

**CITY OF DOVER, DELAWARE
PLANNING COMMISSION
Monday, October 16, 2023 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 & VIRTUAL MEETING NOTICE

The Planning Commission Meeting for October 16, 2023 will be held as an In-Person Meeting at City Hall in City Council Chambers. The public is welcome to attend in person. The Meeting will also be provided as a Virtual Meeting using WebEx, an audio/visual conferencing system as an electronic means of communication. See participation information below to join by phone or computer.

**PUBLIC PARTICIPATION INFORMATION
City of Dover Planning Commission Meeting of October 16, 2023**

Join by Phone Dial: 1-650-479-3208

Access code: 254 672 25561 (Password: 3683772)

Join Online:

<https://bit.ly/PCMeeting10162023>

Webinar Number: 2546 722 5561

Event password: DoverPC

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF AGENDA

APPROVAL OF MINUTES

- [1.](#) Adoption of Minutes of September 18, 2023

COMMUNICATIONS & REPORTS

Meeting Reminder: The next Planning Commission regular meeting date is scheduled for Monday, November 20, 2023 at 7:00pm.

Update on City Council Actions

Department of Planning & Inspections Updates

Projects and Studies Activity Updates

2. Workshop & Meeting on C-2 Code Amendments associated with the *Transforming Downtown Dover-Capital City 2030 Plan*:

- October 10, 2023 at 1:30 pm in City Hall Conference Room at Dover City Hall with Business Interests, Realtors, and Others
- October 12, 2023 at 11:00 am in City Hall Conference Room at Dover City Hall with Engineers, Developers, and Others
- October 11, 2023 from 4:00-7:00 pm in Council Chambers at Dover City Hall - Walk-in Workshop with public

OPENING REMARKS CONCERNING MEETING PROCEDURES FOR APPLICATIONS

OLD BUSINESS

Request Extension of Planning Commission Approval

3. **C-21-07 Lands of First State Business Center, LLC: Two Buildings at 30 Lafferty Lane** - Request for a One-Year Extension of the Planning Commission Approval granted on November 15, 2021 of a Conditional Use Site Plan Application to permit the construction of two (2) Warehouse Buildings with a combined size of 296,400 SF, a trailer parking area, and associated site improvements. Building A is proposed at 132,600 SF and Building B is proposed at 163,800 SF. The property is zoned M (Manufacturing Zone) and is subject to the AEOZ (Airport Environs Overlay Zone): Accident Potential Zone I (APZ I) and Noise Zone A. The property consists of 30 acres and is located on the south side of Lafferty Lane between Bay Road and Horsepond Road. The owner of record is First State Business Center, LLC and the equitable owner is Jack Lingo Asset Management, LLC. Property Address: 30 Lafferty Lane. Tax Parcel Number: ED-05-077.00-01-28.03-000. Council District 2. PLUS Review: #2021-08-04. Approved Waiver Request: *Partial Elimination of Sidewalk*. Approved Performance Standards Review Application. The Final Site Plan Approval was granted on April 25, 2023.

NEW APPLICATIONS

4. **S-23-18 Delaware State University New Agriculture Building at 1200 N. Dupont Highway** – Public Hearing and Review of a Site Development Plan for a new one story 10,402 SF+/- Building of offices and classrooms as the New Agriculture Building with the associated site improvements. The project site will redevelop the existing baseball field area located on the Delaware State University main campus. The property is zoned IO (Institutional and Office Zone) and also subject to the SWPOZ (Source Water Protection Overlay Zone). Property

Address: 1200 N. Dupont Highway. Tax Parcels: ED-05-057.00-01-19.00-000, ED-05-057.00-01-20.00-000, and portion of ED-05-057.00-01-21.00-000. Council District 4.

5. S-23-19 Windward Ridge Apartments on West Denneys Road – Public Hearing and Review of a Site Development Application for the construction of thirteen (13) garden style apartment buildings consisting of eleven (11) buildings containing twenty-four (24) units and two (2) buildings containing eighteen (18) units for a total of 300 apartment units. Also proposed are twelve (12) garage buildings, a Club House with Pool, walking paths, parking, and other site improvements. Two (2) existing single family detached dwellings will remain on separate lots after a Minor Lot Line Adjustment Plan to reconfigure the three properties. The properties are zoned RM-2 (Medium Density Residence Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone). The subject site consists of three parcels totaling 40.12 acres +/- located on the north side of West Denneys Road and west of but not adjacent to Carlisle Drive. The owners of record are George L. Craig Jr. and Deborah J. Craig; Robert G. Keller and Gloria K. Keller; and Bruce A. Burkett and the equitable owner is Jack Lingo Asset Management, LLC. Property Addresses: 57 Rocky Road, 4085 West Denneys Road, and an unaddressed parcel on West Denneys Road. Tax Parcels: ED-05-056.00-01-02.00-000, ED-05-056.00-01-03.00-000, and ED-056.00-01-04.00-000. Council District 1. *Review of Active Recreation Area. Waiver Requests: Partial Elimination of Sidewalk and Subdivision Waiver of Requirement for Two Connections to Public Street. This subject area was annexed with Application AX-22-03 Lands of Craig, Keller, and Burkett: Annexation of Three Parcels on West Denneys Road.*
6. MI-23-03 Text Amendment: Add Use to C-2 (Central Commercial Zone) - Public Hearing and Review for Recommendation to City Council of a Text Amendment to the *Zoning Ordinance*, Article 3 – District Regulations, Section 13. Central commercial zone (C-2), Section 13.1. The Ordinance proposes adding the use of indoor recreation and amusement establishments as a permitted use in the C-2 zone. Ordinance #2023-08. *First Reading was held by City Council on September 11, 2023 where the Public Hearing dates were set for Planning Commission on October 16, 2023 and City Council on October 23, 2023.*

NEW BUSINESS

7. Update on Review of and Revisions to By-Laws and Development of Planning Commission Rules of Procedure

ADJOURN

Posted Agenda: October 6, 2023

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

CITY OF DOVER PLANNING COMMISSION SEPTEMBER 18, 2023

The Meeting of the City of Dover Planning Commission was held on Monday, September 18, 2023 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), Mrs. Denney, Mr. Hartman, Mr. Baldwin, Dr. Jones, Mrs. Welsh, and Mrs. Maucher. Mrs. Malone has completed her service; choosing not to be reappointed. A new Commission member has not been appointed.

Staff members present were Mrs. Mary Ellen Gray, Mrs. Dawn Melson-Williams, Mr. Julian Swierczek, and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Mrs. Welsh moved to approve the Agenda as submitted, seconded by Mr. Baldwin and the motion was carried 8-0.

APPROVAL OF MEETING MINUTES OF JULY 17, 2023

Mrs. Welsh moved to approve the Planning Commission Meeting Minutes of July 17, 2023, seconded by Dr. Jones and the motion was unanimously carried 8-0.

COMMUNICATIONS & REPORTS

Mrs. Gray provided an update on the regular City Council and various Committee meetings held on July 24 & 25, 2023, August 14 & 15, 2023, August 28 & 29, 2023; and September 11 & 12, 2023.

Mrs. Gray stated that at an upcoming City Council meeting on September 25, 2023, there will be a number of Proclamations. There are many things in October, but one of the things in October is Community Planning Month. There will be a proclamation on September 25, 2023 declaring that to be Community Planning Month and she invites everyone to come to that meeting. All of the Proclamations are right at the beginning of the meeting to accept the Proclamation. In the past, this has been given to the Planning Department Head. She feels that this should be given to everybody who does planning and that includes the Planning Commission. She also inviting members of the State Planning Office as well.

Summary of 2023 Applications

Mrs. Melson-Williams stated that for the Summary of 2023 Applications included in your packet was a chart that tracks all types of applications that we process for the various Boards and Commissions for the City of Dover. The tally is through the September meetings of the Boards and Commissions; so, we are basically $\frac{3}{4}$ of the way through 2023. This is just an overall running tally and you can do some comparison to years past. At this point, we are trending slightly higher than 2022 in the overall application count. Keep in mind that not all of the applications listed here appear before the Planning Commission. We do track the Board of Adjustment and the Historic District Commission items on this chart as well. The total number of Site Plans is also slightly less because some of those Site Plans are administrative fillings that have a Staff and Agency review only and is not subject to a public hearing in front of the

Planning Commission. This just gives you a sense of kind of where you are count wise. She would be happy to answer any questions that you may have about this tally. We will give it to you again when we get to year-end. So, they will report back to the Commission in January 2024.

Summary of Ordinances 2019-2023

Mrs. Melson-Williams stated that when looking at it, she realized that they hadn't done it in a number of years and that is the Summary of Ordinances. This Chart lists the Ordinances that were Text Amendments to the *Zoning Ordinance* primarily in the calendar years 2019-2023 that have actually had action taken on them. Over the years, we have made some changes in the IPM-2 (Industrial Park Manufacturing Zone), and the Business and Technology Center, the RG-O (General Residence and Office Zone). There was the Text Amendment a couple of years ago that basically re-wrote our Wireless Communications Facilities Ordinance. There were some changes again in the SC-3 (Shopping Center Development Zone), the M (Manufacturing Zone) and the IPM-2 (Industrial Park Manufacturing Zone) again. As Mrs. Gray mentioned, we do have one that is forthcoming with the C-2 (Central Commercial Zone) for a minor amendment. But this just gives you a sense of what you have seen over the past few years. It gives the Text Amendment, the actual Ordinance Number and when it was adopted. She will note that they are working on another ordinance related to the C-2 (Central Commercial Zone). That is one of their projects activities that is listed as the next item on the agenda. As a result of the Downtown Strategic Master Plan, there has been a working group of Staff and some other parties looking at our Downtown zoning districts which is primarily the C-2 (Central Commercial Zone). In conjunction with that Master Plan, we are looking to see if there is any potential changes that we need to bring forward related to that zone in the intended uses. That project is ongoing and we expect to do some stakeholder activity and do some other gatherings before presenting some concepts for consideration to see if we are headed in the right direction on the C-2 (Central Commercial Zone) and then also to formally begin the review process for those Text Amendments.

Mrs. Melson-Williams stated that the other ordinance related project that they anticipate hopefully finding some time to work on, is the Airport Environs Overlay Zone which is related to flight activities at Dover Air Force Base. As part of the Compatible Use Study that the City was an active participant in on the Technical Review Committee. And ultimately the review of that study document. It encourages us to look at the regulations related to our Airport Environs Overlay Zone (AEOZ). The Department of Defense has issued some updated guidance on Air Installation Compatible Use Zones (AICUZ). In that document, there are some suggestions that they may be looking to incorporate into our local code and ordinance here. In order to do that, that is another Text Amendment project that they would anticipate hopefully moving forward in the next six months. So, there are two Ordinance Projects at least on our table at the moment that would be forthcoming to the Commission eventually.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

Requests for Extensions of Planning Commission Approval: None**Other Items**

Appointment for the Architectural Review Oversight Subcommittee of Planning Commission (in accordance with *Zoning Ordinance*, Article 10 §2.28): Update on Design Professionals

Mrs. Melson-Williams stated that at the July Meeting, the Commission took action to establish that Mrs. Welsh and Mr. Roach would be serving as the two Planning Commission members of the Architectural Review Oversight Subcommittee for the Planning Commission in addition to the Mayor or his designee. That Committee is rounded out with membership of two design professionals. Those design professionals that you suggested Staff reach out to were the two individuals that have served previously to get their ability to continue such service. Planning Staff did reach out to Dr. R.J. Chandler who is a faculty member of the Architecture Program at Delaware Technical and Community College and also to Ms. Sarah Keifer who is the Director of Planning Services at Kent County. Both individuals did express their willingness to continue serving on the Subcommittee.

Dr. Jones moved to approve that Dr. R.J. Chandler and Ms. Sarah Keifer continue as members on the Architectural Review Oversight Subcommittee of the Planning Commission, seconded by Mrs. Welsh and the motion carried 8-0 by voice vote.

NEW APPLICATIONS - None**NEW BUSINESS - None****WORKSHOP SESSION****Review of and Revisions to By-Laws of the Dover Planning Commission****Discussion of Development of Planning Commission Rules of Procedures**

Mrs. Gray stated that she and Mrs. Maucher have been discussing some possible workshop items. The Planning Commission has a set of By-Laws and looking at them. The last time that they were reviewed and updated was 2011. She thinks that it would be a good time to look at our By-Laws and then also to look to see whether there is some opportunity or some thoughts in looking at the By-Laws to update. And also, to see whether it would be a helpful thing to also articulate a set of Rules of Procedure. Rules of Procedure from her perspective, they are how you run the meeting. In order to help the dialogue, she looked at some other planning boards like Newark, Kent County, and New Castle County. She pulled their Rules of Procedure and By-Laws to see if there are some good things. She saw some common things in reading through those; so, she thought it would be kind of helpful to look through those. The first question would be, does the Planning Commission wish to review and perhaps update the By-Laws? And if that's the case, she thinks that a general discussion would be helpful. Another question would be, does the Planning Commission wish to establish a set of Rules of Procedure? She thinks it might

be helpful. She would be happy to help out on this but to maybe establish a working committee to hash those things out or to bring back a revised draft after discussion tonight of whatever the pleasure of the Planning Commission is regarding those questions.

Mrs. Maucher stated that she will open for the By-Laws since it's been twelve years since they have been reviewed. She thinks that it is good as a practicing body to take a look at our By-Laws to see what they say, if they need to be updated, and are they being kept current in times. The Rules of Procedure are particularly of importance to her because they have had some meetings that have evolved a little bit and there was a little bit of a struggle. She thinks that it is important to have clear rules that we as Planning Commissioners understand and that the public can also understand or that they can at least point the public to as to why we are doing what we are doing.

Mr. Hartman stated that this is a discussion and he believes that the Rules of Procedure involve a discussion like in the City of Newark. He thinks a discussion before the motion is made is very important. He also supports looking at the By-Laws and changing it to the gender neutral language for one thing. The question for Planning Staff is, can the By-Laws and the Rules of Procedure be included into one document to avoid conflicts or do they need to be two documents? Responding to Mr. Hartman, Mrs. Gray stated that she thinks having two separate documents would be better to not have a conflict. She thinks that if they are merged into one that might create a conflict.

Mrs. Denney agrees that they should be separate.

Mr. Hartman stated that just reading the City of Newark's Public Hearing Rules of Procedure, he thinks he knows what you are speaking of earlier about the evolution of some meetings. The discussions about agenda items in the City of Newark's procedures, the public comment, and especially the conduct of the public while they are speaking, he thinks those are important to consider for our Rules of Procedure if we develop them.

Mrs. Welsh stated that she noticed when reading through these, some of the procedures particularly about public comment, such as Item #1 about time and also about a consensus so that there is not twelve people saying the same thing repeatedly during the meetings. She will kind of throw in her own personal view. We used to really do those things. They were always mentioned in previous meetings probably five or six years ago as part of the meeting procedures. She doesn't know that they were actually written down. She is assuming that's where we are kind of going with this issue, is to have them written down. They were just part of the general meeting procedures of how we were conducting the meeting and maybe not necessarily information that the public would have had prior to the meeting. So, that would be helpful she thinks.

Mrs. Denney stated that most of you know that she chairs the Board of Adjustment for Kent County. They use Mason's Rules and it works very well. What they do at the beginning of the meeting is they make everybody aware of a limited time. It can be at the discretion of the Chair to allow an extension of time. In some cases, you have to. You have some cases where two or three lawyers speak. So, they do allow that from time to time, but it's at the discretion of the Chair and/or the Board. Sometimes the board members will look over at her and ask her to let them continue or get them to stop. She thinks that it is important to be able to do that for a lot of

different reasons. She also believes that it's important for us to limit the amount of time that somebody can comment because otherwise we would be there until midnight. It just gets to be too much. The other issue that comes up from time to time, especially if it's what she calls "the pack the room controversy" that happens from time to time. You will have people who have gathered everybody in the neighborhood and the next three neighborhoods down and everybody gets up and makes the same comment. They will listen to a few of those and then at some point, they will make a decision, which is generally at the discretion of the Chair or the Board members. In those instances, they will often say anyone who has the same feelings and the same comments please raise your hand. The minutes will then indicate a number. For example "thirty-five people in the audience raised their hands to yes." They will then ask again for anyone who opposes. That really saves a lot of time at the meeting. She is always careful to mention that if somebody has anything to say different, then absolutely we want them to speak up. That was hard for her in the beginning because she really doesn't feel that it is appropriate for us to not allow everyone to speak at a public hearing. That is what we are there for, but that is a suggestion of how we handle it at Kent County.

Mrs. Maucher stated that she has been to public hearings like that before where they have done that. She agrees. She is very reluctant to stop or interfere with public comment but if it's the same thing over and over again. As to timing, it is hard to say that you only have five minutes if that wasn't announced at the meeting and there is nothing to point to that says you have so many minutes. So, she thinks the ways that the meetings are conducted need to be laid out very clearly so that we are all on the same page. Responding to Mrs. Maucher, Mrs. Denney stated that theirs is for the County and it is on the notification. When the notification goes out for the public and published in the paper and then of course at the beginning of the meeting, they read all of this. It does say that there is a limit so that you are not blindsiding someone. The other thing that she meant to add was that their Counsel is present and people giving testimony need to state their name and address and be sworn.

Mrs. Maucher stated that she thinks she saw that in one of the minutes. Is that going to dissuade people from speaking in the public? She would have to think about that and probably have some opinion from Counsel because it is public comments, it's not evidence. Responding to Mrs. Maucher, Mrs. Denney stated that she should correct herself. That is if you are getting up to speak for or against somebody, then you have to be sworn. They are very adamant and they mention that they don't want any discussion about acrimony. That doesn't take place; that's not what they are there for. If they are going to give testimony for or against something, they are sworn. But again, we have Council present at every meeting.

Dr. Jones stated that she wants to repeat what has already been said but she does also believe that perhaps we should consider a time for our speakers. She is even thinking a limit on the perspective of a concern. For example, two or three people speaking for and two or three people speaking against. She thinks we have done something like that in the past instead of having members of the public get up and repeat the very same thing. Also, she agrees that they need to clean up the gender references in the By-Laws. One other thing, whatever we do, her suggestion would be that the public can view these documents. For instance, in our By-Laws of the Planning Commission, Section 1, she believes that we should take a little bit more space and time to spell out what is set forth in Chapter 7 Title 22 of the *Delaware Code* for people who are coming in

and need to understand. Those are her thoughts in terms of purpose because it has been her understanding that there are a lot of people who really don't understand the purpose of the Planning Commission. She thinks it would cut down on some of the anxiety and issues that we have.

Mrs. Welsh stated that she agrees with Dr. Jones' comment.

Mrs. Denney stated she agrees as well.

Mrs. Maucher stated that she thinks that they can all be in favor. The other thing from a recent application about opening the record for the public hearing and if we defer something, people coming back with the expectation that they are going to be able to speak. She thinks those need to be clearer because that was a very difficult decision. She is glad that they had very good counsel here to help with that. She thinks that is one thing that also needs to be clearly spelled out for the Chair and for the people that are in the audience. It's an issue and people need to understand it.

Mrs. Denney stated that she whole heartedly agrees. From time to time, it does become necessary to table something and continue later. In our particular instance from time to time, there will be some type of a stalemate and one of the members will say let's table this until the next meeting. Essentially what we are doing is tabling the vote and it is specific that the missing members will have the opportunity to read or listen the minutes from the prior meeting. Then it will not be an opportunity for somebody to say "when I was here last time I forgot to say...". That is over and we are tabling only the vote. If we are continuing because the hour is late and we are going to let people speak the next time which is rare, typically they say "For the record, we are not taking any further comment, we are just voting." Or if someone has already appeared and given testimony prior to this, they had their opportunity at the last meeting because again, you don't want somebody coming back and saying "well in the meantime, I thought about this."

Mrs. Maucher stated again, we are public servants and we need to encourage public participation and not make things so onerous that people don't want to participate but there needs to be set established procedures. Of course there are exceptions which can be considered, but she thinks that it needs to be very clear for everyone. It sounds like there is a consensus that we should go forward and look at the By-Laws and some Rules of Procedure. Do we want to setup a subcommittee to have a few people work on that or do we want to have Planning Staff, who doesn't have enough to do since there are no applications? Should we come up with a red line? She thinks that it is easier to have something presented with red line. We can sit here and go through everything or we can submit our own red lines. In her job, they have check in and check out. She thinks it is easier to take what we have. She particularly likes the City of Newark. She thinks that they had a lot of good things. There were things from the County that were a little over the top for us. But if we took our By-Laws, then did some red lining to them or had Staff do some red lining to give some direction. Then we could take the City of Newark's Rules of Procedure and use that as a template for our own. That is her recommendation but she didn't know if anyone else had any thoughts on the sample Rules of Procedure that were shared with us.

Mrs. Welsh agrees and she will say that as she was reading through the documents, she thinks that Mrs. Maucher is correct that the City of Newark is very similar to what we do with just little tiny tweaks. With some of the things especially in the Rules of Procedure, we do those things and we say those things, but they are not in a document. But she thinks that the City of Newark is very similar to what we do already.

Mrs. Maucher stated that there is a municipality that has decided to end WebEx meetings. She doesn't know if that is at the purview of Council or is that a decision that the Planning Commission makes and if that needs to be incorporated in the Rules of Procedure regarding hybrid meetings.

Mrs. Denney asked if they were looking for a motion to create a Subcommittee to review these and come back. Responding to Mrs. Denney, Mrs. Maucher stated yes. Do we want to do a Subcommittee? Is it something that we can do through emails or is that too onerous?

Mrs. Denney stated again, she is not suggesting a preference but she does agree that something through email where they all could communicate when you have a moment could work. Once the email goes out then maybe we go back in forth and maybe before the next meeting we have to address it and talk to each other or something like that. Responding to Mrs. Denney, Mrs. Gray doesn't think that they can do that; it has to be public.

Mrs. Maucher stated that with a Subcommittee, it would have to be less than a quorum so it would have to be three members. So, if three of us wanted to get together and work on something. Responding to Mrs. Maucher, Mrs. Melson-Williams stated that per your current By-Laws, there is a section on committees. It talks about a Subdivision Committee, but also in Section 10.2 it states that "other committees may be appointed by the Chairman from time to time with the approval of the Commission." So she thinks that Mrs. Maucher could probably put forth a motion to establish a committee and have the Commission agree to that path forward.

Mrs. Maucher moved to establish a Subcommittee for the purpose of developing red line changes to our existing By-Laws and to develop Rules of Procedure to bring back to the whole Planning Commission, seconded by Mrs. Denney and the motion was carried 8-0 by voice vote.

Mrs. Maucher volunteered to be on the Subcommittee because she red lines all day at her day job.

Mrs. Welsh asked if we know when we are going to do this. Is it just going to be one meeting? Are we anticipating three or four? Is it going to be done by the (next) Planning Commission meeting? Responding to Mrs. Welsh, Mrs. Maucher stated that she wouldn't put that strict of a deadline on it, plus it is going to depend on the volume of the next meeting. She would say that if there are three of us, then we can do email to exchange documents and make discussion and suggestions and then send it to Planning Staff to put on an open agenda as soon as reasonable. She thinks that it is something that is important to get done right away and not drag out for months on end.

Mrs. Welsh stated that she would be volunteering and say that if they are going to be doing it

through email and working through it, she could make that work.

Mrs. Denney stated that she will volunteer. Hopefully it will be agreed with Mrs. Welsh. It is much easier if they could do email in the beginning. Then if they have something that we want to bring before the Commission or talk to anybody else about, then they can do what needs to happen for that. She doesn't know because it is so different from what she does otherwise. If need be, maybe they could add it on an agenda for the end of a meeting if we all need to discuss it. She is happy to participate in the committee, but she really feels that the other Commissioners in this room should also be included. She doesn't just want to make decisions and say lets do it our way.

Mrs. Maucher stated that she thinks it is easier to have something that has been marked up and modified for people to react to then to have to create it all on our own. She will take the first stab, do a red line of the By-Laws. She will take the City of Newark Rules of Procedure and do some mark up on that and circulate it to see where we are and what we need to do to move forward.

Mrs. Denney asked if the City of Newark uses Mason's Rules. Responding to Mrs. Denney, Mrs. Gray stated that they haven't adopted them officially; they use a modified Robert's Rules of Order.

Dr. Jones stated that she is very comfortable with this Committee going through and you have heard the concerns and so forth. The recommendation is for this body. She hopes that we don't have to come back and do a whole lot of discussing because she thinks that you have heard some of the concerns and you have the documents.

Mrs. Maucher stated that she would envision bringing it back to the Commission, they vote on it or discuss the changes. If everything is great, we will vote on it; if not then we will make changes. Her other question is, we are our own self-governing type of body? So, we don't have to have this approved by Council, correct? Responding to Mrs. Maucher, Mrs. Gray stated that is correct.

Mr. Cooper asked if the Subcommittee was reviewing the By-Laws and the Rules of Procedure together. Is the one committee doing both? Responding to Mr. Cooper, Mrs. Maucher stated yes.

Planning Commissioner Comments and Concerns

Mrs. Maucher stated that this is going to be an open dialogue. Do the Commissioners have any concerns or comments that they want to bring to be considered or looked at?

Mr. Cooper stated that this is the first time that he has ever seen this on the agenda. Is this why we have the referee in the room? Responding to Mr. Cooper, Mrs. Maucher stated that she wondered that herself; we might need it.

Dr. Jones stated that there is a City Department that works to try and attract businesses to the area. Is she correct? Responding to Dr. Jones, Mrs. Denney stated that it was the Downtown

Dover Partnership.

Dr. Jones asked if there was dialogue with the Downtown Dover Partnership and the Planning Commission. She is curious about that and she is looking at the summary of applications. Does Downtown Dover Partnership have authority? Being on the Planning Commission, one of the things that she hears all of the time is “well everybody has heard about #5 car wash and #4 car wash.” But as she tells them when the application comes, it is not our task to make a decision. She knows that there is the *Comprehensive Plan* for the City of Dover and so forth, but she is just wondering about communication. Are we in sync just with conversation? For instance, what about a four-star, if not five-star restaurant in the area. What about theater? You get all of these questions, and you simply have to say “that is not our task.” Our task is when the applications come before the Commission. Is there general conversation at any point in time? Responding to Dr. Jones, Mrs. Gray stated yes, there is a lot of conversation. The Downtown Dover Partnership is not necessarily an arm of the City, but it coordinates with the City. The City partially funds the organization. It is a non-profit organization and they do coordinate a lot with the City. They do attend a lot of City meetings. The City Planner and the City Manager are on the steering committee of the DDP. Up until today because they just hired a Development Director, Mr. Ken Anderson, she has been participating in weekly meetings called implementation meetings since the Mosaic Plan (Downtown Strategic Mater Plan) has been implemented. Mr. Swierczek, as part of his job tasks, he coordinates a lot with Tina Bradbury who is part of the DDP with the Downtown Dover Incentives. So she doesn’t think that a week goes by where you are not talking to Tina at least a couple of times as week. She talks to Tina and Diane Laird, who is the Executive Director quite often. She talked to her three times today, one about a meeting and two follow-up calls. There is quite a lot of coordination and they are aware of things that are going on with City and vice versa.

Dr. Jones asked if they are aware that there are many desires for the overall infrastructure of the City of Dover. We have all of these people coming in. We know why they come and we know how they benefit. We are happy for them but questions are asked. She just wanted to put that out there because they are not going to read the *Comprehensive Plan*. The Planning Staff did a wonderful job of putting it out there where people could have had some input, but we all know that is not how things typically work. So we can’t really do anything about that *Comprehensive Plan* but we can be mindful of it and the things that are desirable for the City of Dover.

Mrs. Denney stated that she has an issue and maybe she just doesn’t understand because obviously the City and the County are different. She is more familiar with the County. They have had an application before us a few months back and this bothers her still to this day because in the end, she voted. There had been some confusion about annexation and this was annexed and that was annexed. They had a landowner come before us to ask with a filed application. She didn’t understand then and to this moment, she does not understand it because there was a problem with identifying and looking back at the annexation records and you truly could not tell who owned that property. We had a lawyer here and it was very confusing. Yet, we as a body, listened to application, arguments and then eventually it was tabled and then it came back and we voted. She to this moment, doesn’t understand how this body or any body could vote on something when we don’t know for sure who the landowner is. She actually came very close to contacting the Mayor and saying “I can’t do this anymore” because this is really weird to her. It

is very much not within the principle that she keeps because of fairness and also following the *Comprehensive Plan* and also following the law. We don't make decisions on our own. She thinks that it would be better, unless it's within the concept of the *Comprehensive Plan* and the rules and regulations of the City and the Planners. She felt that it was very difficult, so much that she still thinks about it. Can you help her understand when in the end, it was never truly identified except we think this and we think that and maybe that. How could we vote on it because she understands that you don't vote on something because of who owns it but she doesn't feel like we had a right to vote on something unless we were absolutely positive that the person who is bringing the application before us was the landowner. Suppose Chris wanted to open a business across the street and maybe there was some ambiguity with that because of some transfer of the property and then all of sudden we say, "once upon a time it looks like maybe." She is confused about that and she needs help understanding what happened and how it happened and what the rules are.

Dr. Jones stated that before that is answered, can she ask one thing to go along with that? Was this something that has never happened before?

Mrs. Maucher stated that she does not know but she knows that that issue is the subject of a pending lawsuit so she is not sure if we can discuss it or not.

Mrs. Gray stated that it is part of the public record as Staff indicated at the time that the question was asked. The annexation process that was articulated was the road; the secluded right-of-way was annexed. The dispute is that a property owner is saying that they own the right-of-way and the City is indicating that that's a right-of-way. Responding to Mrs. Gray, Mrs. Denney stated that part she understood. The part that she didn't understand is can someone come before us with an application that includes that property? On the plans, it appears that that property belongs to that applicant and yet it has not been defined who it belongs to. How could we vote on it because the only person who should be able to apply for anything on that piece of property would be the property owner themselves?

Mrs. Gray stated that she thinks we are talking in circles. She believes that she answered the question. The City annexed that road which included the right-of-way. The applicant has owned a piece of property on the other side of that road. They clearly owned that property; that ownership of that property is not in dispute.

Mrs. Denney stated that you really didn't answer her question but she thinks that we should just drop it at this point because again, there is litigation. It is not important that she understand it now but probably some day in the future after all that is settled, she is going to ask because it is hard to vote on things when she doesn't have a clear understanding of why. Maybe in the end she will understand why.

Mrs. Maucher stated that one of the issues that repeatedly comes up and Mr. Hartman made a motion about the Traffic Impact Study. She has asked Planning Staff to find time at an upcoming meeting to have a presentation from DelDOT to help us all better understand the process of when they are required and when they are not just because she has no idea. You have these projects that DelDOT says they don't need one for and she wonders why not. Hopefully it will be soon to

have the presentation from DelDOT. Another one that struck her recently was that they had another application come up that was connected to a larger property that had been approved twenty years ago. She had no idea that it had been approved. When you are making these decisions, she feels like sometimes we make them in a vacuum. Something has been approved but not developed so you don't see anything there but it could be developed and that is going to be three hundred homes and then four hundred homes here. She presumes that the City does its own GIS mapping. So when we get these applications, not just that this is here but this project has been subject to this application and it can be developed or it's two year expiration isn't up yet. She was very surprised that there was development that was twenty years old that hadn't even been started and that they could just start it. That kind of thing is frustrating because again when you are asking about three hundred homes on this parcel, the parcel next to it could have been approved for four hundred. So, how does that feed into the TIS's that are needed. Does DelDOT look at the fact that there are four hundred houses here and this one is three hundred but we are only going to look at it for three hundred houses but there are actually going to be seven hundred?

Mrs. Denney stated that not too long ago, we had an application and she thinks that it was a car wash. But at any rate, there is one here and one there. Mr. Hartman said let me table it because I want to go talk to the bank or whatever he said about what they think about it. Our laws are our laws and our *Comprehensive Plan* is our *Comprehensive Plan*. We can't go to somebody and ask if they are okay with somebody being their next door neighbor. If it is approved and it's in keeping with our laws, then they have a right to develop it whether the next door neighbor wants it there or not. She thinks that she even agreed to table it in the motion but as she got home she thought why did I do that? She just wanted to point out that we are here to follow the rules, not to necessarily make everyone happy. She shouldn't be going to people to ask if they are okay with something next door because if they weren't for some reason then they have an opportunity to come to the meeting and ask publicly and someone can help them understand maybe why we don't have control. Responding to Mrs. Denney, Mrs. Maucher stated that is all in the notice process for neighbors. She doesn't know if that would go into the rules of practice. She knows when you are within a certain distance from a proposed development, then you have to be notified by mail. Sometimes somebody will come for a rezoning and you open up a whole big can of worms for a whole bunch of things. Maybe if it's that thing okay but then you rezoned it and they could come back later and put something else there that was totally unexpected. She really dislikes rezonings without an application to go along with it. She doesn't know if that is something that could be reviewed. She knows that we want to be friendly to development in the City for job creation and housing development, but a lot of these blanket rezonings with fifteen different options are a little frustrating.

Mr. Cooper stated that was like the meeting with the application Downtown where they wanted to have the gatherings on Loockerman Street. His comfort in the whole situation was that somebody mentioned that the Fire Marshal's Code was forty-nine or something for the building. He was like okay it is tied to the owner, not the applicant so it's never going to turn into anything crazy regardless of who ends up owning a business there. But it was because of that caveat that made him feel comfortable with that. Aside from that, he was hung up on exactly what you are talking about. What's next because the variance was tied to the owner not the business owner, which gave him a lot of heartburn but the Fire Marshal's Code made him calm down a lot.

Dr. Jones stated thank you for the opportunity to have some discussion because there are a lot of questions sometimes and she echoes the sentiments of saying “did I really understand that.”

Mrs. Maucher stated in the past, we used to have quarterly workshops at lunch time and we could have a learning topic and also air grievances.

Mrs. Welsh stated that she found those very helpful.

Mrs. Gray asked if the Commission would like to return to that. Responding to Mrs. Gray, Mrs. Maucher stated that because they were during the day, she wasn’t always available but she did try to make them when she could. If other Commissioners would find value in those, she is not sure how many others have attended them, but it was basically a workshop with an educational topic and then a discussion of any concerns that we might have.

Mrs. Denney stated that she is always anxious to attend anything that she can fit into her schedule that helps her learn more. She has not been to one, but she would be happy to attend one. Retirement just means that everyone can call you and ask you to volunteer for this. It is a whole different level of working, but she would love to attend one and she would be happy if they have them.

Mrs. Welsh stated that she thought they were very helpful. Maybe we don’t need quarterly but maybe just twice a year is sufficient.

Mrs. Maucher stated especially as we have members of the Planning Commission members come and go. As new people come in, that might help.

Dr. Jones stated that there is so much to learn.

Mr. Roach stated thank you so much everybody for the dialogue. He was kind of quiet this evening because you know him, he is more interactive when it comes to the applications. In regard to the By-Laws and the development as for as the Rules of Procedure, he is more of a rule follower. He appreciates you all going into it tonight. He appreciates everybody’s hard work that they do; especially the Planning Staff. A lot of the times, we get to the meetings and all of the work is already done or us.

Public Comment – No one from the public spoke.

Meeting adjourned at 8:21 PM.

Sincerely,

Kristen Mullaney
Secretary

JOIN US!

WORKSHOP ON C-2 CODE AMENDMENTS

Associated with the *Transforming Downtown
Dover-Capital City 2030*

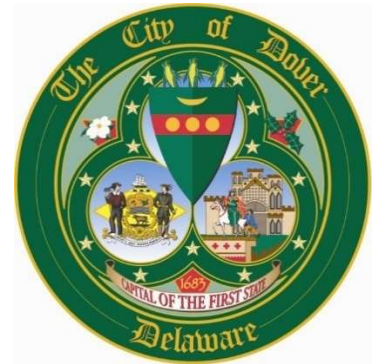
Join us to review proposed revisions
to the City of Dover Code of Ordinances
for the C-2 (Central Commercial Zone)

October 11, 2023,

Anytime

from 4pm to 7pm

Council Chambers



15 Loockerman Plaza

Dover, DE 19901

Additional Stakeholder Meetings

October 10, 2023 at 1:30pm, City Hall Conference Room

Meeting with Business Interests, Realtors & Others

October 12, 2023 at 11am, City Hall Conference Room

Meeting with Engineers, Developers & Others



**City of Dover
Planning Office**

www.cityofdover.com
compplan@dover.de.us

302-796-7196

September 18, 2023

Ring W. Lardner, P.E.
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Jamie L. Sechler, P.E.

City of Dover
Planning Department
15 Loockermen Street
Dover, DE 19901

Attn: Dawn Melson-Williams, AICP

RE: **Dover Logistics Center fka Lafferty Lane Warehouse**
Site Plan Approval Extension Request
(Conditional Use) Site Plan: C-21-07 Lands of First State Business Center, LLC.
Tax Map No.: 2-05-077.00-01-28.03-00001
DBF #: 2261J024.J01

Dear Ms. Melson-Williams:

On behalf of our client, Jack Lingo Asset Management LLC, we are respectfully requesting a one (1) year extension for the Dover Logistics Center Project due to post approval review and coordination with the Dover Air Force Base. The City of Dover Planning Commission granted conditional approval of C-21-07 on November 15, 2021, which expires on November 30, 2023. Please place this request on the October Planning Commission agenda for consideration.

Should you have any questions or need additional information, please do not hesitate to contact me at (302) 424-1441, or via email at cdm@dbfinc.com.

Sincerely,
Davis, Bowen & Friedel, Inc.



