CITY OF DOVER, DELAWARE
PLANNING COMMISSION
Monday, April 17, 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 and VIRTUAL MEETING NOTICE

The Planning Commission Meeting for April 17, 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 April 17, 2023

Join by Phone Dial: 1-650-479-3208
Access Code: 2530 720 4816 (Password: 3683772)

Join Online
https://bit.ly/PCMeeting4172023
Webinar Number: 2530 720 4816
Webinar Password: DoverPC

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF AGENDA

APPROVAL OF MINUTES

1. Adoption of Minutes of March 20, 2023

COMMUNICATIONS & REPORTS

Meeting Reminder: The next Planning Commission regular meeting date is scheduled for Monday, May 15, 2023 at 7:00pm.

Update on City Council Actions

Department of Planning & Inspections Updates

OPENING REMARKS CONCERNING MEETING PROCEDURES FOR APPLICATIONS

OLD BUSINESS

Request Extension of Planning Commission Approval:

2. S-20-10 Bayhealth Staff Parking Lot Expansion at Scull Property (Revision of March 25, 2021) - Request for One Year Extension of Planning Commission Approval granted on April 19, 2021 for a proposed Site Development Master Plan Application to permit construction of 453 new parking spaces over the course of three phases for the Bayhealth Medical Center Campus. This expands the existing parking from 227 spaces to a total of 680 parking spaces on the Scull Property. Phase 1 proposes 251 new parking spaces; Phase 2 proposes 72 new parking spaces; and Phase 3 proposes an additional 91 parking spaces and a connection to S. State Street at the South Street intersection. The Plan shows the demolition of existing buildings in each phase for a total of seven (7) buildings demolished including the Scull Mansion to accommodate the increased volume of parking. The Revision offers a proposal related to the Scull Mansion. The properties measure 11.43 acres +/- and are located on the east side of S. State Street in the block between South Street and Scull Terrace. The properties are zoned IO (Institutional and Office Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone). The owners of record are Bayhealth Medical Center, Inc. and KGH Development Corp. The parcels are proposed to be consolidated before the project begins. Property Addresses: 605 S. State Street, 625 S. State Street, 100 Scull Terrace, and 150 Scull Terrace. Tax Parcel Numbers: ED-05-077.13-01-49.00-000 and ED-05-077.13-01-51.00-000. Council District 2.

Pending Development Application:

3. S-23-06 College Road Apartments at Railroad Avenue/Grove Street – Continued Review of Site Development Plan for construction of two 6-story mid-rise apartment buildings with a total of 385 units consisting of studio, 1 bedroom, and 2 bedroom units. The ground level of each apartment building is parking and the other site improvements include six 7-car garage buildings, parking lots, landscaping, and recreation areas. The Project also includes street construction/improvements to Raymond Street and Railroad Avenue. A Lot Consolidation Plan will combine the four parcels located east of Railroad Avenue for a total of 31.08 acres of land. These properties are zoned RG-5 (General Residence Zone for Mid-Rise Apartments). The subject area is located north of, but not adjacent to College Road, and east of the Railroad corridor in the vicinity of Raymond Street, Railroad Avenue, and Grove Street. Property Owners: Patel College Properties, LLC and Patel Excess College Road, LLC. Tax Parcels: ED-05-067.00-02-53.00-000, ED-05-067.00-02-54.00-000, ED-05-

067.00-02-55.00-000, and ED-05-067.00-02-56.00-000. Council District 4. *Waiver Requests: Reduction of Parking Requirement. Consideration of Active Recreation Area Plan. The Planning Commission conducted a Public Hearing and began review of this application at their March 20, 2023 Meeting and deferred action seeking additional information.*

NEW APPLICATIONS

4. Z-23-01 Lands of Jireh Christian Center Inc. at 2161 Forrest Avenue - Public Hearing and Review for Recommendation to City Council for a rezoning application for a parcel of land consisting of 11.9973+/- acres. The property is zoned R-10 (One-Family Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning for the property is RM-2 (Medium Density Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side Forrest Avenue west of Dover High Drive. The owner of record is Jireh Christian Center Inc. The equitable owner is Leander Lakes III, LLC. Property Address: 2161 Forrest Avenue. Tax Parcel: ED-05-075.00-01-05.00-000. Council District 1. Ordinance #2023-04.

