constructed at the building line, either a fence or plant materials or both. Parking should not be permitted on vacant lots. Community gardens or parks should be encouraged.

Relocation of Existing Buildings

Moving historic buildings out of, into or within the Historic District should be discouraged. The removal of historic buildings from the District has the same effect as demolition on the historic character of the District. Moving historic buildings within the District confuses the actual history of the District. Moving historic buildings into the District falsifies the existing historic record by adding a building that does not belong to either time or place. Relocating a building, however, is always preferable to its demolition.

Inappropriate

- Concrete walls are inappropriate as a fencing material in the Dover Historic District zone and should be prohibited. Existing concrete walls should be stuccoed and painted, while "decorative" masonry screens should be painted black-green.

Paving and Bordering

The paving along or within the perimeter of a property provides the connection between the front door and the street. Providing the "carpet" to the door, it should be as graceful as the rest of the yard.

Recommended

- Brick, gravel, and compressed earth paths are appropriate for domestic walks and garden paths.
- Brick paving should be dry-laid in one of several patterns.

Brick Paving Patterns

- Concrete walks are acceptable in the Dover Historic District zone.
- Glazed brick borders are appropriate for planting bed borders in Victorian style gardens.

Not Recommended

- "Over-paving" to create formal gardens is not recommended in the Dover Historic District zone.
- Using concrete to replace brick, flagstone or other historic paving materials is not recommended.

Inappropriate

- Concrete block, painted rocks, and low wire fencing are inappropriate border materials in the Dover Historic District zone.

Parking Lots

Parking lots are the awkward by-product of a mobile culture. Their incorporation into historic districts is problematic. Parking lots should be screened from the street, their lay-out should include borders, and islands planted with trees and shrubs to break-up expanses of paved areas. Given any parking lot within the Dover Historic District zone, at least 20% of the area within it should be unpaved and planted.

Google
Image capture: Sep 2023

Downtown Dover Partners
101 W. Loockerman Street, Ste
Dover, DE 19904
(302) 678-2940
www.DowntownDover.com

June 4, 2024

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

To the Members of the City of Dover Planning Commission:

Please consider this a Request for Appeal to the City of Dover Planning Commission from the Downtown Dover Partnership (DDP) regarding our Application for Architectural Review Certificate dated April 12, 2024 for the proposed demolition of 148 South Bradford Street, Dover Delaware. (A separate request for the adjacent property at 150 South Bradford Street has also been initiated.)

The above referenced application (HI-24-02) was reviewed and denied (by a vote of 2:1) at the Historic District Commission (HDC) meeting on May 16, 2024, held at the Dover City Hall Council Chambers.

There was no specific remedy or recommendation given by the HDC leading to support efforts toward approval of the DDP application for demolition. Nevertheless, since the May 16 meeting, the Downtown Dover Partnership and its Project Development Team have voluntarily reviewed options to proposed demolition of 148 South Bradford, including revisiting a previously considered design for the Mobility Center (previously referred to as the "Multi-Modal Transportation Hub"), as well as reorienting the Mobility Center on an adjacent smaller footprint in response to a community member's recommendation. (At this time, the Team is also exploring the option of moving the historic building to a new location.)

The DDP/Development Team then provided an Open House on June 3 to present these alternatives publicly and to invite public comment, both orally and in writing. 60 members of the public attended.

If approved, the DDP request for appeal to the City of Dover Planning Commission will, in part, include a presentation of the aforementioned-design alternatives, as well as the merits of each, which will allow us to convey our Team's justification for what we believe is the best design outcome for the community – the solution that best supports overall goals of the *Capital City 2030: Transforming Downtown Dover!* master plan, and largely addresses concerns indicated by both HDC and community members within the Capital City.

We understand, should this request be accepted, that the next appeal opportunity before the Planning Commission would be on June 17, 2024. We are hopeful for continued dialogue regarding this important project at that time.

Sincerely,

Kenneth R. Anderson
DDP Property Development Director

CC: Diane Laird, Executive Director
Todd Stonesifer, Board President

MAIN STREET AMERICA™ Accredited

City of Dover

ARCHITECTURAL REVIEW REPORT
Before Dover Historic District Commission
May 16, 2024

Appeal of Historic District Commission Action to the Planning Commission for Meeting of June 17, 2024.

Project Name:	Building at 150 South Bradford Street: Building Demolition
Location:	West side of South Bradford Street between West Loockerman Street and Reed Street, just north of the Minor Street Alley. 150 S. Bradford Street
Tax Parcel:	ED-05-077.09-02-25.00-000
Property Owner: Applicant:	CEI Properties Downtown Dover Partnership
Present Zoning:	C-2 (Central Commercial Zone) H (Historic District Overlay Zone)
Present Use:	Offices (Previously a single-family home)
Proposed Use:	Vacant site
File Number:	HI-24-03

Action by Historic District Commission:

The Historic District Commission conducted a public hearing and considered the Application HI-24-02 for Architectural Review Certification to demolish the building at 148 S. Bradford Street. The vote was 2-1 to deny the Architectural Review Certification for demolition (1 member absent and another recused).

Application: HI-24-03 – Building at 150 S. Bradford Street: Building Demolition

This Architectural Review Certification application was reviewed by the Historic District Commission on May 16, 2024. The following is the context of the Architectural Review Staff Report and includes information on the Historic District Commission considered.

PROJECT DESCRIPTION:

The Historic District Commission will act on an Architectural Review Certificate regarding Demolition of the 2 ½ story frame building located at 150 South Bradford Street. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The parcel consists of 0.17 +/- acres of land. The property is located on the west side of S. Bradford Street and north of Minor Street Alley. The owner of the record is CEI Properties. The applicant is the

Downtown Dover Partnership. Property Address: 150 S. Bradford Street. Tax Parcel: ED-05-077.09-02-27.00-000.

The following application for demolition at 150 South Bradford Street is submitted to the Historic District Commission regarding the issuance of the Architectural Review Certificate for a Demolition project. Applications for certain types of construction activity within the Historic District Zone (H) are reviewed by the Historic District Commission for Architectural Review Certification as part of the application review process. The Application is for review under the provisions of *Zoning Ordinance*, Article 10 Section 3.23. See below:

> 3.23 *Architectural review certification by the historic district commission.*
>
> (A) The historic district commission shall issue architectural review certificates for the construction or demolition of single-family and two-family homes, and nonresidential structures or additions involving a gross floor area of 3,000 square feet or less, after review of the proposed construction and after a determination that the construction is in general accordance with the standards set forth in subsection 3.25 below.
>
> (B) All applications to the historic district commission for architectural review certification shall be subject to the procedures set forth in subsection 3.26.
>
> (C) All decisions of the historic district commission pursuant to this subsection shall be formalized in a written notice of decision. When the commission grants a conditional approval under this subsection, all conditions of approval shall be set forth in writing in the notice of decision. In the event of a denial, the notice of decision shall state the reasons for denial and shall identify all elements of the application found to be contrary to the provisions or intent of this subsection.
>
> (D) An applicant may appeal the decision of the historic district commission to the planning commission, and such appeal shall be considered as an architectural review certification application to the planning commission and shall meet all of the requirements set forth in subsection 3.24 and subsection 3.26.

The Historic District Commission will act on an Architectural Review Certificate regarding the request for Demolition of the building at 150 S. Bradford Street.

Property Information

This building is located within a National Register of Historic Places Historic District, specifically the Victorian Dover Historic District. Provided below is the building summary from the building inventory listing found within the National Register nomination completed for the Victorian Dover Historic District (nomination completed 1977-78).

> K0396.151 – 150 South Bradford Street - Late-19th century, 2-story, 5-bay, single family dwelling; gable roof; single-bay 2nd floor projection at the center of the facade; gable roof, full return; 6/1 sash; facade porch, fluted columns, Ionic capitals, balustrade; converted into double-dwelling in 1966.

The property is located within H (Historic District Zone) as established by the City of Dover.

A series of historic maps were reviewed by Planning Staff for preliminary information on this block of South Bradford Street. The 1868 Beers Map published by Pomeroy & Beers shows the established street grid and rear alley although the parcel lines may be slightly different. There appears to be a building on the site with a different size and shape. The 1885 Bird's Eye View of

Dover shows a series of residential buildings on this west side of S. Bradford Street and smaller detached structures in rear yards. The series of Sanborn Fire Insurance Maps is also a reference source for information on the series of buildings which occupied this property over time. The 1897-1919 Sanborn Maps show a building at the subject site with a growing footprint as rear additions were made. The accessory structure in the rear changed between 1897 and 1919. Between 1919 and 1929, the accessory structure was also enlarged. Staff believes this structure first presented in the 1897 Sanborn Map to be the structure that is present today. (see Attachments at the end of report)

According to the tax records for the City of Dover, the shingle clad building at 150 S. Bradford Street was built in 1930 (appears to be an inaccurate estimation). There is a parking lot at the rear of the property that looks to be connected to the parking lot at 148 S. Bradford Street. The accessory structure that was present in the 1929 Sanborn Map is not mentioned in the 1978 inventory for the National Register of Historic Places application.

PROJECT PROPOSAL FOR DEMOLITION

The applicant has filed an application for Architectural Review Certification for the demolition of 150 S. Bradford Street. The submission consists of a narrative with attachments including a photo gallery. The project is described below:

1. Demolition of Building: The project involves the demolition of the existing 2 1/2-story shingle clad frame building on the property.