Clifton D. Mumford, P.E.
Associate

Cc: Doug Motley, JLAM



April 25, 2023

Mr. Ring Lardner, P.E.
Davis Bowen & Friedel
1 Park Avenue
Milford DE 19963
Via Email: rwf@dbfinc.com

**Re: Final Site Plan Approval – Dover Logistics Center
(Conditional Use) Site Plan: C-21-07 Lands of First State Business Center, LLC: Two
Buildings at 30 Lafferty Lane, Dover, DE
Tax Parcel Number: ED-05-077.00-01-28.03-000.**

Dear Mr. Lardner:

The Planning Office grants Final Plan Approval of the (Conditional Use) Site Plan C-21-07 Lands of First State Business Center, LLC to construct warehouses at the above referenced parcel on the south side of Lafferty Lane, Dover, Delaware. The City of Dover Planning Commission granted conditional approval of C-21-07 on November 15, 2021 including approval for the partial elimination of sidewalk and approval of the Performance Standards Review Application.

It is noted that the project name has been revised to Dover Logistics Center (also referred to as the Lafferty Lane Warehouse Project). The project consists of the construction of two (2) Warehouse Buildings with a combined size of 296,400 SF (Building A of 132,600 SF and Building B 163,800 SF), a trailer parking area, and associated site improvements. The property is zoned M (Manufacturing Zone) and is subject to the AEOZ (Airport Environs Overlay Zone): Accident Potential Zone I (APZ I) and Noise Zone A. The property consists of approximately 30 acres and is located on the south side of Lafferty Lane between Bay Road and Horsepond Road. The owner of record is First State Business Center, LLC and the equitable owner/developer is Jack Lingo Asset Management, LLC.

The Planning Staff has reviewed the plan of the above-referenced project for conformity with the conditions of approval established by the Planning Commission review of November 15, 2021 and with the *Dover Code of Ordinances*, Appendix B: Zoning Ordinance. The Plan also conforms to the conditions outlined in the Development Advisory Committee Report dated November 3, 2021.

The associated Record Plan (Sheet V-01 to V-03) has been granted approval for recordation to show right-of-way dedication along Lafferty Lane and locations of easements for drainage, sewer, and utilities. The Record Plan will be released to the application's representative for recording and requires submission of recordation documentation back to the Planning Office.

The Conditional Use Site Plan Set for C-21-07 as approved consists of 79 sheets including Title Sheets, Site Plan C-101-C-109 and C-201 to C-208, Grading Plan C-301- to C-307, Sediment and Stormwater Management Plan C-401 to C-438 and E-1 to E-6, Utility Plan C-501 to C-510, Entrance Plan C-801 to C-825, Record Plan V-01 to V-03, and Landscape Plan L-101 to L-106. The Approved Site Plan has revision dates of October 5, 2022 and February 22, 2023 with

signatures of the Engineer and Landscape Architect (dated 4/5/2023), owner (dated 4/5/2023), and developer (dated 2/9/2023).

The necessary agency approvals have been granted by the following agencies:

- City Department of Public Works and City Department of Water and Wastewater: Approval granted in letter of March 31, 2023. This included notation of Office of Drinking Water approval for water system construction received May 26, 2022 (Permit #22W99).
- City Fire Marshal's Office: Email of May 27, 2022 notes the Plans compliance with the Fire Marshal's Office This has been accepted as approval by the Fire Marshal's Office of the Site Plan.
- City Electric Department: The applicant is advised to continue working with them regarding electric service provisions. They will prescribe the locations of electric service equipment.
- DelDOT – Letter of No Objection to Recordation (for Record Plan) received dated February 15, 2023 and Entrance Plan approval of February 15, 2023. Appropriate Entrance Plan and Permit approvals are necessary prior to commencement of site construction and entrance construction on this State maintained road of Lafferty Lane.
- Kent Conservation District: Sediment and Stormwater Management Plan granted approval as of March 24, 2023.

The following are a series of advisory comments pertaining to the construction of the project:

- 1) A City of Dover Pre-Construction meeting with City of Dover Departments is recommended prior to the commencement of Site Work activities. The Planning Office can coordinate a Meeting by contacting Dawn Melson-Williams at (302) 736-7196. If there are questions regarding the construction activities process for work in the City, the developer and/or contractors may contact the Planning Office or the appropriate City Department. Ensure project management personnel is familiar with the various City Departments and how the construction/inspection process works in the City.
- 2) In the event that major changes and revisions are proposed to the Conditional Use Site Plan design, you are required to contact the Planning Office to discuss prior to implementation. These changes may require resubmittal of the plan/drawings for review by agencies making recommendations or taking action in regard to the application.
- 3) As the project site is located on a State maintained road, the appropriate Entrance Permit issued by DelDOT must be in place prior to commencement of construction activities on the property. Contact DelDOT Central District Public Works Office regarding Entrance Permit requirements. See Entrance Plan Approval Letter for more information.
- 4) The applicant should be aware that Final Conditional Use Site Plan approval does not represent a Building Permit, Sign Permit, and other associated construction activity permits from the City of Dover. If developer wishes to commence Site Work activities prior to submission of a Building Permit for the building construction, then submission of an Administrative Building Permit is required specific to Site Work only.

- 5) This approved Final Conditional Use Site Plan shall be on the premises at all times during construction and site construction shall be carried out in accordance with, and as illustrated on the approved plan. The Planning Office will complete an Inspection of the property for compliance with this Conditional Use Site Plan C-21-07 as part of the Inspections for a Certificate of Occupancy of each warehouse facility building.
- 6) Construction activities may have an effect on the adjacent property owners and nearby travel lanes. Any work requiring the closing or rerouting of visitors to adjacent properties should be coordinated as to offer the least amount of inconvenience to the adjacent property owners.
- 7) Any uses of the site, buildings, and/or individual tenant spaces within the buildings are subject to compliance with the allowable uses in the M (Manufacturing Zone) and the AEOZ (Airport Environs Overlay Zone) Land Use Compatibility Table of the *Zoning Ordinance*. Evaluation of each use will occur as part of the Permit process for construction activity or for the establishment of a use and also as part of the Business Licensing program.
- 8) One copy of the approved Conditional Use Site Plan C-21-07 set is available for pick-up at the Department Planning & Inspections. Contact Planning Staff to arrange pick-up. One additional copy of the Conditional Use Site Plan will be returned with the Building Permit.

Planning Commission approval is valid for two (2) years from the date of approval, during which time the Conditional Use Site Plan shall be finalized, Building Permits obtained, and the project commenced. For Site Development Plan C-21-07, the approval expiration date is November 30, 2023. Plan approval also expires if construction activity ceases for a period of one year. To apply for a 1-year extension of Approval from the Planning Commission, this office shall be in receipt of a letter from the owner/applicant requesting such extension at least 30 days prior to the expiration of the original approval. The letter requesting the extension shall state the reasons why an extension is necessary.

Should you have any questions, or require further assistance, please reach out to Dawn Melson-Williams at dmelson@dover.de.us or contact the Planning Office at (302) 736-7196.

Sincerely,
Department of Planning & Inspections



Dawn E. Melson-Williams, AICP
Principal Planner
dmelson@dover.de.us

Cc via email: Mary Ellen Gray, AICP, Director of Planning, Inspections & Community Development
Jason Lyon, P.E., Director of Water & Wastewater
James Wood, First State business Center, Inc.
Doug Motley and Nick Hammonds, JLAM
File C-21-07



DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING of October 4, 2023

PLANNING COMMISSION MEETING of October 16, 2023

Plan Title: Delaware State University New Agriculture Building

Plan Type: Site Development Plan

Owner: State of Delaware c/o Delaware State University

Project Engineer: Becker Morgan Group

Location: Delaware State University Main Campus at Baseball Field area in the southwestern portion of campus near intersection of University Drive and Loop Road

Property Address: 1200 N. Dupont Highway

Tax Parcels: ED-05-057.00-01-19.00
ED-05-057.00-01-20.00
Portion of ED-05-057.00-01-21.00

Site Area: 287.32 acres +/- (Entire Campus)
240.29 acres +/- (Portion of Campus on north side of College Road)

Project Area: 3.44 acres +/-

Zoning: IO (Institutional and Office Zone)
SWPOZ (Source Water Protection Overlay Zone): Tier 3 Excellent Recharge Area

Existing Use: University Campus – Baseball Field
Proposed Use: University Campus – Academic Building

Building Area: 10,402 SF

Sanitary Facilities: City of Dover

Water Supply: City of Dover

Waivers Requested: None

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: October 4, 2023

APPLICATION Delaware State University New Agriculture Building at 1200 North Dupont Highway

FILE #: S-23-18REVIEWING AGENCY: City of Dover Planning OfficeCONTACT PERSON: Katherine OehmkePHONE #: 302.736.7196

I. PLAN SUMMARY

This application is for the review of a Site Development Plan for a new 10,402 SF Building on the Delaware State University Campus for the Agricultural Department. This single-story building will be placed in the former baseball field on the west side of campus. The project will demolish the existing bleachers, dugout boxes, batting cage, existing parking, and press box. The new Site Plan outlines a parking lot in front of the building with 2 new entrances to the site from University Drive. The building will house offices and classrooms. A new storm water management system is shown on the south entrance off University Drive. This project is on the north side of the corner of Loop Road and University Drive.

The property is zoned IO (Institutional and Office Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone). It is located on the westerly side of the Delaware State University main campus which the entirety is addressed as 1200 N. Dupont Highway. Tax Parcel IDs: ED-05-057.00-01-19.00, ED-05-057.00-01-20.00, and a portion of ED-05-057.00-01-21.00-000. Council District 4.

II. PROJECT DESCRIPTION

The project will redevelop the existing Baseball Field area. The Site Development Plan proposes the construction of a 10,402 square foot building for classrooms and offices. The new one-story building will be freestanding. There will be 31 parking spaces along the front of the building, including 2 handicap accessible spaces. There will be a network of sidewalks connecting the new building with the rest of the campus.

III. ZONING REVIEW

IO (Institutional and Office Zone)

The Delaware State University Campus property is zoned IO (Institutional and Office Zone). The application is a Site Plan for the proposed construction of another educational building which is an allowed use in the IO Zone per *Zoning Ordinance*, Article 3, Section 10. The IO Zoning district is subject to the bulk standards found in Article 4, Section 4.14. With the proposed building being internal to the campus, it will be compliant with the setbacks and complies with the height limitations. Additionally, the campus has a variance for a reduction in the number of parking spaces. Delaware State University also has a centralized waste collection area, so no on-site dumpsters would be required.

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

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. A significant portion of the Delaware State University Campus on the north side of College Road is subject to the Tier 3: Excellent Recharge Area and the provisions for Article 3, Section 29.7. The entire Project Area is with the SWPOZ: Tier 3 Excellent Recharge Area.

The following uses listed below are prohibited throughout the SWPOZ, including in the Tier 3 area. However, this development does not appear to include any prohibited uses.

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 Lands are additionally subject to specific rules for impervious surfaces. The Plan has provided information that within the Project Area of 3.44 acres the amount of impervious surface coverage will change from 30,797 SF (20.6%) to 33,730 SF (22.5%). (*Note: Some information reported in the Plan's data column must be clarified.*) In the Project Area, the amount of impervious surface remains under the maximum of 30% impervious coverage. When looking at the overall Campus (north of College Road) located within the SWPOZ, the total impervious surface coverage is 34.43% and will increase to 34.52% requiring the increase to be infiltrated as part of the Stormwater Management Plan unless deemed contrary to other conditions imposed by DNREC. This will be reviewed as part of the Stormwater Management Plan by the Department of Natural Resources and Environmental Control (DNREC).

IV. PARKING SUMMARY

For the New Agriculture Building, there are 2 entrances to the parking lot outlined from University Drive (internal to the Campus). Curbing is shown to completely surround the parking lot providing water direction for proposed drainage. Based on the size of the building and the parking rate for the IO zone of one parking space per 300 SF of floor area, the Building requires 35 parking spaces. While providing 31 new spaces for this site, two handicapped spaces are centrally across from the front entrance to the building. The remaining four parking spaces (not constructed) can be provided from the Campus Parking surplus.

There is a centralized parking plan for the Delaware State University campus. Per the Campus Parking Plan, the Board of Adjustment set the required number of parking spaces needed for the Delaware State University Campus at 1,650 parking spaces per Article 6 Section 3.8 of the *Zoning Ordinance* on April 15, 2009 (V-08-19). The current number of parking spaces on campus is estimated to be 2,243 parking spaces with a surplus of 335 parking spaces. (The last estimate was 2,212 spaces per Site Plan S-17-29). This project will remove 8 parking spaces and construct only 31 new parking spaces; therefore, four (4) spaces should be allocated from the surplus spaces. These parking calculations must be confirmed.

Bicycle Parking

Bicycle parking is required at the rate of 1 bike per 20 automobile parking spaces. The 31 parking spaces would amount to 2 bike spaces. This plan has outlined 4 bike spaces.

V. SITE CONSIDERATIONS

Access

There are multiple access points to the Delaware State University Campus. Delaware State University Drive is off Old College Road. The parking lot of the new Agriculture Building is directly off University Drive on the west side of campus. On the corner of Loop Road and University Drive. Two entrances are shown onto the site into the parking lot with a clear Fire Lane demarcation.

Lighting

There are 13 new lights on the plan for the new site. These light fixtures surround the parking light and provide light for the front and north side of the building. There are an additional 2 lights along University Drive that show as previously existing.

Dumpster

Dumpsters do not appear on the site plan. The university has a centralized waste management system.

Sidewalks

There is an extensive sidewalk system moving around campus and the proposed new building has its main entrance off the parking lot into the east side of the building. A new sidewalk is shown along University Drive and has a connection to the rest of the campus on the northern side of the site. The sidewalk runs along the front and north side of the building.

VI. BUILDING ARCHITECTURE

The new Agricultural Building is a low single-story building with a central entrance covered by a flat metal canopy. The height of the middle of section of building is higher with large windows reaching to a metal panel wall surface at the height of the roof. The south side of the building is encased in running bond brick veneer with a thick band of Flemish bond brick veneer over the aluminum storefront windows. The right side of the building has fiber cement wood paneling outlined with horizontal metal panels making way for recessed areas topped with high windows. The back entrance is also recessed providing an alcove that could protect the entrance from cross winds. The southeast face of the building wraps to the south face of the building with 9 storefront windows. The north side of the building is windowless and provides texture variation with wood and metal materials. There are 2 exit doors and a loading door.

VII. SPECIAL FLOOD HAZARD AREAS

Flood Hazard Area

The *Zoning Ordinance*, Article 5 §11.21 requires that special flood hazard areas (100-year floodplain) remain as open natural areas with no impervious surfaces.

Portions of the Delaware State University campus property are within the Special Flood Hazard Area (100-year floodplain/ 1% chance of annual flooding). This property is found on the FEMA FIRM Panel of Kent County Delaware Map Number 10001C0166H effective date May 5, 2003. The flood hazard area is in the western area of the campus adjacent to the Fork Branch. This subject project area is not located in the special flood hazard area.

VIII. TREE PLANTING AND LANDSCAPE PLAN

Development Area

The project site development area consists of 3.44 acres. Overall, the existing impervious area will increase by 5.8% to 22.5% total.

Tree Plantings

The submitted plan includes the landscaping approach for the overall project. *Zoning Ordinance*, Article 5, Section 16.62 offers the option of the applicant defining a “Development Area” within the overall property for the purpose of tree planting calculations. Planning Staff is equating the delineated project area shown on the plan as the “Development Area”. The Development Area of the New Agricultural Building is 3.44 acres (150,000 square feet). This area is predominately void of trees and only 2 trees at the southeast corner of the development area will be cleared. A total of 50 trees are being added to the site which complies with the calculation rate of 1 tree per 3000 S.F. of development area. Many of the trees on the planting schedule are of the evergreen variety as Colorado Blue Spruce and Eastern Red Cedars. Additionally, there are 15 canopy trees and 9 understory trees. A line of trees extends down the west side (rear) of the building, the north side, and along the front. A group of 10 trees shields the building from Loop Road on the south.

Arterial Street Buffer

North DuPont Highway (U.S Route 13) is considered as a principal arterial and requires a thirty (30) foot landscape buffer along the road frontage known as an Arterial Street Buffer. The buffer is measured from the edge of the right-of-way. The University campus provides this required thirty (30) foot landscape buffer along DuPont Highway which includes tree plantings, landscape plantings of shrubs and annuals, and a brick wall. Activities of this Site Development Plan do not impact the Arterial Street Buffer.

IX. 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) Please replace all references of Public Works to Department of Water/Wastewater.
- 2) Sheet C-001, Site Data Column:
 - a) Item 9: Confirm if the existing impervious to remain (5,986 SF) is included in the Proposed Project Site Impervious Coverage of 33,730 SF. Revise calculations if

- necessary, including total impervious surface and associated percentages. Update information in total campus calculations also.
- b) Item 11: The number 10,400 does not match the number listed on the building starting page C-301. Verify and make adjustments to the plan set with the correct number.
 - c) Item 14: Verify the calculation for the “Current Campus Surplus”. Also update the remaining parking surplus to reflect parking spaces made and the spaces need to comply with the required parking rate.
 - d) Item 19: the acreage is listed as 150,000 sq feet which translates to 3.44352617 acres. This is slightly more than Item 8 which lists 3.44 acres. Landscape plans (L-001) lists 149,950 square feet. The number should be consistent. Once decided, please also make sure the cover page map label is updated (potentially with “+/-“ or “approx.”).
- 3) Page C-101: Comment R-5, A demo permit will be required for the ball field location.
- 4) Page C-201:
- a) The locations of the 2 stop signs are labeled T-6, and should be T-13.
 - b) The location of the second handicapped parking sign is labeled as a stop sign. Likely should be labeled T-15.
 - c) The sidewalk width should be specified along University Drive.
 - d) The Striping and Signage section has note at the bottom that references Detail page C-901 which is not included. Please include it with final submission.
- 5) Page C-301: Notes at the bottom of the page reference Page C-302 which are not included. Please include these in the final set submitted.
- 6) Any Sediment & Stormwater Management Plans granted approval by DNREC 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.
- 7) Page L-001: Item 14, the Planning office would need to sign off on any changes to the landscape plan in addition to the parties listed.
- 8) Identify a consistent name for the building. The renderings list it as “Agricultural Building” and Project is referred to in the plan set as “Agriculture”.

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.

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.

XI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) In the event that major changes and revisions to the Site Development Plan occur in the finalization of the Plan contact the Planning Office. Examples include reorientation of the 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.
- 2) Following Planning Commission approval of the 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 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.
- 5) 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.
- 6) The applicant should be aware that Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign unless deemed internal to the campus. It is recommended that the applicant discuss the sign regulation requirements with the Planning Staff prior to applying for a Sign Permit.
- 7) The applicant should be aware that Site Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for the issuance of a Building Permit from the City of Dover.

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: SEPTEMBER 27, 2023



APPLICATION: Delaware State University New Agricultural Building at
1200 N Dupont Highway

FILE #: S-23-18

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 PHONE #: 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 solid waste service for this property shall remain private.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Delaware Department of Natural Resources and Environmental Control (DNREC) 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.

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

joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.

3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that effective May 1, 2022, water mains can now be constructed using C900 PVC pipe.
4. Water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) service line for the proposed building.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically, this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Water services shall be either type K copper or SDR-9.
8. All water infrastructure on the property will be owned and maintained by the property owner.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
 - b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "...any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer laterals (other than for single-family dwellings) showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").

7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.
8. All wastewater infrastructure on the property will be owned and maintained by the property owner.

GENERAL

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees will be required to be paid prior to Certificate of Occupancy for this project.
5. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. The city is currently working with Delaware State University to create a plan to handle this requirement directly downstream of the two (2) master meters that feed the campus.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.

3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees will be required to be paid prior to Certificate of Occupancy for this project.
5. Depending on the effluent flow, the downstream pump station may need to be evaluated by the developer / engineer to verify it can handle the additional effluent flow.

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: SEP 27, 2023

APPLICATION: Delaware State University New Agricultural Building at
1200 N. Dupont Hwy

FILE #: S-23-18

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. 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. The City of Dover Electric Department is responsible for electricity up to the primary metering cabinet (1M9) located between Frontage Rd and Highway 13. The University is responsible for the electric past this meter. All other comments on this form should be used as reference only in the event of future changes.
2. Provide load sheets if the new load requirements will change as soon as possible to verify 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: 09/27/23**APPLICATION:** Delaware State University New Agriculture Building at 1200 N DuPont Hwy**FILE #:** S-23-18REVIEWING AGENCY: City of Dover, Office of the Fire MarshalCONTACT PERSON: Jason Osika, Fire Marshal
josika@dover.de.usPHONE #: (302) 736-4457

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

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

CITY AND STATE CODE REQUIREMENTS:

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

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

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

5. Fire lanes shall cover 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. 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.
12. 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

13. 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.
14. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.
15. 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)

16. 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

17. 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.

18. 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.

19. 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>

20. 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)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22. Fire Department Connection is to be a 5-inch storz 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)

23. 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)

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

27. 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 at 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/or chief building inspector.
(City of Dover Code of Ordinances, 46-4)

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

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

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

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

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

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

Arabic numerals, all numbers used shall be Arabic numerals,

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

29. 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

30. 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
31. Project to be completed per approved Site Plan.
32. Full building and fire plan review is required.
33. 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.

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

35. 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.
36. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.
37. 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. N/A

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)

2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)

2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)

2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)

2009 IBC (International Building Code)

Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations

2021 Delaware State Fire Prevention Regulations

City of Dover Code of Ordinances

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

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APPLICATION: Delaware State University New Agriculture Building

FILE#: S-23-18

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Michael Vandevander

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. A pre-submittal meeting with DelDOT is required to further discuss the project.



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
 ENVIRONMENTAL CONTROL**

DIVISION OF WATERSHED STEWARDSHIP

ENTERPRISE BUSINESS PARK
 285 BEISER BOULEVARD, SUITE 102
 DOVER, DELAWARE 19904

CONSERVATION PROGRAMS
 SECTION

PHONE: (302) 739-9921
 FAX: (302) 739-6724

MEMORANDUM

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

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

DATE: September 28, 2023

SUBJECT: S-23-18 Delaware State University New Agriculture Building

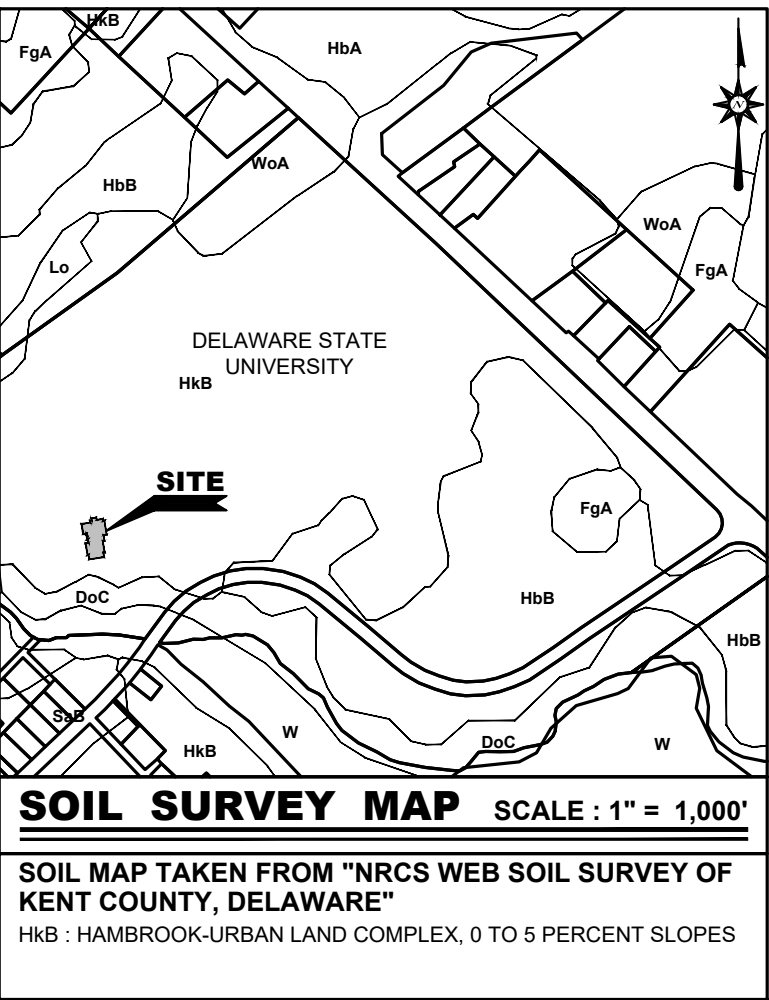
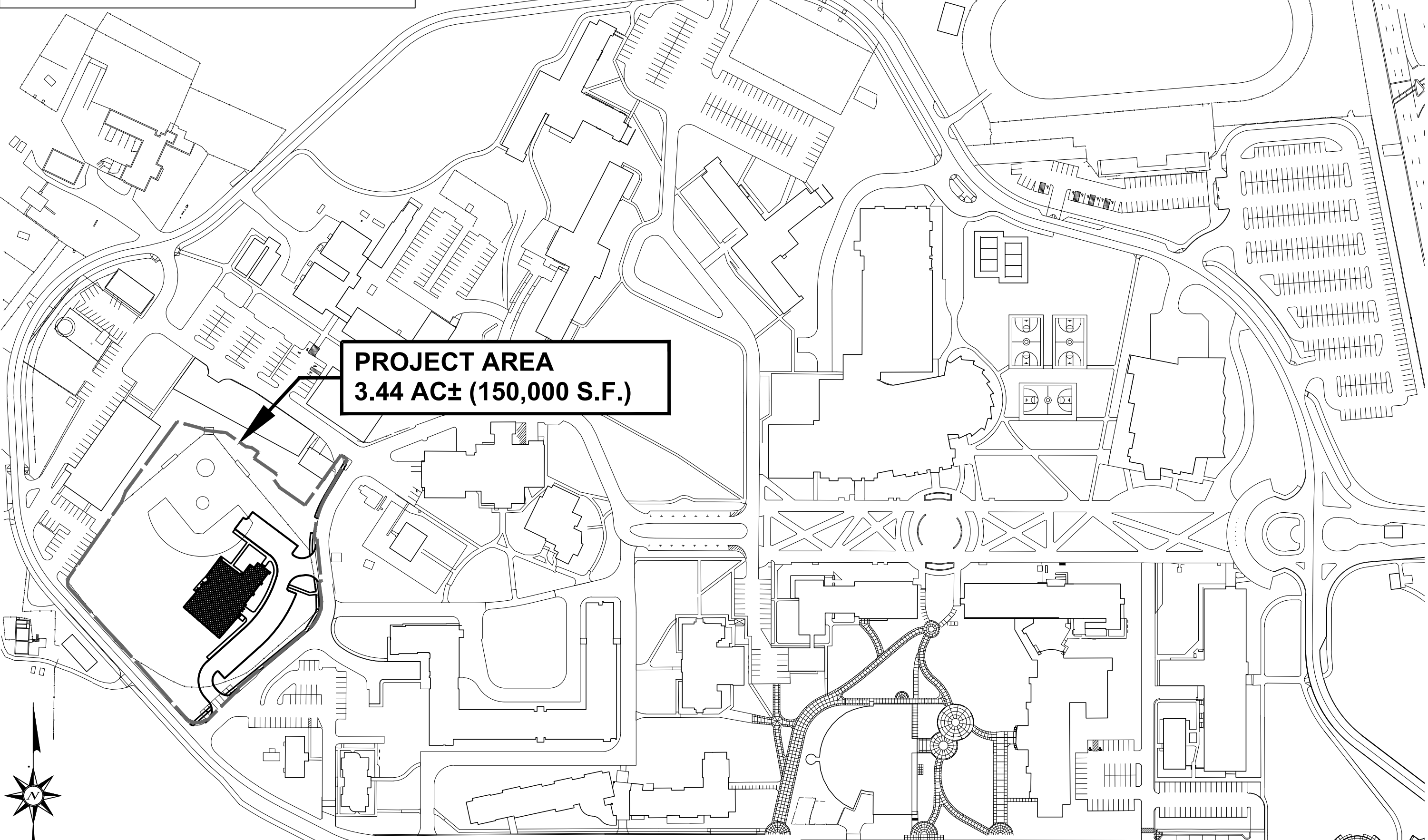
CC: Michael Henry, Becker Morgan Group
 Khalid Zerrad, Delaware State University
 Bonnie Arvay, Acting Program Manager, Sediment and Stormwater Program

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

1. A Sediment and Stormwater Management Plan must be approved by DNREC Sediment and Stormwater Program prior to any land disturbance taking place on site.
2. DNREC SSP has a required three-step plan approval process. The first step is to compile and submit the [Stormwater Assessment Study](#) prior to scheduling a project application meeting, followed by a preliminary and construction level plan submittals. The SSP had a preliminary meeting with the site designer for this project but no formal submittal has been made.
3. If the total land disturbance associated with the project will exceed 1.0 acre, a Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity must be secured prior to plan approval. The NOI application is filed online and the NOI fee of \$195 is paid electronically, and is assessed annually until construction is complete and the project is closed out.
4. DNREC SSP recently conducted a maintenance review of existing stormwater management BMPs on the DSU campus and have identified maintenance needs that must be addressed. DNREC SSP will be contacting DSU to review the maintenance needs and establish a path forward for that effort. The New Agriculture Building project does not appear to discharge to any existing stormwater management BMPs and therefore, maintenance of those BMPs will not be tied to this project's approval. However, future projects at DSU may need to consider maintenance requirements on existing stormwater management BMPs.

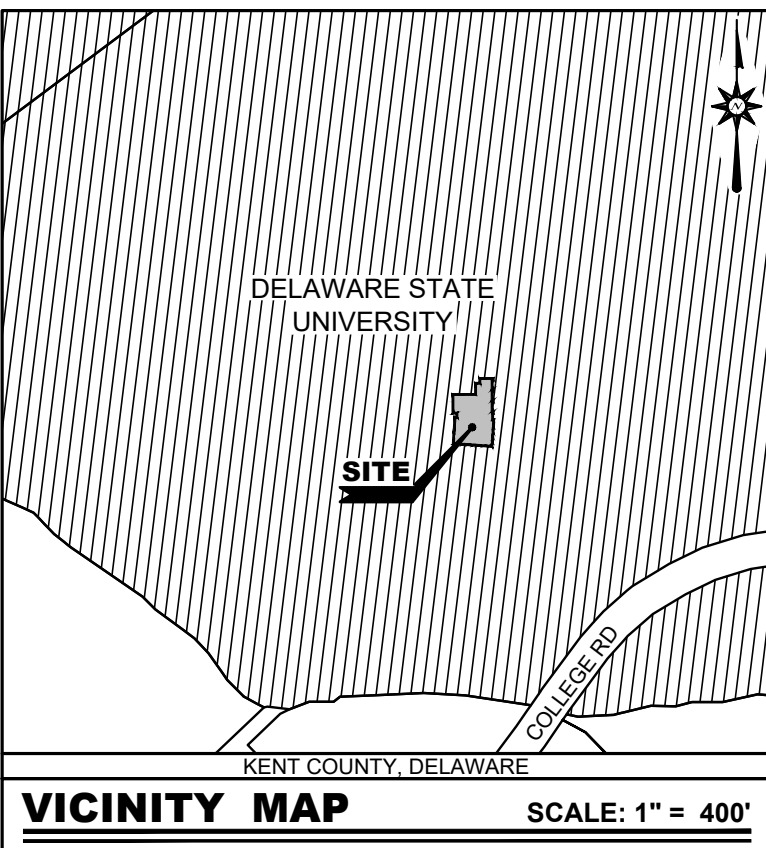
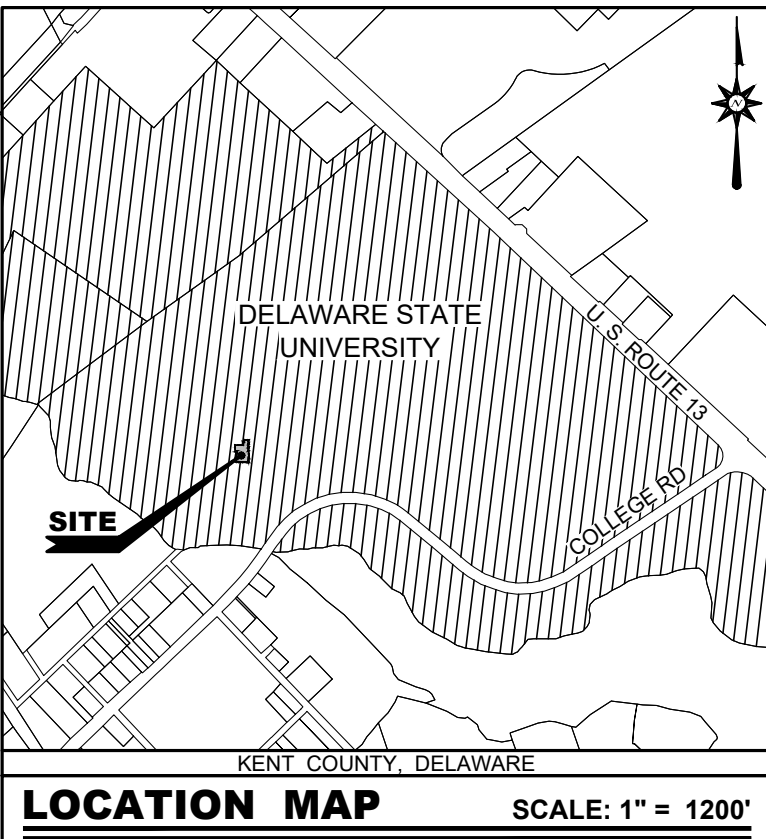
If you should have any questions, please do not hesitate to contact me at (302) 608-5460 or Elaine.Webb@delaware.gov.

NOTE:
PRIOR TO THE START OF CONSTRUCTION OR ORDERING OF MATERIALS, THE CONTRACTOR SHALL ENGAGE A PRIVATE UTILITY LOCATOR TO VERIFY LOCATIONS OF ALL EXISTING UTILITIES WITHIN THE PROJECT EXTENTS AS WELL AS VERIFYING ELEVATIONS OF ALL UTILITIES TO BE CROSSED WITH NEW IMPROVEMENTS. CONTRACTOR SHALL REPORT CONFLICTS/ISSUES TO THE ENGINEER.