5. S-23-09 Byler's Warehouse at 651 Garrison Oak Drive - Public Hearing and Review of a Site Development Plan for a 37,107 SF Warehouse & Bakery with associated site improvements. The site is located at Lot 2 of the Garrison Oak Business & Technology Center. The property is zoned IPM-2 (Industrial Park Manufacturing Zone – Business and Technology Center) and subject to the SWPOZ (Source Water Protection Overlay Zone: Tier 2 Primary Wellhead Protection Area). The property of 14.714 acres is located adjacent to the east intersection of Garrison Oak Drive and White Oak Road. The owner of record is the City of Dover; and the equitable owner is Byler's Store Inc. Property Address: 651 Garrison Oak Drive. Tax Parcel: LC-05-068.00-02-02.00-000. Council District 3. *Waiver Requests: Reduction of Parking Requirement and Partial Elimination of Upright Curbing. For Consideration: Performance Standards Review Application.*

NEW BUSINESS

ADJOURN

Posted Agenda: April 10, 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
MARCH 20, 2023

The Meeting of the City of Dover Planning Commission was held on Monday, March 20, 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, Mrs. Malone (virtual), Mr. Hartman, Mr. Baldwin, Dr. Jones, Mrs. Welsh (virtual), and Mrs. Maucher. Mrs. Denney was absent.

Staff members present were Mrs. Mary Ellen Gray, Mrs. Dawn Melson-Williams, Mr. Julian Swierczek, Ms. Katherine Oehmke, Mr. Jason Lyon (virtual) and Mrs. Kristen Mullaney. Also present were Ms. Melissa Porter, Mr. Dave Kuklish, Mr. Greg Rishel, Mr. Dominic Balascio, Ms. Christina Kelleher, Mr. Kyle Burchard, and Mr. Lacey Holly. Speaking from the public were Mr. Andre Boggerty, Mr. Travis Sudler, Mr. Sean Lynn, Mr. Bill Hare, Mr. James Paige, Reverend Raymond Fisher, Dr. Wilma Mishoe, Ms. Sandra Ryder, Rev. Rita Paige, Mr. Sammy Barrineau, Ms. Michelle Hughes, Mr. Lewis Jackson, Ms. Pilar Sudler, Mr. David Anderson, Mayor Robin Christiansen, Ms. Lisa Dawn Bentley, Mr. Roy Sudler, Jr., Ms. Kaylynn Daniels, Ms. Jean Taylor, Mr. Steven LeBoon, and Mrs. Cassandra LeBoon.

APPROVAL OF AGENDA

Dr. Jones moved to approve the Agenda as submitted, seconded by Mr. Baldwin and the motion was unanimously carried 6-0 with Mrs. Denney, Mrs. Welsh and Mrs. Malone absent.

APPROVAL OF MEETING MINUTES OF FEBRUARY 21, 2023

Dr. Jones moved to approve the Planning Commission Meeting Minutes of February 21, 2023, seconded by Mr. Cooper and the motion was unanimously carried 6-0 with Mrs. Denney, Mrs. Welsh and Mrs. Malone absent.

COMMUNICATIONS & REPORTS

Mrs. Gray provided an update on the regular City Council and various Committee meetings held on February 27 & 28, 2023 and March 13 & 14, 2023.

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, April 17, 2023 at 7:00PM in the City Hall Council Chambers.

Mrs. Melson-Williams stated that the Dover Air Force Base Compatible Use Study as of today was issued as Draft Plan. They will be forwarding more information about the ability to take a look at that Draft Plan. She believes that it is probably going to be posted on project site which is on DelDOT's website under their projects and studies since they are a part of the project team. That item came in late this afternoon.