The scope of Demolition notes that an asbestos survey will be conducted and the process for demolition and removal of debris. Information on the stabilization of the surfaces following removal of the building listed installation of sand/gravel to fill (to bring to grade). The rear of the existing property is paved for parking with access from a rear alley. The future use of the property is part of the Downtown Dover Partnership's strategic plan *Transforming Downtown Dover: Capital City 2030*. This site will be combined with others to create a multi-modal transportation hub to be used for multiple businesses in the area for current and future enhancements to the downtown area. The redevelopment of the site will be subject to a separate review process.

Review of *DESIGN STANDARDS AND GUIDELINES*

The subject property is located in the Dover Historic District Zone within the Loockeman Historic Context. The Loockerman Historic Context is described on pages 2-7 through 2-8. Location within the Dover Historic District Zone requires proposals for specific types of construction activities such as new construction, additions to existing buildings, exterior renovations, and demolition of buildings to receive an Architectural Review Certificate.

As stated in the *Design Standards and Guidelines for the City of Dover Historic District Zone*, an Architectural Review Certificate will be granted for the project "if it is found that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district."

Demolition

The proposal for demolition of the building must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. The *Design Standards and Guidelines* gives guidance to the Historic District Commission by listing specific criteria to be evaluated when considering applications for the demolition of buildings (or portions of buildings) in the historic district (Chapter 4: pages 4-10 to 4-12). These guidelines are summarized below (see *Design Standards and Guidelines* for the complete text); an excerpt of Chapter 4 is attached.

1. Determine the financial implications of maintaining a property versus demolition.

2. Regardless of economic issues the relative significance of the individual buildings slated for demolition should be evaluated.

3. In development related applications the City should review the schematic plans for the new structures to weigh the virtues of the new structure versus what exists.

4. Determine the extent of adequate recordation of a property the applicant would be required to complete if demolition were approved.

5. Lots left vacant by demolition should be treated in a manner that is sympathetic to the historic context.

The *Design Standards and Guidelines* note that parking should not be permitted on vacant lots and suggests alternative uses. Also provided is information about development of parking lots (page 3-27) in the Historic District. The *Guidelines* excerpt for parking lots is as follows:

> Parking lots are the awkward by-product of a mobile culture. Their incorporation into historic districts is problematic. Parking lots should be screened from the street, their layout should include borders, and islands planted with trees and shrubs to break-up expanses of paved areas. Given any parking lot within the Dover Historic District zone, at least 20% of the area within it should be unpaved and planted.

The Applicant, in their narrative, considers the *Design Standards and Guidelines* for Demolition outlining their reasons for such Demolition request.

STAFF COMMENTS AND RECOMMENDATIONS

The following are the Staff comments and recommendations for this application regarding project activities and an Architectural Review Certificate.

1) The *Design Standards and Guidelines* outline specific criteria to be evaluated in considering demolition applications (Chapter 4). The following are Staff's consideration of the criteria for Demolition.
   a) In this instance, the economic maintenance evaluation of the property individually is not the issue for the applicant, but rather the need for the land to as part of a larger project in the Downtown Dover Partnership plan to revitalize the Downtown area and provide central parking. A central parking area would allow people to park their cars and visit businesses and residences on foot.

b) The structure of this property has been through several changes over the years. First from single family home, to duplex, to commercial use. The style was adapted by the owners at the time of renovations. If the structure present today is the same structure as the one present in the 1885 O.H. Bailey & Co Bird's eye map, the projecting upper level in the middle bay was not present. The fish scale shingles on the attic level and the diamond shaped window are not mentioned in the 1979 description in the inventory of the National Register of Historic Places. This structure seems to be a combination of many styles that have evolved over its lifespan and not a significant representation of the time frame for the Victorian era.
c) Included in the application is a draft concept of the lots and its future use. However, the redevelopment project is not being reviewed currently.
d) We have not been provided detailed plans or renderings for the multi-modal transportation hub development. Nor have bids gone out for the demolition of the building. An asbestos survey will be initiated when the project can move forward, as required by the building and inspections department.
e) The lot is not expected to be left vacant past 2026.

2) While it is not the practice of the Planning Staff to recommend Demolition of a historic building that has been adaptively reused, consideration must be given to the future redevelopment of the area. The building generally is a historic structure, though not a representative of a specific style. However, improvements to some exterior finishes (i.e. window replacements, exterior finishes, porch renovations, front decking addition, various building additions, doors, and roofing) since its original construction as a houseAt some point, it became an office use.

3) Staff notes the opportunities for the relocation of the building could also be an option for consideration.

4) Staff are not aware of any documentation/recordation of the existing building. The Historic District Commission could require additional documentation/recordation of the building if deemed appropriate.
   a) If demolition is unavoidable then, given the late nineteenth century age of the building, the building should also have additional documentation completed in the form of measured drawings of the building's floor plans. This should include other data gathering on the building's construction.
   b) A series of photographs of the building's exterior and interior should be systematically completed to include keyed location map of photographs.

5) If approval for demolition of the building is granted, Staff recommends the following conditions pertaining to the building demolition and site stabilization. These conditions are presented to improve the project's compliance with the recommended guidelines for consideration of demolition in the *Design Standards and Guidelines* and other code provisions:
   a) A specific timeframe for demolition activities and site stabilization should be established.
   b) All utilities must be properly capped and/or abandoned.
   c) Clarify the plan for site stabilization of the site.
      i) The building footprint area following demolition of the building and removal of the basement foundation walls must be restored to grade. The disturbed area is to include

stabilization with topsoil and seeding to establish a grass lawn area. The grass lawn area is to be properly maintained.

d) Staff do not recommend installation of solid (opaque) fencing or chain link fencing on the site. If areas need to be segregated on the site, other alternative fence styles may be more appropriate.
e) Parking could continue on the paved (rear parking) area only. Stabilization of the building footprint area with gravel is not an approved parking surface even as a temporary measure.

ADVISORY COMMENTS:

1) The applicant shall be aware that a Demolition Permit is required to proceed with any demolition activities on the property should Architectural Review Certification be granted for the demolition proposal. The Demolition Permit application must comply with the conditions of approval granted through the Architectural Review Certification process.

2) In the event that major changes and revisions to the project proposal occur, contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Historic District Commission.

3) Any future construction activities such as redevelopment of the site for a building or for an expanded parking facility are subject to additional review processes for permitting and plan review.

4) If the building is or will be vacant prior to the Demolition, then it may be required to be registered as a Vacant Building with the City under the Vacant Buildings program.

Historic District Commission Action

The Historic District Commission at their meeting of May 16, 2024, considered the proposal for demolition of the building at 150 S. Bradford Street and took action to deny the request for Architectural Review Certification for Demolition. The application was represented by Diane Laird (Downtown Dover Partnership), Ken Anderson (Downtown Dover Partnership), and Jed Hatfield (Colonial Parking Inc.).

- See Draft Meeting Minutes of May 16, 2024 (being prepared).
- Motion to deny the demolition of the building at 150 S. Bradford Street was passed with a vote of 2-1 with the following Historic District Commission members present; Eric Czerwinski, Ann Baker Horsey, and Ellen Richardson. Mary Terry Mason was absent. Jonathan Street was also in attendance but recused himself as a board member of the Downtown Development Dover Partnership.
- Staff noted that the decision of the Historic District Commission could be appealed to the Planning Commission.

Appeal to the Planning Commission

The *Zoning Ordinance* allows for decisions of the Historic District Commission to be appealed to the Planning Commission (*Zoning Ordinance*, Article 10 Section 3.2 Architectural Review Certification). The Planning Commission is to determine if the proposal for the Demolition of the Building at 150 S. Bradford Street should be granted Architectural Review Certification based on the following standards:

Article 10
3.25 *Architectural review standards.*

(A) An architectural review certificate may be issued if it is found that the architectural style, general design, height, bulk and setbacks, arrangement, location and materials and structures affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district as set forth in the historic district design guidelines and standards adopted by the planning commission and as set forth in the United States Secretary of the Interior's Standards for Rehabilitation.

The "historic district design guidelines" referenced in the *Zoning Ordinance* are the document entitled *Design Standards and Guidelines for the City of Dover Historic District Zone*. The Planning Commission may add conditions to their action.

Attachments:

1) Letter of Notice of Historic District Commission Action
2) Draft Excerpt of Historic District Commission Meeting Minutes of May 16, 2024 (pending completion).
3) Application HI-24-03.
4) Historical Maps of the property
5) *Design Standards and Guidelines for the City of Dover Historic District Zone* - Excerpts from Chapter 4: New Construction, Additions, Demolition and Relocation.
6) *Design Standards and Guidelines for the City of Dover Historic District Zone* – Excerpt from Chapter 3: Maintenance, Repair, Preservation and Restoration of Existing Historic Buildings.
7) Google Street View photo.
8) Applicants Letter requesting Appeal dated June 4, 2024.

City of Dover

June 7, 2024

Downtown Dover Partnership
101 W. Loockerman St., Ste 2B
Dover, DE 19904
Emails: ken@downtowndoverpartnership.com & diane@downtowndoverpartnership.com

RE: **Notice of Historic District Commission Action (Architectural Review Certification)**
Demolition Application HI-24-03 to Historic District Commission
Proposed Demolition of the Existing Building at 150 South Bradford Street, Dover DE
Tax Parcel: ED-05-077.09-02-27.00-000

Dear Applicants:

Under the provisions of *Zoning Ordinance,* Article 10, Section 3.23 the Application HI-24-03 was filed for review and consideration by the Historic District Commission regarding the issuance of the Architectural Review Certificate due to its location within the City of Dover's Historic District zone.