SHEET INDEX	
C-001	COVER SHEET
C-101	EXISTING CONDITIONS AND DEMOLITION PLAN
C-201	SITE PLAN
C-301	UTILITY PLAN
L-001	LANDSCAPE PLAN

SITE DATA	
1. OWNER OF RECORD:	STATE OF DELAWARE C/O DELAWARE STATE UNIVERSITY 1200 NORTH DUPONT HIGHWAY DOVER, DELAWARE 19901
2. ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVE. DOVER, DE 19904 (302) 734-7950
3. PROPERTY MAP NUMBERS:	ED-05-057-00-01-19-00-00 ED-05-057-00-01-20-00-00 ED-05-057-00-01-21-00-00 (PORTION OF)
4. ZONING CLASSIFICATION:	EXISTING: IO / SWPOZ TIER 3, EXCELLENT RECHARGE AREA PROPOSED: IO / SWPOZ TIER 3, EXCELLENT RECHARGE AREA
5. DEED SUMMARY:	DEED BOOK O-24-064 (LOT 19), S-024-299 (LOT 20), G-7-390H-11-113 (LOT 21)
7. PRESENT USE:	UNIVERSITY CAMPUS (BASEBALL FIELD)
8. PROPERTY AREA:	UNIVERSITY CAMPUS (ACADEMIC BUILDING) 287.32 ACRES ± (ENTIRE CAMPUS) 240.29 ACRES ± (PORTION OF CAMPUS ON NORTH SIDE OF COLLEGE RD.) 216.03 ACRES ± (PORTION OF NORTH IN RECHARGE AREA) 3.44 ACRES ± (150,000 S.F.)
9. IMPERVIOUS COVERAGE (WITHIN PROJECT AREA)	EXISTING: 30,797 S.F. (0.71 AC) - 20.6% OF PROJECT AREA EXISTING TO BE REMOVED: 24,811 S.F. (0.57 AC) - 16.6% OF PROJECT AREA EXISTING TO REMAIN: 5,986 S.F. (0.14 AC) - 4.1% OF PROJECT AREA PROPOSED PROJECT SITE: 33,730 S.F. (0.77 AC) - 22.5% OF PROJECT AREA TOTAL IMPERVIOUS INCREASE: 3,240,000 S.F. (74.58 AC) - 34.52% 8,919 S.F. (0.20 AC)
RECHARGE AREA CALC'S:	EXISTING TOTAL IMPERVIOUS: 3,240,131 S.F. (74.38 AC) - 34.43% EXISTING TO BE REMOVED: 24,811 S.F. PROPOSED IMPERVIOUS: 33,730 S.F. TOTAL IMPERVIOUS CHANGE: 3,240,000 S.F. (74.58 AC) - 34.52% TOTAL AT BUILD OUT: 3,240,131 - 24,811 + 33,730 = 3,249,050 8,919 S.F. (0.20 AC)
10. SETBACKS:	RECHARGE AREA CALC'S: 3,240,131 S.F. (74.38 AC) - 34.43% EXISTING: 10 FT. FRONT: 10 FT. SIDE: 15 FT. REAR: 15 FT. PROPOSED: 10,400 S.F. OVERALL HEIGHT: 20'-0" FLOOR AREA RATIO: 0.07 NPFA CONSTRUCTION TYPE: TYPE II (000)
11. BUILDINGS:	WATER: CITY OF DOVER SEWER: CITY OF DOVER GAS: CHESAPEAKE UTILITIES ELECTRIC: CITY OF DOVER
12. UTILITIES:	HMB : HAMBROOK-URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPES CAMPUS WIDE PARKING - IO ZONING (ALL FUTURE CALCULATED AT 1/300 S.F.) BUILDING: 10,400 S.F. / 300 S.F. = 34.6 = 35 TOTAL REQUIRED: 35 CURRENT CAMPUS PARKING REQ.: 1,850 (PER APPROVED BOA DECISION) CURRENT CAMPUS PARKING TOTAL: 2,243 CURRENT CAMPUS SURPLUS: 335 PROPOSED AT PROJECT SITE: 31 EXISTING TO BE REMOVED: 8 SURPLUS REMAINING AT COMPLETION : 335 + 31 - 8 = 358 HANDICAPPED PARKING PROVIDED : 2 SPACES (1 VAN) BICYCLE PARKING REQUIRED : 2 (31 / 20 = 1.55) BICYCLE PARKING PROVIDED : 4 LOADING BERTHS REQUIRED : 1 LOADING BERTHS PROVIDED : 1 DUMPSTERS REQUIRED : 2 DUMPSTERS PROVIDED : 0 (CAMPUS CENTRAL COLLECTION FOR BUILDING)
13. PREDOMINANT SOILS :	FUTURE PERMIT SUBMISSION
14. PARKING CALCULATIONS :	LIGHTING SHALL BE 1.5 FOOT CANDLES (MINIMUM) AT GRADE EX. WOODLAND AREA: 0 S.F. WOODLANDS TO BE CLEARED: 0 S.F. (0%) TOTAL WOODLANDS REMAINING: 0 S.F. (0%) TOTAL NON-WOODLAND PROJECT AREA: 150,000 S.F. - 0 = 150,000 S.F. EXISTING TREES TO BE RETAINED: 50 TREES REQUIRED PROPOSED TREES: 50 TOTAL TREES: 50
15. LOADING CALCULATIONS :	NGS MONUMENT: COLLEGE
16. DUMPSTER CALCULATIONS :	VERTICAL: NAVD88 HORIZONTAL: NAD83
17. SIGNAGE :	
18. OUTDOOR LIGHTING :	
19. TREE PRESERVATION :	
20. SURVEY BENCHMARK:	



- GENERAL NOTES :**
- TOPOGRAPHIC SURVEY DATA SHOWN HEREON WAS PREPARED BY BECKER MORGAN GROUP, DOVER, DE. IN APRIL 2022. VERTICAL DATUM IS BASED ON NAVD 83. HORIZONTAL DATUM IS BASED ON DELAWARE STATE PLANE NAD 83.
 - NO BOUNDARY SURVEY IS PROVIDED AS THE PROJECT SITE IS INTERIOR TO THE CAMPUS.
 - NO TITLE EXAMINATION FURNISHED TO OR PERFORMED BY THE PREPARERS HEREOF. PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
 - THE EXISTING UTILITIES SHOWN WERE TAKEN FROM THE BEST AVAILABLE RECORDS. ADDITIONALLY, A UTILITY MARK-OUT WAS PROVIDED BY CENTURY ENGINEERING IN SEPTEMBER 2017. THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELMARVA (1-800-282-8559) AND ENGAGE A PRIVATE UTILITY LOCATOR TO VERIFY THEIR EXACT LOCATION PRIOR TO THE START OF ANY CONSTRUCTION. ANY DAMAGE INCURRED TO ANY UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTORS EXPENSE. IF THE CONTRACTOR RELIES ON THE UTILITY LOCATIONS SHOWN HEREON, HE DOES SO AT HIS OWN RISK AND WILL NOT BE ENTITLED TO ADDITIONAL COMPENSATION DUE TO TIME DELAYS FROM SAID RELIANCE.
 - THE PROJECT AREA IS NOT LOCATED WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN, BASED ON FIRM MAP 1000102166H, PANEL 166 OF 435, DATED MAY 5, 2003.
 - BECKER MORGAN GROUP, INC. CERTIFIES THAT THERE ARE NO FRESH WATER WETLANDS LOCATED ON THE PROJECT SITE.
 - ALL ROADS, PARKING AND OTHER PAVED AREAS WILL BE PRIVATELY OWNED AND MAINTAINED AND ARE NOT INTENDED FOR DEDICATION.
 - DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING EXCAVATION MUST BE REMOVED AND PROPERLY DISCARDED.
 - ALL HANDICAPPED PARKING DEMARCATION, STALLS, AND BUILDING ACCESSIBLE ROUTES SHALL COMPLY WITH THE "AMERICAN WITH DISABILITIES ACT" AND ANSI ICC A117.1 - 2017 "ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES"
 - THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENT 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.
 - BEFORE THE CONTRACTOR CAN BEGIN CONSTRUCTION HE MUST OBTAIN THE PROPER PERMITS AND/OR APPROVALS FROM THE CITY OF DOVER (C.O.D.), DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC), DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT), KENT CONSERVATION DISTRICT (KCD) AND ALL APPROPRIATE STATE AND COUNTY AGENCIES.
 - ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE ACCORDING TO THE CITY OF DOVER DEPARTMENT OF PUBLIC WORKS AND THE STATE OF DELAWARE (DELDOT) STANDARDS AND CONSTRUCTION SPECIFICATIONS.
 - ALL FIRE LANE DEMARCATION AND FIRE LANE SIGNS SHALL BE IN ACCORDANCE WITH ALL STATE FIRE PREVENTION REGULATIONS.
 - ALL WORK WITHIN CITY MAINTAINED ROAD RIGHT-OF-WAYS SHALL MEET THE REQUIREMENTS AS SET FORTH IN THE CURRENT REVISION OF THE STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION, BY THE DELAWARE DEPARTMENT OF TRANSPORTATION AND ALL CITY OF DOVER REQUIREMENTS.
 - TRAFFIC AND SAFETY CONTROL SHALL BE MAINTAINED DURING CONSTRUCTION IN CONFORMANCE WITH THE CURRENT VERSION OF THE DELAWARE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR CONSTRUCTION AND MAINTENANCE OPERATIONS.
 - STORMWATER MANAGEMENT AND SEDIMENT / EROSION CONTROL SHALL BE IN ACCORDANCE WITH THE CURRENT VERSION DELAWARE SEDIMENT AND STORMWATER REGULATIONS BY THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
 - CONTRACTOR SHALL REFER TO ARCHITECTURAL/STRUCTURAL DRAWINGS OF PROPOSED STRUCTURES FOR ALL DIMENSIONS OF BUILDINGS AND FOUNDATIONS. PROPOSED BUILDING FOOTPRINTS, AS SHOWN ON SITE PLAN, SHOULD ONLY BE USED AS A REFERENCE TO THE ABOVE MENTIONED PLANS.
 - HYDRANT CONNECTIONS BY THE CONTRACTOR ARE PROHIBITED. THIS METHOD MAY NOT BE UTILIZED DURING ANY PHASE OF THE PROJECT.
 - ALL EXISTING SANITARY SEWER LINES, STORM DRAINS, AND WATER LINES NOT USED FOR THE PROPOSED CONSTRUCTION MUST BE PROPERLY ABANDONED AT THE MAINS IN ACCORDANCE WITH THE CITY OF DOVER DEPARTMENT OF PUBLIC WORKS REQUIREMENTS PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
 - PART II, CHAPTER 180, ARTICLE II, 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, CONDENSATE, OR UNPOLLUTED INDUSTRIAL PROCESS WATERS TO ANY SANITARY SEWER". THE CONTRACTOR/DEVELOPER SHALL ENSURE DURING CONSTRUCTION THAT NO ILLEGAL DISCHARGES TO THE SANITARY SEWER SYSTEM ARE CREATED WITH THE SITE IMPROVEMENTS.
 - THE SITE CONTRACTOR SHALL NOTIFY THE CITY OF DOVER PUBLIC WORKS DEPARTMENT CONSTRUCTION MANAGER AT 302-736-7025 PRIOR TO THE START OF CONSTRUCTION. A REPRESENTATIVE FROM THE CITY OF DOVER PUBLIC WORKS DEPARTMENT MUST OBSERVE 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 TAP 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.
 - IF THE APPROVED PLAN NEEDS TO MODIFIED DUE TO ERRORS OR OMISSIONS OR FIELD CONDITIONS, ADDITIONAL SEDIMENT AND STORM WATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC).
 - THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
 - ALL WATER AND WASTEWATER UTILITY COMPONENTS MUST MEET THE REQUIREMENTS OF THE CITY OF DOVER PUBLIC WORKS WATER/WASTEWATER HANDBOOK.
 - ALL EXISTING UTILITIES SHALL BE ADJUSTED TO FINAL GRADE IN ACCORDANCE WITH CURRENT CITY OF DOVER REQUIREMENTS AND PRACTICES.
 - THE CITY OF DOVER BOARD OF ADJUSTMENT SET THE NUMBER OF REQUIRED PARKING SPACES FOR THE CAMPUS AT 1,850 ON APRIL 15, 2009 PER ZONING ORDINANCE, ARTICLE 8 SECTION 3.8. SEE SITE DATA ITEM 14 FOR PROJECT PARKING CALCULATIONS AND UPDATED TOTALS.
 - TRASH COLLECTION FOR THE CAMPUS IS HANDLED BY THE MAINTENANCE STAFF. A DSU MAINTENANCE TRUCK PICKS UP TRASH FROM EACH BUILDING AND DELIVERS IT TO A CENTRALIZED COMPACTOR UNIT AT THE REAR OF THE CAMPUS. TWO DUMPSTER PADS ARE RESERVED AT THE REAR OF THE PROPERTY AND SHALL BE CONSTRUCTED IF IT IS DETERMINED TO BE NECESSARY BY THE PLANNING DIRECTOR.
 - PRIOR TO THE START OF CONSTRUCTION OR ORDERING OF MATERIALS, THE CONTRACTOR SHALL ENGAGE A PRIVATE UTILITY LOCATOR TO VERIFY LOCATIONS OF ALL EXISTING UTILITIES WITHIN THE PROJECT EXTENTS AS WELL AS VERIFYING ELEVATIONS OF ALL UTILITIES TO BE CROSSED WITH NEW IMPROVEMENTS. CONTRACTOR SHALL REPORT CONFLICTS/ISSUES TO THE ENGINEER.
 - ALL SUBSURFACE UTILITIES SHOWN HEREON ARE DEPICTED BASED ON SURFACE EVIDENCE COLLECTED FROM TOPOGRAPHIC SURVEY AND MARKS PROVIDED BY CENTURY ENGINEERING - UTILITY LOCATING SERVICES IN APRIL OF 2022.
 - AS DETERMINED BY THE CITY OF DOVER, THE PROJECT AREA IS LOCATED IN AN AREA OF EXCELLENT GROUNDWATER RECHARGE. THE PROJECT INCREASES IMPERVIOUS COVERAGE BY 8,919 S.F. THE 2-YEAR VOLUME OF STORMWATER GENERATED BY THIS INCREASE IS REQUIRED TO BE INFILTRATED PER THE ZONING CODE. THIS IS BEING ACCOUNTED FOR IN THE STORMWATER FACILITIES FOR THIS PROJECT.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENGAGING A DNREC CERTIFIED/APPROVED CCR AND COORDINATING CCR VISITS PER DNREC REQUIREMENTS.

OWNERS CERTIFICATION	
WE, DELAWARE STATE UNIVERSITY, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.	
KHALID ZERRAD, SR. PROJECT MANAGER PLANNING & CONSTRUCTION	DATE
ENGINEERS CERTIFICATION	
I, J. MICHAEL RIEMANN, P.E., HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.	
J. MICHAEL RIEMANN, P.E.	DATE
P.E. NO. 13772	



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North Carolina

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Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

DELAWARE STATE UNIVERSITY NEW AGRICULTURE BUILDING

1200 N. DUPONT HWY.
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

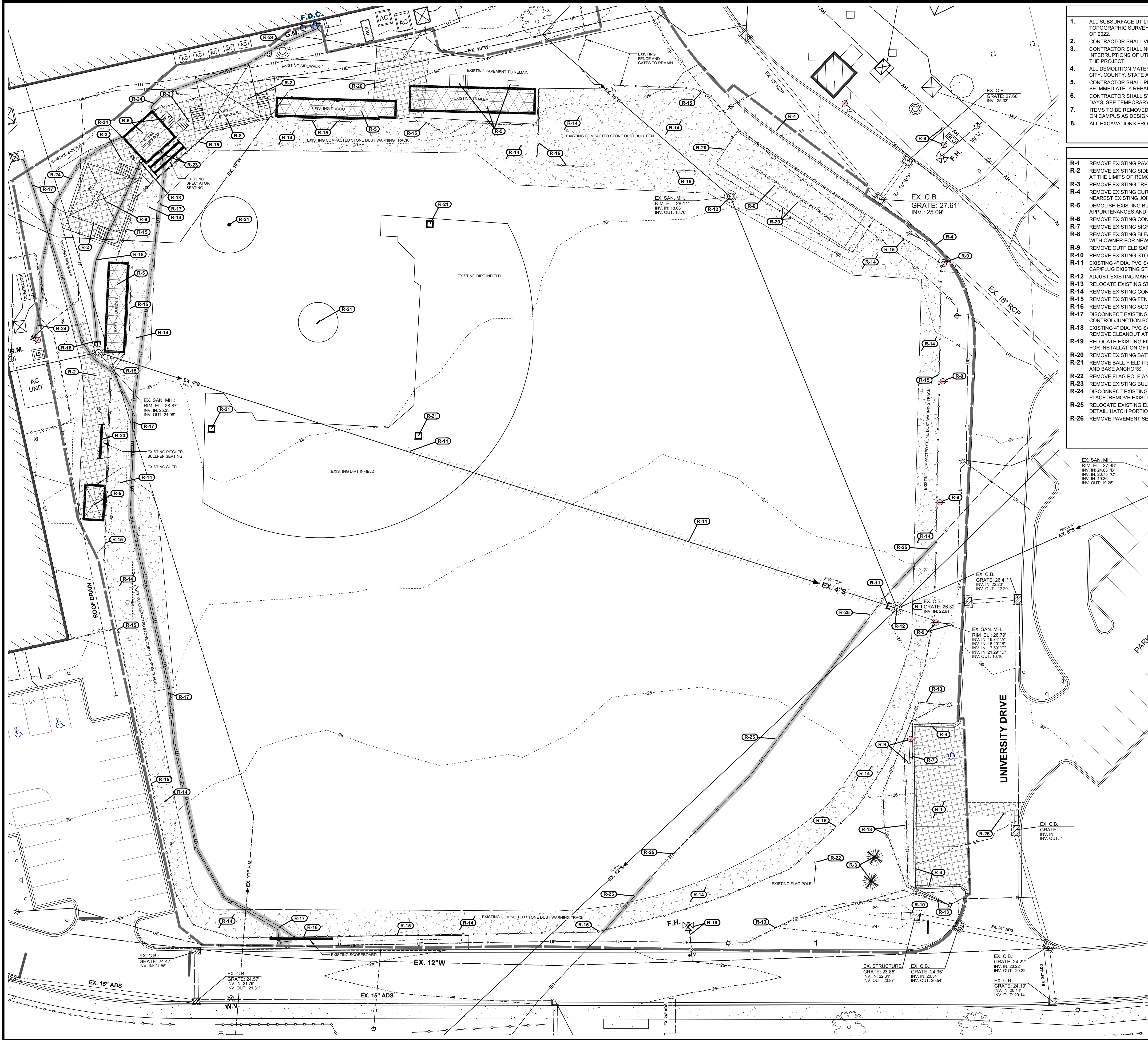
COVER SHEET

ISSUE BLOCK

NO.	DATE	DESCRIPTION
1	8-15-23	ISSUED FOR PRICING
2	8-29-23	CITY OF DOVER SITE PLAN SUBMISSION
1	8-15-23	ISSUED FOR PRICING
MARK	DATE	DESCRIPTION
LAYER:STATE: C-001		
PROJECT NO.: 2022081.00		
DATE: 05-16-22		
SCALE: NO SCALE		
DRAWN BY: M.J.H. PROJ. MGR.: M.J.H.		
SHEET		

C-001

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- GENERAL DEMOLITION NOTES**
- ALL SUBSURFACE UTILITIES SHOWN HEREON ARE DEPICTED BASED ON SURFACE EVIDENCE COLLECTED FROM TOPOGRAPHIC SURVEY AND MARKS PROVIDED BY CENTURY ENGINEERING - UTILITY LOCATING SERVICES IN APRIL OF 2022.
 - CONTRACTOR SHALL VERIFY ALL SITE UTILITY LOCATIONS PRIOR TO START OF CONSTRUCTION ACTIVITY.
 - CONTRACTOR SHALL NOTIFY THE OWNER AND CONSTRUCTION MANAGER A MINIMUM OF 72 HOURS PRIOR TO ANY SERVICE INTERRUPTIONS OF UTILITY SERVICES AS WELL AS ANY DEMOLITION THAT MAY AFFECT CAMPUS ACTIVITIES IN THE AREA OF THE PROJECT.
 - ALL DEMOLITION MATERIAL IS TO BE REMOVED FROM SITE AND PROPERLY DISPOSED OF IN ACCORDANCE WITH ALL CITY, COUNTY, STATE AND FEDERAL REGULATIONS.
 - CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES NOT SLATED FOR DEMOLITION. ANY UTILITIES DAMAGED SHALL BE IMMEDIATELY REPAIRED AND SERVICE RESTORED TO THE OWNERS SATISFACTION.
 - CONTRACTOR SHALL STABILIZE ALL DISTURBED AREAS WITH TOP SOIL, SEED, FERTILIZER, AND MULCH WITHIN 14 CALENDAR DAYS. SEE TEMPORARY SEEDING SPECIFICATIONS ON SHEET C-302 AND IN ACCORDANCE WITH DELAWARE ESC HANDBOOK. ITEMS TO BE REMOVED, WHICH ARE NOTED TO BE RETURNED TO THE OWNER, SHALL BE MOVED TO A STORAGE LOCATION ON CAMPUS AS DESIGNATED BY THE OWNER.
 - ALL EXCAVATIONS FROM DEMOLITION ACTIVITIES SHALL BE PROPERLY BACKFILLED AND COMPACTED.

- DEMOLITION CONSTRUCTION NOTES**
- R-1 REMOVE EXISTING PAVEMENT SECTION AS SHOWN. (TYP.) PAVEMENT TO BE SAWCUT AT EDGE OF REMOVAL AREA.
- R-2 REMOVE EXISTING SIDEWALK/CONCRETE AS SHOWN. (TYP.) SIDEWALKS TO BE REMOVED TO THE CLOSEST EXISTING JOINTS AT THE LIMITS OF REMOVAL. IF NO JOINTS ARE NEAR THE PROPOSED REMOVAL LINE, THEN CONCRETE SHALL BE SAWCUT.
- R-3 REMOVE EXISTING TREE AS NECESSARY FOR CONSTRUCTION. (TYP.)
- R-4 REMOVE EXISTING CURB/CURB & GUTTER. (TYP.) CURB TO BE SAWCUT AT EDGE OF REMOVAL OR SHALL BE REMOVED TO NEAREST EXISTING JOINT.
- R-5 DEMOLISH EXISTING BUILDING, DUGOUTS, TRAILER INCLUDING ALL STAIRS, SLABS, FOUNDATIONS, AND ALL OTHER BUILDING APPURTENANCES AND PROPERLY DISPOSE OF OFFSITE. DISCONNECT ANY UTILITY SERVICES TO BUILDINGS.
- R-6 REMOVE EXISTING CONCRETE PADS. (TYP.) SAWCUT AT EDGE OF REMOVAL AREA.
- R-7 REMOVE EXISTING SIGNS. (TYP.)
- R-8 REMOVE EXISTING BLEACHERS. OWNER TO RETAIN FOR USE ELSE WHERE ON CAMPUS. CONTRACTOR TO COORDINATE WITH OWNER FOR NEW LOCATION OR STORAGE LOCATION AND WHETHER BLEACHERS ARE TO BE DISASSEMBLED.
- R-9 REMOVE OUTFIELD SAFETY NET SUPPORT POLES, SUPPORT WIRES AND GUYS.
- R-10 REMOVE EXISTING STORM DRAIN STRUCTURE. EXISTING PIPE TO REMAIN FOR CONNECTION OF PROPOSED SWM OUTFALL.
- R-11 EXISTING 4" DIA. PVC SANITARY SEWER LATERAL TO BE CUT AND REMOVED IN AREA OF PROPOSED BUILDING. CAP/PLUG EXISTING STUB OUTSIDE MANHOLE.
- R-12 ADJUST EXISTING MANHOLE FRAME/COVER TO PROPOSED GRADES.
- R-13 RELOCATE EXISTING STREET LIGHT ELECTRIC SERVICE LINES/CONDUITS. SEE SHEET C-301 FOR NEW LOCATIONS.
- R-14 REMOVE EXISTING COMPACTED STONE DUST WARNING TRACK MATERIAL. (TYP.)
- R-15 REMOVE EXISTING FENCE, POSTS, CONCRETE FOUNDATIONS, GATES ETC. (TYP.)
- R-16 REMOVE EXISTING SCOREBOARD, POSTS, & FOUNDATIONS.
- R-17 DISCONNECT EXISTING SCORE BOARD ELECTRIC AND TELEPHONE SERVICES AND ABANDON IN PLACE. REMOVE EXISTING CONTROL/JUNCTION BOXES AT EITHER END OF SERVICE FEED.
- R-18 EXISTING 4" DIA. PVC SANITARY SEWER LATERAL TO PRESS BOX TO BE CUT AND CAPPED 2' OUTSIDE MANHOLE. REMOVE CLEANOUT AT PRESS BOX. CAP BOTH ENDS OF PIPE AND ABANDON IN PLACE.
- R-19 RELOCATE EXISTING FIRE HYDRANT TO LOCATION SHOWN ON SHEET C-301. CUT HYDRANT LEAD AFTER SHUT OFF VALVE FOR INSTALLATION OF NEW LEAD AND RE-INSTALLATION OF HYDRANT.
- R-20 REMOVE EXISTING BATTING CAGE INCLUDING FENCING, NETTING, POSTS, CONCRETE, AND ALL OTHER APPURTENANCES.
- R-21 REMOVE BALL FIELD ITEMS. CUT EXISTING PITCHERS MOUND DOWN TO GRADE. REMOVE HOME PLATE, PITCHERS RUBBER, AND BASE ANCHORS.
- R-22 REMOVE FLAG POLE AND FOUNDATION.
- R-23 REMOVE EXISTING BULLPEN AND SPECTATOR SEATING UNITS.
- R-24 DISCONNECT EXISTING PRESS BOX ELECTRIC AND TELEPHONE SERVICES AT BUILDING AND ORIGIN POINT. ABANDON IN PLACE. REMOVE EXISTING CONTROL/JUNCTION BOXES AT EITHER END OF SERVICE FEED.
- R-25 RELOCATE EXISTING ELECTRIC SERVICE LINE/DUCTBANK. SEE SHEET C-301 FOR NEW LOCATIONS. SEE M.E.P. PLANS FOR DETAIL. HATCH PORTIONS TO BE REMOVED FOR NEW IMPROVEMENTS. SHADED PORTIONS TO BE ABANDONED IN PLACE.
- R-26 REMOVE PAVEMENT SECTION FOR INSTALLATION OF NEW UTILITY SERVICE SHOWN ON C-301.

DEMOLITION LEGEND	
ITEM	
EXISTING PAVEMENT/SIDEWALK DEMO	
EXISTING UTILITY (TYP.) - FULL REMOVAL	
EXISTING UTILITY (TYP.) - ABANDON IN PLACE	
EXISTING CURB/GUTTER DEMO	
EXISTING BUILDING DEMO	
TREE PROTECTION	



LEGEND		
ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE (S)		
SANITARY SEWER FORCE MAIN (F.M.)		
SANITARY SEWER MANHOLE (S.S.M.H.)		
SANITARY SEWER CLEANOUT (C.O.)		
WATER MAIN & SIZE		
FIRE HYDRANT (F.H.)		
WATER VALVE (W.V.) OR METER (W.M.)		
STORM DRAIN MANHOLE (S.D.M.H.)		
STORM DRAIN LINE (CMP, RCP, HDPE)		
CATCH BASIN (C.B.)		
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE (O.T.), ELECTRIC (O.E.))		
UNDERGROUND ELECTRIC (U.E.)		
UNDERGROUND TELEPHONE (U.T.)		
UNDERGROUND GAS MAIN (G)		
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		
INDIVIDUAL TREE OR BUSH		
WIRE FENCE		
CHARLICK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL ETC.)		
DRAINAGE DITCH OR SWALE		
WETLAND BOUNDARY LINE		
CONTOUR		
ELEVATION SPOT SHOT		
BENCH MARK		
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		

**BECKER
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GROUP**

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ENGINEERING**

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PROJECT TITLE

**DELAWARE
STATE
UNIVERSITY
NEW
AGRICULTURE
BUILDING**

1200 N. DUPONT HWY.
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

**EXISTING
CONDITIONS
AND DEMOLITION
PLAN**

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SCALE: 1" = 20'

ISSUE BLOCK

ISSUE	DATE	DESCRIPTION
1	8-15-23	ISSUED FOR PRICING
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PROJECT NO.: 2022081.00

DATE: 05-16-22

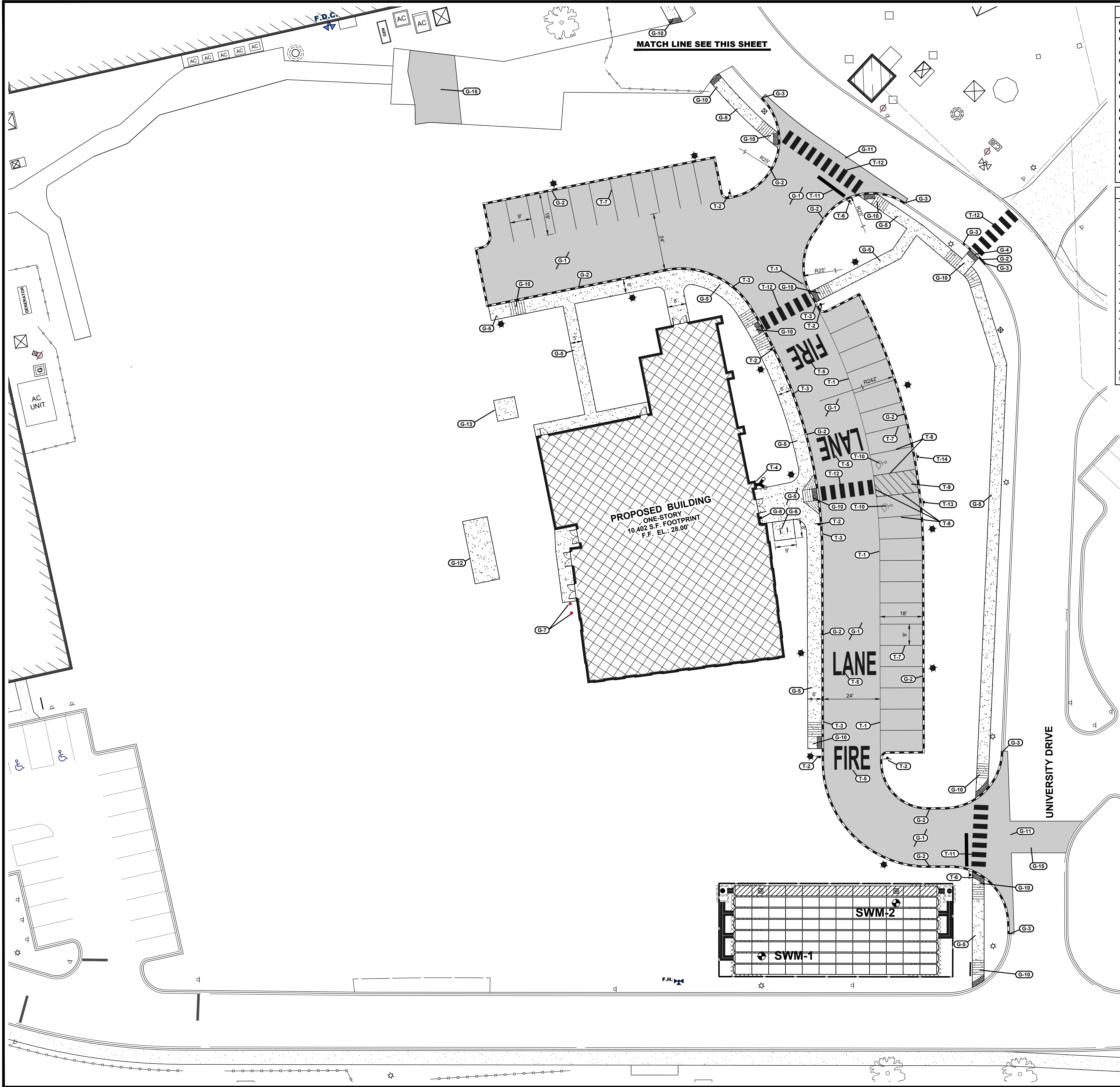
SCALE: 1" = 20'

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

SHEET

C-101

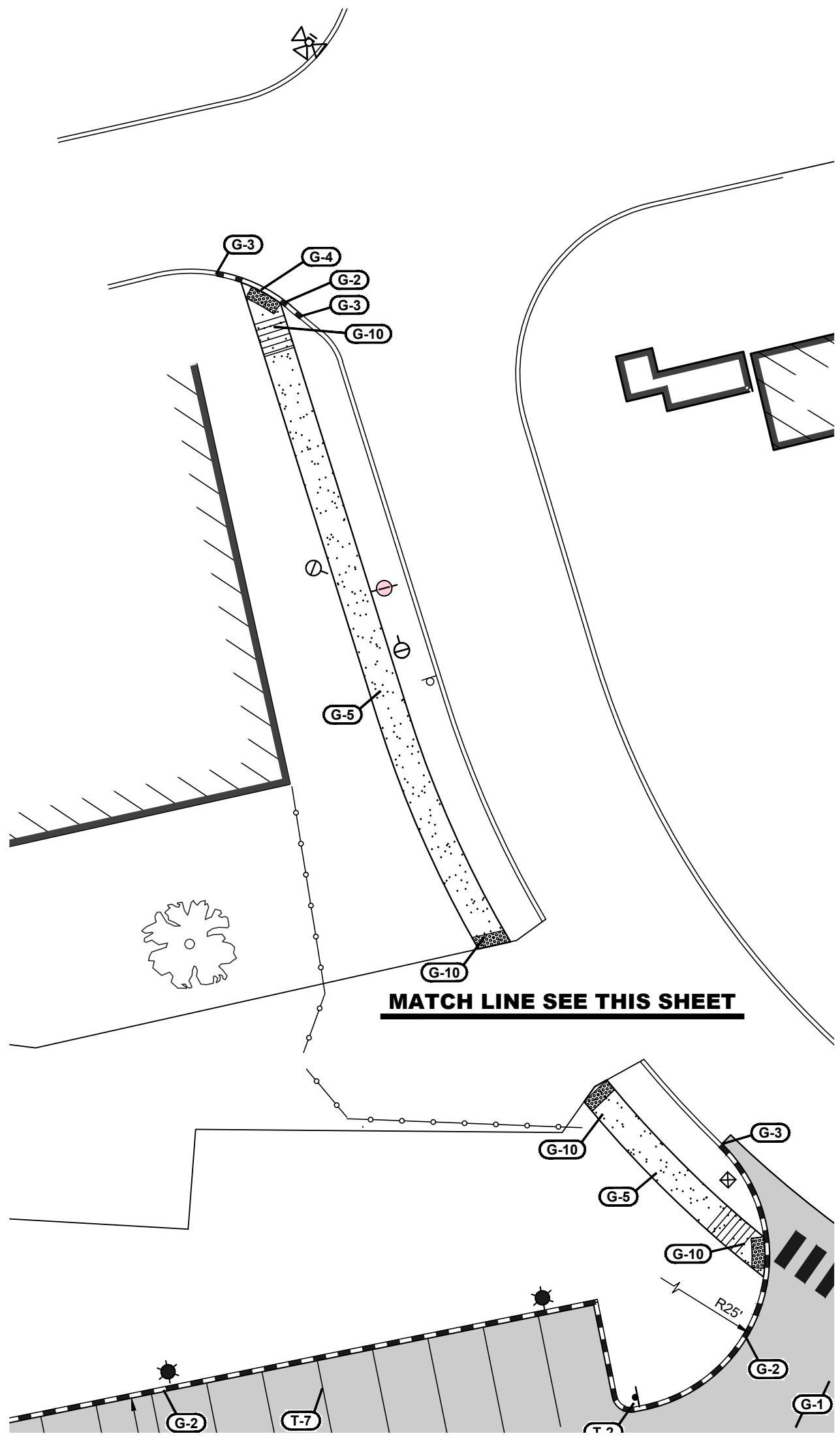
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- GENERAL CONSTRUCTION NOTES**
- G-1** INSTALL BITUMINOUS CONCRETE PAVEMENT. SEE PAVEMENT SECTION, SHEET C-901
G-2 INSTALL P.C.C. CURB (DEDOT - TYPE 1-4). SEE DEDOT STANDARD DETAIL C-1, LATEST EDITION AND SHEET C-901.
G-3 CONNECT PROPOSED CURB TO EXISTING CURB AT LOCATIONS SHOWN. TRANSITION CURB TO MATCH EXISTING IF NECESSARY.
G-4 DEPRESS NEW CURB AT LOCATION OF ACCESSIBLE SIDEWALK CURB RAMP.
G-5 INSTALL 4" THICK CONCRETE SIDEWALK OVER 4" THICK GRADED AGGREGATE BASE COURSE AT LOCATIONS SHOWN. SEE DETAIL, SHEET C-901.
G-6 INSTALL TWO (2) SPACE BIKE RACKS. (FOUR TOTAL SPACES). SEE DETAILS, SHEET C-901.
G-7 INSTALL 6" DIA. STEEL PIPE BOLLARD FILLED SOLID WITH CONCRETE. SPACE 4'-0" O.C. INSTALL HDPE BOLLARD COVER (TYP.) COLOR TO BE SAFETY YELLOW. SEE DETAIL, SHEET C-901.
G-8 INSTALL KNOX BOX ADJACENT TO FRONT ENTRY DOOR. CONTACT THE CITY OF DOVER FIRE MARSHAL'S OFFICE TO PURCHASE AND FOR AUTHORIZED PLACEMENT & INSTALLATION REQUIREMENTS.
G-9 TAPER CURB TO GRADE AT BUILDING.
G-10 INSTALL ACCESSIBLE RAMP IN ACCORDANCE WITH LATEST ADA STANDARDS (12:1 MAXIMUM SLOPE) (TYP.) SEE DETAIL, SHEET C-901. DEPRESS CURB AT ALL RAMPS. INSTALL PRECAST TRUNCATED DOMES AT ALL RAMPS.
G-11 CONNECT NEW PAVEMENT TO EXISTING PAVEMENT USING PAVEMENT TIE-IN DETAIL. SEE DETAIL, SHEET C-901.
G-12 CONCRETE GENERATOR PAD. SEE ELECTRICAL PLANS FOR SIZE AND DETAILS.
G-13 CONCRETE TRANSFORMER/SWITCHGEAR PAD. SEE ELECTRICAL PLANS FOR SIZES AND DETAILS.
G-14 INSTALL 4" THICK CONCRETE PAD OVER 4" THICK GRADED AGGREGATE BASE COURSE ALONG FRONT OF GREENHOUSE WALL.
G-15 INSTALL TRENCH PAVEMENT PATCH AFTER INSTALLATION OF NEW UTILITY. SEE DETAIL, SHEET, C-903.
G-16 INSTALL 3" DEPTH OF DECORATIVE STONE ON LANDSCAPE FABRIC.

- STRIPING & SIGNAGE CONSTRUCTION NOTES**
- T-1** INSTALL ACRYLIC PAINTED STRIPING - 4" WIDE SOLID YELLOW FIRE LANE LINE (TYP.).
T-2 INSTALL "FIRE LANE" SIGN PER DETAIL, SHEET C-901.
T-3 ALL CURB ADJACENT TO FIRE LANE SHALL HAVE TOP AND FACE OF CURB PAINTED YELLOW. WHERE CURB IS DERESSED PAINT TOP OF DERESSED CURB.
T-4 INSTALL "FIRE DEPARTMENT CONNECTION" SIGN IN ACCORDANCE WITH DSFPR. MOUNT SIGN ABOVE CONNECTION. SEE DETAIL, SHEET C-901.
T-5 INSTALL PAINTED "FIRE LANE" TEXT ON PAVEMENT. WORD HEIGHT SHALL BE 10" IN HEIGHT AND 20" IN WIDTH. DISTANCE BETWEEN THE WORD "FIRE" AND "LANE" SHALL BE NO GREATER THAN 30". SPACING BETWEEN SETS SHALL BE NO GREATER THAN 100".
T-6 PAINT CURB YELLOW FOR 15 L.F. TO EITHER SIDE OF HYDRANT LOCATION PER DELAWARE STATE FIRE REGULATIONS.
T-7 INSTALL ACRYLIC PAINTED STRIPING - 4" WIDE SOLID WHITE LINE. (TYP.)
T-8 INSTALL ACRYLIC PAINTED STRIPING - 4" WIDE SOLID HANDICAPPED BLUE (TYP. ALL HANDICAPPED SPACES)
T-9 INSTALL ACRYLIC PAINTED STRIPING - 4" WIDE HANDICAPPED BLUE CROSS-HATCHED STRIPING @ 45, 4" O.C. SPACING (TYP.) BORDERED BY 4" SOLID HANDICAPPED BLUE ACRYLIC PAINTED STRIPING.
T-10 INSTALL ACRYLIC PAINTED HANDICAPPED SYMBOL - HANDICAPPED BLUE (TYP.). SEE DETAIL, SHEET C-901.
T-11 INSTALL 16" WIDE WHITE THERMO STOP BAR IN ACCORDANCE WITH "DEMUTCD". (TYP.)
T-12 INSTALL ACRYLIC PAINTED "PIANO KEY" PEDESTRIAN CROSSWALK - 24" WIDE x 8' LONG SOLID WHITE LINES WITH 24" SPACING. SEE DETAIL, SHEET C-901.
T-13 INSTALL "STOP" SIGN 30" X 30" (R1-1) IN ACCORDANCE WITH THE LATEST "DEMUTCD". SEE DETAIL, SHEET C-901
T-14 INSTALL "HANDICAPPED PARKING" SIGN. SEE DETAIL, SHEET C-901.
T-15 INSTALL "HANDICAPPED PARKING" SIGN WITH VAN ACCESSIBLE PLACARD. SEE DETAIL, SHEET C-901.