Mrs. Melson-Williams stated for those Commissioners interested in Downtown Dover, there is a presentation on the *Capitol City 2030 Transforming Downtown Dover* which is the Strategic Master Plan for Downtown. They will be holding a public session on Wednesday, March 22, 2023 at 6PM to be held at the Kent County Levy Court Building which is at 555 Bay Road. If you need more information, check out the website www.downtowndover.com or reach out to the

Planning Office and they will make sure you get the right information about that meeting. The document is also on their website as well.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

Mr. Roach moved to move Item #7 up in the Agenda since he thinks a lot of people are here for that application, seconded by Dr. Jones.

Mrs. Maucher asked if she could amend the motion that they complete Old Business first and then move Item #7 up on the Agenda.

Motion was amended to hear Old Business first and then move that Item #7 application (S-23-06) to the first application under New Applications. Motion carried 6-0 by voice vote with Mrs. Welsh, Mrs. Malone and Mrs. Denney absent.

OLD BUSINESS

Requests for Extensions of Planning Commission Approval:

C-21-02 JJ's Learning Experience 2 Child Day Care Center at 756 South Little Creek Road - Request for one year extension of Planning Commission Approval granted on April 19, 2021 for Conditional Use Application to permit renovation of a 10,111 SF space in an existing one-story 33,143 SF building into a Child Day Care Center to serve 170 children. The property consists of a 2.39 acre+/- parcel and is located on the south side of South Little Creek Road opposite Babb Drive. The property is zoned C-4 (Highway Commercial Zone). The owner of record is Empire Medical, LLC and the applicant is JJ's Learning Experience 2. Location Address: 756 South Little Creek Road Suite 1. Tax Parcel: ED-05-077.00-01-03.00-000. Council District 2.

Representative: None

Mrs. Melson-Williams stated that this is a Request for a one year extension. This was a Conditional Use Site Plan Application. It originally began consideration with the Planning Commission back in March 2021. At that meeting, they conducted a public hearing and then deferred action until their next meeting, seeking some additional information on the project. At their April 2021 meeting, the application was conditionally approved. Since that time, they have actually retained a different engineering firm to work with them because of the extensive DelDOT interaction that was needed for the project site because of the change of use on the property. Entrances on the property had to be looked at more carefully. The Planning Commission did see it in October 2021 for a general revision to the Plan that setup a one way circulation around the plan. The display shows the latest plan version that they received late last week. They have been going through DelDOT submissions in order to design the appropriate entrance improvements to this site. At this point, they are seeking a one-year request of extension to allow them to continue to finalize their Plan in order to achieve Final Conditional Use Site Plan approval and move fully forward with their project.

Mr. Hartman moved to approve C-21-02 JJ's Learning Experience 2 Child Day Care Center at 756 South Little Creek Road for a one year extension based on the progress that they are experiencing and the troubles they have had, seconded by Dr. Jones and the motion was carried 6-0 with Mrs. Welsh, Mrs. Malone and Mrs. Denney absent. Mr. Hartman voting yes; based on his previous statement. Mr. Baldwin voting yes. Dr. Jones voting yes, the applicant is moving forward. Mr. Cooper voting yes. Mr. Roach voting yes. Mrs. Maucher voting yes; as it seems the DelDOT approvals are the last leg for them to be able to start work.

Mrs. Welsh arrived (virtually) at the meeting.

C-21-03 Warehouse Building at College Business Park Lot D – Request for one-year extension of Planning Commission Approval granted March 15, 2021 for Conditional Use Site Development Plan to permit construction of a 9,520 SF one story Commercial Warehouse Building with associated site improvements on a 0.9907 acre +/- parcel. The property is zoned M (Manufacturing Zone). The property is located north of College Road, at the end of College Park Drive, abutting the southwest side of the railroad right-of-way. The owner of record is Stoltzfus LLC (HSM Exchange LLC). Property Address: 1255-1257 College Park Drive. Tax Parcel: ED-05-067.00-02-12.06-000. Council District 4.

Representative: Ms. Melissa Porter, Stoltzfus LLC

Mr. Swierczek stated that this is a Conditional Use Site Development Plan to permit construction of a 9,520 SF one story Commercial Warehouse Building. This is an application that originally came before the Planning Commission at their March 2021 meeting where it received conditional approval. They have received a letter requesting a one year extension of approval from the property owners citing that they have switched engineering firms. While they do not have a specific tenant lined up, they do plan to construct the building based on the plans as approved thus requiring the extension of approval.