Demolition Application HI-24-03 was on May 16, 2024, for demolition of the existing building at 150 South Bradford Street in Dover, Delaware. The Project outlined in the Application for Architectural Review Certification submission listed demolition of the building.

The *Design Standards and Guidelines for the City of Dover Historic District Zone,* Chapter 4: New Construction, Additions, Demolition and Relocation presents approaches to activities in the Historic District. For Demolition activities, the *Design Standards and Guidelines* also gives guidance by listing specific criteria to be evaluated when considering applications for the demolition of buildings (or portions of buildings) in the Historic District.

At its Meeting of May 16, 2024, the City of Dover Historic District Commission considered this Demolition Application and acted to deny the Architectural Review Certificate for Demolition Application HI-24-03. After discussion of the request for demolition, the motion to deny was passed by a vote of 2-1 (with one member recused and one member absent).

The appeal process for a Historic District Commission decision is outlined in the *Zoning Ordinance* Article 10, Section 3.23 (D). Please be aware that future uses and/or improvements to the property are subject to additional review processes for plans and permits. If you have questions, please contact the Planning Office at (302)736-7196 or by email at dmelson@dover.de.us .

Sincerely,
On Behalf of the Historic District Commission
Department of Planning and Inspections

Dawn Melson-Williams, AICP
Principal Planner

CC: HI-24-02

Downtown Dover Partnership
Main Street Dover
101 W. Loockerman Street, Ste 2B
Dover, DE 19904
(302)678-2940

April 22, 2024

To: Members of the City of Dover Historic District Review Commission (May 16, 2024 meeting)

Re: 148 S. Bradford St., Dover, DE

The Downtown Dover Partnership (DDP) seeks an Architectural Review Certificate for 150 S. Bradford St. The DDP acknowledges and values this historic building, as well as the historic context of which this building is a part. Nevertheless, a larger initiative is underway that will require demolition of this property: The *Capital City 2030: Transforming Downtown Dover!* master plan ("the Plan").

The Downtown Dover Partnership has led development of The Plan, the goal of which is to transform downtown Dover into a thriving residential, cultural, and business district with recreational, arts and music amenities, as well as a multi-modal transportation hub. The plan was created through significant community engagement and has been supported by a broad range of public and private entities, as well as non-profits and individuals. Most recently the Governor committed $25M toward two projects to kick-start the transformation.

The property that has been identified for the public transportation hub is comprised of two existing parcels (city and DDP-owned, respectively) and requires the adjacent parcel of 150 S. Governor's Ave. to complete the land massing for the structure.

We ask that members of the committee be assured that The Plan will not only set the stage for a strong, sustainable future for the downtown business district and neighboring communities of Dover for years to come, but will also ensure that the Downtown Dover Historic Victorian district maintains a majority of its assets, character, and intrinsic value throughout the encompassing transformation that is associated with The Plan.

The DDP appreciates the committee's thoughtful consideration for the proposed demolition.

Sincerely,

Diane Laird
Executive Director

CC: DDP Board of Directors

HERITAGE CONSERVATION AND RECREATION SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

RECEIVED APR 25 1979
DATE ENTERED JUN 6 1979

Victorian Dover Historic District

CONTINUATION SHEET ITEM NUMBER 7 PAGE 41

K-396 INVENTORY

.144 117 South Bradford Street - 19th century, 2½-story, 5-bay dwelling; re-sheathed with aluminum siding; gable roof, central facade cross gable, interior end chimneys; 2/2 double-hung sash, black aluminum louvered shutters; facade porch removed during remodeling.

.145 125 South Bradford Street - Late-19th century, 2-story, frame cruciform-shaped residence; gable end faces street; green metal standing seam gable roof, central terra cotta chimney pot; 2/2 sash, moulded lintels; L-shaped facade veranda, square posts, brackets, Chippendale-style balusters, unusual pierced woodwork trim across porch crawl space.

.146 129 South Bradford Street - Early-20th century, 2-story, frame dwelling; enlarged in 20th century by 2-story brick section added to facade and converted into business and office space; hipped roof, hipped roof dormers on frame section, flat roof on brick section, windows modernized.

.147 131-135 South Bradford Street - 19th century, 2-story, 3-bay, frame residence, modified in 20th century; gable roof, box cornice, 1-story brick commercial space added to facade and south side; older section converted into apartment units.

.148 137 South Bradford Street - 1960's, 1-story, octagonal, brick, drive-in bank; Flemish bond coursing; slate conical roof, lead pineapple finial; 3-bay, covered drive-thru lanes, designed by George Fletcher Bennett, Willow Grove, Delaware.

.149 153 South Bradford Street - 20th century, 2-story, masonry commercial/residential structure; yellow brick facade; flat roof, parapet.

.150 158 South Bradford Street - 20th century, 2-story, masonry, commercial structure; flat roof, parapet; 1/1 sash and door with transom set into segmentally-arched openings; 1st floor facade modernized.

.151 150 South Bradford Street - Late-19th century, 2-story, 5-bay, single-family dwelling; gable roof; single-bay 2nd floor projection at the center of the facade; gable roof, full return; 6/1 sash; facade porch, fluted columns, Ionic capitals, balustrade; converted into double-dwelling 1966.

148 S. Bradford St

Page 41

Victorian District (https://s3.amazonaws.com/NARAprodstorage/lz/electronic-records/rg-079/NPS_DE/79000622.pdf)

NARRATIVE FOR APPLICATION TO HISTORIC DISTRICT REVIEW COMMISSION

150 SOUTH BRADFORD ST, DOVER, DELAWARE

This application seeks an Architectural Review Certificate of 150 S. Bradford St., one of two adjacent properties within the Dover's (Historic District Zone) for which the applicant is requesting demolition.

Existing 150 S. Bradford Street Building/Property

- See Photo Gallery for series/description of property and views (ATTACHMENT A)

Context for Demolition Request

While the applicant acknowledges and values this historic building(s), as well as the historic context of which the building is a part, a larger initiative is underway that will require demolition of this property. This larger initiative, the *Capital City 2030: Transforming Downtown Dover!* master plan ("the Plan") will not only set the stage for a strong, sustainable future for the downtown business district and neighboring communities of Dover for years to come, but will also ensure that the Downtown Dover Historic Victorian district maintains a majority of its assets, character, and intrinsic value throughout the encompassing transformation that is associated with The Plan. (ATTACHMENT: B)

Anticipated Scope of Demolition

At this writing, Information to Bid (ITB) or Request for Proposals (RFP) has not been released for the demolition of this structure.

An Environment Assessment Asbestos Containing Materials Survey will be initiated to confirm or dismiss the presence of asbestos containing material at the site. This is a requirement prior to the demolition of any structure. The survey will be conducted by an EPA accredited building inspector.

The result of the above survey may or may not dictate any special follow-up actions prior to demotion of the structure.

For this structure, we anticipate responses to any Information to Bid or Request for Proposals, to propose a demolition to the structure utilizing an excavator and skid steer working from the top to the bottom of the structure, and from the front to the rear. Disposing of the resulting work debris would be off-site to DSWA (Sandtown), using a Rolloff truck with containers removing concrete as required. The Rolloff truck containers will also dispose of all vegetation and overgrowth on the lot.

The demolition will include the installation of clean sand and gravel in the demolished area, compacted every 6 to 12 inches. A barricade fence is normally installed around the work area before any work begins or as the City of Dover permit might require. That will be removed once approved by the City of Dover.

In Consideration of Dover's Historic District Guidelines

The *Design Standards and Guidelines for the City of Dover, Historic District Zone*, in Chapter 4 entitled "*New Construction, Additions, Demolition, and Relocation, starting at Page 10 entitled "Demolition* "provided the DDP with guidelines regarding the criteria to be thoughtfully considered prior to the demolition of any structure, for any purpose in the City of Dover Historic District.

After a thorough review of the above guidelines, and coupled with the overall impact to the citizens of the City of Dover, we offer the following to support a proposed authorization to proceed with the demolition of 150 South Bradford Street, Dover Delaware:

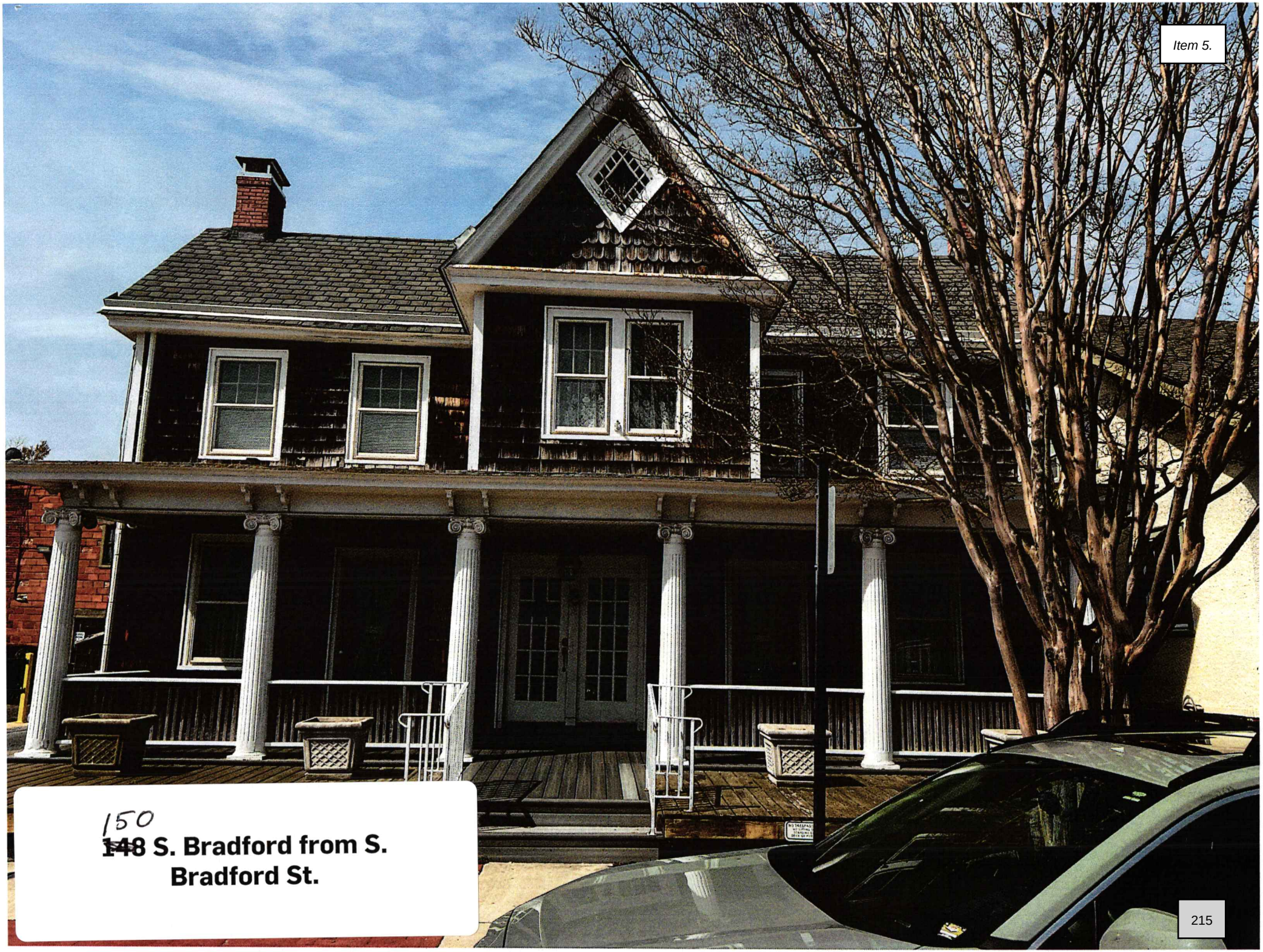
- The 150 South Bradford Street property is being acquired for specific future use and is not being demolished because of catastrophic damage or neglect, nor is the building currently a threat to public safety.
- The DDP is acquiring the property for demolition, to provide a critical component of a multi-modal transportation hub to fulfill a recommendation within The Plan. This plan was resoundingly supported by the State of Delaware, as reflected by a recent award of $25M by Governor Carney toward this transportation hub and a related mixed-use redevelopment project at 120 S. Governors Ave. ($15M ARPA;10M Bond Bill).
- The evolving design of the $14M multi-modal transportation hub requires the footprint of two parcels, one of which is 150 South Bradford Street, Dover, Delaware, which is the subject of this application. ATTACHMENT C

- The 150 South Bradford Street property being acquired for demolition by the DDP, we understand, is not a noteworthy source of revenue currently to the City of Dover.
- The property is included in the inventory of National Register of Historic Places – Victorian Dover Historic District, and is referenced as Item Number 7 on Page 42.
- The projected adaptive reuse of the parcel will be a portion of a multi-modal transportation hub which 100% percent fully funded.
- If requested, the DDP will facilitate the recordation of, and if necessary, provide archival photographs of the property, prior to demolition.
- Upon proposed demolition of 150 South Bradford Street, the resulting parcel is anticipated to be vacant for a very limited time (under one year), as the funding received from the State of Delaware requires that the funds identified for the construction of the multi-modal transportation hub be allocated by the end of 2024 and fully expended by year end 2026.

The applicants appreciate the thoughtful consideration of the members of Dover's Historic District Review process and look forward to working with the Commission to ensure our combined goals will support Dover's sustainable and exciting future.