NOTE:
STANDARD SIGN POST FOR ALL ROAD SIGNS SHALL BE AS SHOWN IN STOP SIGN AND BREAKAWAY POST DETAIL, SHEET C-902



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302.734.7950

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North Carolina

3333 Jaeckle Drive, Suite 120
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PROJECT TITLE

**DELAWARE
STATE
UNIVERSITY
NEW
AGRICULTURE
BUILDING**

1200 N. DUPONT HWY.
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

SITE PLAN



ISSUE BLOCK

ISSUE	BLOCK	DATE	DESCRIPTION
1	8-15-23	ISSUED FOR PRICING	
2	8-29-23	CITY OF DOVER SITE PLAN SUBMISSION	

PROJECT NO.: 2022081.00

DATE: 05-16-22

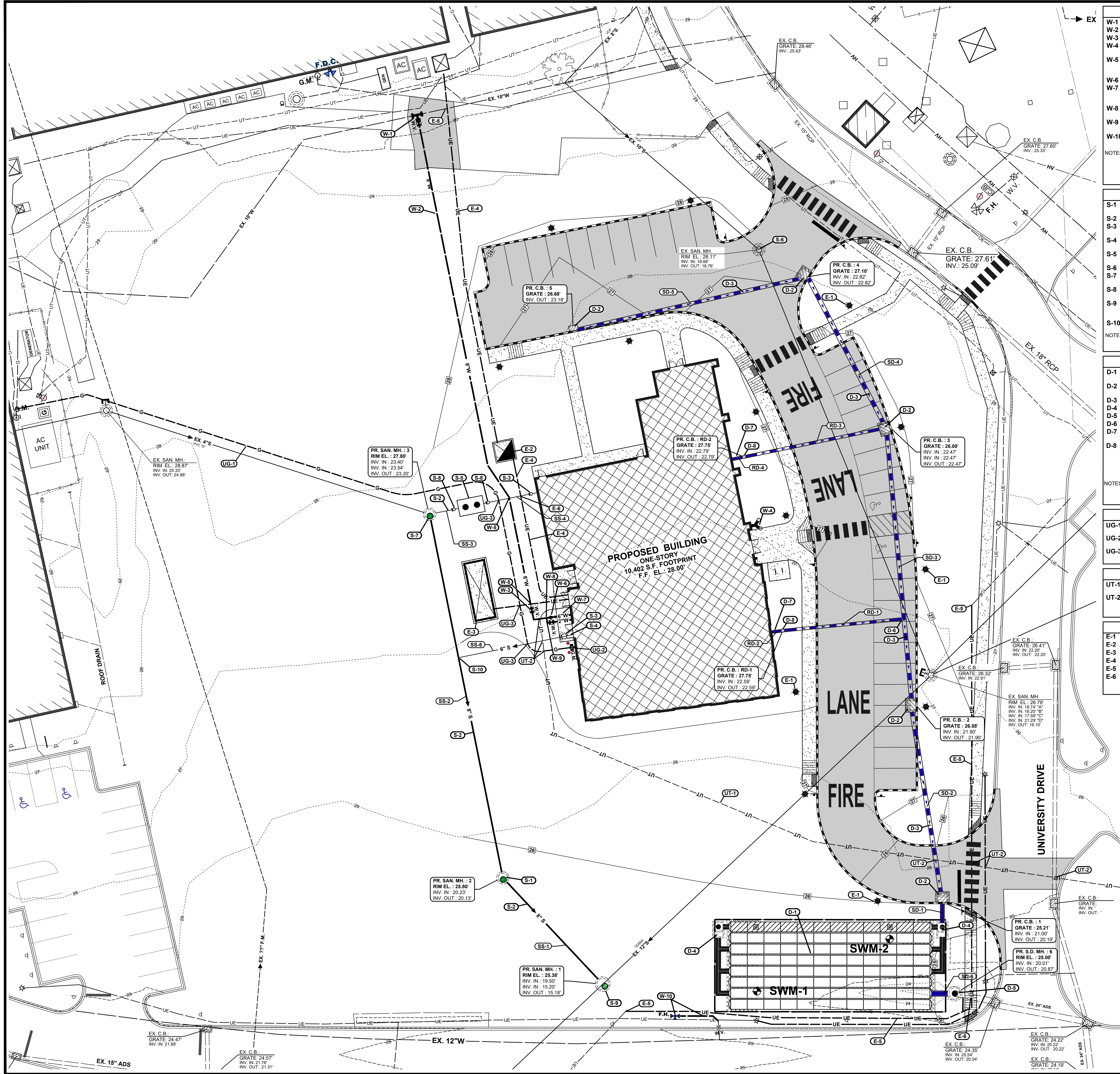
SCALE: 1" = 20'

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

SHEET

C-201

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- DOMESTIC/FIRE WATER SYSTEM CONSTRUCTION NOTES**
- W-1 INSTALL 10"x10"x5" TAPPING SLEEVE AND 9" TAPPING VALVE AT LOCATION SHOWN.
 - W-2 INSTALL 8" DIA. PVC C900, DR 18 WATER MAIN, (48" MINIMUM COVER), (TYP.)
 - W-3 INSTALL 8" D.I. GATE VALVE WITH VALVE BOX (TYP.), SEE DETAIL, SHEET C-903.
 - W-4 INSTALL 5" DIA "STORZ" FIRE DEPARTMENT CONNECTION WITH 30" ANGLE PATTERN ON BUILDING. INSTALL "FIRE DEPARTMENT CONNECTION" SIGN PER DELAWARE STATE FIRE PREVENTION REGULATIONS. SEE SIGN DETAILS, SHEET C-901.
 - W-5 DEFLECT WATER MAIN UNDER OTHER UTILITIES WHERE IN CONFLICT OR IN ORDER TO MAINTAIN MINIMUM 48" COVER AND 18" MIN. VERTICAL SEPARATION BETWEEN WATER AND SANITARY AND MIN. 12" VERTICAL SEPARATION BETWEEN WATER AND OTHER UTILITIES AT ALL CROSSINGS. SEE CROSSING DETAIL, SHEET C-903.
 - W-6 INSTALL 8"x 6" REDUCER AT LOCATION SHOWN.
 - W-7 INSTALL 6" DIA. FIRE SERVICE MAIN INTO THE SPRINKLER ROOM. TRANSITION FROM 6" DIA. C909 CL 235 PVC PIPE TO 6" DIA. DUCTILE IRON CLASS 50 PIPE 5' OUTSIDE BUILDING. INSTALL FIRE SERVICE THROUGH FLOOR IN BUILDING AND ANCHOR TO FLOOR PER FIRE MAIN PIPE RESTRAINT DETAIL, SHEET C-901 UP DETAIL AND ANCHOR DETAIL, SHEET C-903.
 - W-8 INSTALL SERVICE SADDLE FOR 2" SERVICE. TAP MAIN AND CONNECT 2" DIA. P.E. SDR 9 CLASS 160 DOMESTIC WATER SERVICE.
 - W-9 INSTALL 2" DIA. P.E. SDR 9 CLASS 160 WATER SERVICE INTO SPRINKLER ROOM. SEE WATER SERVICE CONNECTION DETAIL AND VALVE DETAIL, SHEET C-903.
 - W-10 INSTALL ADDITIONAL 8" DIA. DUCTILE IRON CLASS 52 HYDRANT LEAD TO LOCATION FOR RE-INSTALLATION OF FIRE HYDRANT REMOVED DURING DEMOLITION. RE-INSTALL HYDRANT.
- NOTES:
- ALL VALVES AND FITTINGS 4" AND ABOVE IN SIZE TO BE D.I.M.J. AND SHALL BE RESTRAINED WITH M.J. MEGA LUGS. FITTINGS FOR SERVICE LINES 2" AND SMALLER SHALL BE BRASS.
 - ALL WATER MAINS/SERVICES TO BE INSTALLED WITH TRACER WIRE AND DETECTOR TAPE. SEE STANDARDS ON SHT. C-304
 - ALL TRENCH COMPACTION TO ACHIEVE 95% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY AS DETERMINED BY THE MODIFIED PROCTOR TEST, ASTM D 1557.

- SANITARY SEWER CONSTRUCTION NOTES**
- S-1 INSTALL PRECAST CONCRETE MANHOLE WITH HEAVY DUTY FRAME AND COVER "SANITARY SEWER". SEE DETAILS, SHEET C-903, AND SANITARY SEWER MANHOLE SCHEDULE, SHEET C-302.
 - S-2 INSTALL 8" PVC SDR 35 SANITARY SEWER MAIN. SEE SANITARY SEWER PIPE SCHEDULE, SHEET C-302.
 - S-3 INSTALL PVC SDR 35 CLEANOUT WITH CAST IRON FRAME AND COVER, (TYP.). SIZE TO MATCH PIPE SIZE. SEE DETAIL, SHEET C-903, (TYP.)
 - S-4 TRANSITION FROM BUILDING SEWER SIZE AND TYPE TO 6" DIA. PVC SDR 35 LATERAL SIZE USING REQUIRED FITTINGS/ADAPTERS PRIOR TO CLEANOUT, (TYP.)
 - S-5 INSTALL 1,500 GALLON PRECAST CONCRETE GREASE INTERCEPTOR WITH MANHOLE FRAME AND COVERS AND MANWAY EXTENSIONS TO GRADE. INLET AND OUTLET PIPES TO BE 6" DIA. SEE DETAIL, SHEET C-903
 - S-6 ADJUST EXISTING MANHOLE FRAME AND COVER TO FINAL GRADE.
 - S-7 INSTALL PRECAST CONCRETE INTERNAL DROP MANHOLE WITH RELINER DROP CONNECTION AND HEAVY DUTY FRAME AND COVER. SEE DETAILS, SHEET C-302 AND C-903.
 - S-8 INSTALL PVC SDR 35 CLEANOUT WITH CAST IRON FRAME AND COVER, (TYP.) ON INLET AND OUTLET PIPES OF GREASE INTERCEPTOR. SEE CLEANOUT DETAIL, SHEET C-903
 - S-9 INSTALL PRECAST CONCRETE INTERNAL DROP MANHOLE WITH RELINER DROP CONNECTION AND HEAVY DUTY FRAME AND COVER INTO EXISTING 12" SANITARY SEWER MAIN. MANHOLE MUST BE INSERTED INTO LINE. THE CITY OF DOVER DOES NOT ALLOW DOGHOUSE MANHOLES. SEE DETAILS, SHEET C-302 AND C-903.
 - S-10 CONNECT LATERAL TO MAIN USING 8"x8"x6" SANITARY WYE AND 1/8 BEND COMBINATION FITTING.
- NOTES:
- ALL TRENCH COMPACTION TO ACHIEVE 95% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY AS DETERMINED BY THE MODIFIED PROCTOR TEST, ASTM D 1557.
 - ALL SEWER MAINS SHALL BE INSTALLED WITH DETECTOR TAPE.

- STORM SEWER CONSTRUCTION NOTES**
- D-1 INSTALL STORMTECH UNDERGROUND INFILTRATION STORM WATER MANAGEMENT SYSTEM. SEE PLANS, DETAILS AND SECTIONS, SHEET C-503 AND C-504.
 - D-2 INSTALL STORM DRAIN CATCH BASIN (TYP.). SEE STORM DRAIN CATCH BASIN SCHEDULE, SHEET C-302 AND DETAILS, SHEET C-902 AND C-903.
 - D-3 INSTALL STORM DRAIN PIPE. SEE STORM DRAIN PIPE SCHEDULE, SHEET C-302.
 - D-4 INSTALL INFILTRATION SYSTEM INLET STRUCTURE. SEE DETAILS, SHEET C-505.
 - D-5 INSTALL INFILTRATION SYSTEM OUTLET STRUCTURE. SEE DETAILS, SHEET C-505.
 - D-6 CONNECT ROOF DRAIN PIPE TO MAIN USING INSERTA TEE FITTINGS.
 - D-7 CONNECT ROOF DRAIN PIPE FROM BUILDING TO 18" DIA. ADS NYLOPLAST DRAIN BASIN. SEE PIPE SCHEDULE DETAIL, SHEET C-302
 - D-8 INSTALL 18" DIA. ADS NYLOPLAST DRAIN BASIN WITH SOLID COVER. SEE DETAIL, SHEET C-905.
- NOTES:
- ALL TRENCH COMPACTION TO ACHIEVE 95% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY AS DETERMINED BY THE MODIFIED PROCTOR TEST, ASTM D 1557.
 - ALL H.D.P.E. PIPE & FITTINGS SHALL BE ADS N-12 WT (WATERTIGHT) PIPE MEETING ASTM 3212 AND C969.

- GAS CONSTRUCTION NOTES**
- UG-1 PROPOSED GAS SERVICE ROUTING TO BUILDING FROM UTILITY COMPANY DEMARCATION POINT. ROUTING AND INSTALLATION BY UTILITY COMPANY. SEE PLUMBING DRAWINGS FOR METER AND BUILDING ENTRANCE DETAILS.
 - UG-2 PROPOSED GAS METER LOCATION. SEE PLANS BY OTHERS FOR DETAIL OF SERVICE ENTRANCE INTO BUILDING. SERVICE CONNECTION POINT TO MAIN AND ROUTING OF SERVICE TO THE METER LOCATION TO BE DETERMINED BY GAS COMPANY.
 - UG-3 DEFLECT CONDUITS UNDER OTHER UTILITIES WHERE IN CONFLICT IN ORDER TO MAINTAIN MINIMUM 24" COVER AND 12" MIN. VERTICAL SEPARATION.

- COMMUNICATIONS CONSTRUCTION NOTES**
- UT-1 PROPOSED COMMUNICATION SERVICE ROUTING TO BUILDING FROM UTILITY COMPANY DEMARCATION POINT. FOR ROUTING AND DETAILS SEE M.E.P. DRAWINGS FOR DETAILS.
 - UT-2 DEFLECT CONDUITS UNDER OTHER UTILITIES WHERE IN CONFLICT IN ORDER TO MAINTAIN MINIMUM 24" COVER AND 12" MIN. VERTICAL SEPARATION.

- ELECTRIC CONSTRUCTION NOTES**
- E-1 PROPOSED SITE LIGHT POLE (TYP.). SEE SITE ELECTRICAL PLANS BY OTHERS FOR DETAILS.
 - E-2 PROPOSED TRANSFORMER LOCATION. SEE SITE ELECTRICAL PLANS BY OTHERS FOR DETAILS.
 - E-3 PROPOSED EMERGENCY GENERATOR. SEE SITE ELECTRICAL PLANS BY OTHERS FOR DETAILS.
 - E-4 INSTALL NEW ELECTRIC SERVICE/CONCRETE DUCT BANK. SEE M.E.P. PLANS FOR DETAILS.
 - E-5 LOCATION FOR RE-ROUTED ELECTRIC SERVICE/DUCTBANK. SEE SHEET M.E.P. PLANS FOR DETAILS.
 - E-6 DEPRESS ELECTRIC SERVICE/DUCTBANK UNDER OTHER UTILITIES AT CROSSINGS WHERE NECESSARY DUE TO CONFLICTING ELEVATIONS.

- NOTES:**
- CONTRACTOR SHALL VERIFY LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES ON SITE PRIOR TO START OF CONSTRUCTION OR ORDERING OF MATERIALS AND SHALL REPORT CONFLICTS/ISSUES TO THE ENGINEER.
 - SEE CITY OF DOVER UTILITY CONSTRUCTION GENERAL NOTES ON SHEET C-302 FOR GENERAL REQUIREMENTS AND STANDARD MATERIALS OF CONSTRUCTION FOR WATER AND SANITARY SEWER SYSTEMS.
 - ALL SANITARY SEWER AND STORM DRAIN MANHOLE FRAMES/COVERS AND WATER VALVE BOXES WITHIN THE PROJECT BOUNDARY SHALL BE ADJUSTED TO FINAL GRADES WHETHER NOTED INDIVIDUALLY OR NOT.
 - THE CITY OF DOVER MAINTAINED DELAWARE STATE PUMP STATION (PS#18) SHALL BE ACCESSIBLE AT ALL TIMES DURING CONSTRUCTION BY CITY STAFF. THE CITY OF DOVER DEPARTMENT OF PUBLIC WORKS SHALL BE NOTIFIED OF ANY DISRUPTIONS.



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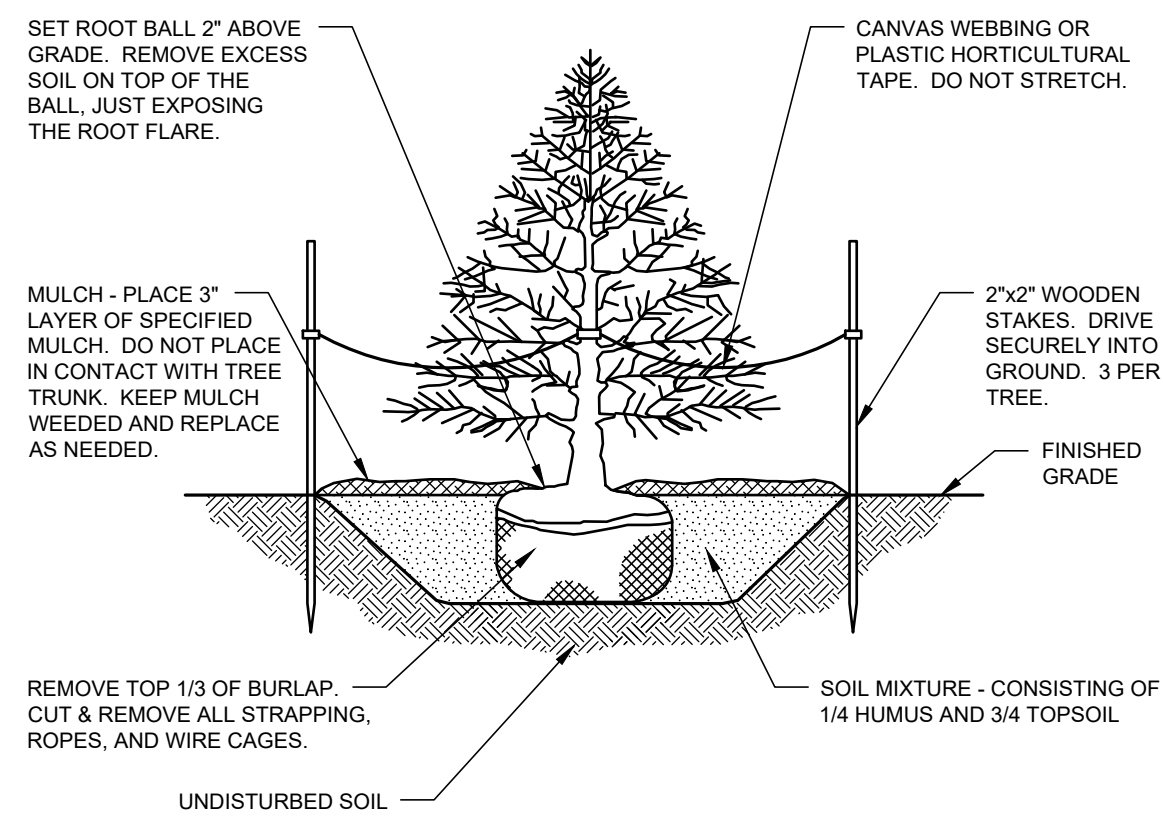
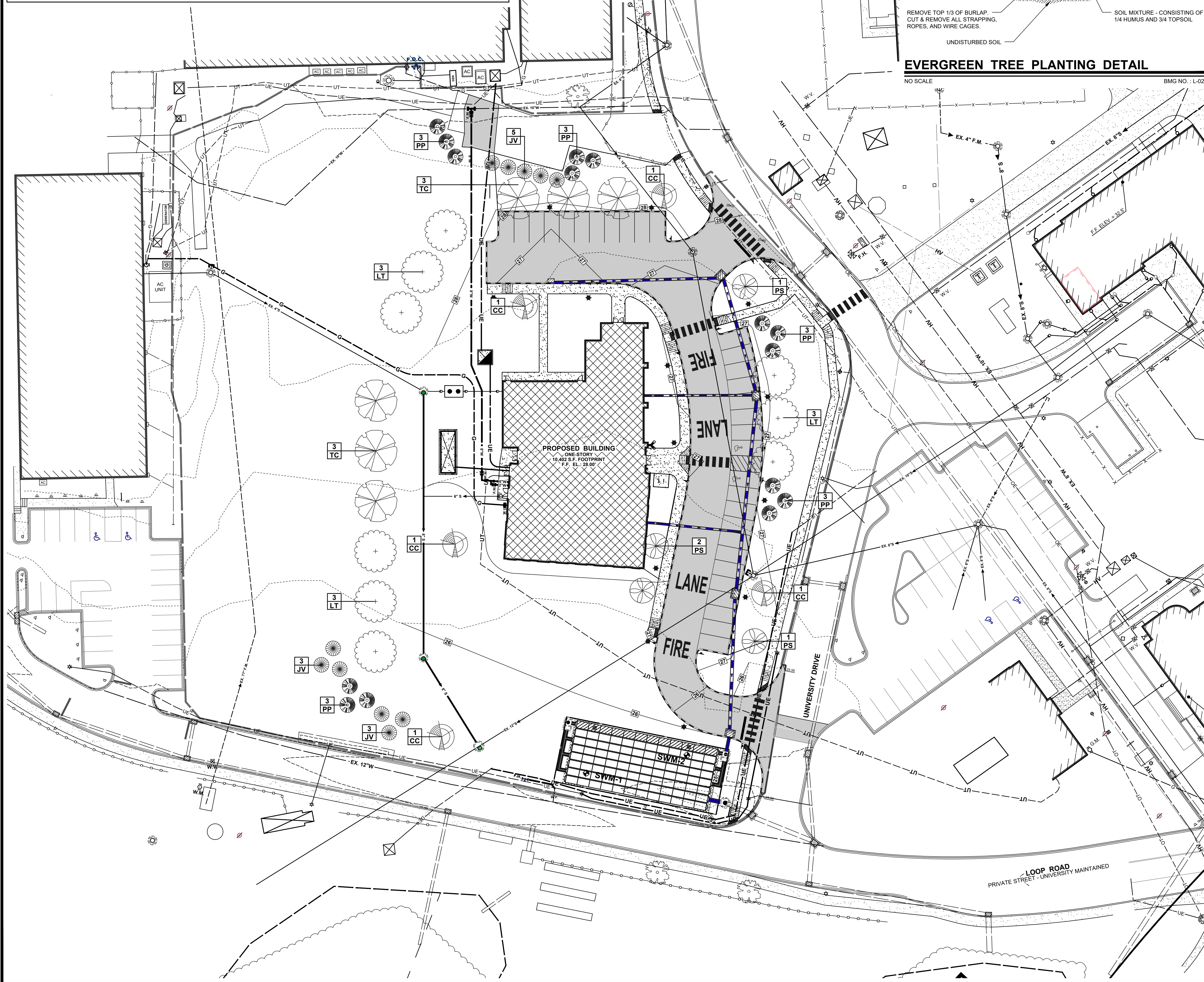
UTILITY PLAN

0 10 20 40
SCALE: 1" = 20'

ISSUE BLOCK

NO.	DATE	DESCRIPTION
1	8-15-23	ISSUED FOR PRICING
2	8-29-23	CITY OF DOVER SITE PLAN SUBMISSION
1	8-15-23	ISSUED FOR PRICING
MARK	DATE	DESCRIPTION
LAYER/STATE: C-301		
PROJECT NO.: 2022081.00		
DATE: 05-16-22		
SCALE: 1" = 20'		
DRAWN BY: M.J.H. PROJ. MGR.: M.J.H.		
SHEET		
C-301		
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PLANT LIST						
KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
UNDERSTORY TREES						
CC	5	CERCIS CANADENSIS	EASTERN REDBUD	1 1/2" CAL	B&B	FHV
PS	4	PRUNUS SERRILATA 'KWANZAN'	KWANZAN CHERRY	1 1/2" CAL	B&B	FHV
CANOPY TREES						
LT	9	PRUNUS CERASIFERA 'THUNDERCLOUD'	KWANZAN CHERRY	2" CAL	B&B	FHV
TC	6	TILIA CORDATA 'GREENSPIRE'	'GREENSPIRE' LITTLE LEAF LINDEN	2" CAL	B&B	FHV
EVERGREEN TREES						
PP	15	PICEA PUNGENS 'KOSTER'	COLORADO BLUE SPRUCE	6'-8'	B&B	FHV
JV	11	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	6'-8'	B&B	FHV
TOTAL: 50 TREES						



EVERGREEN TREE PLANTING DETAIL

NO SCALE

BMG NO. : L-02

GENERAL LANDSCAPE NOTES :

1. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK."
2. EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
3. ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 7'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE DETAIL SHOWN.
4. PLANT MATERIALS DELIVERED TO THE SITE IN UNCOVERED TRUCKS WILL BE REJECTED.
5. UNACCEPTABLE PLANT MATERIALS: MATERIALS WHICH HAVE DAMAGED OR CROOKED LEADERS, DEFORMED GROWTH HABIT, ABRASIONS OF THE BARK, SUN SCALD, WINDBURN, DISFIGURING NOT COMPLETELY CALLED USE WILL BE REJECTED. IN ADDITION, TREES HAVING THEIR CENTRAL LEADERS HEADED BACK WILL ALSO BE REJECTED. PLANTS WITH LOOSE OR CRACKED ROOT BALL OR CONTAINERS WILL BE REJECTED.
6. ALL PLANTS SHALL BE PLANTED IN TOPSOIL THAT IS THOROUGHLY WATERED AND TAMPED AS BACKFILLING. PROGRESSES, NOTHING BUT SUITABLE TOPSOIL, FREE OF FRY DOD, STIFF CLAY, LITTER, STONES IN EXCESS OF ONE (1) INCH DIAMETER, ETC. SHALL BE USED FOR PLANTING.
7. MULCH FOR PLANTING BEDS SHALL BE SHREDDED HARDWOOD BARK MULCH UNLESS OTHERWISE SPECIFIED ON THE PLANS AND SHALL HAVE NO LEAVES, YOUNG GREEN GROWTH, BRANCHES, TWIGS, GREATER IN DIAMETER OF 1/2", WEEDS, SHAVINGS OR FOREIGN MATERIAL, SUCH AS STONES, ETC. SHALL BE MIXED WITH THE MULCH. ALL PLANTING MASSSES SHALL BE PLANTED IN CONTINUOUS WALLS OR BEDS WITH A LIGHTLY COMPACTED DEPTH OF THREE (3) INCHES. ALL CONTAINER PLANTS ARE TO HAVE ROOTS CUT ON FOUR SIDES AND/ OR SPREAD OUT IN NEW SOIL MIXTURE.
8. ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN AND NOTES)
9. LANDSCAPE BEDS NOT DEFINED BY CURBS, SIDEWALKS, WALLS OR OTHER STRUCTURES SHALL BE ENCLOSED BY ALUMINUM EDGING UNLESS OTHERWISE INDICATED.
10. AREAS DISTURBED BY LANDSCAPE OPERATIONS SHALL BE GRADED TO MATCH EXISTING TOPSOIL AND SEED OR SOIL AS REQUIRED.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
12. NO PLANT, REJECTED GROUNDCOVERS, SHALL BE WITHIN THREE (3) FEET FROM SIDEWALKS.
13. NO TREE SHALL BE PLANTED CLOSER THAN TEN (10) FEET FROM ANY STRUCTURE OR BUILDING.
14. NO TREE SHALL BE PLANTED WITHIN TEN (10) FEET OF UNDERGROUND UTILITIES OR FIRE HYDRANTS.
15. ONLY TREES THAT REACH A HEIGHT AND SIZE AT MATURITY OF SMALL TO MEDIUM SHALL BE PLANTED UNDER POWER LINES.
16. THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON, UNLESS THE OWNER AGREES TO MAINTAIN AND WATER THEM.
17. TREES TO REMAIN ON-SITE SHALL BE PROTECTED WITH SNOW FENCE DURING CONSTRUCTION (SEE DETAIL), SNOW FENCING TO BE MAINTAINED DURING CONSTRUCTION BY CONTRACTOR.
18. THE PLANTING PLAN SHALL TAKE PRECEDENCE OVER THE PLANT SCHEDULE SHOULD ANY PLANT QUANTITY DISCREPANCIES OCCUR.
19. NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER AND/ OR THE LANDSCAPE ARCHITECT.
20. ALL NEW TREES SHALL BE GUARANTEED TO SURVIVE FOR ONE FULL YEAR AFTER INSTALLATION (FULL COST), ALL STAKES AND GUYS SHALL BE REMOVED FROM TREES AND SITE AS EARLY AS THREE (3) MONTHS, BUT NO LONGER THAN ONE (1) YEAR AFTER PLANTING.

DELAWARE LANDSCAPE ARCHITECTS CERTIFICATION

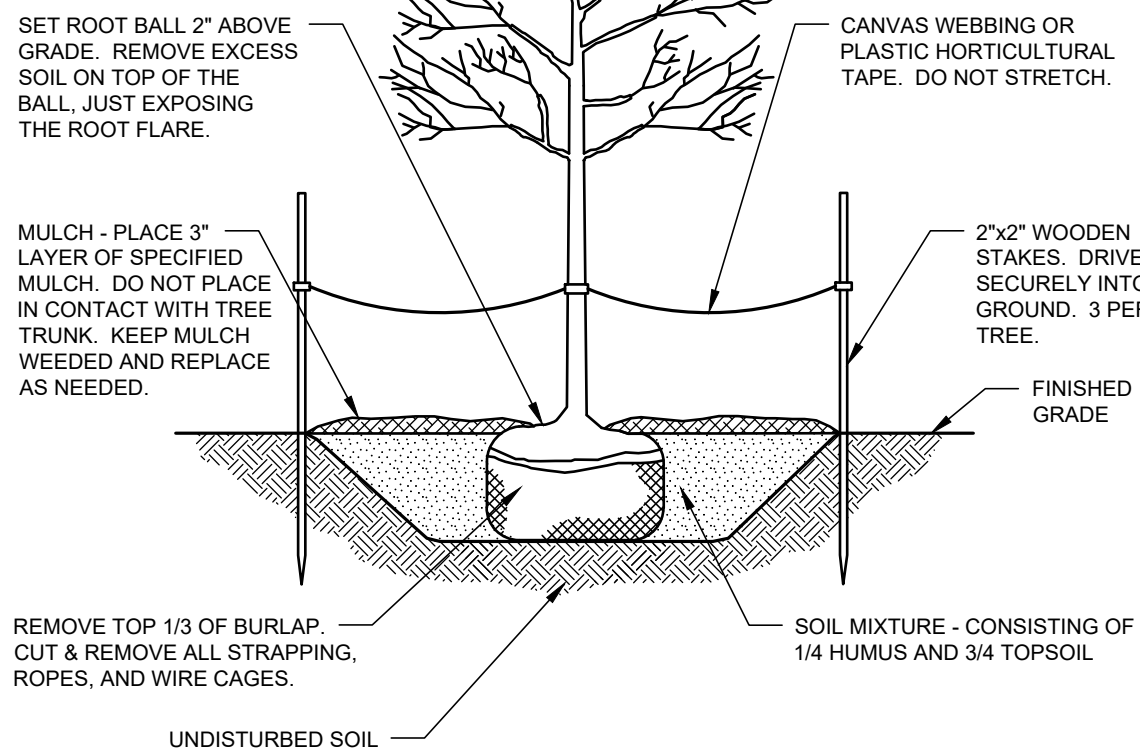
I, CHAD D. CARTER, RLA, ASLA, HEREBY CERTIFY THAT I AM A LANDSCAPE ARCHITECT IN THE STATE OF DELAWARE, THAT THE LANDSCAPING INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF, REPRESENTS GOOD LANDSCAPING PRACTICES.

CHAD D. CARTER, RLA, ASLA S1-499 DATE

TREE PRESERVATION & DENSITY REQUIREMENTS

- | | | |
|----|---|---|
| 1. | EXISTING WOODLAND AREA : | 0 SF |
| 2. | WOODLANDS TO BE CLEARED : | 0 SF |
| 3. | TOTAL WOODLANDS REMAINING : | 0 SF |
| 4. | TOTAL NON-WOODLAND AREA : | 149,950 SF |
| 5. | DENSITY : 1 TREE PER 3,000 S.F. OF LOT AREA | 149,950 S.F. / 3,000 S.F. / TREE = 50 TREES |
| 6. | EXISTING TREES TO BE RETAINED : | 0 TREES |
| 7. | PROPOSED TREES : | 50 TREES |
| 8. | TOTAL TREES : | 50 TREES |

NOTE:
DO NOT HEAVILY PRUNE THE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR DEAD BRANCHES. SOME INTERIOR TWIGS AND LATERAL BRANCHES MAY BE PRUNED; HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN.