Ms. Porter stated that the plans are in motion; they are just waiting for approval.

Mr. Baldwin moved to approve C-21-03 Warehouse Building at College Business Park Lot D for a one-year extension, seconded by Mr. Cooper and the motion was carried 7-0 by roll call vote with Mrs. Malone and Mrs. Maucher absent. Mr. Baldwin voting yes. Dr. Jones voting yes. Mrs. Welsh voting yes. Mr. Cooper voting yes. Mr. Roach voting yes. Mr. Hartman voting yes; based on the progress of the applicant. Mrs. Maucher voting yes; based on the applicant's progress for approvals.

Pending Development Application:

S-23-05 Tidal Wave Auto Spa at 245 N. Dupont Highway - Continued Review of a Site Development Plan and Lot Consolidation Plan for two (2) parcels totaling 2.15 +/- acres at 245 North DuPont Highway. The Plan is to permit construction of a 3,690 SF Car Wash facility, 24 vacuum spaces, and associated site improvements. The properties are zoned C-4 (Highway Commercial Zone). The parcels consist of a total of 2.15 +/- acres and is located on the

northeastern corner of N. Dupont Highway and White Oak Road. The owner of record is TWAS Properties LLC. Property Addresses: 245 and 243 N. Dupont Highway. Tax Parcel IDs: ED-05-068.18-01-13.00-000 and ED-05-068.18-01-12.00-000. *The Planning Commission conducted a Public Hearing and began review of this application at their February 21, 2023 and deferred action seeking additional information.*

Representative: Mr. Dave Kuklish, Bohler Engineering

Dr. Jones moved to continue review on Application S-23-5 Tidal Wave Auto Spa at 245 N. DuPont Highway, seconded by Mr. Baldwin and motion carried 7-0 by roll call vote with Mrs. Malone and Mrs. Denney absent.

Mr. Swierczek stated that as noted, this was a Site Development Plan Application that came before the Planning Commission at last month's meeting. This is also associated with a Lot Consolidation Plan so it is two existing parcels. It is a little under 3,700 SF one-story Car Wash facility and other on-site improvements including 24 vacuum spaces. During the discussions at last month's meeting, there had been some question as to the capacity of the City's current water and wastewater facilities to handle the implementation of this new use on the site. Members of the Planning Commission should have received updated material, one of them being an email communication between the engineer for the project and the City Engineer Mr. Jason Lyon noting that he was satisfied with their projections and the City would be able to handle their water and wastewater needs.

Mr. Kuklish stated that he had nothing to add.

Mrs. Maucher stated that the public hearing on this application was conducting during the meeting of February 21, 2023; therefore, there is no public hearing tonight.

Mrs. Malone arrived (virtually) at the meeting.

Dr. Jones moved to approve S-23-05 Tidal Wave Auto Spa at 245 N. DuPont Highway with the Site Development Plan and Lot Consolidation Plan, seconded by Mrs. Welsh and the motion was carried 7-0 by roll call vote with Mr. Hartman abstaining and Mrs. Denney absent. Dr. Jones voting yes; the concern that she had was addressed in the correspondence that they have received. Mrs. Welsh voting yes; in conjunction with Dr. Jones' comments that the concern was the capacity of the overflow and that has been addressed; so, it sounds like everything has been taken into account and the applicant is well aware of what they need to do. Mr. Cooper voting yes; for all of the same reasons. Mr. Roach voting yes; for reasons previously stated. Mr. Hartman voting; present. Mr. Baldwin voting yes; based on the Report that they received from Wastewater Management. Mrs. Maucher voting yes; based on the Staff recommendations, DAC comments and the confirmation for the wastewater capacity. Mrs. Malone voting yes; for reasons previously stated.