ATTACHMENT A

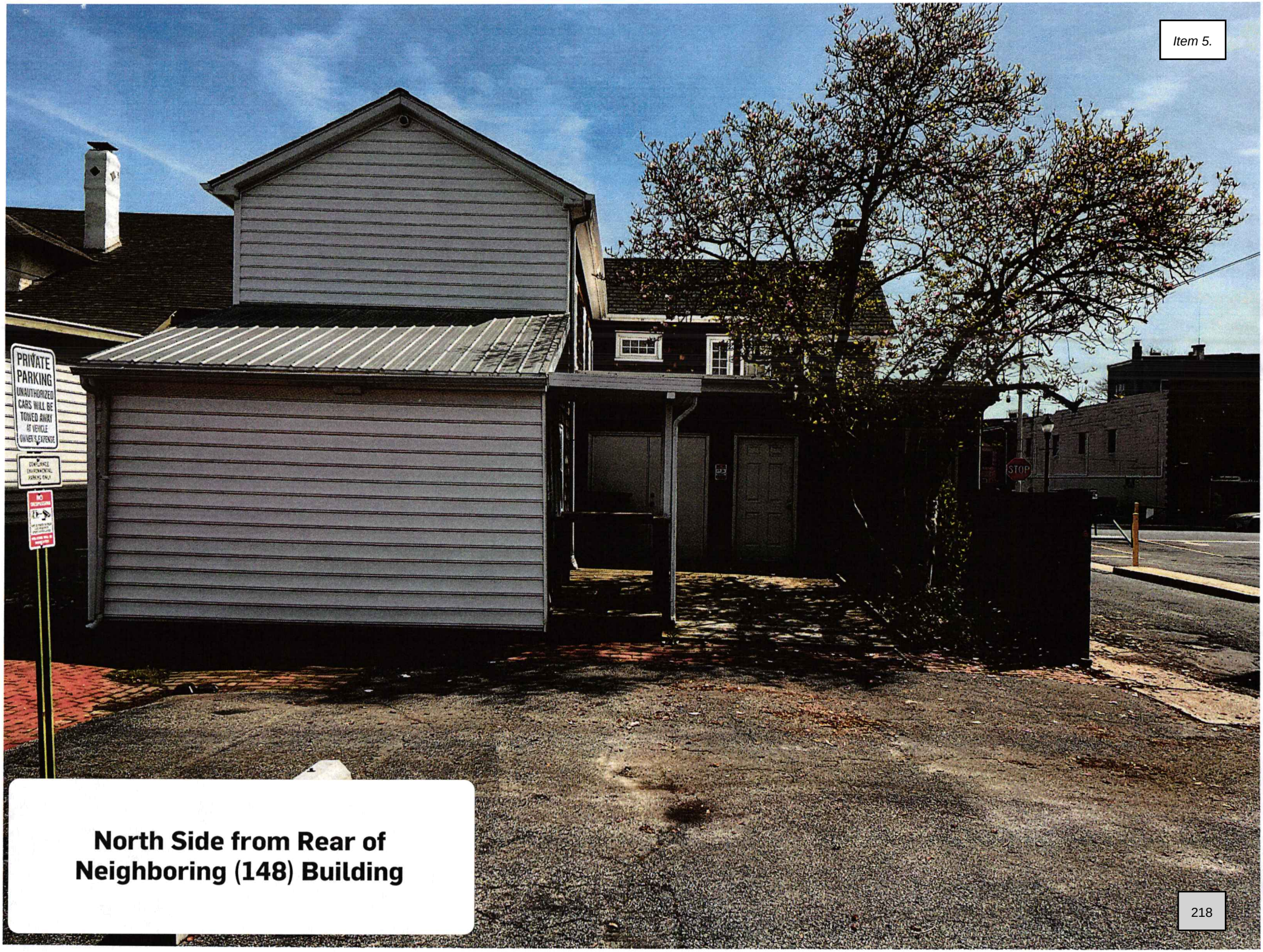
Photo Gallery



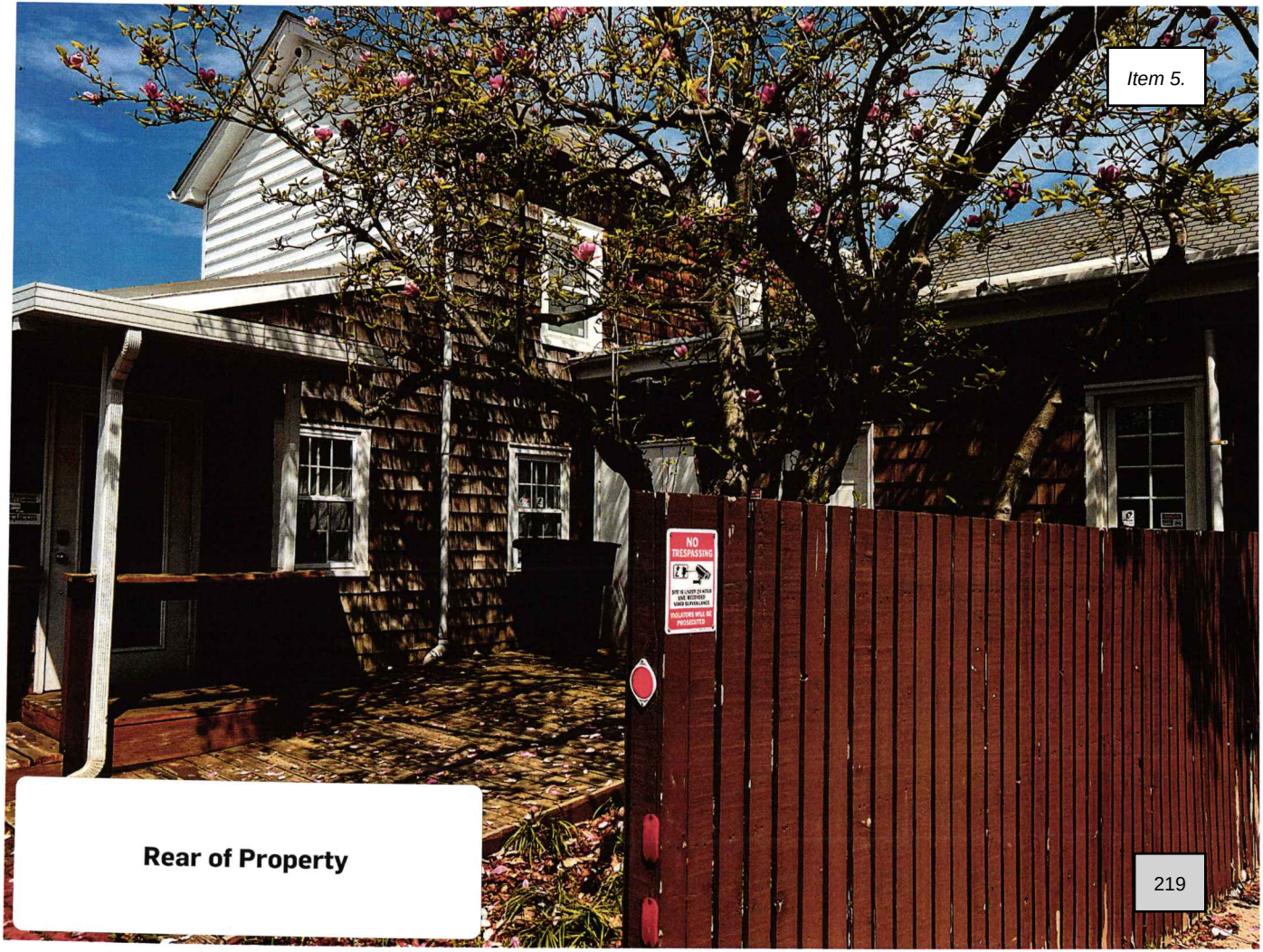
150
~~148~~ S. Bradford from S. Bradford St.

South Facing Façade from CenDel Parking Lot

Rear View from Parking Lot



North Side from Rear of Neighboring (148) Building



Rear of Property

Rear View from Rear of Building

Bradford Street Parking Lot
148 Bradford Parking
Kent County Head Start
Agapé Body Piercings
Body piercing shop
Harry Louie Laundry & Dry Cleaning
Brown, Shiels & Beauregard
Temporarily closed
148
150
Minor St Parking
Wells Fargo ATM
Minor St
S Bradford St
Dawson C
Towing & R
La Hacienda D
Dover/ Calle 3
Mexican • $$
117
124
127
128
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158
163

Aerial View

ATTACHMENT B

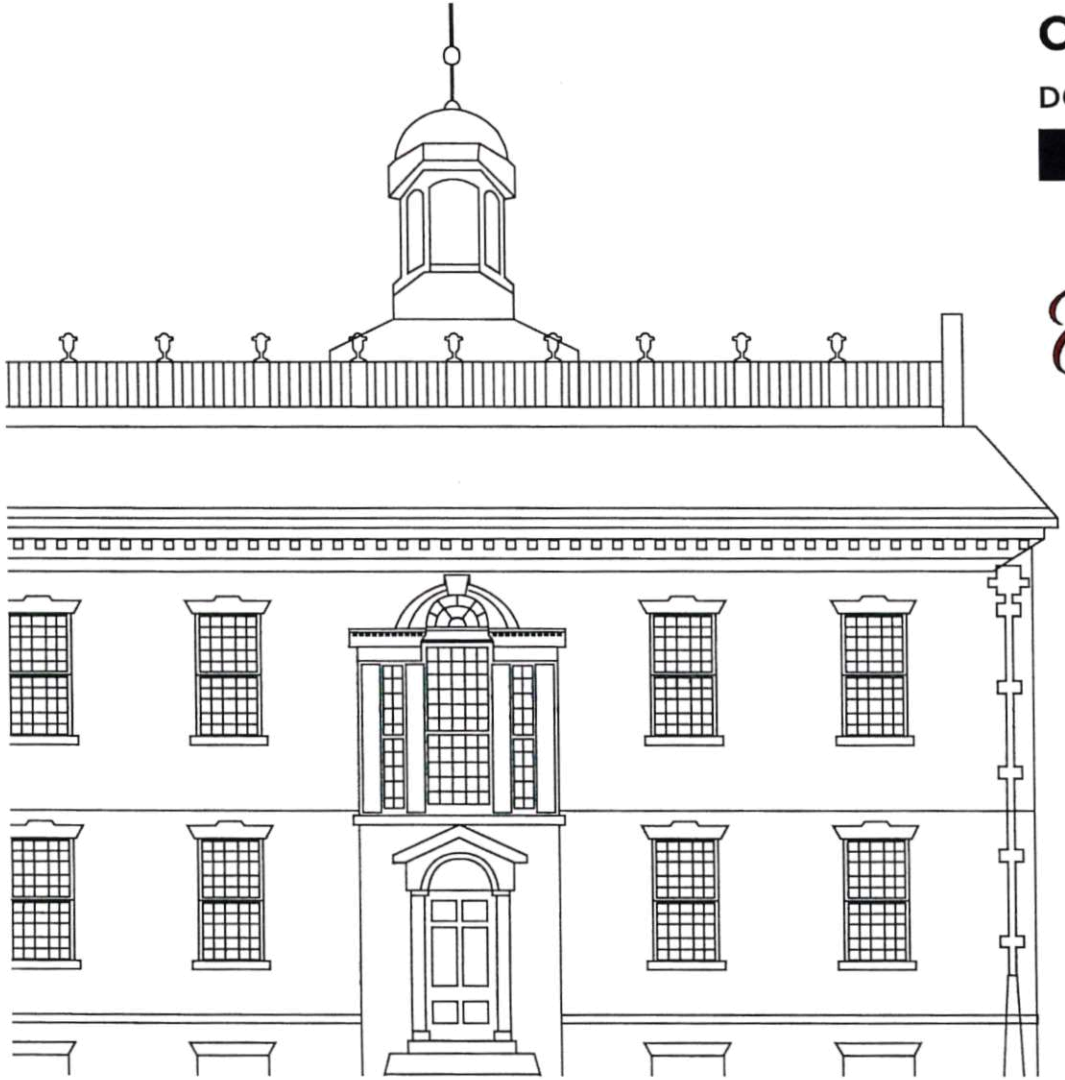
(Master Plan)

Capital City 2030: Transforming Downtown Dover!

For additional information on The Plan:

DOVER_Masterplan_Presentation_1.31.23.pdf - Google Drive

https://tinyurl.com/CapitalCity2030



Transforming Downtown Dover

Capital City 2030

DOVER, KENT COUNTY, DELAWARE

January 2023

Executive Summary

Transforming Downtown Dover:
CAPITAL CITY 2030

TRANSFORMING DOWNTOWN DOVER: CAPITAL CITY 2030 provides a fresh and integrated approach to transform Downtown Dover and the surrounding area into a vibrant, thriving community and regional destination. With the support of the public, the business community and public officials, this document is intended to spur public and private investment to realize this vision.

The team engaged in an intensive listening process, reaching more than 800 residents, business owners, property owners, elected officials, and public and private stakeholders. The team then dissected key issues, needs and concerns to identify opportunities for meaningful growth.

They focused on a range of physical and programmatic solutions to jump start Downtown Dover and augment its already historic and bucolic setting. The areas of focus included key destination points, business attraction and connection, public financial support tools, architectural strategies, ground floor activation, multi modal transportation, public space, permits and zoning and new residential density.

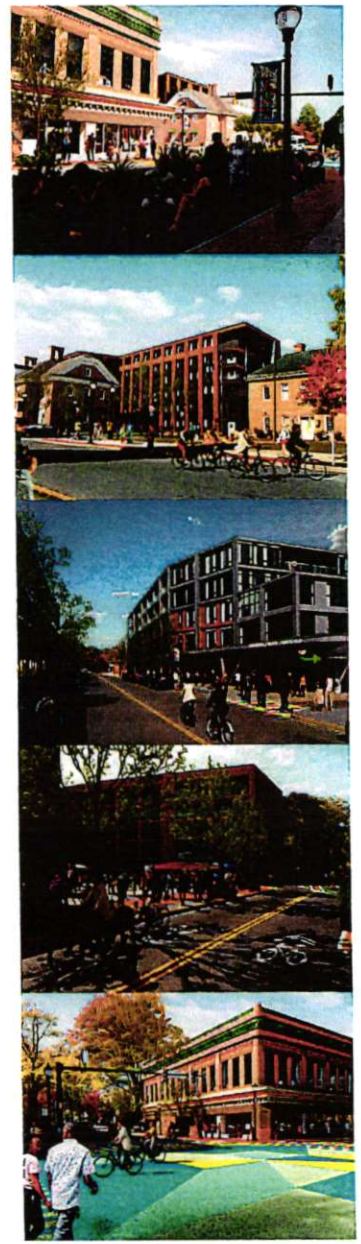
The plan puts people first, with a focus on the customer who may be an employee, a resident, a student, a soldier, a nurse and artist, or a public servant. DDP's plan respects cars but is not constrained by them. The plan welcomes those who walk, cycle, use a scooter, take a bus or drive. We prioritize how streets interact with residents and visitors to increase connection and improve the overall experience on the ground. Specifically, we reimagined the future Loockerman Street to again serve as the spine for the downtown district, having wider sidewalks, better tree infrastructure, brighter store fronts, more food and retail options, outdoor seating and traffic calming strategies.