DECIDUOUS TREE PLANTING DETAIL

NO SCALE BMG NO. : L-0

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GROUP

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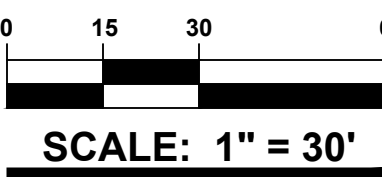
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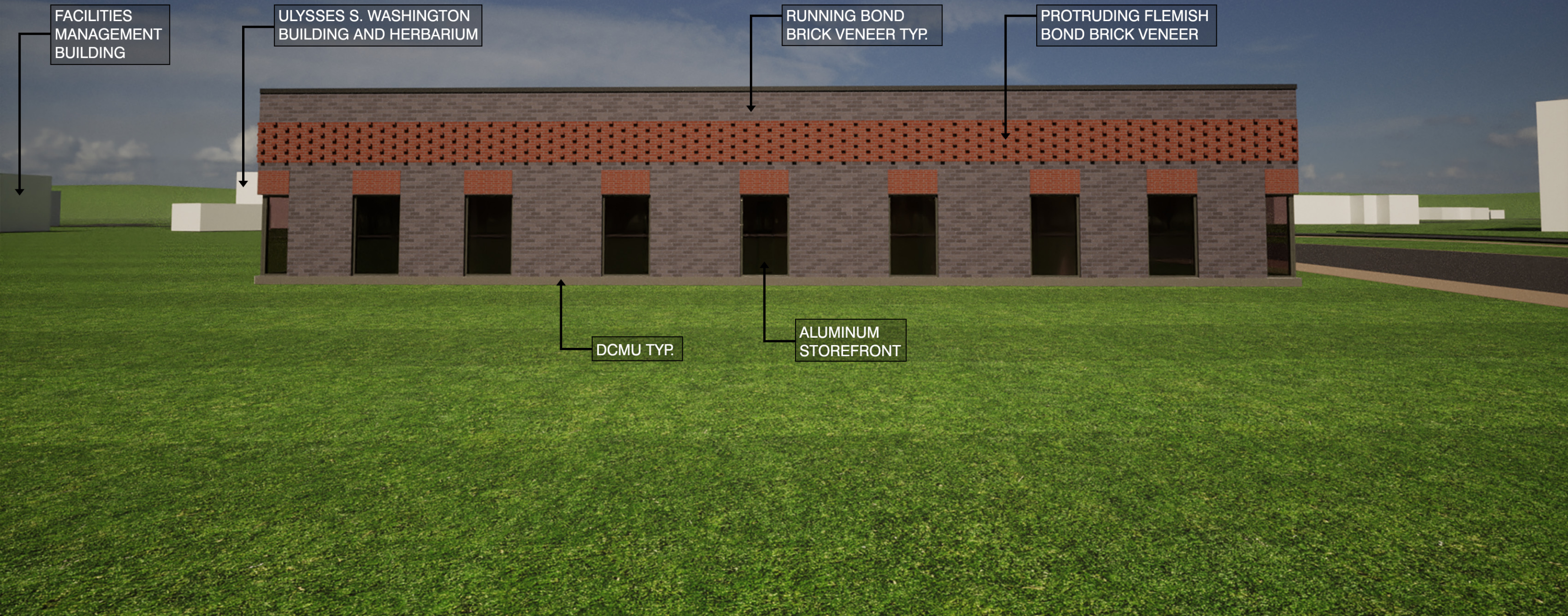
LANDSCAPE PLAN

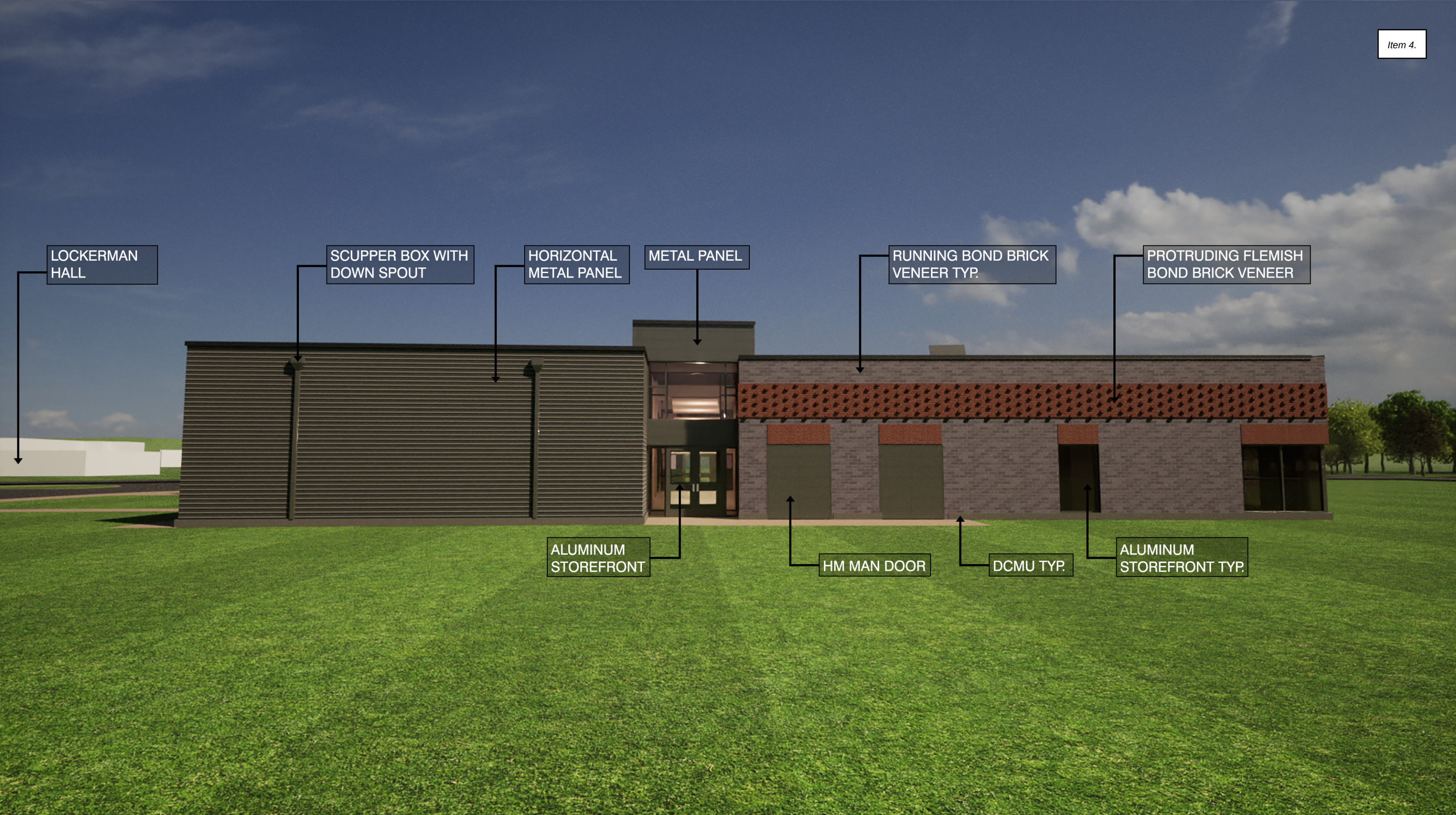


ISSUE BLOCK

1	8-15-23	ISSUED FOR PRICING			
MARK	DATE	DESCRIPTION			
LAYER STATE:	L001				
PROJECT NO.:		2022081.00			
DATE:		05-16-22			
SCALE:		1' = 30'			
DRAWN BY: S.W.A.		PROJ. MGR.: M.J.H.			
SHEET					
L-001					
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LOCKERMAN
HALL

SCUPPER BOX WITH
DOWN SPOUT

HORIZONTAL
METAL PANEL

METAL PANEL

RUNNING BOND BRICK
VENEER TYP.

PROTRUDING FLEMISH
BOND BRICK VENEER

ALUMINUM
STOREFRONT

HM MAN DOOR

DCMU TYP.

ALUMINUM
STOREFRONT TYP.





DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF October 4, 2023

PLANNING COMMISSION MEETING OF October 16, 2023

Plan Title: Windward Ridge Apartments, S-23-19

Plan Type: Site Development Plan and Minor Lot Line Adjustment Plan
Active Recreation Area Plan

Location: North Side of West Denneys Road and west of but not adjacent to West Denneys Road

Addresses: 57 Rocky Road
4085 West Denneys Road
Unaddressed parcel on north side of West Denneys Road

Tax Parcels: ED-05-056.00-01-02.00-000
ED-05-056.00-01-03.00-000
ED-05-056.00-01-04.00-000

Owners: George L. Craig Jr. and Deborah J. Craig
Robert G. Keller and Gloria K. Keller
Bruce A. Burkett

Equitable Owner/Developer: Jack Lingo Asset Management, LLC

Site Area: Lot A: 3.5 acres +/-
Lot B: 1.01 acres +/-
Remaining Lot Area: 35.61 acres (Project Area)
Total: 40.12 Acres +/-

Zoning: RM-2 (Medium Density Residence Zone and partially subject to SWPOZ (Source Water Protection Overlay Zone)

Current Use: Two Single Family Detached Dwellings (to remain) and Woodland

Proposed Use: Garden Style Apartments (Multi-family Community)
Dwelling Units: 300 apartment units

Parking for Apartments: Required: 675 spaces and 1 space for office
Proposed: 724 spaces

Water: Tidewater Utilities (in their CPCN)
Sewer: City of Dover

For Consideration: Active Recreation Area Plan

Recreation Area: Required – 83,050 SF (1.90 acres+/-)
Provided – 97,360 SF (2.24 acres+/-)

Waiver Requests: Partial Elimination of Sidewalk
Subdivision Waiver for Requirement for Two Connections to Public
Street

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: October 4, 2023

APPLICATION: Windward Ridge Apartments on West Denneys Road

FILE #: S-23-19

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, Principal Planner PHONE #: (302) 736-7196

I. PLAN SUMMARY:

This application is for Review of a Site Development Plan Application for the construction of a thirteen (13) garden apartment building complex to be known as Windward Ridge. It consists of eleven (11) buildings containing twenty-four (24) units and two (2) buildings containing (18) units for a total of 300 apartment units. Also proposed are twelve (12) garage buildings, a Club House with Pool, walking paths, parking, and other site improvements. Two (2) existing single family detached dwellings will remain on separate lots after a Minor Lot Line Adjustment Plan to reconfigure the three properties. The properties are zoned RM-2 (Medium Density Residence Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone). The subject site consists of three parcels totaling 40.12 acres +/- located on the north side of West Denneys Road and west of but not adjacent to Carlisle Drive. The owners of record are George L. Craig Jr. and Deborah J. Craig; Robert G. Keller and Gloria K. Keller; and Bruce A. Burkett and the equitable owner is Jack Lingo Asset Management, LLC. Property Addresses: 57 Rocky Road, 4085 West Denneys Road, and an unaddressed parcel on West Denneys Road. Tax Parcels: ED-05-056.00-01-02.00-000, ED-05-056.00-01-03.00-000, and ED-05-056.00-01-04.00-000. Council District 1. *Review of Active Recreation Area. Waiver Requests: Partial Elimination of Sidewalk and Subdivision Waiver of Requirement for Two Connections to Public Street.*

Existing Properties:

The subject properties are located on the north side of West Denneys Road to the west of the residential subdivision known as Carlisle Village (Carlisle Village is not within the City). Adjacent areas to the south of West Denneys Road are within the City of Dover. The three parcels described below were recently annexed into the City of Dover (AX-22-03).

The Craig property (to be Lot A) includes a dwelling and other accessory structures off a private drive named Rocky Road. The north portion of the existing lot contains a large woodland area. The Keller property (to be Lot B) includes an existing single-family detached dwelling directly adjacent to West Denneys Road and continues to be predominately wooded for the balance of the parcel. The Burkett property is a wooded lot with no buildings adjacent to Carlisle Village. These properties are not currently served by City Electric or by City Water & Wastewater services. An equitable owner has filed an application for redevelopment of the properties for residential use as an apartment complex.

Surrounding Land Uses

To the east, the subject area is adjacent to the residential subdivision of Carlisle Village, an existing neighborhood of single-family detached dwellings zoned RS1 (in Kent County). To the south across West Denneys Road is the State owned parkland known as the Anne McClements Woodland as part of the Fork Branch Nature Preserve; it is zoned ROS (Recreational and Open Space Zone). Portions of this park area at the southeast corner of the intersection of Kenton Road and West Denneys Road were previously proposed for development as the Maidstone Subdivision prior to its donation/sale to the State to expand the park. The area consists of open fields and wooded areas. To the west of the subject area are other properties zoned AR (Agricultural Residential District) under the jurisdiction of Kent County including a church, other single family dwellings, and woodland areas. To the north, is a stream that is part of the Fork Branch waterway system and another wooded tract.

II. PREVIOUS APPLICATIONS:

The subject area (three properties) was annexed into the City in early 2023 with Application AX-22-03 Lands of Craig, Keller, and Burkett: Annexation of Three Parcels on West Denneys Road. At the time of annexation, the properties were rezoned to RM-2 (Medium Density Residence Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone).

III. PROJECT DESCRIPTION:

The Site Development Plan as submitted by the applicant for the Windward Ridge Apartments consists of thirteen (13) garden style apartment buildings consisting of eleven (11) buildings containing twenty-four (24) units and two (2) buildings containing eighteen (18) units for a total of 300 apartment units. Also proposed are twelve (12) garage buildings, a Club House with Pool, walking paths, parking, and other site improvements. Two (2) existing single family detached dwellings will remain on separate lots (Lot A and Lot B). The site also has a series of parking lots and six (6) small garage buildings each with six interior parking spaces. There is a sidewalk network throughout the site and walking paths/trails connecting to active recreation areas.

The Site Plan (Sheets 1-8 dated 8/15/2023) and the Architectural Drawings and Photo Series Set (Set of 8 ½" by 14" Sheets) also describes the approaches to the Active Recreation Area Plan amenities.

Minor Lot Line Adjustment Plan

This Site Plan includes a Minor Lot Line Adjustment Plan (Sheet 2) to reconfigure the existing three parcels to create a large tract for the apartment development. While the existing single family detached dwellings will remain each on their own lot. Lot A (Craig) at 57 Rocky Road is to consist of 3.5 acres+/- and include a single family detached residence and associated accessory buildings. Lot B (Keller) at 4085 West Denneys Road is to consist of 1.01 acres+/- . The balance of the properties and the other wooded parcel (Burkett) are the subject area for redevelopment.

Preliminary Land Use Services Review (PLUS)

An application (PLUS Review #2023-07-09) related to this Windward Ridge 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 July 26, 2023. This MOU requires that non-residential developments of over 75,000 square feet or residential developments containing 125 or more dwelling units complete the PLUS Review

process prior to application submission. The development proposal submitted by the developers to PLUS envisioned 312 apartment units* for the total 40.12 acres. Copies of the PLUS Review Comments are provided along with the Applicant's Response to the PLUS Comments.

**Note: The Plan design has since been refined to 300 apartment units.*

IV. ZONING REVIEW:

RM-2 (Medium Density Residential Zone)

The properties have the zoning of RM-2 (Medium Density Residence Zone). The types of permitted uses in the RM-2 (Medium Density Residence Zone) are given in Article 3 §7 of the *Zoning Ordinance* and referenced sections including Article 3 §1. One-Family Residence Zones. The RM-2 zone allows for a variety of housing unit types ranging from single family detached dwellings, duplexes, multiplexes, and townhouses to garden apartments. The RM-2 zone has a maximum gross residential density limitation of eight dwelling units per acre. The bulk standards are found *Zoning Ordinance*, Article 4 Section 4.6 and are based on the proposed housing type.

SWPOZ (Source Water Protection Overlay Zone)

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 northern 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*. The proposed use as garden apartment (residential) is not prohibited in the SWPOZ. 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 18.61 acres of the site is within the SWPOZ and of that 5.03 acres will be impervious; therefore, an impervious coverage of 27%.

V. PARKING SUMMARY:

The parking requirement for apartments is based on a rate of two (2) parking spaces per dwelling unit plus 0.25 space per dwelling unit for visitor parking. Based on the number of dwelling units (300 apartment units), this site would require 675 parking spaces. The plans submitted identify a total of 724 parking spaces located around the perimeter of the complex flanking the drive aisles and including handicapped accessible parking spaces near each building. There are also a series of 12 garage buildings of six spaces each throughout the complex. The Plan also identified EV parking spaces.

Bicycle Parking

Bicycle parking is required at a ratio of one space for every twenty parking spaces. With 724 vehicle parking spaces, then 37 bicycle parking spaces are required. The site plans submitted appear to identify six bike rack locations for a total of 42 bike spaces, but no details on format are provided.

Upright Curbing

The upright cubing for parking lots and drive aisles is required by the requirements of Article 6 Section 3.6(b) of the *Zoning Ordinance*. The type of curbing must be clarified on the Site Plan.

VI. SITE CONSIDERATIONS:

Access

The access to this Apartment Complex is with a divided boulevard style entrance/exit from West Denneys Road. The entrance drive is named Windward Boulevard which continues throughout the apartment complex as drive aisles. These drive aisles are named Crosswind Drive, Leeward Way, and Tradewind Way. These are not rights-of-way or roadways to be dedicated as City streets.

Subdivision Waiver: Requirement for Two Connections to Public Street

The *Land Subdivision Regulations* outline requirements for streets in Article VI. Subdivision – General Requirements and Design Standards, A. Streets. Subsection 8 lists provisions for interconnected streets including the requirement for two connections to a state or city maintained street for site developments containing more than 150 or more dwelling units.

Article VI. Subdivision – General Requirements and Design Standards

A. Streets

8. The creation of interconnected streets will be encouraged wherever the commission finds that such layout will not interfere with traffic convenience and safety. The commission shall determine the number of connections of streets in the proposed subdivision with existing streets. At least two connections onto a state-maintained road or a city-maintained street are required unless the Delaware Department of Transportation or the city engineer determines that the second connection will not be permitted or is determined to be nonfeasible. This requirement shall pertain to:

- (a) Subdivisions containing 20 or more lots, plots, sites, or parcels.
- (b) Site developments containing 150 or more dwelling units.

The Windward Ridge Apartment complex proposes 300 dwelling units. The Plan proposes one entrance connecting to West Denneys Road in the form of a divided boulevard entry. The Applicant has filed a written waiver request citing insufficient road frontage to accommodate two entrances due to length of frontage, the proximity of the existing Carlisle Drive, and the driveway entrances of the single family dwellings; see attached letter.

The Planning Commission will make a recommendation on this Subdivision Waiver to be forwarded to City Council for action as per *Land Subdivision Regulations*, Article VII. Special Provisions, A. Variance and waiver.

Article VII. Special Provisions

A. Variance and waiver.

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

Rear Emergency Access

Rear Emergency Access is required for some residential dwelling types. According to Article 5, Section 17 of the *Zoning Ordinance* an 18 ft. wide Secondary Fire Lane or 18 ft. wide subgrade emergency access lane is required for Apartments that are 2-3 stories to serve as rear access. This is to provide access to rear building areas. The plan calls for an emergency access lane network to reach the rear of each apartment building. The Fire Marshal's Office will also evaluate these fire protection measures as related to the fire lane requirements of the applicable Fire Codes.

Lighting

The plan must add a series of lighting fixtures to light the parking lots and access ways to the buildings.

Sidewalks

Sidewalks are shown on the plans between the parking areas and the building access points. These sidewalks are on the building side of the parking lots and include designated crosswalks at drive aisle crossings. A sidewalk connects from the multi-use path along West Denneys Road frontage into the site on the east side of Windward Boulevard. There are also a series of mulch walking paths the circulate through the woodland areas.

Waiver Request: Partial Elimination of Sidewalks (Pathways)

Sidewalks are required along all street frontages of a property (*Zoning Ordinance*, Article 5 Section 18) for development proposals subject to Site Development Plan review by the Planning Commission. Review of the Plan shows a multi-use path along portions of the West Denneys Road frontage proposed for development of the apartment complex.

A written waiver request was submitted for consideration by the Planning Commission to eliminate the sidewalk/pathways for the segments of West Denneys Road in front of the existing single family detached dwellings. 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.

Dumpsters

The Dumpster requirement for apartments is two Dumpsters for the first 48 units and one Dumpster for each additional 24 units or fraction thereof. Based on 300 apartment units, a total of thirteen (13) Dumpsters are required. There fourteen (14) Dumpsters within the parking lot areas. There must be space for both trash and recycling containers in these Dumpsters.

VII. BUILDING ARCHITECTURE:

The applicant has submitted example elevations (drawings and photographs of similar buildings) for the apartment buildings. These are three story buildings with a slightly pitched roof the gable elements over certain sections. Each unit has a balcony or patio area. The larger buildings have two points of entry as an open stairwell corridor to access the units on each floor. The exterior finishes of the apartment buildings consist of a masonry watertable, horizontal vinyl siding with a band board dividing the second and third floors with a change in siding color. The siding on the select gable elements is vertical. Architectural asphalt shingles are shown for the pitched roofs.

The Garage Buildings have a masonry watertable and then horizontal vinyl siding for the wall surface along with an asphalt shingled hipped roof. There are garage doors across the front of the structure leading to individualized garage bays. Turned gable elements are added to the front of the garages including the vertical siding similar to the gable end.

VIII. SPECIAL FLOOD HAZARD AREAS

Flood Hazard Area

The *Zoning Ordinance*, Article 5 §11.21 requires that flood hazard areas (100-year floodplain) remain as open natural areas with no impervious surfaces. These properties are found on the FEMA FIRM Panel of Kent County Delaware Map Number 10001C0162H effective date May 5, 2003. Portions of the subject property are within the Special Flood Hazard Area (100-year floodplain/ 1% chance of annual flooding) as Zone AE; it is found in the northern portion of the site. The floodplain areas are not proposed for development.

IX. TREE PLANTING AND LANDSCAPE PLAN:

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 37.44 acres of existing woods, and they propose to remove a portion of the woodland area to make way for the buildings development and preserving 19.02 acres of woodland (50.8%). The maximum amount of woodland that can be cleared is 50% with anything over that amount requiring mitigation.

Based on a development area of 817,561 SF, the minimum required number of trees is 273. The site plans show 273 trees spread over the site around the parking lots on islands, adjacent to the buildings, and in the internal open space areas. The plan does not specify tree species.

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 wetland areas. 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 wetlands, the plan shows a 50 foot riparian buffer where existing woodland vegetation will be maintained. The site circulation drive aisle crosses a small stream in one location and there are several walking path small (wood) bridge crossings. More detail on these crossings is needed.

X. ACTIVE RECREATION AREA

Active Recreation Area Plan Review

The *Zoning Ordinance*, Article 5 Section 10 sets out requirements to preserve areas of open space within residential developments which are designed to provide buffer spaces between developing areas, to preserve existing natural and historic features and to establish a network of open spaces within the built environment to provide a balance between developed and undeveloped lands, wildlife habitat conservation, the preservation of scenic view corridors, and to provide residents opportunities to engage in passive recreational activities. *Zoning Ordinance*, Article 5 Section 10.11 notes the purpose of providing Recreation Areas.

Article 5 §10.1 Recreation areas.

10.11 Purpose. The purpose of this section is to ensure that active recreation areas are provided as an integral design element within residential developments and that such facilities are of an adequate scale in relation to the size of the residential development and which provide residents with a variety of active recreational pursuits.

The amount of Active Recreation Area required is 275 SF per dwelling unit which would require 83,050 SF (1.90 acres) of area (using 302 units). An itemized listing of the Recreation Areas and materials is given on Plan Sheet 8 and example features in the Architectural Packet. The proposed amenities include a Clubhouse with Pool, Tot Lot Playground, Walking Trails, Exercise/Picnic Area, and Dog Park Area. See Recreation Plan Review Report for more detailed review (attached document to be provided).

XI. CITY AND STATE CODE REQUIREMENTS:

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

- 1) Sidewalks must be provided along the full frontage of West Denneys Road (across all three properties) unless the Waiver Request is approved for the partial elimination of the sidewalk across Lot A and Lot B.
- 2) Two connections to a street must be provided unless the Subdivision Waiver Request is approved to eliminate the Requirement for the Two Connections to a Public Street.
- 3) Active Recreation Area: The applicant is responsible for providing an Active Recreation Area of a minimum of 83,050 SF (rate for 302 units). The Plans Applicant has provided information indicating they intend to provide 97,360 SF of Active Recreation Area. See Recreation Plan Review Report for additional comments.
 - a. Any revisions to the Active Recreation Area must be incorporated into the plan drawing and data/notes listings throughout the plan set.
 - b. The Active Recreation Area is scheduled to be reviewed by the Council Committee of the Whole: Parks, Recreation & Community Enhancement Committee on October 10, 2023.
- 4) Upright curbing shall be provided around all parking and drive areas in accordance with the requirements of the *Zoning Ordinance* unless a waiver is granted by the City Planner. Clarify the type of curbing proposed.

- 5) Sheet 1 – Cover Sheet:
 - a. In Site Data Column:
 - i. Item 3: List information on the size of the existing parcels and the proposed sizes of each parcel/lot and the specific Project Development Area.
 - ii. List height of proposed apartment buildings.
 - iii. List counts by types of parking spaces: regular vehicle, handicapped spaces, EV, and spaces within garages.
 - iv. Clarify the size of the project parcel and ensure it is the area utilized for the various SWPOZ, impervious surface, woodland, and landscape/tree planting calculations.
 - b. Add City of Dover to title of drawing (in center of page).
 - c. Add developer/equitable owner Certification note and signature block.
 - d. General Notes:
 - i. Clarify if a Homeowners Association or a Property Maintenance entity associated with the Apartment complex management will be established. Update references in Notes #1-3.
 - ii. Check spelling in Notes.
 - iii. Check contact information for the Kent Conservation District.
 - iv. Cite source of wetlands delineation.
- 6) Sheet 2 – Record Plan: A Record Plan sheet was submitted to show the reconfiguration of the three parcels (Minor Lot Line Adjustment Plan). The Record Plan must include cross access easements, any easements, or other items affecting the property lines.
 - a. This sheet must include the appropriate site data column and signature block unless Sheet 1 is to be included as part of the Record Plan set. The City of Dover does not require the recordation of the entire Site Plan set.
 - b. Label permanent easements and right-of-way dedications along West Denneys Road.
 - c. Label remaining Lot (Project Development Area Lot) and its area.
 - d. Add Special Flood Hazard Area (floodplain) location.
 - e. Label setbacks for each Lot.
 - f. List Bulk Standards for garden apartment units.
 - g. Add SWPOZ (Source Water Protection Overlay Zone) boundary lines.
 - h. Show any proposed utility easements to bring sanitary sewer and/or water to the remaining single family detached dwelling unit Lots.
 - i. Add notes and any waivers received.
- 7) Sheet 3 – Existing Conditions:
 - a. Label sizes of wetland areas.
 - b. Label that West Denneys Road is a State maintained roadway.
 - c. In Legend identify line as SWPOZ (Source Water Protection Overlay Zone: Tier 3 – Excellent Recharge Area.)
- 8) Sheets 4 and 5 - Preliminary Site Plan:
 - a. Create a distinct match line between plan sheets.
 - b. Clarify the type of curbing for parking lots and drive aisles.
 - c. Identify accessible ramps for sidewalk crossings at points of intersection with drive aisles and at handicapped parking areas.
 - d. Identify accessible ramps and curb depressions for access to rear emergency access lanes.

- e. Identify width of walkway trails and sidewalks.
 - f. Add traffic control signage for fire lanes and handicapped parking signage locations.
 - g. Identify or note the number of dumpsters to be accommodated in each enclosure.
 - h. Ensure parking spaces next to garage units can be safely parked in i.e., can a vehicle turn into the space and exit vehicle.
 - i. Clarify if any of the EV parking spaces are handicapped accessible.
 - j. Label locations of bike racks.
 - k. Entrance design of Windward Boulevard intersection with West Denneys Road is subject to DelDOT review.
 - l. Add connecting sidewalks to the playground area and to several of its benches.
 - m. Add crosswalk to southern of Building 10 at trail crossing.
- 9) Please provide one or more detail sheets depicting required site details, including but not limited to bike racks, Dumpsters, stormwater, curbing, and utility details, etc.
- 10) Please detail any lighting proposed for this site. Show locations to ensure parking lot and walkway/paths have adequate lighting and include any lights on the buildings.
- 11) Sheets 6 and 7 Utility Plan:
- a. It is noted that the water provider is Tidewater Utilities and will require coordination with the City's Department of Water & Wastewater.
 - b. The plan must show hydrants interior to the site for fire protection.
 - c. Consider design location of water lines. As depicted, there are lines under garage buildings and within areas that are designated for the rear emergency access (paths for fire/emergency response equipment).
- 12) Sheet 8 – Preliminary Landscape Plan:
- a. Confirm the woodland area and woodland clearing amounts on the Development Area Lot.
 - b. Add certification notes and design professional signature.
 - c. Add planting details.
 - d. Provide details of the Clubhouse and its amenities i.e., surfaces, shade structures, fencing, etc.
 - e. Identify specific tree species for proposed trees. Label trees on plan and provide planting schedule/tally chart.
 - f. Clarify Dog Park Area as it appears to be placed in a woodland area.
 - g. Identify any landscape planting plan around each apartment building.
 - h. Tree placements providing shade to recreation amenity areas is encouraged.
 - i. Show any required demarcation shrub plantings for rear emergency access lanes.
 - j. Please be aware of placement of any trees/landscaping with regards to any underground utilities/storm water management systems and rear emergency access lanes.
- 13) Provide the distance from the edge of parking/drive aisles to each apartment building. Also provide dimensions of typical parking spaces and width of access areas to rear emergency access lanes from parking lot.
- 14) Provide details on the bridge or culvert crossing of at the non-tidal wetlands/stream.

- 15) Include a detailed outline of the linear feet length of walking path.
- 16) Note the number of bicycle parking spaces to be provided. Add detail of bike rack.
- 17) Signs are subject to a separate review and approval process in the City of Dover. There is a proposed freestanding sign in the median of the entrance (Windward Boulevard). Per the Sign regulations a monument sign or a post and panel sign may be placed at the entrance of certain size limitations.
- 18) Any Erosion & Sediment Control Plans and 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.
- 19) The Final Plan set must include notes documenting any action taken by the Planning Commission regarding any requested waivers and must list any additional conditions of approval.
- 20) Additional review comments may be provided in the future as more detailed plans are developed.

XII. 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) Waiver Request: Subdivision Waiver for Requirement for Two Connections to Public Street: Planning Staff recommends approval of the waiver request to eliminate the requirement for two connections to a public street with the condition that the Apartment Complex entrance remain as a divided boulevard-like entrance. This is based on the preliminary comments received from DelDOT regarding options for the entrance design to connect to West Denneys Road. It noted that there are no options for interconnection with the adjoining Carlisle Village Subdivision to the east and to the north are floodplain areas. The only possibility for interconnection would be if any properties to the west or Lot A/Lot B proposed development in the future. The boulevard-like entrance format could allow for a potential access/egress option should one lane be blocked by an emergency.
- 2) Waiver Request: Partial Elimination of Sidewalks: Planning Staff recommends approval of the waiver request to eliminate the requirement for the construction of sidewalks along a segment of the north side of West Denneys Road adjacent to the existing single family detached dwellings. This is based on the findings of the physical characteristics of this

frontage area with existing driveways, trees, and house proximity. Also, this is a segment unlikely to be traveled by pedestrians as no sidewalks exist to the west. However, if these properties are redeveloped in the future, then reconsideration of this requirement will be warranted.

- 3) Tree Plantings: Planning Staff encourages the use of native tree species especially in areas adjacent to the existing woodland areas to remain and due to the project's proximity to area of the Fork Branch Nature Preserve. The applicant is recommended to consult with DNREC Staff on appropriate tree species for this area.
- 4) Bicycle Parking: Planning Staff encourages providing covered bicycle parking opportunities within the buildings or as an extension of the garage buildings.
- 5) EV Parking: Planning Staff encourages this project to include the installation of Electric Vehicle Charging Stations in its parking lot. Currently, the *Zoning Ordinance* does not require them, but many other jurisdictions have implemented such requirements and there also may be State Code requirements for Electric Vehicle Charging Stations. Electric Vehicle Charging Stations formats include EV-Capable, EV-Ready, and EV-Installed.
 - a. Ensure some of the EV spaces are handicapped accessible.
 - b. Clarify if the garage spaces offer EV charging opportunities.

XIII. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Planning Commission should act upon the request for any 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. The Subdivision Waiver requires review and action by the Council Committee of the Whole: Safety Advisory and Transportation Committee and City Council.
- 2) In the event, that major changes and revisions to the Site Development Plan occur in the finalization of the Site Plan contact the Department of Planning and Inspections. Examples include relocation of site components like paving and increases in floor area. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations regarding the Plan.
- 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 site is located within the SWPOZ (Tier 3: Excellent Recharge Area) and the Planning Office and Kent Conservation District will coordinate to ensure compliance.
- 5) Following Planning Commission approval of the Site Development 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). The Record Plan must be recorded at the Kent County Recorder of Deeds and a copy returned to the Planning Office prior to Final Site Plan approval.

- 6) 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.
- 7) The applicant/developer shall be aware that prior to any development or ground disturbing activities on the site the appropriate site inspections and permits are required. This includes activities to clean up existing vegetation, site grading, etc.
- 8) The addresses for the new buildings proposed on the property will need to be confirmed with the City's Tax Assessment Office. Each apartment building will be addressed using the named drive aisles of Crosswind Drive, Leeward Way, and Tradewind Way.
- 9) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate Site Plan approvals, Pre-Construction meetings, site inspections and permits are required.
- 10) The applicant shall be aware that Site Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover. Building Permits will be required for each building.
- 11) The applicant shall be aware that Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with *Zoning Ordinance*, Article 5 §4.

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: SEPTEMBER 27, 2023



APPLICATION: Winward Ridge Apartments on West Denneys Road
FILE #: S-23-19
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 PHONE #: 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 proposed plan will require private trash collection services. A note to this effect is to be added to the plan. Dumpster locations should also be provided on the plan.

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. Please be advised that easements will not be provided for the stormwater infrastructure on this site, it shall be privately maintained.

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. The street network is to be private and will not be maintained by the City of Dover.

WATER

1. The certificate of public convenience and necessity (CPCN) for this property is held by Tidewater Utilities. Please obtain approval from Tidewater Utilities for the water design.
2. If the water source to this property is purchased from the City of Dover, by Tidewater Utilities, potential water infrastructure improvements may be necessary, depending on the demand of this development.
3. Staff performed a water model study for this development, based on the current unit count, this site would require a twelve-inch (12") service line to feed the complex. This assumes that the water is purchased through our water system and not through a separate water source from Tidewater. Additionally, future requirements may be required when the final water demand figures are provided.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
 - b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "...any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer mains showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.
8. Per the Water / Wastewater Handbook, provisions shall be made to extend sewer service to all adjoining properties, parcels or lots, regardless of ownership or control of adjoining properties, parcels or lots.
9. The downstream pump station must be evaluated by the developer / engineer to verify it can handle the additional effluent flow.
10. Provisions shall be made to extend sewer service to all adjoining properties, parcels or lots, regardless of ownership or control of adjoining properties, parcels or lots.
11. The proposed pump station shall be privately maintained.
12. If adjacent properties connect to the sanitary sewer service in this development, the infrastructure can be installed within an easement that the city would maintain, this includes the pump station. Please be advised that all infrastructure must be installed per city requirements for future maintenance by the city.

GENERAL

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

- b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. 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.

WASTEWATER

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

GENERAL

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

SANITATION / STORMWATER / STREETS

1. None.

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

CITY OF DOVER ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
STAFF D.A.C. MEETING DATE: SEP 27, 2023

APPLICATION:	<u>Windward Ridge Apartments on West Denneys Road</u>
FILE #:	S-23-19
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. 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. This project is outside of the service area for the City of Dover Electric Department. Please save this document for our general notes if the apartments will be transferred to the city electric department in the future.
2. Provide load sheets if the new load requirements will change as soon as possible to verify 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: 09/27/23

APPLICATION: Windward Ridge Apartments on West Dennys Road

FILE #: S-23-19

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

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

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

CITY AND STATE CODE REQUIREMENTS:

1. Proposed occupancy classification is residential apartments, storage (garages), and assembly (clubhouse). These comments pertain to the residential apartments.
2. Building Access shall be no further than 50 feet from a primary entrance

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

3. Parking shall be prohibited in front of the primary entrance for a width of not less than 1.5 times the width of the door(s) or for 10 feet, whichever is greater.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.2)
4. Perimeter access shall be 75% and clearly shown on the plans.

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

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

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

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

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

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

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

7. All Fire Lanes shall be marked as follows:

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

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

9. Fire lane signs shall be located as follows:

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

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

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

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

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

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

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

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

Residential areas

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

Commercial areas

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

Alley

12 feet wide

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

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

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

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

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

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

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

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

NFPA 1

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

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

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

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

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

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

The owner is responsible if the hydrant is private.

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

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

The owner is responsible if the hydrant is private.

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

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

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

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

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

(City Code of Ordinances 46-171)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(City of Dover Code of Ordinances 46-162)

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

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

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

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

26. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface). All fire department connections (standpipe and sprinkler) shall have a minimum

12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)

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

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

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

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

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

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

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

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

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

Where intermediate landing is not provided, hose connections shall be permitted to be located at the main floor landings in exit stairways when approved by the authority having jurisdiction, Where the local fire department has the capability of providing the required pressure, hydraulically designed standpipe systems in fully sprinklered, non-high-rise buildings shall be designed to provide the required waterflow rate.

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

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

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

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

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

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

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

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

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

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

Arabic numerals, all numbers used shall be Arabic numerals,

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

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

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

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

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

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

Installation before testing. No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box.

(City Code of Ordinances 46-127)

Knox Box to be mounted 6 feet above ground level

31. All required means of egress shall have an exit discharge consisting of a non-slip surface and leading to and terminating at a public way. NFPA 101
32. All new passenger elevators in a building shall be provided with a car sized to accommodate an ambulance cot 24 inches (609 mm) by 84 inches (2133 mm) in its horizontal open position. Where two or more new passenger elevators are located in a single hoist way and serve all or the same portion of the building, only one elevator car that provides a car sized to accommodate an ambulance cot 24 inches by 84 inches in its horizontal position for each hoist way shall be required. Elevator cars required to comply with 15.1 or 15.2 shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed inside on both sides of the hoist way door frame. Firefighter recall keys shall be provided in a manner acceptable to the local fire department. (2021 Delaware State Fire Prevention Regulations 705, Chapter 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 confirm the square footage of the garages to determine perimeter access, fire lane, fire alarm, and sprinkler requirements.
2. Please confirm the square footage, occupant load, and if alcohol will be permitted at the clubhouse to determine perimeter access, fire lane, fire alarm, and sprinkler requirements.
3. Please confirm that the Fire Lanes are 24' wide
4. Fire hydrant locations need to be shown and in compliance with items # 17 and #25 listed above.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)

2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)

2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)

2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)

2009 IBC (International Building Code)

Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations

2021 Delaware State Fire Prevention Regulations

City of Dover Code of Ordinances

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

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APPLICATION: Windward Ridge Apartments

FILE#: S-23-19

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Michael Vandevander

PHONE#: 302-760-2141

=====

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

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

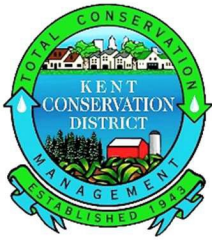
CITY & STATE CODE REQUIREMENTS:

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. A pre-submittal meeting with DelDOT is required to further discuss the project.
2. Site Access. The proposed entrance for this subdivision is located at a position that provides the most sight distance in each direction. The Department is in support of a single access point. This will provide the safest ingress/egress to the site, and maximize the use of the sight distance.
3. Although DelDOT's TIS warrants are met, DelDOT may accept an Area Wide Study Fee (AWSF) since the site would generate fewer than 2,000 ADT and fewer than 200 peak hour trips in lieu of a TIS if the Local Land Use Agency does not require a TIS. Please provide documentation stating that the LLUA does NOT require a TIS. Upon receipt of this, DelDOT will issue an AWSF letter stating the required fee and improvements for this project.
4. There is an existing single home on the southwest corner of the project site. This home is to remain. The proposed pedestrian facility (Shared Use Path SUP) will stop at the eastern portion of this existing lot. Continuing the SUP is not advised due to the limited site area. The Department is willing to accept a Permanent Easement at that location.



KENT CONSERVATION DISTRICT

Item 5.

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

**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
OCTOBER 2023**

APPLICATION: Windward Ridge Apartments on West Denneys Road

FILE #: S-23-19

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. As the disturbance for this site will exceed 1 acre, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District’s office.
2. A Stormwater Assessment Study (SAS) and pre-application meeting are required prior to submitting for review.
3. The following notes must appear on the record plan:
 - a) The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - b) The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
 - c) A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. The District does not recommend this site for development due to numerous site limitations such as areas in the Excellent Groundwater Recharge Zone, wooded wetlands, and poor soil conditions.
2. The District will require that a preliminary soil investigation be conducted and completed as part of the SAS.
3. The preferred methods of Stormwater management are those practices that maximize the use of the natural features of a site, promote recharge and minimize the reliance on structural components.
4. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management Plan has been approved.