NEW APPLICATIONS

S-23-06 College Road Apartments at Railroad Avenue/Grove Street – Public Hearing and

Review of Site Development Plan for construction of two 6-story mid-rise apartment buildings with a total of 385 units consisting of studio, 1 bedroom, and 2 bedroom units. The ground level of each apartment building is parking and the other site improvements include six 7-car garage buildings, parking lots, landscaping, and recreation areas. The Project also includes street construction/improvements to Raymond Street and Railroad Avenue. A Lot Consolidation Plan will combine the four parcels located east of Railroad Avenue for a total of 31.08 acres of land. These properties are zoned RG-5 (General Residence Zone for Mid-Rise Apartments). The subject area is located north of, but not adjacent to College Road, and east of the Railroad corridor in the vicinity of Raymond Street, Railroad Avenue, and Grove Street. Property Owners: Patel College Properties, LLC and Patel Excess College Road, LLC. Tax Parcels: ED-05-067.00-02-53.00-000, ED-05-067.00-02-54.00-000, ED-05-067.00-02-55.00-000, and ED-05-067.00-02-56.00-000. Council District 4. *Waiver Requests: Reduction of Parking Requirement. Consideration of Active Recreation Area Plan.*

Representatives: Mr. Greg Rishel, Pennoni Associates; Mr. Dominic Balascio, representing ownership entity

Mrs. Melson-Williams stated that this is a Site Development Plan Application. This is a project for mid-rise apartment buildings with a total of 385 units. The property is just over 31 acres of land to start with that is zoned RG-5 (General Residence Zone for Mid-Rise Apartments). They are seeking one Waiver Request and that is in regards to a Reduction of the Parking Requirement. This evening the display shows a location map aerial of the area. It is located to the north of College Road and adjacent to the railroad corridor. On the site, you can see that it's four parcels of land that are currently open land, wooded, and have wetland areas. The surrounding uses to the north are the Fork Branch Nature Preserve. To the east across the Fork Branch (creek) is the main campus of Delaware State University. To the south is a residential neighborhood that has a variety of zoning classifications including the RG-5 (General Residence Zone for Mid-Rise Apartments) and other One Family Residence Zones where there are single family detached houses and manufactured home units. To the west across the railroad tracks is the College Business Park which is an industrial/business park with a number of office and other warehouse type buildings. The project tonight proposes construction of the continuation of Raymond Street to the west and then Railroad Avenue to be constructed along the railroad tracks to terminate in a cul-de-sac. These roads are to be constructed to City street standards. Previously, there was an attempt at some Subdivision Waivers associated with the road network. Those waivers were recommended for approval by the Planning Commission and by City Council, but ultimately the action taken by Council was vetoed by the Mayor. The subsequent request to override that veto was unsuccessful so the Subdivision Waivers were not approved. What that means is the streets must be constructed to the City of Dover street standards. That places a limitation on the length of the cul-de-sac street and requires sidewalk on both sides of those street frontages where the property owner has adjacency. Focusing on the development of the private lands this evening, the proposal includes two buildings that would be six stories in height. The first floor of each building is given to a parking level and then floors two through five are a series of apartment units. The apartment units are a mix of studio, one bedroom and two-bedroom units. This project did go through the Preliminary Land Use Services (PLUS) review process with the State. The applicant has provided their response comments to those PLUS comments, and they were made part of the application package for tonight's meeting. There have been a number of applications

in this area that are referenced in our Report. Initially, the tracts of land were annexed into the City in 2006 and there have been various attempts at other development and actually a Rezoning that occurred in 2011 to bring these properties to the RG-5 (General Residence Zone for Mid-Rise Apartments). That RG-5 (General Residence Zone for Mid-Rise Apartments) has a series of bulk standards and for mid-rise apartments, they are required to have a certain lot area per dwelling unit which the project does meet. There are setbacks that are established. There is a requirement that 20% of the total lot area be dedicated to open area and not encumbered by building or parking facilities; and they have met that requirement. The RG-5 (General Residence Zone for Mid-Rise Apartments) also includes parking requirements. The parking requirement overall based on the *Zoning Ordinance* would be a minimum of 2 parking spaces per dwelling unit plus an additional 0.25 spaces for visitor parking. That is a total requirement of 2.25 parking spaces per dwelling unit. With this project, given the number of units that would be a requirement for 867 parking spaces. They have identified on their plan a total of 683 parking spaces and are seeking a Waiver to Reduce the Parking Requirement for the project site. They have provided a letter outlining the details of their request citing the types of units and some comparisons in other jurisdictions to what parking rates do consist of and she imagines that the applicant will expand on that in their comments. The project includes a number of the typical site improvements that are required in our *Zoning Ordinance* including bicycle parking, upright curbing for all of the parking areas and road networks. The main access to the site is off of the cul-de-sac at the end of Railroad Avenue with a second entrance also from Raymond Street on their property which brings you into the parking lot area. The buildings are surrounded by fire lanes which meet the rear emergency access provisions for the site. There are a series of sidewalks that circulate through the parking lot areas and to the buildings and then ultimately link to the recreation areas for the project (that is what is depicted on the screen now).