The central premise of a reignited downtown district calls for density and connection to become the engines that drive change. The future requires new developments that activate ground floor spaces, adding nearly 1000 new residential units, a boutique hotel, centralized parking, more contemporary architecture, upgraded existing building structures, restaurants with outdoor seating, authentic retail, programmed public spaces, streamlined government approvals and government assisted financial incentives.

Our plan recommends incentives for building owners and businesses to stay or come to Downtown Dover. To attract and keep businesses, we recommend continued public investments in infrastructure, creating new financial tools such as TIFs to spur economic development, and an expedited path to approval for projects that align with the DDP plan.

By working with our existing key anchors, we start from a position of strength. These anchors are located within minutes of the downtown district, and include government entities, healthcare, and education. Delaware's state capital, its government agencies, Bayhealth, Delaware State University, and Dover Air Force Base are all longtime investors who could create synergy and directly benefit from a revitalized community.

These anchors employ and/or house thousands of people who currently are not fully engaged with downtown. This plan will build stronger connections through initiatives such as safe and convenient pathways from the anchor sites to downtown, quality residential housing and amenities and other programming that directly supports these anchors.



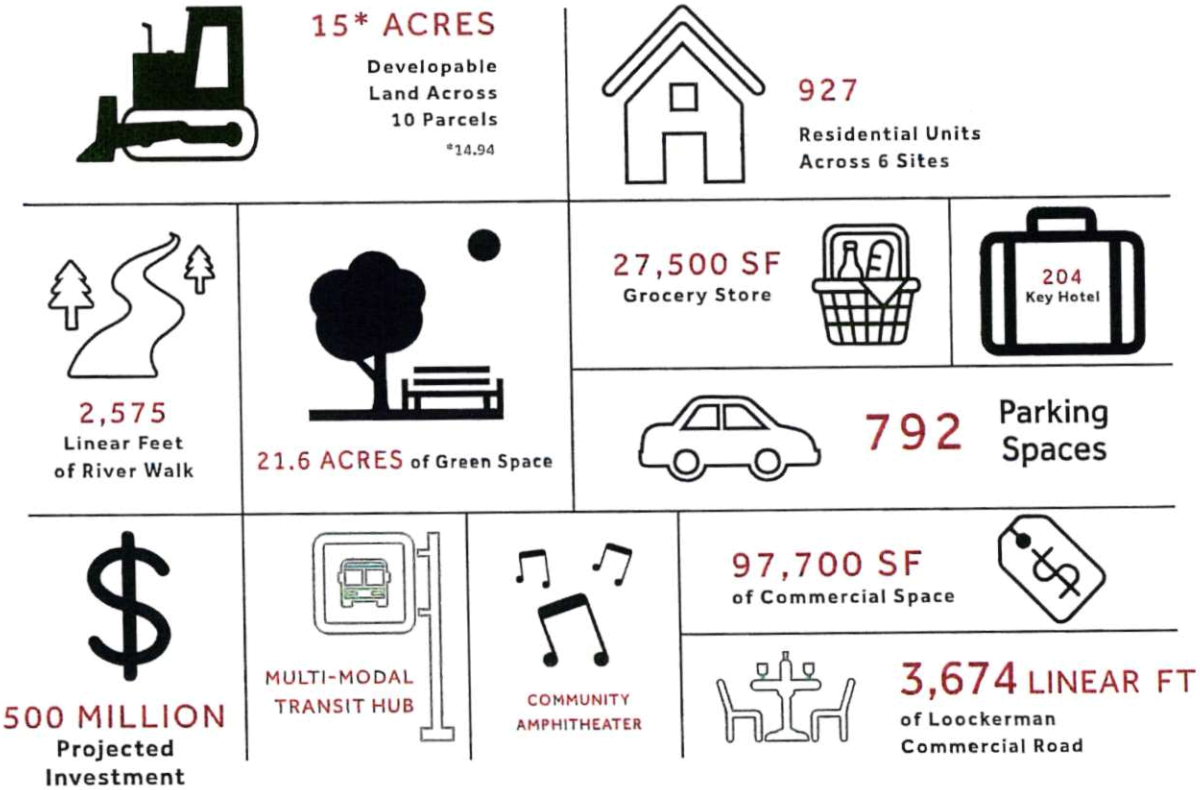
This plan was also built on the principles of equitable development. Building a more vibrant community also means including those who are traditionally left behind in the process. Dover has a large population of low- and moderate-income residents, many of whom need programmatic support to invest in job training, small business development, stabilized housing, and social support.

To help achieve that, we recommend attracting new businesses and training programs that emphasize local hiring, working closely with not-for-profits to leverage all investments, and working with established agencies to lessen the burden of homelessness, vagrancy, drug addiction and crime. The plan creates spaces for young people to learn, create and play, giving them new ways to enjoy the downtown.

To implement this plan, we recommend strengthening public-private cooperation. Leading this plan will be the Downtown Dover Partnership and its supporters. To assist them, we recommend adding a high-level development position to DDP to guide this project, convening a public-private Finance task force to investigate, implement, and manage financial incentives to bring investment to downtown, continue to outreach to the community to maintain support and engage the private sector directly in the development of DDP controlled sites.

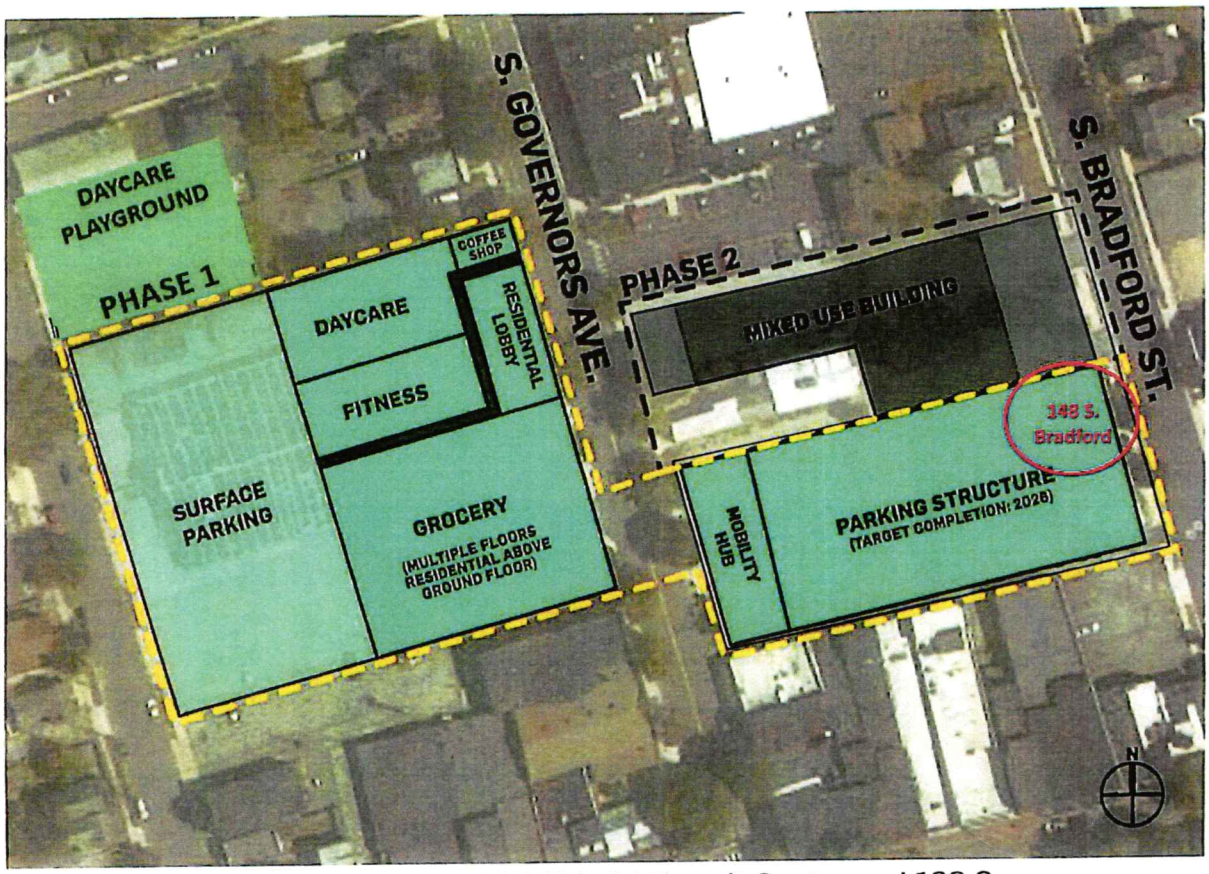
Capital City 2030 will create a new downtown for the City of Dover. This will become a model community for people to live, work, and play. Working together, we can make the Capital of the First state of the nation a true destination worthy of its heritage.