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Date: August 31, 2023

City of Dover Planning and Inspections
City Hall
15 Loockerman Plaza
Dover, DE 19901
Attention: Ms. Mary Ellen Gray

Subject: Windward Ridge Second Entrance
Waiver Request

Dear Ms. Gray,

On behalf of our client, Jack Lingo Asset Management, Morris & Ritchie Associates (MRA) respectfully requests a waiver from the requirements of Appendix A, Article 6A8(b) of the City of Dover Code for the Windward Ridge Subdivision. This section of the code states:

A. Streets

8. *The creation of interconnected streets will be encouraged wherever the commission finds that such layout will not interfere with traffic convenience and safety. The commission shall determine the number of connections of streets in the proposed subdivision with existing streets. At least two connections onto a state-maintained road or a city-maintained street are required unless the Delaware Department of Transportation or the city engineer determines that the second connection will not be permitted or is determined to be nonfeasible. This requirement shall pertain to:*
 - b. Site Development containing 150 or more dwelling units.*

The proposed entrance for the Windward Ridge subdivision onto W. Dennys Road has been designed with consideration given to the surrounding properties and existing nearby entrances. The parcel frontage for the proposed development is limited to less than 390' with the existing entrance to the Carlisle Village subdivision located less than 180' to the northeast and an existing dual driveway entrance for the remaining single-family residence at 4085 W. Denneys Road. Based upon these site constraints, there is insufficient road frontage to accommodate two entrances and maintain safety for the traffic on W. Dennys Road. Additionally, we held a pre-application meeting with the Delaware Department of Transportation Development Coordination team on July 19, 2023 and discussed the Code requirement for a secondary access. In this meeting, DelDOT stated that they would not be in favor of a second access to W. Dennys Road for this project due to these constraints.

We respectfully request that, based on the above circumstances, the Windward Ridge project be granted a waiver from the specific requirement of Appendix A, Article 6A8(b) of the City of Dover Code.

18 Boulden Circle, Suite 36, New Castle, DE 19720 (302) 326-2200 Fax: (302) 326-2399 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Purcellville, VA ♦ Raleigh, NC ♦ Orlando, FL
(410) 515-9000 (443) 490-7201 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 994-4047 (984) 200-2103 (407) 317-6288

Windward Ridge – Second Entrance Waiver Request
August 31, 2023
Page 2

Thank you for your consideration of this waiver. If you have any questions, please do not hesitate to contact this office.

Very Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.



Charles Barnett,
Principal

Cc: Doug Motley, Jack Lingo Asset Management
File (21905)

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Date: August 31, 2023

City of Dover Planning and Inspections
City Hall
15 Loockerman Plaza
Dover, DE 19901
Attention: Ms. Mary Ellen Gray

Subject: Windward Ridge Pedestrian Access
Waiver Request for Lots A & B

Dear Ms. Gray,

On behalf of our client, Jack Lingo Asset Management, Morris & Ritchie Associates (MRA) respectfully request a waiver from the requirements of Appendix B, Article 5.18.2(a) of the City of Dover Code for a portion the Windward Ridge Subdivision. This section of the code states:

18.2 Applicability. Sidewalks or other pathways according to the requirements of this section shall be installed on a property by the property owner or developer under the following circumstances:

- a. When the property is part of a development proposal which is subject to planning commission site development plan review.*

Internal sidewalks are proposed throughout the community to provide pedestrian linkage for all of the apartment buildings and community amenity areas. We are requesting relief from the sidewalk requirement as it relates to the two existing residential single-family lots that will remain (identified as Lot A and Lot B). These two lots will not have access to the apartment community and will remain as single-family residences which have direct driveway access to W. Dennys Road.

We held a pre-application meeting with the Delaware Department of Transportation (DelDOT) Development Coordination team on July 19, 2023 and discussed this issue. DelDOT stated in this meeting that no sidewalk or shared use path will be required on these two lots by the developer at this time. A 15' wide easement for the benefit of DelDOT has been provided should the Department desire to install additional pedestrian facilities in this area in the future.

We respectfully request that, based on the above circumstances, the Windward Ridge project be granted a waiver from the specific requirement of Appendix B, Article 5.18.2(a) of the City of Dover Code as it relates to these two remaining lots.

18 Boulden Circle, Suite 36, New Castle, DE 19720 (302) 326-2200 Fax: (302) 326-2399 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Purcellville, VA ♦ Raleigh, NC ♦ Orlando, FL
(410) 515-9000 (443) 490-7201 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 994-4047 (984) 200-2103 (407) 317-6288

Windward Ridge – Pedestrian Access Waiver Request
August 31, 2023
Page 2

Thank you for your consideration of this waiver. If you have any questions, please do not hesitate to contact this office.

Very Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.



Charles Barnett,
Principal

Cc: Doug Motley, Jack Lingo Asset Management
File (21905)



STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

August 23, 2023

Charlie Barnett
Morris & Ritchie Associates, Inc.
8 W Market Street
Georgetown, DE 19947

RE: PLUS Review – 2023-07-09; Windward Ridge

Dear Mr. Barnett:

Thank you for meeting with State agency planners on July 26, 2023 to discuss the Windward Ridge project. According to the information received, you are seeking review of a proposed site plan for the construction of 13 garden apartment buildings totaling 312 units on three parcels totaling 40.12 acres zoned RM-2 (Medium Density Residential).

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 as 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

The proposed project is located in investment Levels 1 and 2 according to the 2020 Strategies for State Policies and Spending.

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. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Because development in Levels 1 and 2 is consistent with the 2020 Strategies for State Policies and Spending, the Office of State Planning Coordination supports this site plan, provided it meets all requirements of the City of Dover.

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

Code Requirements/Agency Permitting Requirements

Department of Transportation (DelDOT) – Contact Stephen Bayer 302-760-4834

- 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>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.
- 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.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 11th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development will not generate traffic volume sufficient to require a TIS. The traffic volume expected would require an Area Wide Study Fee (AWSF).
- Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an AWSF in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as \$10 per daily trip. AWS Fees are used to fund traffic studies, not to build improvements.
- 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 Denneys Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from outmost edge of the through lanes of West Denneys Road. 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 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along all frontage roads.
- 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>.
- 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.

PLUS review 2023-07-09

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Department of Natural Resources and Environmental Control (DNREC) – Contact Beth Krumrine
302-735-3480

Disclaimer Clause: 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.

Concerns Identified Within the Development Footprint

Wetlands and Subaqueous Lands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the site. The application indicates that wetlands have been delineated. The U.S. Army Corps of Engineers sign-off is completed. The application does not propose direct impacts to the wetlands. The forested wetlands on this property could support an array of plants and animals, most notably wetland dependent species such as amphibians.

Requirements:

- If the site design changes and dredge or fill of wetlands or subaqueous lands becomes necessary, permitting and/or authorization requirements may apply.

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 Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

Vegetated Buffer Zones

Site plans show a 30-foot vegetated buffer along non-tidal wetlands. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

Requirements:

- The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Special Flood Hazard Area

According to the newest Flood Insurance Rate Maps (FIRM), the northern portion of this parcel is situated within a Special Flood Hazard Area, specifically within the mapped 100-year floodplain (1% annual chance of flooding). The Special Flood Hazard Area identified on the site lies within zone A. In lands contained within the 100-year floodplain, the National Flood Insurance Program's floodplain management regulations must be enforced through the local floodplain ordinance, which can have higher standards. There are no structures or features proposed within the floodplain.

Requirements:

- The applicant must comply with the local floodplain ordinance and regulations applicable to development or construction within the 100-year floodplain. In determining the boundary of the floodplain, use the most recent FIRM maps available, which can be found at <https://floodplanning.dnrec.delaware.gov/>

Contact: DNREC Shoreline and Waterway Management Section at (302) 739-9921.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/waterways/floodplains/>

Stormwater Management

The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

Requirements:

- 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://apps.dnrec.delaware.gov/enoi/>, 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/>

PLUS review 2023-07-09

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General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: DNREC.Stormwater@delaware.gov.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Hydrologic Soils Group

Hydrologic Soil Group soils (poorly drained) have been identified in the site. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

Requirements:

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: DNREC.Stormwater@delaware.gov.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Excellent Groundwater Recharge Area

An Excellent Groundwater Recharge Area is located on the central portion of the site. 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.

Requirements:

- 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.alpha.delaware.gov/water/supply/ground-water-protection/>

Wildlife Displacement

Development of this site is anticipated to displace local wildlife. Delaware is home to a rich array of wildlife species, which greatly depend on forests and other habitat types for food, water and cover.

Requirements:

- Future residents are not permitted to discharge firearms within 100 yards (300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

Contact: DNREC Division of Fish and Wildlife at (302) 739-9912

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

PLUS review 2023-07-09

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Nutrient Management Plan

This project proposes open space of 26 acres.

Requirements:

- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

Contact: Delaware Department of Agriculture's Nutrient Management Program at (302) 698-4558.

Website: <https://agriculture.delaware.gov/nutrient-management/>

Delaware Emergency Management Agency (DEMA) – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

- The majority of this parcel is located within an area of **Minimal Flood Concern of 1,000 years or greater**. However, the northwestern part of the property appears to be in a Special Flood Hazard Area (SFHA) Flood Zone A, which is a 1% or 100-year flood plain. The properties themselves do not appear to actually be within a floodplain. No official requirements here from DEMA.

Parcel Status within County Evacuation Zone Location

- The parcel is not yet located within the 10-mile EPZ for the Salem Nuclear Power Plant. However, the sections to the southeast of W. Denneys Road are located within Kent Evacuation Zone D.

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 historic or eligible properties in the project area.
- Wetland permitting may be required for northern portion of the parcel – in which case, this project should be properly initiated through Section 106 Regulations.
- Probability for precontact archaeological resources is high.

PLUS review 2023-07-09

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- Portions of the area have been archaeologically surveyed. The survey uncovered many archaeological sites and materials in analogous areas.
- An archaeological survey is recommended.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulations (DSFPR):

Fire Protection Water Requirements

- Water distribution system capable of delivering at least 1,000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- Where a water distribution system is proposed for mixed occupancy use sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Fire Protection Features

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq ft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
 - Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR.
- Standpipe systems may be required per DSFPR.

Accessibility

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible

to fire apparatus. This means that the access road must be constructed so fire department apparatus may negotiate it.

- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Gas Piping and System Information

- Provide type of fuel proposed and show locations of bulk containers on plan.

Required Notes

- Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations."
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered.
- Name of Water Provider
- Letter from Water Provider approving the system layout.
- Provide Lock Box Note (as detailed in DSFPR) if any buildings are to be sprinklered.
- Provide Road Names, even for County Roads

Please note that this project has not been reviewed for adequacy of emergency responder (fire, emergency medical services, law enforcement) response.

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 Subaqueous Lands

- As proposed for this project, do not disturb wetland areas. Wetlands are a critical part of our natural environment. They reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants and many contain a wide diversity of life, supporting plants and animals that are found nowhere else.
- Maintain input to natural wetlands at the pre-construction level. Avoid causing an increase or decrease in the naturally occurring water level.
- Avoid diverting surface water from roadways and stormwater facilities into the wetlands on site. Water quality could be detrimentally affected by run-off, which can contain oil and other pollutants.
- Avoid installing sewers with grates, which can create a hazard for amphibians and reptiles.

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- Design the development to exclude curbs. If road curbing is part of the design, curbing that allows small animals, such as turtles and salamanders, to climb out of the roadbed (such as Type 2 or Cape Cod curbing) is preferred over steep, vertical curbing.
- Use open bottom box culverts to allow for natural substrate to remain and in-water passage of aquatic life. Additionally, culverts should be left as wide as possible to ensure that salamanders can travel through them.

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 Subaqueous Lands Section at (302) 739-9943.

Website: <https://dnrec.alpha.delaware.gov/water/wetlands-subaqueous/>

Vegetated Buffer Zones

- Expand the 30-foot buffer to no less than 100 feet from the edge of wetlands and all waterways to protect water quality and to provide an additional margin of safety for flooding.
- 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.
- Vegetated buffer zones should be deeded as community open space. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.
- 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.alpha.delaware.gov/fish-wildlife/contact-information/>

Delaware Ecological Network

Most of the project site lies within lands designated within the Delaware Ecological Network, a statewide network of interconnected lands of significant ecological value. This GIS data layer is based on principles of landscape ecology and conservation biology, providing a consistent framework to identify and prioritize areas for natural resource protection. Forest disturbances on this site will jeopardize habitat on the parcel and likely beyond the parcel's boundary.

- Removing forested areas within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while also reducing carbon that contributes to climate change.

Contact: DNREC Wildlife Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/contact-information/>

Removal of Mature Forest

The preliminary plan proposes the elimination of approximately 18 of 37 acres of forest on the site. An analysis of historical data indicates that much of the forest area located on the site has likely maintained some degree of forest cover since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.
- A forest assessment should be conducted to determine if mature forest resources exist on the property and to delineate their boundaries. Additionally, a forest assessment would include the identification of specimen trees and forest-dependent wildlife. If mature forests are found, these areas should be conserved to the maximum extent practicable.
- 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.alpha.delaware.gov/fish-wildlife/conservation/>

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Special Flood Hazard Area

- As proposed, locate all structures outside of the floodplain. If this is not possible, the developer should consider designing structures to a higher standard to avoid potential future flood damage and loss.

Contact: DNREC Shoreline and Waterway Management Section at (302) 739-9921.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/waterways/floodplains/>

Key Wildlife Habitat

The non-tidal coastal plain stream directly adjacent to the property, is mapped as Key Wildlife Habitat in the Delaware Wildlife Action Plan.

- Key Wildlife Habitat should be conserved to the maximum extent practicable and negative impacts should be minimized.
- In the interest of water quality and wildlife habitat, we recommend maintaining an upland buffer of at least 100 ft along rivers, streams and wetlands. This buffer should not be a maintained lawn area and should not contain lot lines or infrastructure. We recommend the buffer area be comprised of the existing vegetation or planted with Delaware native species of trees, shrubs, grasses or wildflowers.
- Appropriate erosion and sediment control measures should be taken during construction activities to minimize potential impacts to the stream system. For erosion control, we recommend (if feasible) using materials that are biodegradable and that do not include plastic netting or have welded-joint poly-based matting. Wildlife entanglement in rolled erosion control products (RECP), especially those that contain plastic netting, is well documented.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/conservation/>

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.

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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.alpha.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 Subaqueous Lands 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.

Contact: DNREC Drainage Program at (302) 855-1930.

Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>

Water Quality (Pollution Control Strategies)

This site lies within the Saint Jones River Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.
- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.
- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.
- 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.

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Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939.

Website: <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.alpha.delaware.gov/water/supply/ground-water-protection/>

Wildlife Displacement

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests are a key habitat type for wildlife in Delaware.
- Deer, groundhogs, and rabbits will browse on gardens and ornamental landscaping. Reduce the potential for future conflicts between future residents and wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

Mosquitoes

The project is expected to be impacted by mosquitoes due to its location near large expanses of wetlands. Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands for mosquito control services beyond what DNREC has the resources to provide.

- If necessary, arrange for long-term mosquito control services through a private company licensed in this area of specialty. In some cases, the DNREC Mosquito Control Section may be able to provide these services free of charge.

Contact: DNREC Division of Fish and Wildlife, Mosquito Control Section at (302) 739-9917.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/mosquito-control/>

Nature Preserves

The proposed development is located near the Fork Branch Nature Preserve.

- While across the street, there should be an effort made by the developer to ensure encroachment into the Preserve does not occur. There shall be no staging of equipment

on Park property.

- While not currently registered as Natural Area, the property's proximity to Fork Branch Nature Preserve suggests that it may share some or all ecological, historical, cultural, or geologic value as the land within the Nature Preserve. Consider minimizing the development footprint and dedicating forested and wetland areas as a Nature Preserve through a conservation easement or donation of land. For more information, please contact the DNREC Planning Preservation and Development Section.

Contact: DNREC Division of Parks and Recreation, Office of Nature Preserves at (302) 739-9039.

Website: <https://dnrec.alpha.delaware.gov/parks/natural-areas/> or <https://dnrec.alpha.delaware.gov/parks/open-space/conservation-easements/>

Additional Sustainable Practices

- Install electric vehicle (EV) charging stations for your residents. Residents will increasingly expect options for EV charging. 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 90% 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.alpha.delaware.gov/climate-coastal-energy/clean-transportation/>).
- Use 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.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).
- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.
- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- 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.

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- 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.alpha.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 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 77, though, with development, this will undoubtedly change.
- The adjacent blocks aggregate bring the area to a total population of 710.

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 and social vulnerability are rated as **relatively high**.

Renewable Energy Commitment

- Regarding energy use and consumption, the parcel utilizes natural gas as the predominant fuel type for heating purposes with electric heat a close second.
- 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 where applicable and allowable, and the like.

Delaware State Housing Authority (DSHA) - Contact Karen Horton 302-739-4263

- DSHA supports the proposal for 312 rental units on 40 acres of land near West Denney's Road in Dover. While this is a market-rate development, it provides a *more* affordable option for many residents.
- This site is also located within a DSHA-defined "Area of Opportunity" which are strong, high value markets, with close job proximity and economic opportunity, high performing schools, amenities and supportive infrastructure that help households succeed. Unfortunately, these same areas contain little affordable housing. DSHA recommends that local stakeholders provide resources to connect these residents to the high-quality services the area has to offer.
- Due to the large scale of this project (40 acres, 312 units), DSHA encourages that the developer utilizes thoughtful site layout and design measures. This includes measures that are human-scale and incorporates attractive streetscapes, community recreation areas, visually appealing façade treatments, and significant landscaping measures. These elements all serve to create desirable quality communities where families can thrive.

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Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- Although not a requirement of the Delaware State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to install residential fire sprinkler systems in all residential dwellings.
- The Office of the State Fire Marshal reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website:
<http://delcode.delaware.gov/title6/c036/sc03/index.shtml>
- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

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

CC: City of Dover

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Item 5.

Date: September 29, 2023

Office of State Planning Coordination
122 Martin Luther King Jr. Blvd. South
Dover, DE 19901
Attention: Mr. David Edgell, Director

RE: Windward Ridge PLUS Review 2023-07-09

Dear Mr. Edgell:

We are in receipt of your comment letter dated August 23, 2023 with regard to the proposed Windward Ridge residential project proposed in the City of Dover and respond as follows:

Strategies for State Policies and Spending

Comment 1: The proposed project is located in investment Levels 1 and 2 according to the 2020 Strategies for State Policies and Spending.

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. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Because development in Levels 1 and 2 is consistent with the 2020 Strategies for State Policies and Spending, the Office of State Planning Coordination supports this site plan, provided it meets all requirements of the City of Dover.

Response: *Comment acknowledged.*

Code Requirements/Agency Permitting Requirements

Department of Transportation - Contact Stephen Bayer 302 760-4834

Comment 2: 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>.

Response: *Comment acknowledged; the site access will be designed in accordance with the Development Coordination Manual.*

Comment 3: Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

Response: *Comment acknowledged; the Pre-Submittal Meeting was held on July 19, 2023.*

Comment 4: 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.

18 Boulden Circle, Suite 36, New Castle, DE 19720 (302) 326-2200 Fax: (302) 326-2399 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Purcellville, VA ♦ Raleigh, NC ♦ Orlando, FL
(410) 515-9000 (443) 490-7201 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 994-4047 (984) 200-2103 (407) 317-6288

Response: Comment acknowledged; review fees are anticipated to be provided in accordance with current DelDOT policy.

Comment 5: Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 11th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development will not generate traffic volume sufficient to require a TIS. The traffic volume expected would require an Area Wide Study Fee (AWSF).

Response: Comment acknowledged. Through further discussions with DelDOT we anticipate providing the AWSF.

Comment 6: Section 2.2.2.2 of the Development Coordination Manual provides that for developments generating less than 2,000 vehicle trip ends per day and less than 200 vehicle trip ends per hour in any hour of the day, DelDOT may accept an AWSF in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as \$10 per daily trip. AWS Fees are used to fund traffic studies, not to build improvements.

Response: Comment acknowledged. Through further discussions with DelDOT we anticipate providing the AWSF.

Comment 7: 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 Denneys Road. By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from outmost edge of the through lanes of West Denneys Road. 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."**

Response: Comment addressed; as shown on the Preliminary Plan, additional right of way has been noted to be dedicated along West Denneys Road. The Record Plan will include the requested dedication note in accordance with DelDOT requirements.

Comment 8: 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."**

Response: Comment addressed; the requested easement area has been shown on the Preliminary Plan. The Record Plan will include the requested easement note in accordance with DelDOT requirements.

Comment 9: Referring to Section 3.4.2.1of 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.

Response: Comment acknowledged; Record Plans will be prepared in and submitted for DelDOT review in accordance with current DelDOT requirements.

Comment 10: 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.

Response: Comment acknowledged; the Preliminary Plan shows the Shared Use Path as discussed with, and requested by, DelDOT during the Pre-Application Meeting. The location of these improvements will be shown on both the Record Plans and Site Entrance Plans in accordance with current DelDOT requirements.

Comment 11: In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along all frontage roads.

Response: Comment addressed; all SWM areas are currently shown a minimum of 20' beyond the area of DelDOT Right-of-Way dedication.

Comment 12: 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>.

Response: Comment acknowledged; site entrance will be designed in accordance with current DelDOT requirements. Supporting design calculations will be provided as part of the plan review package.

Comment 13: 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>.

Response: Comment acknowledged; plans will be developed and submitted for DelDOT review in accordance with current DelDOT requirements. Supporting design calculations will be provided as part of the plan review package.

Comment 14: 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.

Response: Comment acknowledged; plans will be developed and submitted for DelDOT review in accordance with current DelDOT requirements.

Department of Natural Resources and Environmental Control – Beth Krumrine 302-735-3480

Concerns Identified Within the Development Footprint

Wetlands and Subaqueous Lands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non- tidal wetlands on the site. The application indicates that wetlands have been delineated. The U.S. Army Corps of Engineers sign-off is completed. The application does not propose direct impacts to the wetlands. The forested wetlands on this property could support an array of plants and animals, most notably wetland dependent species such as amphibians.

Comment 15: If the site design changes and dredge or fill of wetlands or subaqueous lands becomes necessary, permitting and/or authorization requirements may apply.

Response: *Comment acknowledged.*

Vegetated Buffer Zones

Site plans show a 30-foot vegetated buffer along non-tidal wetlands. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutants loads. They also provide valuable habitat and can help prevent encroachment of human activities into ecologically sensitive areas. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

Comment 16: The applicant must comply with minimum vegetated buffer widths as identified within county and municipal codes.

Response: *Comment acknowledged; vegetated buffers will be provided in accordance with requirements of the City of Dover Code.*

Special Flood Hazard Area

According to the newest Flood Insurance Rate Maps (FIRM), the northern portion of this parcel is situated within a Special Flood Hazard Area, specifically within the mapped 100-year floodplain (1% annual chance of flooding). The Special Flood Hazard Area identified on the site lies within zone A. In lands contained within the 100-year floodplain, the National Flood Insurance Program's floodplain management regulations must be enforced through the local floodplain ordinance, which can have higher standards. There are no structures or features proposed within the floodplain.

Comment 17: The applicant must comply with the local floodplain ordinance and regulations applicable to development or construction within the 100-year floodplain. In determining the boundary of the floodplain, use the most recent FIRM maps available, which can be found at <https://floodplanning.dnrec.delaware.gov/>

Response: *Comment acknowledged.*

Stormwater Management

The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

Comment 18: 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.

Response: *Comment acknowledged; Sediment and Stormwater Management Plans will be developed in accordance with the requirements of Kent Conservation District (KCD) and the Delaware Sediment and Stormwater Regulations (DSSR).*

Comment 19: 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://apps.dnrec.delaware.gov/enoi/>, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.

Response: *Comment acknowledged; NOI will be submitted as part of the plan approval process with KCD.*

Comment 20: 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.

Response: *Comment acknowledged; pre-application meeting will be coordinated with KCD prior to formal submittal of plans and reports for review associated with the proposed land disturbance activities.*

Hydrologic Soils Group

Hydrologic Soil Group soils (poorly drained) have been identified in the site. These soil types are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins, which must meet minimum infiltration requirements.

Comment 21: Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Response: *Comment acknowledged; a soils investigation will be done to identify locations where this stormwater practice is practical and a report will be provided to KCD as part of the design package for their review.*

Excellent Groundwater Recharge Area

An Excellent Groundwater Recharge Area is located on the central portion of the site. 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.

Comment 22: The applicant must comply with all county and municipal requirements for construction and uses in Excellent Groundwater Recharge Areas.

Response: *Comment acknowledged; proposed construction activities within the Excellent Groundwater Recharge Area will be designed in accordance with requirements of the City of Dover Code.*

Wildlife Displacement

Development of this site is anticipated to displace local wildlife. Delaware is home to a rich array of wildlife species, which greatly depend on forests and other habitat types for food, water and cover.

Comment 23: Future residents are not permitted to discharge firearms within 100 yards (300 feet) of any occupied dwelling or building to hunt or remove nuisance wildlife.

Response: *Comment acknowledged.*

Nutrient Management Plan

This project proposes open space of 26 acres.

Comment 24: A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

Response: *Comment acknowledged.*

Delaware Emergency Management Agency (DEMA) – Contact Phillip Cane 302-659-2325

Comment 25: The majority of this parcel is located within an area of **Minimal Flood Concern of 1,000 years or greater**. However, the northwestern part of the property appears to be in a Special Flood Hazard Area (SFHA) Flood Zone A, which is a 1% or 100-year flood

plain. The properties themselves do not appear to actually be within a floodplain. No official requirements here from DEMA.

Response: Comment acknowledged.

Comment 26: The parcel is not yet located within the 10-mile EPZ for the Salem Nuclear Power Plant. However, the sections to the southeast of W. Denneys Road are located within Kent Evacuation Zone D.

Response: Comment acknowledged.

Comment 27: The parcel **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

Response: Comment acknowledged.

State Historic Preservation Office (SHPO) – Contact Carlton Hall 302-736-7400

Comment 28: There are no known archaeological sites or known historic or eligible properties in the project area.

Response: Comment acknowledged.

Comment 29: Wetland permitting may be required for northern portion of the parcel – in which case, this project should be properly initiated through Section 106 Regulations.

Response: Comment acknowledged.

Comment 30: Probability for precontact archaeological resources is high.

Response: Comment acknowledged.

Comment 31: Portions of the area have been archaeologically surveyed. The survey uncovered many archaeological sites and materials in analogous areas.

Response: Comment acknowledged.

Comment 32: An archaeological survey is recommended.

Response: Comment acknowledged; recommendation for archaeological consultant will be noted for developer's consideration.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-259-7037

Comment 33: At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR).

Response: Comment acknowledged; plans will be developed and submitted in accordance with the requirements of the Delaware State Fire Prevention Regulation (DSFPR) and the applicable application for plan review.

Fire Protection Water Requirements:

Comment 34: Water distribution system capable of delivering at least 1,000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

Response: Comment acknowledged; if necessary, flow tests will be performed to confirm available flow and pressure requirements of the DSFPR. Hydrants will be provided for on-site

areas in accordance with spacing requirements consistent with the proposed residential unit type(s) proposed by this project.

Comment 35: Where a water distribution system is proposed for mixed occupancy use sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Response: *Comment acknowledged; this information will be provided as part of the construction plans.*

Fire Protection Features:

Comment 36: All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.

Response: *Comment acknowledged; sprinkler systems are proposed for all apartment buildings.*

Comment 37: Buildings occupied as apartments (multi-family living units comprising of 3 or more units) will require automatic sprinkler protection installed.

Response: *Comment acknowledged; sprinkler systems are proposed for all apartment buildings.*

Comment 38: Buildings greater than 10,000 sq ft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements. Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.

Response: *Comment acknowledged; all apartment buildings will meet the DSFPR requirements. Fire lanes and required markings will be included in the final Site Plan.*

Comment 39: Show Fire Lanes and Sign Detail as shown in DSFPR.

Response: *Comment acknowledged; fire lanes and required markings will be included in the final Site Plan.*

Comment 40: Standpipe systems may be required per DSFPR.

Response: *Comment acknowledged.*

Accessibility:

Comment 41: All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road must be constructed so fire department apparatus may negotiate it.

Response: *Comment acknowledged; all buildings will have adequate access. All internal roads will be designed in accordance with City of Dover standards and will accommodate fire apparatus.*

Comment 42: Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.

Response: *Comment acknowledged; no dead-end roads are proposed for this project.*

Comment 43: The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

Response: Comment acknowledged.

Comment 44: The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Response: Comment acknowledged; no gates limiting access to the development are anticipated to be installed as part of this project.

Gas Piping and System Information:

Comment 45: Provide type of fuel proposed and show locations of bulk containers on plan.

Response: Comment acknowledged; while no bulk containers are anticipated for this project, plans will be developed in accordance requirements of the DSFPR and will include this information.

Required Notes:

Comment 46: Provide a note on the final plans submitted for review to read " All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"

Proposed Use

Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units.

Square footage of each structure (Total of all Floors)

National Fire Protection Association (NFPA) Construction Type

Maximum Height of Buildings (including number of stories)

Note indicating if building(s) is/are to be sprinklered

Name of Water Provider

Letter from Water Provider approving the system layout

Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered

Provide Road Names, even for County Roads

Response: Comment acknowledged; plans will be developed in accordance requirements of the DSFPR and include the applicable notes and information as detail in the plan application checklist.

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 the suggestions can benefit the project.

Department of Transportation – Contact Stephen Bayer 302-760-2109

Recommendation 1: The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

Response: Comment acknowledged; plans will be submitted to DelDOT with revisions to address TAC and PLUS comments as noted above.

Recommendation 2: 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/>.

Response: Comment acknowledged; plans to be submitted to DelDOT will reference latest General Notes for Record Plans, Entrance Plans, and Maintenance of Traffic Plans.

Department of Natural Resources and Environmental Control (DNREC) – Contact Beth Krumrine 302-735-3480

Concerns Identified Within the Development Footprint

Wetlands and Subaqueous Lands

Recommendation 3: As proposed for this project, do not disturb wetland areas. Wetlands are a critical part of our natural environment. They reduce the impacts of flooding, absorb pollutants, and improve water quality. Wetlands provide habitat for animals and plants and many contain a wide diversity of life, supporting plants and animals that are found nowhere else.

Response: Comment acknowledged; the project will be designed to minimize impacts to wetlands and will comply with State and Federal regulations.

Recommendation 4: Maintain input to natural wetlands at the pre-construction level. Avoid causing an increase or decrease in the naturally occurring water level.

Response: Comment acknowledged.

Recommendation 5: Avoid diverting surface water from roadways and stormwater facilities into the wetlands on site. Water quality could be detrimentally affected by run-off, which can contain oil and other pollutants.

Response: Comment acknowledged.

Recommendation 6: Avoid installing sewers with grates, which can create a hazard for amphibians and reptiles.

Response: Comment acknowledged.

Recommendation 7: Design the development to exclude curbs. If road curbing is part of the design, curbing that allows small animals, such as turtles and salamanders, to climb out of the roadbed (such as Type 2 or Cape Cod curbing) is preferred over steep, vertical curbing.

Response: Comment acknowledged.

Recommendation 8: Use open bottom box culverts to allow for natural substrate to remain and in-water passage of aquatic life. Additionally, culverts should be left as wide as possible to ensure that salamanders can travel through them.

Response: Comment acknowledged.

Vegetated Buffer Zones

Recommendation 9: Expand the 30-foot buffer to no less than 100 feet from the edge of wetlands and all waterways to protect water quality and to provide an additional margin of safety for flooding.

Response: Comment acknowledged; buffer areas to natural resources will be provided in accordance with the requirements of the City of Dover Code. Strategies will be

developed in concert with KCD to provide protection to wetland areas during construction to reduce sediment discharge to these areas.

Recommendation 10: 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.

Response: Comment acknowledged; buffer areas will be designed in accordance with the requirements of the City of Dover Code.

Recommendation 11: Vegetated buffer zones should be deeded as community open space. Signage should be installed at the edge and within the buffer zones to deter residents from encroaching into these common areas.

Response: Comment acknowledged; buffer areas will be primarily located within community open space areas.

Recommendation 12: 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.

Response: Comment acknowledged; riparian buffer areas will be planted and maintained in accordance with requirements of the City of Dover Code.

Recommendation 13: 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.

Response: Comment acknowledged.

Delaware Ecological Network

Recommendation 14: Most of the project site lies within lands designated within the Delaware Ecological Network, a statewide network of interconnected lands of significant ecological value. This GIS data layer is based on principles of landscape ecology and conservation biology, providing a consistent framework to identify and prioritize areas for natural resource protection. Forest disturbances on this site will jeopardize habitat on the parcel and likely beyond the parcel's boundary.

Removing forested areas within the Delaware Ecological Network should be avoided to the greatest extent possible. These areas provide wildlife habitat, uptake nutrients, infiltrate stormwater, and improve water quality. Forests also provide shading and cooling, while also reducing carbon that contributes to climate change.

Response: Comment acknowledged.

Removal of Mature Forest

Recommendation 15: The preliminary plan proposes the elimination of approximately 18 of 37 acres of forest on the site. An analysis of historical data indicates that much of the forest area located on the site has likely maintained some degree of forest cover

since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat.

Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.

Response: Comment acknowledged; forest area removal will be minimized as much as practical for the development and will comply with the City of Dover Code.

Recommendation 16: A forest assessment should be conducted to determine if mature forest resources exist on the property and to delineate their boundaries. Additionally, a forest assessment would include the identification of specimen trees and forest-dependent wildlife. If mature forests are found, these areas should be conserved to the maximum extent practicable.

Response: Comment acknowledged.

Recommendation 17: 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.

Response: Comment acknowledged.

Special Flood Hazard Area

Recommendation 18: As proposed, locate all structures outside of the floodplain. If this is not possible, the developer should consider designing structures to a higher standard to avoid potential future flood damage and loss.

Response: Comment acknowledged; no structures are proposed within the floodplain.

Key Wildlife Habitat

Recommendation 19: The non-tidal coastal plain stream directly adjacent to the property, is mapped as Key Wildlife Habitat in the Delaware Wildlife Action Plan.

Key Wildlife Habitat should be conserved to the maximum extent practicable and negative impacts should be minimized.

Response: Comment acknowledged; no impacts are expected to this stream as part of this project.

Recommendation 20: In the interest of water quality and wildlife habitat, we recommend maintaining an upland buffer of at least 100 ft along rivers, streams and wetlands. This buffer should not be a maintained lawn area and should not contain lot lines or infrastructure. We recommend the buffer area be comprised of the existing vegetation or planted with Delaware native species of trees, shrubs, grasses or wildflowers.

Response: Comment acknowledged.

Recommendation 21: Appropriate erosion and sediment control measures should be taken during construction activities to minimize potential impacts to the stream system. For

erosion control, we recommend (if feasible) using materials that are biodegradable and that do not include plastic netting or have welded-joint poly-based matting. Wildlife entanglement in rolled erosion control products (RECP), especially those that contain plastic netting, is well documented.

Response: Comment acknowledged.

Stormwater Management

Recommendation 22: 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.

Response: Comment acknowledged; stormwater management facilities will be designed in accordance with the requirements of the DSSR, and the Kent Conservation District.

Recommendation 23: For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Response: Comment acknowledged.

Drainage

Recommendation 24: All existing drainage ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

Response: Comment acknowledged.

Recommendation 25: 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 Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

Response: Comment acknowledged; these agencies will be consulted through the design of the project when necessary.

Recommendation 26: 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.

Response: Comment acknowledged; no modifications to the existing natural drainageways are proposed by this project. On-site grading will maintain the current drainage patterns of the neighboring properties. Stormwater management will be provided on site and will be designed in accordance with the current DSSR to reduce the potential for impacts to downstream properties due to discharge of stormwater runoff.

Water Quality (Pollution Control Strategies)

Recommendation 27: This site lies within the Saint Jones River Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.

Response: Comment acknowledged; buffer areas will be planted and maintained in accordance with requirements of the City of Dover Code.

Recommendation 28: Reduce impervious surfaces on the project site by eliminating areas of

impervious pavement and/or using pervious pavement where practicable.

Response: Comment acknowledged.

Recommendation 29: Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.

Response: Comment acknowledged; stormwater management will be provided on site and will be designed in accordance with the current DSSR and these practices will be considered during the design.

Recommendation 30: 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.

Response: Comment acknowledged; open space plantings will be provided in accordance with the requirements of the City of Dover Code.

Excellent Groundwater Recharge Area

Recommendation 31: For Excellent Groundwater Recharge Areas, limit impervious surfaces to no more than 20% of the entire area designated as having excellent recharge.

Response: Comment acknowledged; the project will be designed in accordance with the requirements of the City of Dover Code.

Wildlife Displacement

Recommendation 32: Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests are a key habitat type for wildlife in Delaware.

Response: Comment acknowledged.

Recommendation 33: Deer, groundhogs, and rabbits will browse on gardens and ornamental landscaping. Reduce the potential for future conflicts between future residents and wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas.

Response: Comment acknowledged.

Mosquitoes

Recommendation 34: The project is expected to be impacted by mosquitoes due to its location near large expanses of wetlands. Mosquito control issues are increasing as developments infringe on wetland areas, often leading to increased demands for mosquito control services beyond what DNREC has the resources to provide.