The green shaded areas are the various components of the Active Recreation for this project site. That Active Recreation Area was reviewed by the City's Parks, Recreation and Community Enhancement Committee last week and they recommended approval following the Staff recommendations and the clarifications that the applicant made in their presentation of the Active Recreation Area Plan. They are required to provide 1.61 acres of Active Recreation Area. They are providing 1.67 acres and it consists of a number of outside amenities including a multi-sport court, a sand volleyball court, a picnic pavilion with tables, a paved walking trail which is along the eastern edge of the parking lot area that then brings you to the wooded walking trail. Along that wooded trail is a series of outdoor fitness stations for use. Additionally, in each of the buildings on each floor, there is a yoga and fitness type game room that is provided on each floor. So, they have a number of recreation amenities to satisfy various recreational needs of their residents at that facility. By reference, she would include the review of the Active Recreation Area Plan in the comments this evening.

The site does include areas that are in the Flood Hazard Area. The City's *Zoning Ordinance* does not allow for development in that area. That is predominantly found in the far eastern reaches of this project site and no development is proposed in those areas. Additionally, there are areas of wetlands and likewise, no development is proposed in those areas. There is a riparian buffer of 50 feet that will be established from those wetland bodies that are on the site either by retaining the existing woodland areas in those areas and also augmenting them with additional plantings. The project includes a tree planting plan. It is required to have 158 trees. The site as shown right

now is showing 268 trees. They are preserving almost 85% of the existing woodlands on the project site as part of their plan development.

With this application, she would reference the DAC Report. It does include comments from the various agencies. Planning Staff has reviewed the plan and identified some items for correction or clarification. They are also recommending approval of the parking reduction for the site and also noting some suggestions for site improvements related to locations of the some of the handicapped parking and bicycle parking. Some of the areas that are adjacent to the parking on the north are to include the recommended fencing along those areas for the Fork Branch Nature Preserve (as recommended by DNREC Staff). There are recommendations that we suggest for the use of native tree species given the proximity to existing woodland that is there. They are also encouraging the project to contemplate the installation of electric vehicle charging stations to plan for future use of amenities. The other agencies providing comments include the Department of Water/Wastewater for the site as it would need to connect to City water and sewer, the City Electric Department, and the City's Office of the Fire Marshal has reviewed the Site Plan and also will ultimately review any building and construction plans as well for fire protection measures. DelDOT has provided comments which include that the application will need to move through their Development Coordination Review process and that DelDOT will be looking at in particular the intersection of College Road and Mishoe Street which the initial connection to the State road network for this project. The project also will be reviewed for sediment and stormwater management planning as really a joint effort between the Kent Conservation District and DNREC because this site is a Brownfield site so there are some additional requirements to manage through the remediation of the Brownfield areas located on the property. So, Planning Commissioners are looking at a Site Development Plan with one Waiver Request that being for the Reduction of the Parking Requirement.