Projected OUTCOMES



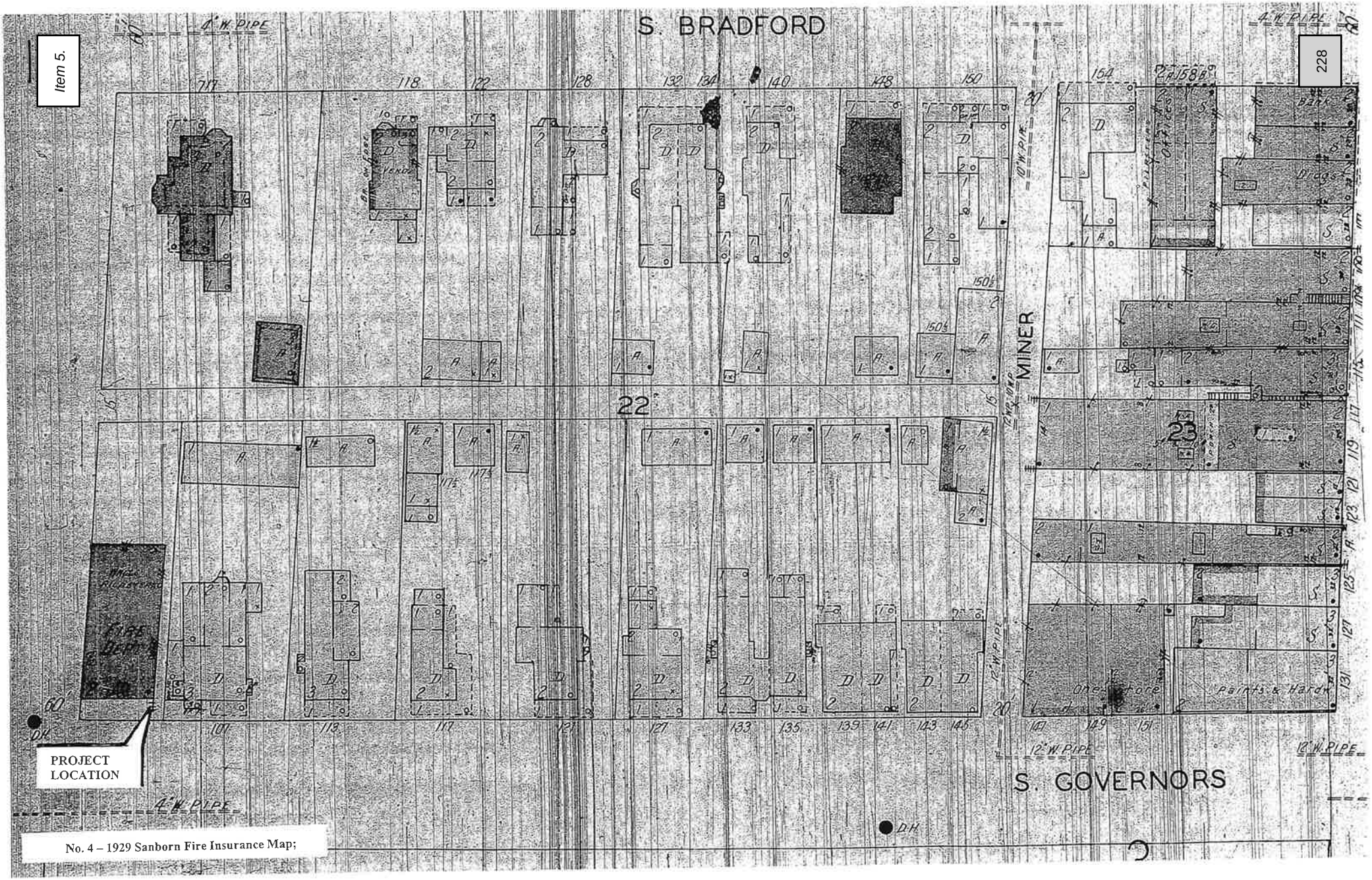
ATTACHMENT C

Proposed location of multi-modal transportation hub



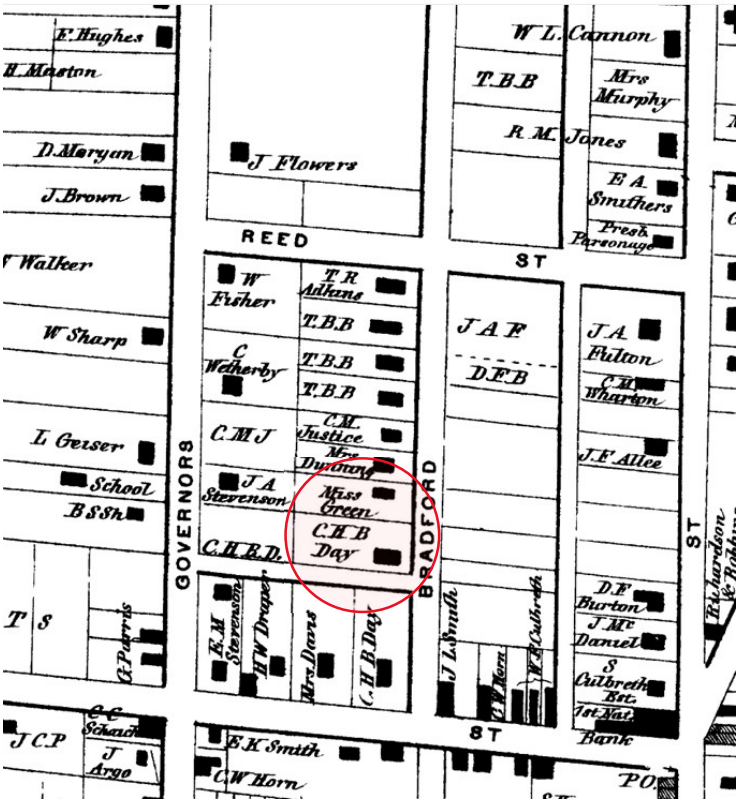
Aerial view of parcels for the Multi Modal Transit Center and 120 S. Governors Ave.

148 S. Bradford Ave. (approximate location)

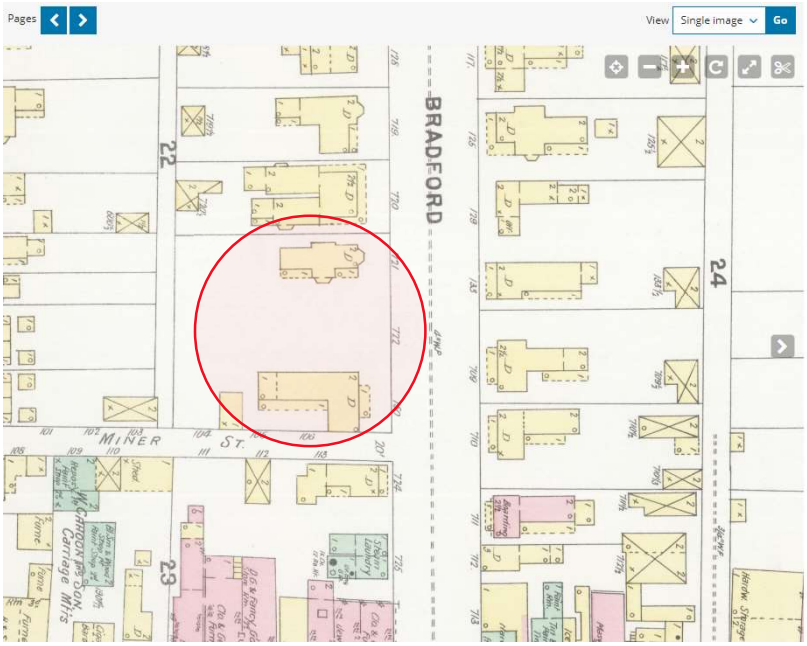


No. 4 – 1929 Sanborn Fire Insurance Map;

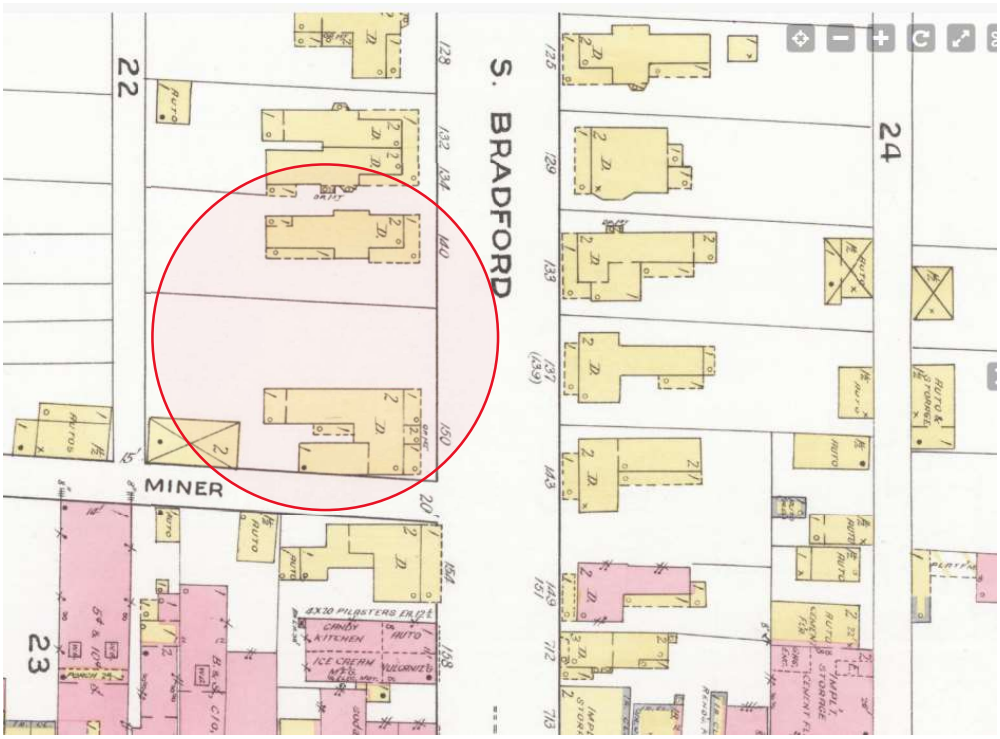
1868 Pomeroy & Beers Map:



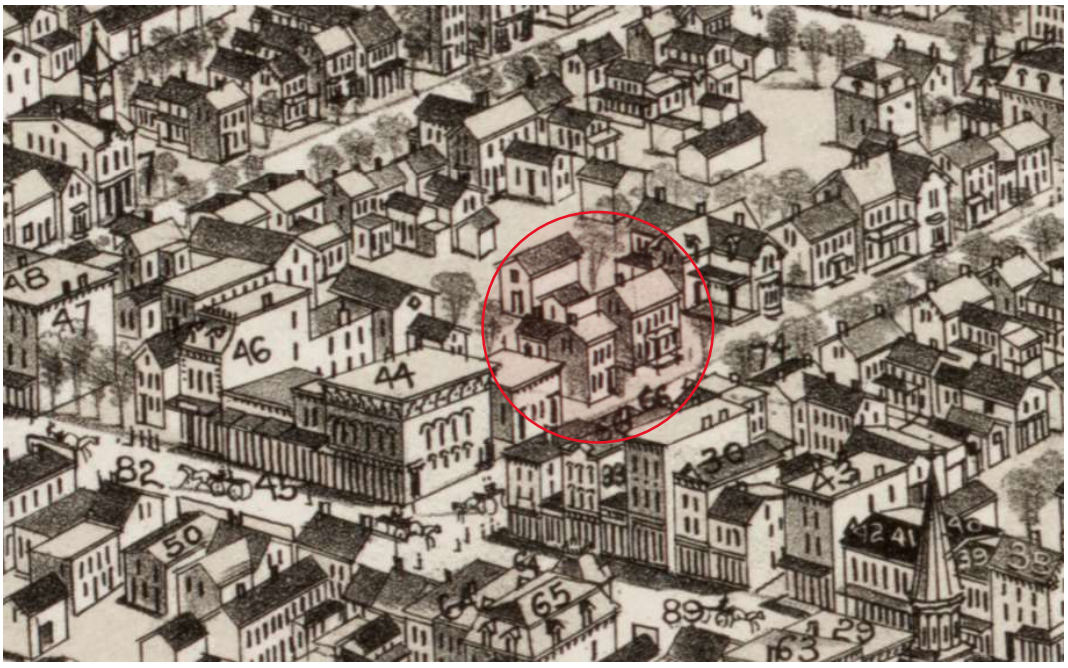
1897 Sanborn Map



1919 Sanborn Map



1885 O.H. Bailey & Co Bird's eye map



Demolition

The pressure to demolish buildings within any historic district is a regrettable fact of life. Either through catastrophic damage or through years of neglect, there are and will continue to be situations when a building is deemed beyond repair and "not worth" preserving. As the Dover Historic District continues to attract new residents and businesses, there will be pressure to "make way" for the "progress" that new construction is believed by some to represent.

Whereas issues of design guidelines for preservation and new construction are driven by architectural and aesthetic considerations, demolition, especially of repairable structures, is more frequently an economic issue. Indeed, the only other legitimate reason for consideration of demolition is if the building poses a threat to public safety. In considering applications for demolition, especially those based on economic or development considerations, the City must weigh issues beyond matters of architectural appropriateness, for demolition of an historic building in an Historic District is rarely if ever appropriate. Rather, the City must be convinced that all possible means of saving the building have been exhausted.

It should be noted that the City of Dover is trying to prevent unnecessary demolition by giving the Historic District Commission the authority to determine when "Demolition by Neglect" is occurring. "Demolition by Neglect" is defined as "improper maintenance or lack of maintenance of a building, structure or object which results in substantial and widespread deterioration of the building, structure or object which threatens the likelihood of preservation, and which presents a threat to the public safety, health and welfare of the immediate community." Once the Historic District Commission determines that a property is in a state of Demolition by Neglect, it can direct the building inspector to take actions under the City's Dangerous Building Code or Housing Code to order repairs. It is the responsibility of all citizens to look for and report instances of Demolition by Neglect to the City of Dover Historic District Commission.

The following criteria should be evaluated in considering applications for the demolition of historic buildings within the Dover Historic District:

To determine the financial implications of maintaining a property versus demolishing it, the City may ask an applicant to submit documentation pertaining to differential costs, structural soundness, suitability for rehabilitation, estimated market value of the property as is and after renovation for continued use, economic feasibility of rehabilitation, purchase price, income, and cash flow information (relating to the property only) and any other information considered necessary.

Regardless of economic issues, the relative significance of the building slated for demolition should be evaluated. If the building is not considered a contributing structure in the District, then its demolition may not be objectionable. If a building is significant, then even a finding of economic hardship may not be sufficient to allow demolition. Some buildings, such as the Richardson mansion, the Parke-Ridgely House, the Rose Cottage, etc., are so significant that extraordinary measures should be made to delay or prevent their demolition. Adaptive reuse of historic buildings is always preferable to demolition and new construction.

In development-related applications, the City should review schematic plans for the new structure, in order to help weigh the virtues of the new versus what exists.

Further, in order to provide some slight mitigation of the effects of unavoidable demolition of historic structures within the Dover Historic District, owners should be required to provide adequate recordation of a property. The extent of such recordation would depend on the significance of the property. At the least, archival photographs should be produced for every historic building that is lost to demolition within the District. When the demolition of an extremely significant building is unavoidable, measured drawings should be produced that comply with the standards of the Historic American Buildings Survey.

Lots left vacant by demolition should be treated in a manner that is sympathetic to the historic context. In the residential and commercial contexts, a 5' high opaque barrier should be constructed at the building line, either a fence or plant materials or both. Parking should not be permitted on vacant lots. Community gardens or parks should be encouraged.

Relocation of Existing Buildings

Moving historic buildings out of, into or within the Historic District should be discouraged. The removal of historic buildings from the District has the same effect as demolition on the historic character of the District. Moving historic buildings within the District confuses the actual history of the District. Moving historic buildings into the District falsifies the existing historic record by adding a building that does not belong to either time or place. Relocating a building, however, is always preferable to its demolition.

Inappropriate

- Concrete walls are inappropriate as a fencing material in the Dover Historic District zone and should be prohibited. Existing concrete walls should be stuccoed and painted, while "decorative" masonry screens should be painted black-green.

Paving and Bordering

The paving along or within the perimeter of a property provides the connection between the front door and the street. Providing the "carpet" to the door, it should be as graceful as the rest of the yard.

Recommended

- Brick, gravel, and compressed earth paths are appropriate for domestic walks and garden paths.
- Brick paving should be dry-laid in one of several patterns.

Brick Paving Patterns

- Concrete walks are acceptable in the Dover Historic District zone.
- Glazed brick borders are appropriate for planting bed borders in Victorian style gardens.

Not Recommended

- "Over-paving" to create formal gardens is not recommended in the Dover Historic District zone.
- Using concrete to replace brick, flagstone or other historic paving materials is not recommended.

Inappropriate

- Concrete block, painted rocks, and low wire fencing are inappropriate border materials in the Dover Historic District zone.

Parking Lots

Parking lots are the awkward by-product of a mobile culture. Their incorporation into historic districts is problematic. Parking lots should be screened from the street, their lay-out should include borders, and islands planted with trees and shrubs to break-up expanses of paved areas. Given any parking lot within the Dover Historic District zone, at least 20% of the area within it should be unpaved and planted.

Downtown Dover Partners
101 W. Loockerman Street, Ste
Dover, DE 19904
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June 4, 2024

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

To the Members of the City of Dover Planning Commission:

Please consider this a Request for Appeal to the City of Dover Planning Commission from the Downtown Dover Partnership (DDP) regarding our Application for Architectural Review Certificate dated April 12, 2024 for the proposed demolition of 150 South Bradford Street, Dover Delaware. (A separate request for the adjacent property at 148 South Bradford Street has also been initiated.)

The above referenced application (HI-24-03) was reviewed and denied (by a vote of 2:1) at the Historic District Commission (HDC) meeting on May 16, 2024, held at the Dover City Hall Council Chambers.

There was no specific remedy or recommendation given by the HDC leading to support efforts toward approval of the DDP application for demolition. Nevertheless, since the May 16 meeting, the Downtown Dover Partnership and its Project Development Team have voluntarily reviewed options to proposed demolition of 148 South Bradford, including revisiting a previously considered design for the Mobility Center (previously referred to as the "Multi-Modal Transportation Hub"), as well as reorienting the Mobility Center on an adjacent smaller footprint in response to a community member's recommendation. (At this time, the Team is also exploring the option of moving the historic building to a new location.)

The DDP/Development Team then provided an Open House on June 3rd to present these alternatives publicly and to invite public comment, both orally and in writing. 60 members of the public attended.

If approved, the DDP request for appeal to the City of Dover Planning Commission will, in part, include a presentation of the aforementioned-design alternatives, as well as the merits of each, which will allow us to convey our Team's justification for what we believe is the best design outcome for the community – the solution that best supports overall goals of the *Capital City 2030: Transforming Downtown Dover!* master plan, and largely addresses concerns indicated by both HDC and community members within the Capital City.

We understand, should this request be accepted, that the next appeal opportunity before the Planning Commission would be on June 17, 2024. We are hopeful for continued dialogue regarding this important project at that time.

Sincerely,

Kenneth R. Anderson
DDP Property Development Director

CC: Diane Laird, Executive Director
Todd Stonesifer, Board President