If necessary, arrange for long-term mosquito control services through a private company licensed in this area of specialty. In some cases, the DNREC Mosquito Control Section may be able to provide these services free of charge.

Response: Comment acknowledged; it is anticipated that the SWM facilities will be designed to provide deep pool areas to accommodate the establishment of native fish to provide level of natural mosquito control within the SWM area. Information regarding Mosquito Control services will be provided to the developer and HOA for their consideration.

Nature Preserves

Recommendation 35: The proposed development is located near the Fork Branch Nature Preserve.

While across the street, there should be an effort made by the developer to ensure encroachment into the Preserve does not occur. There shall be no staging of equipment on Park property.

Response: Comment acknowledged; no disturbance or staging of equipment on Park property is expected for this project.

Recommendation 36: While not currently registered as Natural Area, the property's proximity to Fork Branch Nature Preserve suggests that it may share some or all ecological, historical, cultural, or geologic value as the land within the Nature Preserve. Consider minimizing the development footprint and dedicating forested and wetland areas as a Nature Preserve through a conservation easement or donation of land. For more information, please contact the DNREC Planning Preservation and Development Section.

Response: Comment acknowledged; this information will be provided to the developer.

Additional Sustainable Practices

Recommendation 37: Install electric vehicle (EV) charging stations for your residents. Residents will increasingly expect options for EV charging. 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 90% 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.alpha.delaware.gov/climate-coastal-energy/clean-transportation/>).

Response: Comment acknowledged; EV charging stations are proposed for this project and this information will be shared with the developer for their consideration. Further details will be provided as part of the Site Plan.

Recommendation 38: Use 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.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).

Response: Comment acknowledged; information will be shared with the developer for their consideration.

Recommendation 39: Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.

Response: Comment acknowledged; information will be shared with the developer for their consideration.

Recommendation 40: Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

Response: Comment acknowledged; connectivity and bicycle racks are proposed for this project. Further details will be provided as part of the Site Plan.

Recommendation 41: 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.

Response: Comment acknowledged; information will be shared with the developer for their consideration.

Recommendation 42: 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.

Response: Comment acknowledged; information will be shared with the developer for their consideration.

Recommendation 43: Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Response: Comment acknowledged; information will be shared with the developer for their consideration.

Delaware State Emergency Management Agency (DEMA) - Contact Philip Cane 302-659-2325

Recommendation 44: The county has a population density of 310.20 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 77, though, with development, this will undoubtedly change.

The adjacent blocks aggregate bring the area to a total population of 710.

Response: Comment acknowledged.

Recommendation 45: 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. According to FEMA's National Risk Index, the parcel **is** considered **relatively low** for overall natural hazards risks.

Response: Comment acknowledged.

Recommendation 46: 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 and social vulnerability are rated as **relatively high**.

Response: *Comment acknowledged.*

Recommendation 47: Regarding energy use and consumption, the parcel utilizes natural gas as the predominant fuel type for heating purposes with electric heat a close second. 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.

Response: *Comment acknowledged; information will be shared with the developer for their consideration.*

Recommendation 48: Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.

Response: *Comment acknowledged.*

Delaware State Housing Authority (DSHA) - Contact Karen Horton 302-739-4263

Recommendation 49: DSHA supports the proposal for 312 rental units on 40 acres of land near West Denney's Road in Dover. While this is a market-rate development, it provides a *more* affordable option for many residents.

This site is also located within a DSHA-defined "Area of Opportunity" which are strong, high value markets, with close job proximity and economic opportunity, high performing schools, amenities and supportive infrastructure that help households succeed. Unfortunately, these same areas contain little affordable housing. DSHA recommends that local stakeholders provide resources to connect these residents to the high-quality services the area has to offer.

Due to the large scale of this project (40 acres, 312 units), DSHA encourages that the developer utilizes thoughtful site layout and design measures. This includes measures that are human-scale and incorporates attractive streetscapes, community recreation areas, visually appealing façade treatments, and significant landscaping measures. These elements all serve to create desirable quality communities where families can thrive.

Response: *Comment acknowledged.*

Delaware State Marshall's Office - Contact Duane Fox 302-739-4394

Recommendation 50: Although not a requirement of the Delaware State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to install residential fire sprinkler systems in all residential dwellings.

Response: *Comment acknowledged.*

Recommendation 51: The Office of the State Fire Marshal reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code which can be found at the following website:
<http://delcode.delaware.gov/title6/c036/sc03/index.shtml>

Response: *Comment acknowledged.*

Recommendation 52: Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Response: *Comment acknowledged; a pre-submittal meeting will be scheduled with the SFMO prior to plan submittal.*

A Preliminary Plan application has been submitted to the City of Dover Department of Planning and Zoning for review and approval. If you should require additional information regarding this PLUS application, please contact me at your convenience at 302-326-2200.

Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.



Charlie Barnett,
Principal

c.c. Mary Ellen Gray, City of Dover
 Doug Motley, JLAM
 File (21905)

SITE DATA:

1. PARCEL NUMBER: (1) 2-05-05600-01-0200-00001
(2) 2-05-05600-01-0300-00001
(3) 2-05-05600-01-0400-00001
2. OWNER: (1) GEORGE L. CRAIG, JR. & DEBORAH J. CRAIG
57 ROCKY ROAD
DOVER, DE 19904
(2) ROBERT G. KELLER & GLORIA K. KELLER
4095 N. DENNEYS ROAD
DOVER, DE 19904
(3) BRUCE A. BURKETT
25 DOGWOOD WAY
TROT, VA 22414
3. SITE AREA: 40,124 AC. (TOTAL ASSEMBLAGE)
4. EXISTING ZONING: RM-2 (CITY OF DOVER)
5. BULK STANDARDS (GARDEN APT. DWELLINGS):
MIN. LOT AREA 3,000 SF / D.U.
OFF-STREET PARKING 2.25 SF / D.U.
MIN. LOT AREA / BLDGS. 1 ACRE
MIN. LOT WIDTH 100'
MIN. LOT DEPTH 125'
MIN. FRONT YARD 30'
MIN. SIDE YARD 20'
TOTAL SIDE YARD 40'
MIN. REAR YARD 30'
MAX. BLDG. HEIGHT 3 STORIES / 35'
MAX. LOT COVERAGE 60%
MAX. D.U. / BLDG. 24
6. MAX. DENSITY: 8 D.U./AC.
MAX. D.U.: 8 D.U./AC. X 40.12 AC. = 320 D.U.
7. PROPOSED DEVELOPMENT: 13 APT. BLDGS. + 2 RESIDUAL LOTS
24 D.U./BLDG. X 11 BLDG.
+ 18 D.U./BLDG. X 2 BLDG.
+ 2 RESIDUAL LOTS
302 D.U.
8. PROPOSED DENSITY: 302 D.U./40.12 AC. = 7.53 D.U./AC.
4. PARKING RATIONALE:
REQUIRED: 2.25 SF. / D.U. = 675 SPACES
1 SF. / 200 SF OFFICE = 1 SPACE
124 SPACES
PROVIDED: (INCLUDES 21 HC & 16 EV SPACES)
10. BICYCLE PARKING:
REQUIRED: 1 BIKE SPACE / 20 PARKING SPACES
124 / 20 = 31 BIKE SPACES
PROVIDED: 1 BIKE SPACES PER RACK
6 BIKE PADS PROVIDED = 42 BIKE SPACES
11. DUMPSTER PADS:
REQUIRED: 1 / 24 D.U. = 13 DUMPSTERS
PROVIDED: 14 DUMPSTERS
12. SMOKE AREA CALCULATIONS:
AREA WITHIN SMOKEZ: 18.61 AC
PR. INTERVIEWS IN SMOKEZ: 5.03 AC (21.0%)
13. INTERVIEW CALCULATIONS:
MAXIMUM: 60% OF TOTAL SITE
PROPOSED: 91.3%
14. ACTIVE RECREATIONAL AREA:
REQUIRED: 275 SF PER D.U.
275 x 302 = 83,050 SF (1.90 AC)
PROPOSED: 41,360 SF (2.24 AC)
15. WOODLAND PRESERVATION CALCULATIONS:
EXISTING WOODS: 31.44 AC
WOODS TO REMAIN: 19.02 AC (50.8%)
16. LANDSCAPE REQUIREMENTS:
DEVELOPED AREA: 1 TREE / 3,000 SF DEVELOPED AREA
81,561 SF
REQUIRED: 275 TREES
PROPOSED: 275 TREES

LEGEND:

- EX. PROPERTY LINE
PROPOSED PROPERTY LINE
EX. PROPERTY LINE TO BE REMOVED
EX. RIGHT OF WAY LINE
ADJ. PROPERTY LINE
EX. NON-TIDAL WETLANDS
EX. WETLAND BUFFER
EX. 100-YR FLOODPLAIN
EXCELLENT RECHARGE AREA
PR. 18' WIDE EMERGENCY ACCESS

OWNER CERTIFICATION (PARCEL 02.00):

WE, GEORGE L. & DEBORAH J. CRAIG, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO US BY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

GEORGE L. CRAIG DATE

DEBORAH J. CRAIG DATE

ENGINEER'S CERTIFICATION:

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

PHILLIP L. TOLLIVER, P.E. DATE

OWNER CERTIFICATION (PARCEL 03.00):

WE, ROBERT G. & GLORIA K. KELLER, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO US BY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

ROBERT G. KELLER DATE

GLORIA K. KELLER DATE

OWNER CERTIFICATION (PARCEL 04.00):

I, BRUCE A. BURKETT, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO ME BY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

BRUCE A. BURKETT DATE

SHEET INDEX:

- SHEET 1 TITLE SHEET
SHEET 2 RECORD PLAN
SHEET 3 EXISTING CONDITIONS PLAN
SHEET 4 SITE PLAN
SHEET 5 SITE PLAN
SHEET 6 UTILITY PLAN
SHEET 7 UTILITY PLAN
SHEET 8 CONCEPTUAL LANDSCAPE & ACTIVE RECREATION PLAN

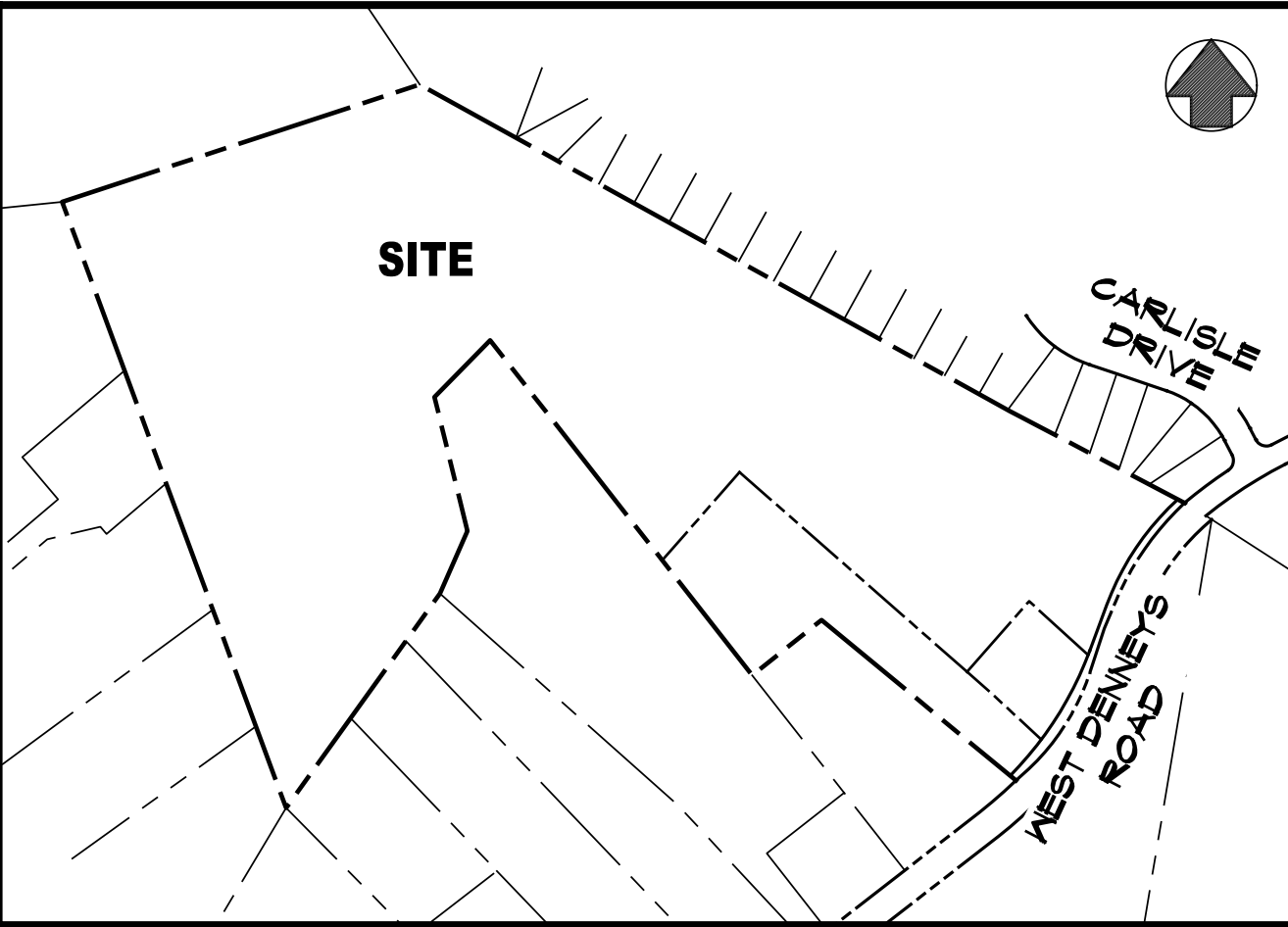


WINDWARD RIDGE PRELIMINARY PLAN



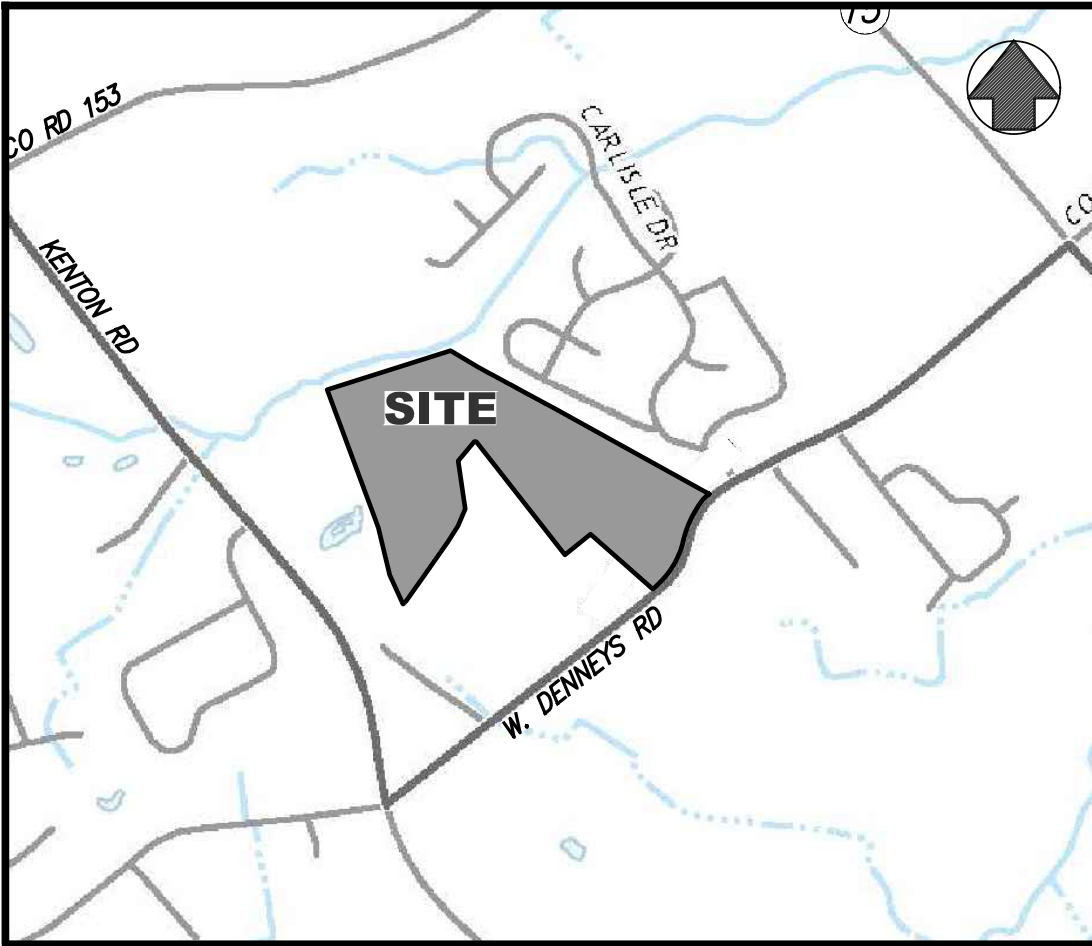
SCALE: 1"=400'

KENT COUNTY, DELAWARE



LOCATION MAP

SCALE: 1" = 400'



LOCATION MAP

SCALE: 1" = 1,200'

GENERAL NOTES:

- A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED FOR, BUT NOT LIMITED TO, ALL FUTURE MAINTENANCE AND REPAIRS OF ALL STORMWATER MANAGEMENT FACILITIES, THE ENTRANCE SUBDIVISION SIGN, AND ACTIVE RECREATION AMENITIES.
- ALL PUBLIC UTILITIES NOT LOCATED WITHIN CITY ROAD RIGHT-OF-WAY SHALL BE CONTAINED WITHIN A PUBLIC DRAINAGE AND UTILITY EASEMENT.
- ALL OPEN SPACES AND STORMWATER MANAGEMENT FACILITIES SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION (H.O.A.) WITH THE RESPONSIBILITY OF MAINTENANCE FOR THE H.O.A. TO BEGIN AT THE COMPLETION OF THE PROJECT.
- THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURES AS IT DEEMS NECESSARY.
- THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
- A TOPOGRAPHIC SURVEY WAS PREPARED BY MORRIS & RITCHIE ASSOCIATES, LAST UPDATED AUGUST 2022.
- A BOUNDARY SURVEY WAS PREPARED BY MORRIS & RITCHIE ASSOCIATES, PREPARED OCTOBER 12, 2022.
- ALL FIRE LINES, FIRE HYDRANTS, EXITS, STANDPIPES, AND SPRINKLER SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL CONFORM TO THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, JULY 2023.
- ALL ELECTRICAL, TELEPHONE, TV CABLE, COMMUNICATIONS, ETC. LINES AND CABLES SHALL BE PLACED UNDERGROUND.
- DECLARANT HEREBY GRANTS TO THE CITY OF DOVER, ITS ASSIGNS AND SUCCESSORS, THE RIGHT, PRIVILEGE AND AUTHORITY TO ENTER UPON SAID PREMISES AND INSPECT ALL OPEN SPACES FOR CONFORMITY WITH THE PROVISIONS OF THE CITY OF DOVER CODE AND WITH ALL CONDITIONS OF APPROVAL IMPOSED UPON THIS SUBDIVISION. MAINTENANCE OF THE OPEN SPACES AND ALL EXPENSES OF MAINTENANCE SHALL BE BY THE HOMEOWNERS' ASSOCIATION. IN THE EVENT THE HOMEOWNERS' ASSOCIATION FAILS TO MAINTAIN THE OPEN SPACE ACCORDING TO THE STANDARDS OF THE CITY OF DOVER CODE AND IN ACCORDANCE WITH THE RECORDED OR APPROVED PLAN, THE CITY MAY, FOLLOWING REASONABLE NOTICE DEMAND THE DEFICIENCY OF MAINTENANCE BE CORRECTED AND/OR ENTER THE OPEN SPACE AREA TO MAINTAIN SAME. THE COST OF SUCH MAINTENANCE SHALL BE CHARGED TO THE HOMEOWNERS' ASSOCIATION.
- DECLARANT HEREBY GRANTS TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF SOIL AND WATER CONSERVATION SEDIMENT AND STORMWATER PROGRAM OR ITS DELEGATED AGENCY, THE RIGHT, PRIVILEGE, AND AUTHORITY TO ENTER UPON SAID PREMISES AND INSPECT STORMWATER MANAGEMENT AREAS WITHIN STORMWATER MANAGEMENT EASEMENTS. IN EVENT THAT THE DELEGATED AGENCY DETERMINES THAT MAINTENANCE IS REQUIRED WITHIN SAID STORMWATER MANAGEMENT AREAS, ALL EXPENSES OF MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE MAINTENANCE CORPORATION.
- MAINTENANCE OF ALL STORMWATER FACILITIES AND OPEN SPACE ON SITE INCLUDING BUT NOT LIMITED TO STORMWATER PONDS, BIOFILTRATION AREAS AND ROCK OUTLET PROTECTION SHALL BE THE RESPONSIBILITY OF THE DEVELOPER UNTIL SUCH TIME AS ALL MAINTENANCE IS TURNED OVER TO THE HOMEOWNERS ASSOCIATION FOR LONG TERM MAINTENANCE.
- ALL ENTRANCES SHALL CONFORM TO THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION AND WILL BE SUBJECT TO ITS APPROVAL.
- PUBLIC WATER SUPPLY AND FIRE PROTECTION TO BE PROVIDED BY TIDENATER UTILITIES UPON APPROVAL OF THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
- SANITARY SEWER SERVICE TO BE PROVIDED BY CITY OF DOVER UPON APPROVAL FROM THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
- THE CITY OF DOVER AND THE KENT COUNTY CONSERVATION DISTRICT (802-741-2600, EXT. 3) SHALL BE NOTIFIED TWO WEEKS PRIOR TO THE START OF CONSTRUCTION.
- A PORTION OF WINDWARD RIDGE IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN LINE PER THE REVISED F.E.M.A. MAP NUMBER 15000100262H DATE MAY 5, 2023.

Item 5.

MRA

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS,
SURVEYORS, AND LANDSCAPE
ARCHITECTS

18 BOULDER CIRCLE
SUITE 36
NEW CASTLE, DE 19720
302-329-2200
302-326-2399 FAX

DEVELOPER
JACK LINGO ASSET MANAGEMENT
246 REHOBOTH AVENUE
REHOBOTH BEACH, DE 19871
(302) 226-6845

WINDWARD RIDGE

KENT COUNTY, DELAWARE
CITY OF DOVER

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NO.	REVISION	DATE	NO.	REVISION
JOB NO. 21905	DRAWN BY FRP	CHECKED BY CWB	ISSUED 08/15/23	

SHEET TITLE

**PRELIMINARY PLAN
TITLE SHEET**

SHEET NUMBER



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS,
SURVEYORS, AND LANDSCAPE
ARCHITECTS

18 BOULDER CIRCLE
SUITE 36
NEW CASTLE, DE 19720
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WINDWARD RIDGE

KENT COUNTY, DELAWARE
CITY OF DOVER

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MORRIS & RITCHIE ASSOCIATES, INC.

NO.	REVISION	DATE
JOB NO. 21905	DRAWN BY FRP	CHECKED BY CWB
		ISSUED 08/15/23

SHEET TITLE

**PRELIMINARY PLAN
EXISTING CONDITIONS**

SHEET NUMBER

LEGEND

- EX. PROPERTY LINE
- EX. PROPERTY LINE TO BE REMOVED
- EX. RIGHT OF WAY LINE
- ADJ. PROPERTY LINE
- EX. STREAM
- EX. NON-TIDAL WETLANDS
- EXISTING CONTOURS
- EX. 100-YR FLOODPLAIN
- EXCELLENT RECHARGE AREA
- EX. SOILS BOUNDARY
- EX. SOILS DESIGNATION

CURVE TABLE

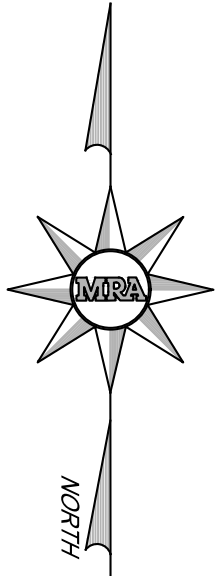
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C-1	210.53'	616.96'	19.55°	N 37° 06' 28" E	209.51'
C-2	48.45'	622.48'	4.46°	N 25° 06' 07" E	48.44'
C-3	183.15'	495.86'	21.16°	N 28° 34' 42" E	182.11'
C-4	63.55'	495.86'	7.34°	N 42° 49' 54" E	63.51'

LINE TABLE

LINE #	LENGTH	DIRECTION
L-1	60.48	N 22° 52' 19" E
L-2	96.64	N 17° 59' 54" E
L-3	37.09	N 48° 00' 36" E

SOILS TABLE:

MAP UNIT SYMBOL	HYDROLOGIC SOIL GROUP	MAP UNIT NAME
CoA	B/D	CORSICA MUCKY LOAM, 0 TO 2 PERCENT SLOPES
FgcA	C/D	FALLSINGTON LOAMS, 0 TO 2 PERCENT SLOPES, MID-ATLANTIC COASTAL PLAIN
HbB	B	HAMERBROOK SANDY LOAM, 2 TO 5 PERCENT SLOPES
HbB	C	WOODSTOCK SANDY LOAM, 2 TO 5 PERCENT SLOPES, MID-ATLANTIC COASTAL PLAIN
HcA	C	WOODSTOCK LOAM, 0 TO 2 PERCENT SLOPES, MID-ATLANTIC COASTAL PLAIN
Za	B/D	ZEKIAH SANDY LOAM, FREQUENTLY FLOODED





MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

18 BOULDER CIRCLE
SUITE 36
NEW CASTLE, DE 19720
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302-326-2399 FAX

DEVELOPER
JACK LINGO ASSET MANAGEMENT
246 REHOBOTH AVENUE
REHOBOTH BEACH, DE 19871
(302) 226-6845

WINDWARD RIDGE

KENT COUNTY, DELAWARE
CITY OF DOVER

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NO.	REVISION	DATE
JOB NO. 21905	DRAWN BY FRP	CHECKED BY CWB
		ISSUED 08/15/23

SHEET TITLE

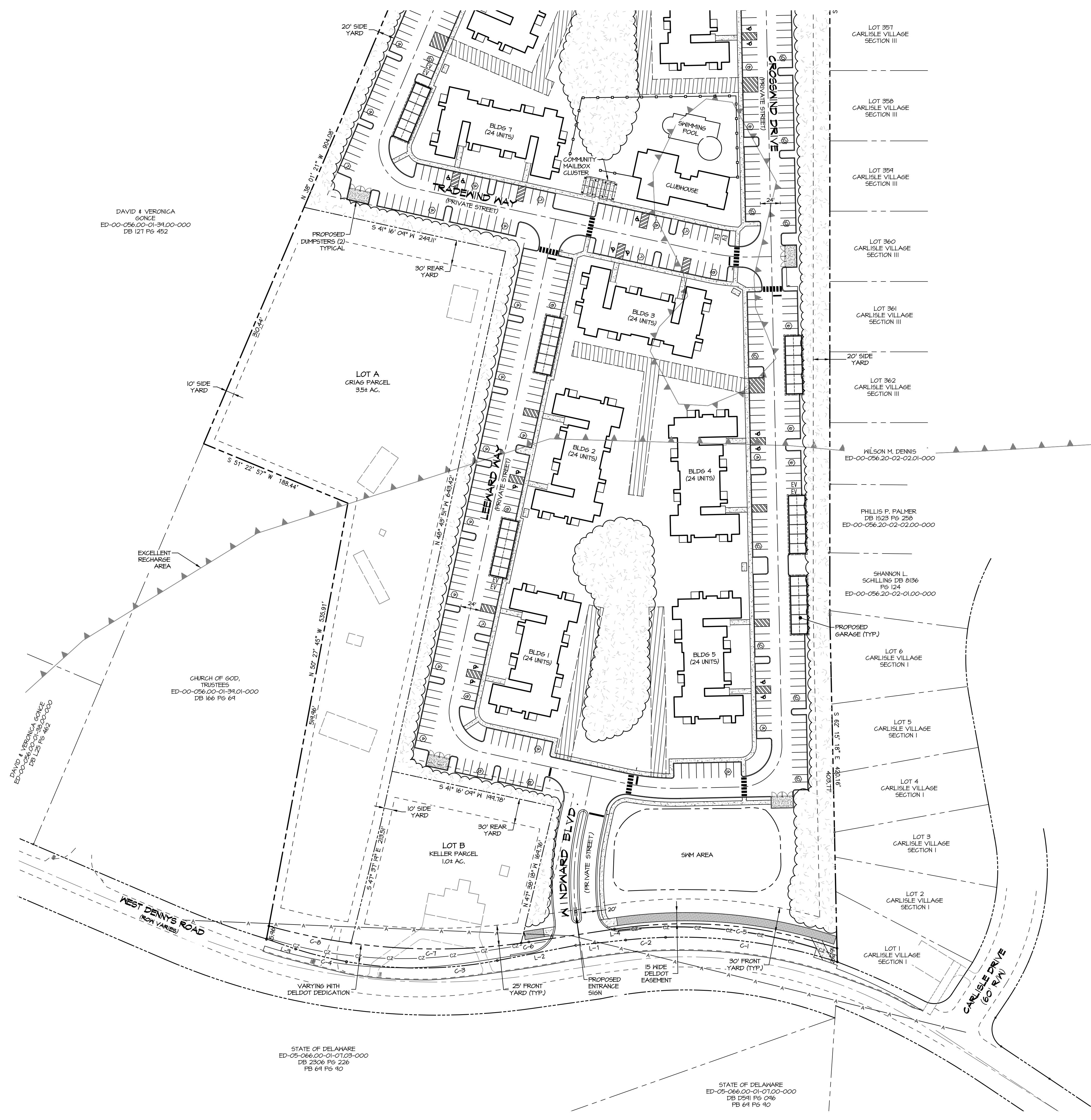
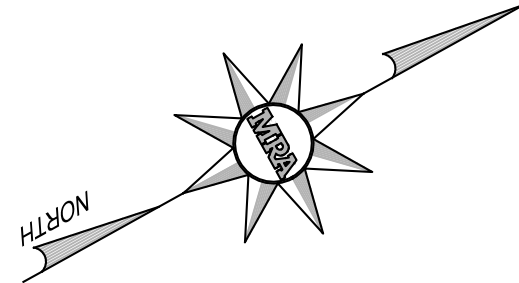
PRELIMINARY PLAN
SITE PLAN

SHEET NUMBER

4 OF 8

LEGEND

- EX. PROPERTY LINE
- PROPOSED PROPERTY LINE
- EX. PROPERTY LINE TO BE REMOVED
- EX. RIGHT OF WAY LINE
- ADJ. PROPERTY LINE
- EX. STREAM
- EX. NON-TIDAL WETLANDS
- EX. WETLAND BUFFER
- EX. 100-YR FLOODPLAIN
- EXCELLENT RECHARGE AREA
- PR. 10' WIDE EMERGENCY ACCESS



DAVID & VERONICA
60NCE
ED-00-056.00-01-31.00-000
DB 121 PG 452

LOT A
GRAS PARCEL
3.5± AC.

CHURCH OF GOD,
TRUSTEES
ED-00-056.00-01-31.01-000
DB 166 PG 64

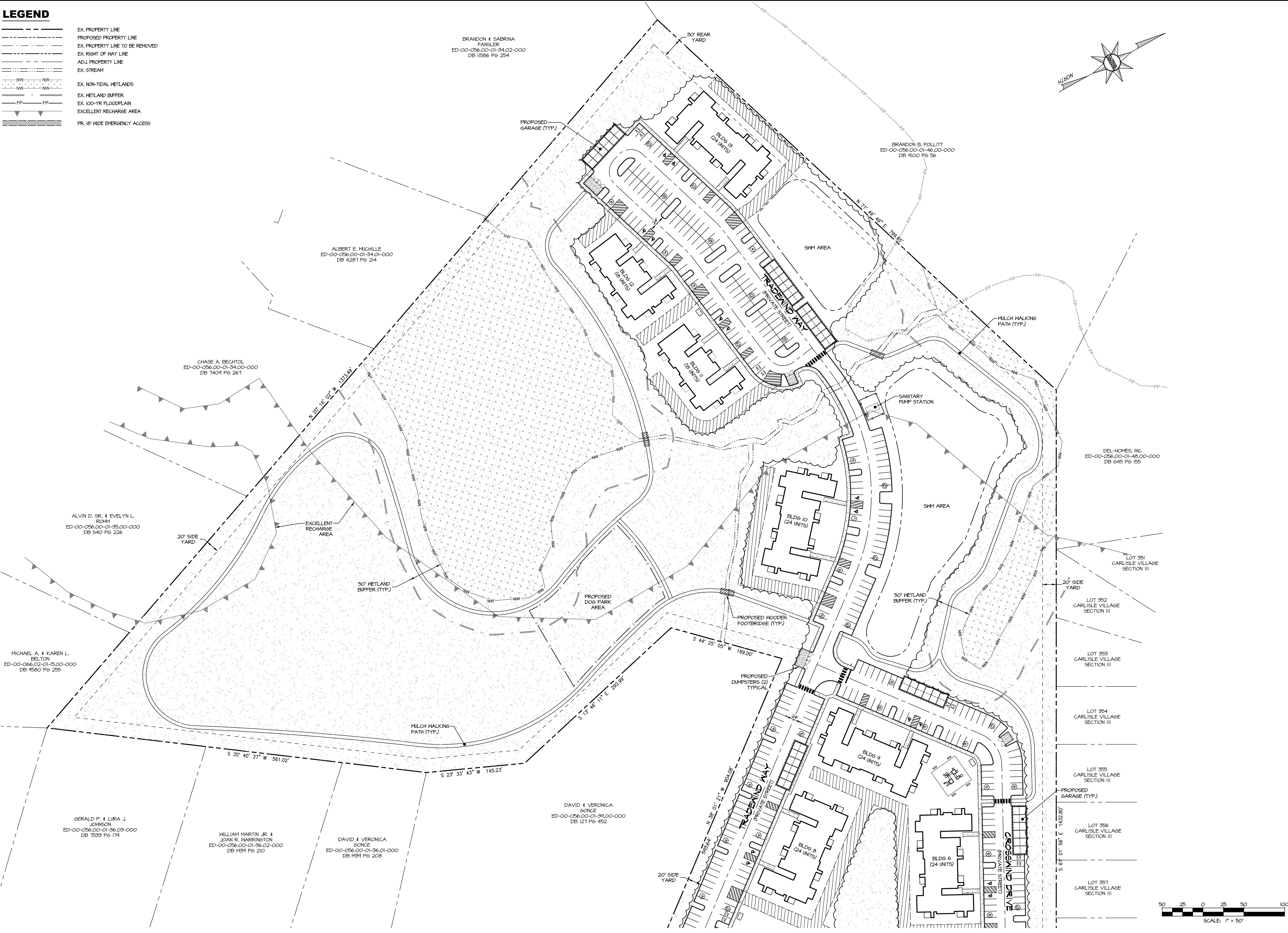
DAVID & VERONICA 60NCE
ED-00-056.00-01-31.00-000
DB 121 PG 452

STATE OF DELAWARE
ED-05-066.00-01-01.03-000
DB 2306 PG 226
PB 64 PG 40

STATE OF DELAWARE
ED-05-066.00-01-01.03-000
DB 1221 PG 046
PB 64 PG 40

LEGEND

- EX. PROPERTY LINE
PROPOSED PROPERTY LINE
EX. PROPERTY LINE TO BE REMOVED
EX. RIGHT OF WAY LINE
ADJ. PROPERTY LINE
EX. STREAM
EX. NON-TIDAL WETLANDS
EX. WETLAND BUFFER
EX. 100-YR FLOODPLAIN
EXCELLENT RECHARGE AREA
PR. 18' WIDE EMERGENCY ACCESS



Item 5.

MRA

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS,
SURVEYORS, AND LANDSCAPE
ARCHITECTS

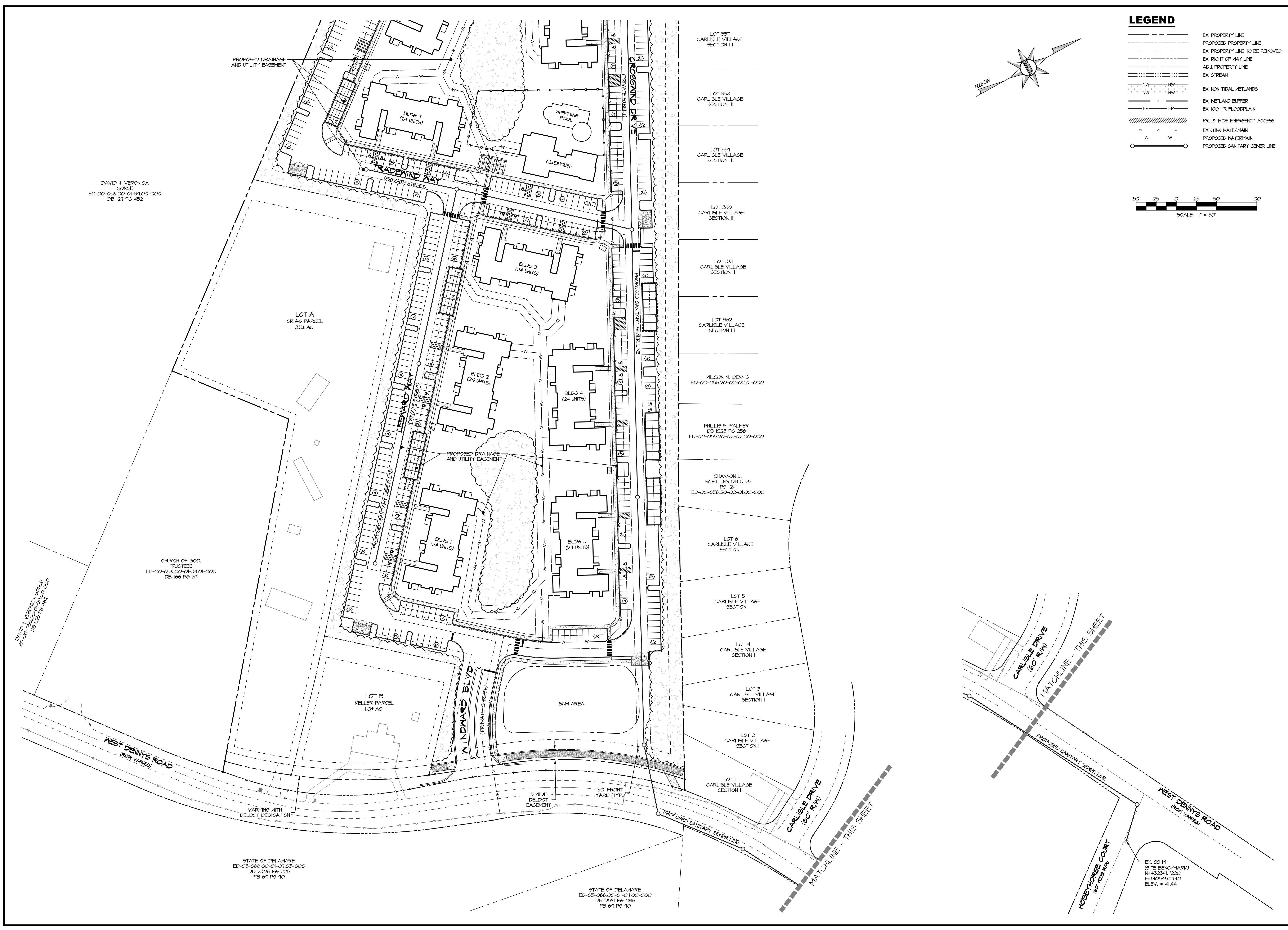
18 BOULDEN CIRCLE
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DEVELOPER
JACK LINGO ASSET MANAGEMENT
246 REHOBOTH AVENUE
REHOBOTH BEACH, DE 19871
(302) 226-6845

WINDWARD RIDGE

KENT COUNTY, DELAWARE
CITY OF DOVER

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NO.	REVISION	DATE	
JOB NO. 21905	DRAWN BY FRP	CHECKED BY CWB	ISSUED 08/15/23
SHEET TITLE			
PRELIMINARY PLAN SITE PLAN			
SHEET NUMBER			
5 OF 8			





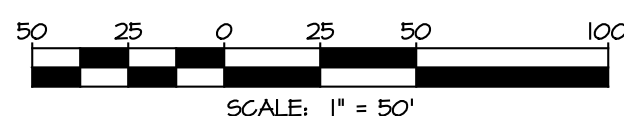
ENGINEERS, PLANNERS,
SURVEYORS, AND LANDSCAPE
ARCHITECTS

DEVELOPER
JACK LINGO ASSET MANAGEMENT
245 REHOBOTH AVENUE
REHOBOTH BEACH, DE 19971
(302) 226-6845

KENT COUNTY, DELAWARE
CITY OF DOVER

**PRELIMINARY PLAN
UTILITY PLAN**

7 OF 8



WINDWARD RIDGE
KENT COUNTY, DELAWARE
CITY OF DOVER

NO.	REVISION	DATE
JOB NO. 21905	DRAWN BY FRP	CHECKED BY CWB
ISSUED 08/15/23		

SHEET TITLE

PRELIMINARY PLAN
ACTIVE RECREATION
AND LANDSCAPE PLAN

SHEET NUMBER

SITE NOTES:

- ACTIVE RECREATIONAL AREA:
REQUIRED: 275 PER DU
275 x 302 = 83,050 SF (1.90 AC.)

PROPOSED:
CLUBHOUSE AREA: 21,240 SF
TOT LOT AREA: 5,560 SF
WALKING TRAILS: 20,610 SF
EXERCISE/PICNIC AREA: 21,525 SF
DOG PARK AREA: 22,360 SF

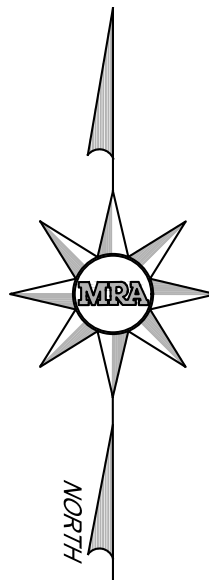
TOTAL: 47,360 SF (2.24 AC.)
- WOODLAND PRESERVATION CALCULATIONS:
EXISTING WOODS: 31.44 AC
WOODS TO REMAIN: 19.02 AC (60.8%)
- LANDSCAPE REQUIREMENTS: 1 TREE / 3,000 SF DEVELOPED AREA
DEVELOPED AREA: 81,561 SF
REQUIRED: 273
PROPOSED: 273
- SITE LIGHTING: PARKING AREAS WILL BE ILLUMINATED BY
POLE MOUNTED LIGHTS

NOTES:

- WALKING TRAILS AND RECREATIONAL AMENITIES SHOWN IN EXISTING WOODED AREAS ARE TO BE MULCH BASED AND INSTALLED WITHOUT DISTURBING ANY EXISTING TREES OR ROOT SYSTEMS.
- FINAL PLANTING SPECIES AND DETAILS WILL BE PROVIDED ON THE FINAL LANDSCAPE PLAN AND SHALL BE APPROVED BY THE CITY OF DOVER. WHEN SPECIFYING TREE SPECIES, PREFERENCE WILL BE GIVEN TO THOSE LISTED IN THE "SUGGESTED TABLE OF TREES FOR THE CITY OF DOVER AND TO INCLUDE NATIVE SPECIES WHERE PRACTICAL."
- ALL PLANTED TREES SHALL HAVE A ONE-YEAR REPLACEMENT GUARANTEE.

LEGEND

- EX. PROPERTY LINE
- EX. PROPERTY LINE TO BE REMOVED
- EX. RIGHT OF WAY LINE
- ADJ. PROPERTY LINE
- EX. STREAM
- EX. NON-TIDAL WETLANDS
- EX. WETLAND BUFFER
- EX. 100-YR FLOODPLAIN
- EXCELLENT RECHARGE AREA
- PR. 10' WIDE EMERGENCY ACCESS
- PROPOSED TREE
- PROPOSED FENCE



Windward Ridge

Building Architecture – While the architectural plan design will not begin until after Preliminary Approval, we expect to construct buildings of similar design and finishes as we have used in other recent projects.



1 FRONT ELEVATION ALL BUILDINGS
A3.1 SCALE: 1/8" = 1'-0"



2 REAR ELEVATION BUILDINGS
A3.1 SCALE: 1/8" = 1'-0"

*Buildings shown were constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

Windward Ridge

Building Architecture – Front Perspective



*Buildings shown were constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

Windward Ridge

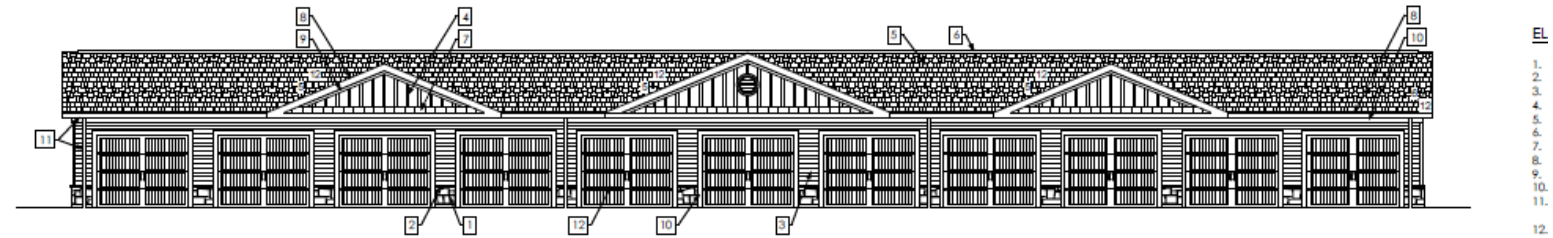
Building Architecture – Front and Side Perspective



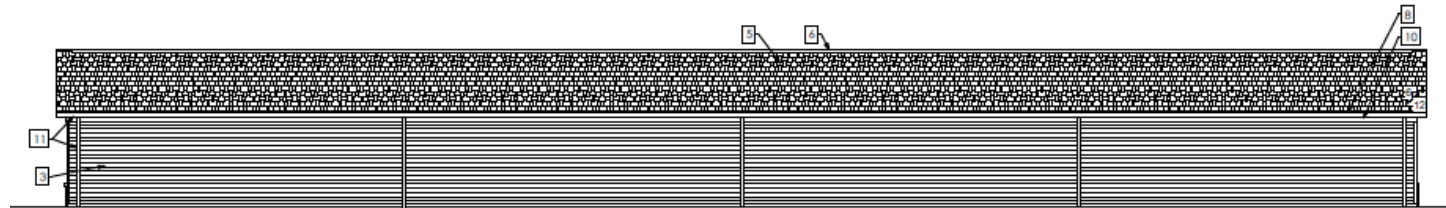
*Buildings shown were constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

Windward Ridge

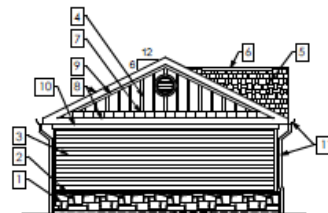
Garage Architecture – The garage architecture and finish materials will be similar to, and cohesive with, the main apartment buildings.



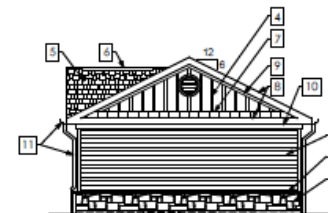
1 FRONT ELEVATION
A1.02 SCALE: 1/8" = 1'-0"



2 REAR ELEVATION
A1.02 SCALE: 1/8" = 1'-0"



3 SIDE ELEVATION
A1.02 SCALE: 1/8" = 1'-0"

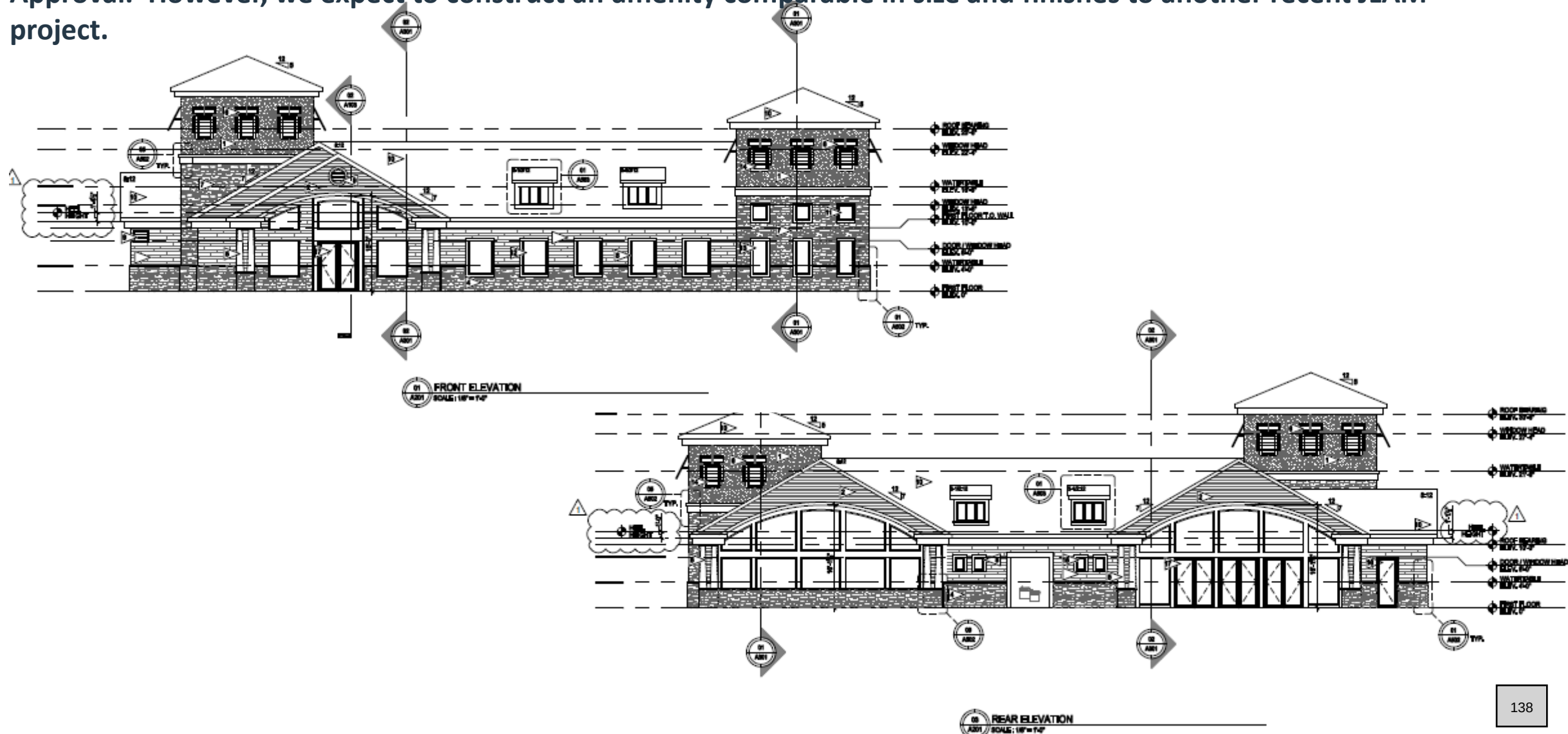


4 SIDE ELEVATION
A1.02 SCALE: 1/8" = 1'-0"

*Garage buildings shown are intended to be indicative of the design for Windward Ridge.

Windward Ridge

Amenity Architecture – Similar to the buildings, amenity architectural plan design will not begin until after Preliminary Approval. However, we expect to construct an amenity comparable in size and finishes to another recent JLAM project.



*Amenity Building shown was constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

Windward Ridge

Amenity Architecture – Front Perspective



*Amenity Building shown was constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

Windward Ridge

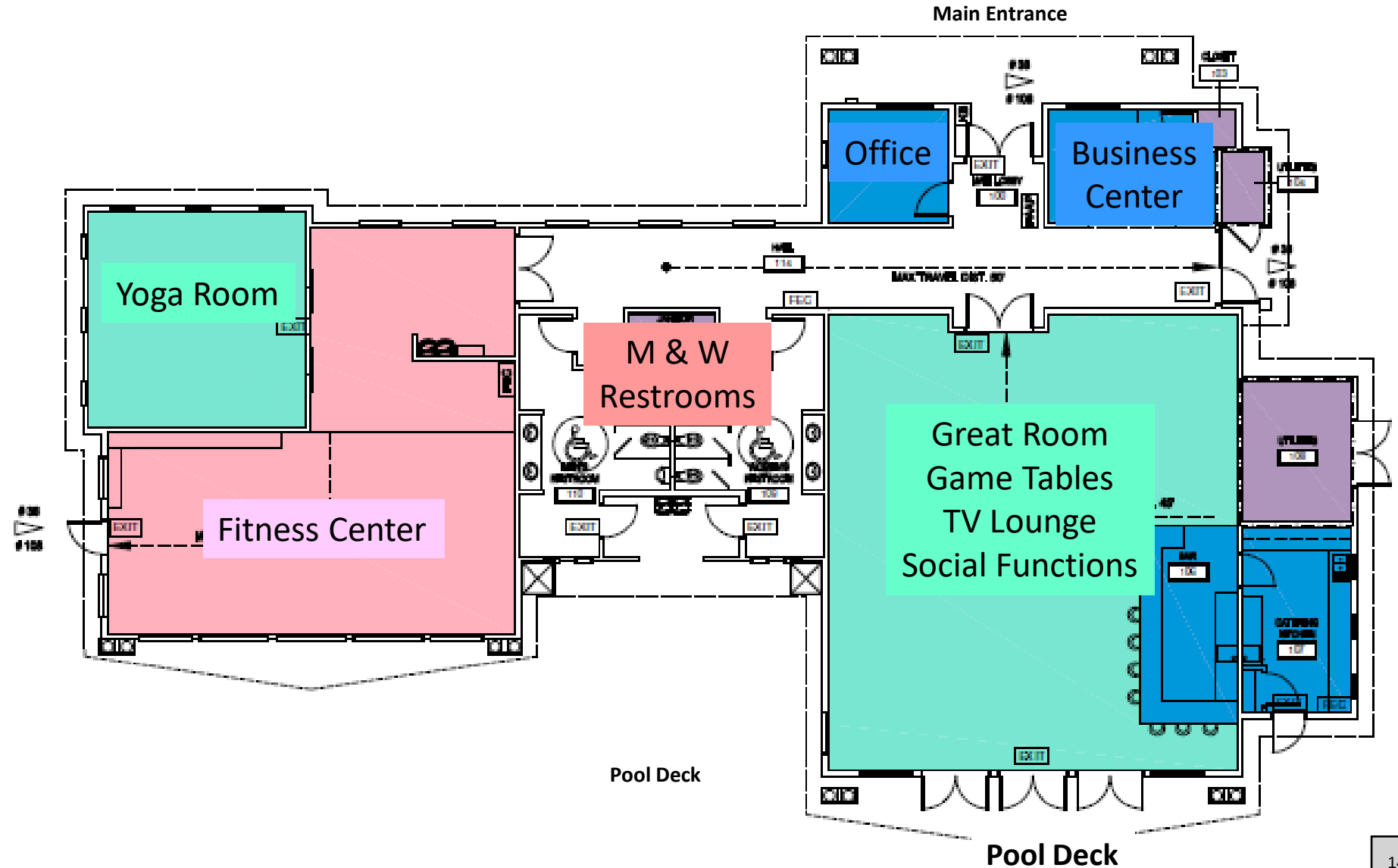
Amenity Architecture – Rear Perspective



*Amenity Building shown was constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

Windward Ridge

Amenity Programming – Clubhouse Interior



Windward Ridge

Amenity Programming – Great Room Typical Finishes



*Amenity Building shown was constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

Windward Ridge

Amenity Programming – Great Room Typical Finishes

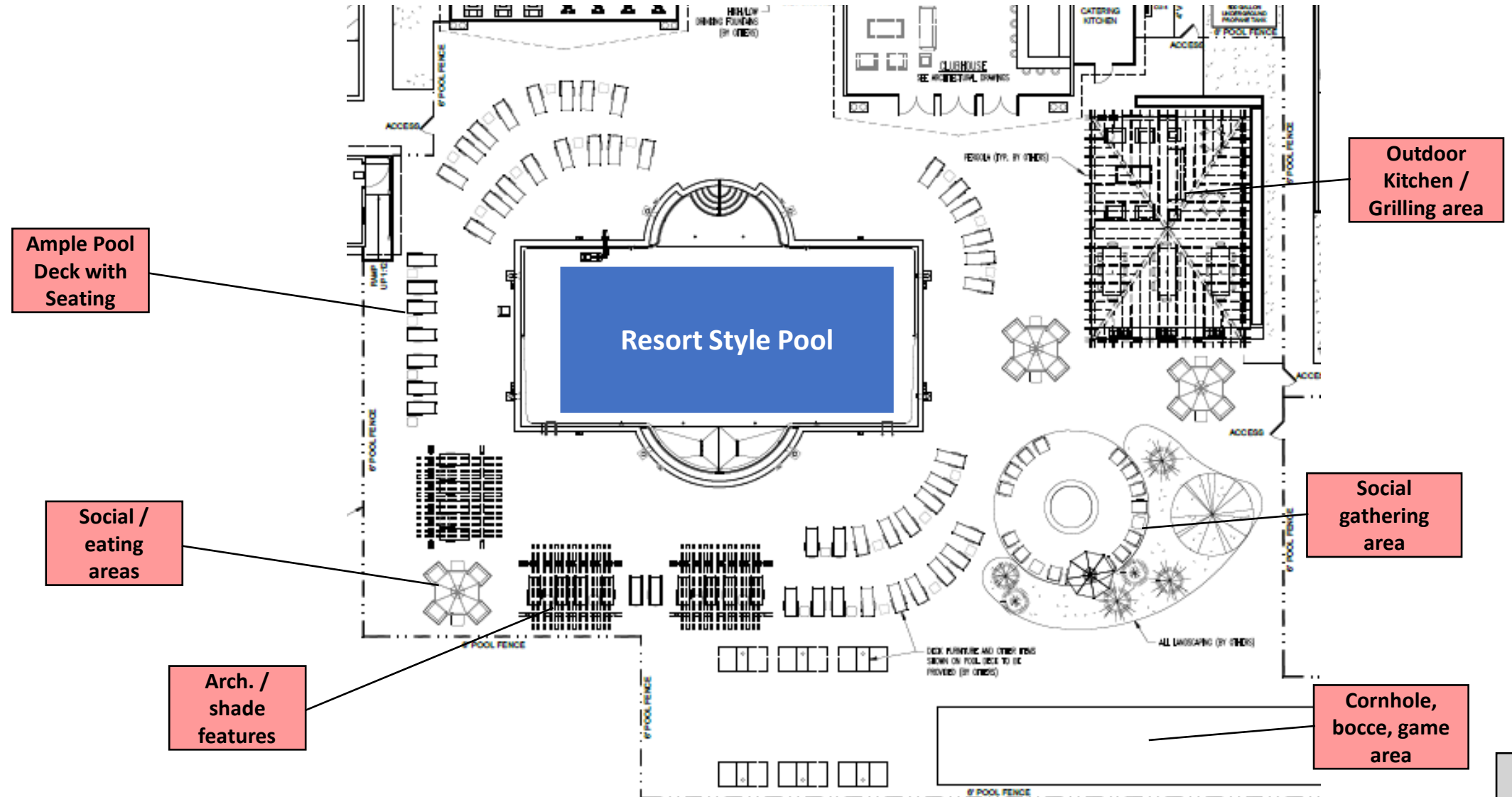


*Amenity Building shown was constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

Windward Ridge

Amenity Programming – Yoga Studio & Fitness Center Typical Finishes





Windward Ridge

Amenity Programming – Clubhouse Exterior



*Amenity Building shown was constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

Windward Ridge

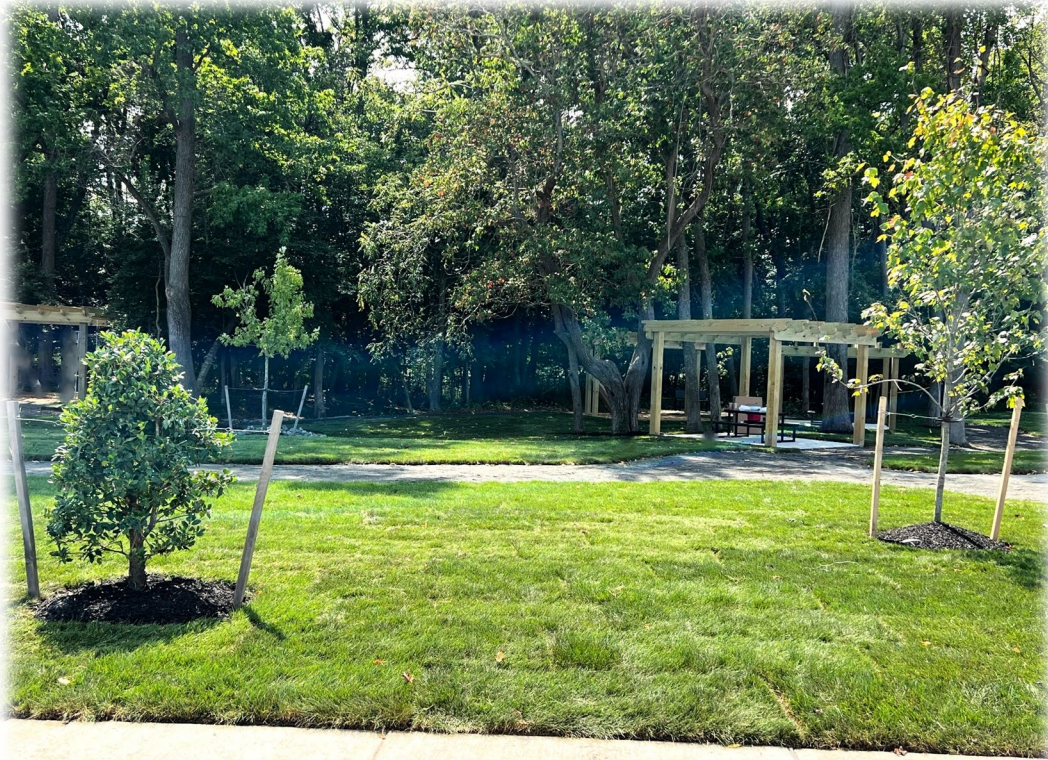
Amenity Programming – Clubhouse Exterior



*Amenity Building shown was constructed by JLAM at our project Windward on the River located in Milford, DE and are intended to be indicative of the design for Windward Ridge.

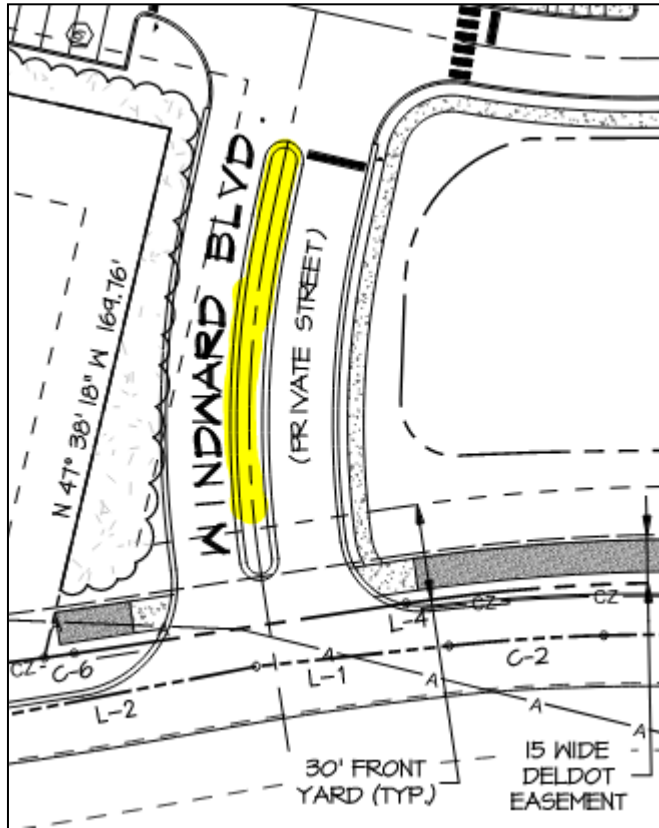
Windward Ridge

Amenity – Active Open Space – We plan to complement the wooded walking trails with our “Thicket” concept, which is a curated selection of features concentrated within the designated area to enable residents to enjoy the surrounding natural and serene setting.



Windward Ridge

Entrance Monument – Our planned entrance monument will be constructed of natural materials that compliment the community aesthetic. It will be located in the median of the entryway, providing signage in both directions.





PETITION TO AMEND TEXT of
Dover Zoning Ordinance
 Report to the
 Dover Planning Commission
 October 16, 2023

Proposed Changes:

Text Amendments to the following:

- *Dover Code of Ordinances, Appendix B: Zoning (Zoning Ordinance)*
 - Article 3 – District Regulations, Section 13.1 – Central Commercial Zone (C-2)

Summary of Amendments:

Review of a Text Amendment to the *Zoning Ordinance*, Article 3 – District Regulations, Section 13. Central commercial zone (C-2), Section 13.1. The Ordinance proposes adding the use of indoor recreation and amusement establishments as a permitted use in the C-2 zone. *First Reading was held by City Council on September 11, 2023 where the Public Hearing dates were set for Planning Commission on October 16, 2023 and City Council on October 23, 2023.*

Ordinance Number:

Proposed Ordinance #2023-08

File Number:

MI-23-03

I. Background on Development of Text Amendments

The proposed ordinance would amend the C-2 (Central Commercial Zone) to allow indoor recreation and amusement establishments as a permitted use. This revision was suggested by a realtor from the Commercial Moving Experience Real Estate Company who indicated that the lack of this use is making it difficult to open a gym in the Downtown area that would service the critical mass of citizens the City is hoping to get to the Downtown and that he believes that this is an important service that should be offered if we want to attract more residents to this area.

Indoor recreation and amusement establishments are an allowed use in the following zoning districts:

- IO (Institutional and Office Zone)
- C-3 (Service Commercial Zone)
- C-4 (Highway Commercial Zone)
- IPM-2 (Industrial Park Manufacturing Zone – Business and Technology Center)

Proposed New Uses

The addition of indoor recreation and amusement establishments to the C-2 zone found in the Downtown area will allow the opening of an indoor gym in the downtown district.

II. Code Review & Analysis:

Planning Staff believes that any revisions to the C-2 zoning district need to stay within similar parameters. The C-2 Zone allows for a mix of uses both residential and commercial. See the following code excerpt regarding uses in the C-2 zone.

Article 3 Section 13. Central commercial zone (C-2).

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

- (a) Retail stores.
- (b) Restaurants.
- (c) Hotels, including bed and breakfast inns.
- (d) Art galleries and studios.
- (e) Service establishments.
- (f) Personal service establishments.
- (g) Business, professional, and government offices.
- (h) Apartments and multi-family dwellings, provided that no dwelling units shall be permitted in the first floor on the street frontage of Loockerman Street.

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

- (a) Parking lots and parking structures as a principal use.
- (b) Places of public assembly.
- (c) Manufacturing, assembling, converting, altering, finishing, cleaning, or any other processing of products where goods so produced or processed are to be sold at retail exclusively on the premises, provided that: (1) An area fully concealed from any street and equal to not more than 20 percent of the area devoted to retail sales shall be so used; (2) Electrical power not to exceed a total of five rated horsepower, and steam pressure not in excess of 60 pounds of pressure per square inch shall be used exclusively; (3) Not more than four employees are engaged in such production or processing.

13.3 *Uses prohibited.* The following uses are prohibited:

- (a) Fuel pumps and motor vehicle storage, sales, or repairs.

III. Summary of Proposed Text Amendments:

Key components of the proposed Text Amendment to the *Zoning Ordinance*, Article 3 Section 20A – Central Commercial Zone includes the following:

- **Article 3 Section 13.1 – Add use:**
 - (i) Indoor recreation and amusement establishments.

Text Amendment Review Process

Because this is a Text Amendment proposed to the *Zoning Ordinance*, a Public Hearing and Recommendation by the Planning Commission are required. This review process began when the proposed Ordinance was submitted to the City Council for First Reading on September 11, 2023. City Council has referred the Ordinance #2023-08 to Planning Commission for a Public Hearing

and consideration on October 16, 2023. Then it is scheduled for Final Reading, Public Hearing and Final Action by Council on October 23, 2023. At the meeting the City Council may act to adopt the whole Ordinance, to reject it, to adopt part of the Ordinance, and/or to make other amendments to the proposed text.

IV. RECOMMENDATION OF PLANNING STAFF: Review and Recommendations:

Planning Staff developed the proposed Ordinance for the Text Amendment for the C-2 (Central Commercial Zone) because of consideration of economic development strategies and interaction with developers/property owners.

As part of the process outlined in *Zoning Ordinance*, Article 10 Section 5, the City Planner must evaluate the following factors when preparing a report on the text amendment request:

Article 10 § 5.22 *City planner report*. For each proposed zoning text amendment, the city planner shall issue a report to the planning commission and city council, including comments from other reviewing agencies, that evaluates the following factors:

(A) Whether such change is consistent with the aims and principles embodied in the ordinance as to the particular zones concerned; and;

(B) Whether proposed amendment is consistent with the aims of the comprehensive plan of the city.

The Planning Office is in support of these changes to the permitted uses in the C-2 zoning district to add indoor recreation and amusement establishments.

The *2019 Comprehensive Plan* as part of Chapter 11: Housing and Community Development Plan under Goal 3: Provide Safe and Healthy Livable Neighborhoods, Recommendation 7: Articulate the Link Between Housing and Health discusses complete neighborhoods and mixed-use developments. A recreational facility in the Downtown District encourages healthy lifestyles of residents in the area or ones traveling to the area. See pages 11-14 and 11-17.

Additionally, the Chapter 12: Land Development Plan, starting on page 12-7, discusses Residential High Density Areas its opportunities and then goals for Mixed Use Areas including in Downtown Dover. For the Land Development Plan and its principles, one of the goals is to encourage redevelopment of the Downtown Redevelopment Target Area with a mix of residential, commercial and office uses. See Page 12-2. This Text Amendment to the C-2 zone clarifies and enhances the potential mixed uses in the C-2.

Additionally, the following advisory items are noted.

- 1) The Planning Office provided an opportunity to Development Advisory Committee (DAC) members to comment on the proposed Text Amendments at their meetings on September 27, 2023 and October 4, 2023. No other Agency which partakes in the DAC process had any significant comment or objection with regards to the proposed Text Amendments to the C-2 zone.
- 2) The Proposed Ordinance is also subject to Legal Review by the City Solicitor, which may identify additional clarifications or corrections.

- 3) The approval of this Text Amendment does not authorize the establishment of the uses on properties within the C-2 zone. Prior to the establishment of a use, the appropriate applications for site development activity plan review, Building Permits, and other construction activity Permits, Business and Occupancy Licensing, etc. are required.

V. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

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

Article 10 § 5.23 *Report of the planning commission*. Regarding each proposed amendment to the ordinance text, the planning commission shall provide a report to the city council stating a recommended action with regards to the proposed amendment, along with the commission's evaluation of the following factors:

(A) Whether such change is consistent with the aims and principles embodied in the ordinance as to the particular zones concerned; and

(B) Whether such proposed amendment is consistent with the aims of the comprehensive plan of the city.

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

Attachments:

- Development Advisory Committee Agency Comments
- Proposed Ordinance #2023-08

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2023-08

1 **BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN**
2 **COUNCIL MET:**

3
4 That Appendix B – Zoning, Article 3 Section 13 Central Commercial Zone (C-2) be amended by
5 inserting the text indicated in bold, blue font:

6
7 APPENDIX B – ZONING

8
9 ARTICLE 3 - DISTRICT REGULATIONS

10
11 **Section 13. Central commercial zone (C-2)**

12
13 13.1 *Uses permitted.* In a central commercial zone (C-2), no building or premises shall be
14 used, and no building or part of a building shall be erected, which is arranged, intended, or
15 designed to be used, in whole or in part, for any purpose, except the following:

16
17 **(i) Indoor recreation and amusement establishments.**

18
19
20 **SYNOPSIS**

21 This is a text amendment to the Zoning Ordinance provisions related to the Central commercial zone (C-
22 2). This revision adds the use of indoor recreation and amusement establishments to this zoning district.

23
24 (SPONSORS: COUNCILMAN ANDERSON, COUNCILMAN BOGGERTY, AND COUNCILWOMAN ARNDT)

25
26
27 **Actions History:**

28 09/11/23 – Scheduled for First Reading - City Council

29 08/15/23 – Introduced - Council Committee of the Whole/Legislative Finance, and Administration Committee



CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: SEPTEMBER 27, 2023



APPLICATION: Text Amendment: Add Use to C-2 (Central Commercial Zone)

FILE #: MI-23-03

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 PHONE #: jlyon@dover.de.us

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

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

CITY AND STATE CODE REQUIREMENTS

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. Our office has no objections to the proposed text amendment to add indoor recreation and amusement establishments as a permitted use in the C-2 zone.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

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

CITY OF DOVER ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
STAFF D.A.C. MEETING DATE: SEP 27, 2023

APPLICATION: Text Amendment: Add Use to C-2 (Central Commercial Zone)
FILE #: MI-23-03
REVIEWING AGENCY: City of Dover Electric Department
CONTACT PERSON: Shawn Burgett, Engineering Services & System Ops Superintendent
CONTACT PHONE #: 302-674-7568
CONTACT EMAIL #: sburgett@dover.de.us

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. Electric Department has no objections to the Text Amendments to the Zoning Ordinance, Article 3 – District Regulations, Section 13.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

1. None

ADVISORY COMMENTS TO THE APPLICANT

1. None

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 09/27/23

APPLICATION: Text Amendment: Add Use to C-2, Indoor Recreation and Amusement Establishments

FILE #: MI-23-03

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

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

PHONE #: (302) 736-4457

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

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

CITY AND STATE CODE REQUIREMENTS:

1. The proposal is a text amendment to add use to C-2, Indoor Recreation and Amusement Establishments. This office has no objections.

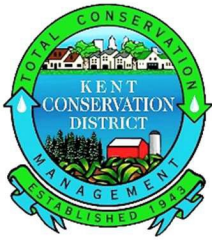
ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Definitions from City Ordinance, Delaware State Fire Prevention Regulations, NFPA, and IBC would be utilized for occupancy classification for building and life safety requirements.

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.



KENT CONSERVATION DISTRICT

Item 6.

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

**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
OCTOBER 2023**

APPLICATION: Text Amendment: Add Use to C-2 (Central Commercial Zone)

FILE #: MI-23-03

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:

Kent Conservation District has no objection to a text amendment to the *Zoning Ordinance*, Article 3 – District Regulations, Section 13. Central commercial zone (C-2), Section 13.1.

FIRST READING

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