Mr. Rishel stated that he is here this evening with a colleague from Pennoni Associates, the applicant, and also the project architect who can elaborate especially if there is any particular items or questions about the building architecture. As Mrs. Melson-Williams highlighted, this is a by-right use in the RG-5 (General Residence Zone for Mid-Rise Apartments), a permitted use by-right. Given the size of the property and the allowable density, this project is only proposing about 26% of the allowable density of the site. There are floodplains and wetlands on the site and there is no disturbance proposed or development proposed in either one of those areas. As Mrs. Melson-Williams highlighted, they received a recommendation from the Parks, Recreation and Community Enhancement Committee last week. The parking waiver is being respectfully requested; there is a letter in your packets that outlines the analysis behind that. The reduction that they are looking for and the justification for that is based on where Dover's Code bases parking requirements on number of units. They are focusing on providing parking based on number of beds. That was how they looked at their analysis in comparing it to other local municipalities in the area. With these buildings, 86% of the units in these two buildings will be studio or one-bedroom apartments; so, a majority will only be studio or one-bedroom apartments. Planning Staff does recommend approval of the Waiver. While the City of Dover's Ordinance requires 2.25 spaces per unit, they are proposing 1.8 spaces average per unit. They are still providing for some overflow in visitor spacing in that analysis. He will further note that they have looked at an alternative Site Plan and they could pull it up if need be, whereby they can be fully compliant with the Dover parking requirement at 2.25 spaces per unit with the addition of a

structured parking garage onsite. That would go near Building kind of in the front of the site. Not only would they be able to meet the parking requirement, they could exceed it with a six-story structure and still comply with all other zoning regulations. It would actually be able to add up to an additional thirty units of density with that. The applicant does not want to utilize that option. They are happy with the number of units being proposed with the plan that's before you but they have prepared a plan and analyzed that it could be done without the waiver and with the parking structure. They have read through the Planning Department's Report and their comments and recommendations, and they have no objections to any of those. Traffic was brought up last week at the Parks, Recreation & Community Enhancement Committee as being somewhat of a concern on this particular site. As they went through the PLUS Process with the State and presented it to the various agencies including DelDOT, the number of trips falls under the threshold of where an Area Wide Study fee would apply. DelDOT has indicated that they would except that in lieu of a TIS (Traffic Impact Study) for this project.

Mr. Hartman asked what the 26% allowable density is based on. Responding to Mr. Hartman, Mr. Rishel stated that the gross site area of 30.5 acres.

Mr. Hartman asked if that is based on unusable acreage as well. Responding to Mr. Hartman, Mr. Rishel stated that it was based on the total. Maximum density per Dover Code is 900 SF per dwelling unit. So, it you take the gross site area and break it down, the site maximum density could be allowed to be as high as 1,400 dwelling units. It is actually a little over 1,400 dwelling units but obviously a majority of the site is in the floodplain and wetlands, so it gets a little difficult to physically achieve that especially with parking. That is why the Plan before you is only 385 units with the parking that they have.

Mr. Hartman asked if he could have Planning Staff address the density. Is it correct that the site could accept 1,400 units? Responding to Mr. Hartman, Mrs. Melson-Williams stated that the RG-5 (General Residence Zone for Mid-Rise Apartments) has a minimum requirement for lot area of 900 SF per dwelling unit. So yes, if you took the total area of the site and did that math problem they could be eligible for over 1,400 dwelling units on the site. That could be further limited by the number of stories and the ability to fit those units and the required parking associated elements and other elements with that. With the simple math is yes, it could be as high as that density. That is the density controller other than the fact that the RG-5 (General Residence Zone for Mid-Rise Apartments) requires that 25% of the property remain as open space not encumbered by building or parking.

Mr. Hartman stated that there was a comment by one of the neighbors about the access. The danger in a 24-foot road with parking on the side that would present a safety hazard to responders and a hazard to people in the area. How do you answer that? Responding to Mr. Hartman, Mr. Rishel stated that the City's minimum width for a two-way street is 24-feet wide. That is also the same width that is required by the City's Fire Marshal for fire lane emergency access. If parking is to be proposed on either side, you have to increase the width of the cartway. Mrs. Melson-Williams can keep him straight here, but any street that would be 24-foot wide would not have parking allowed on either side. On this particular plan that you have in front of you, Raymond Street which is being extended would be extended as 24-feet wide which would not allow it and would be signed as such to not permit parking on either side. Railroad Avenue is

showing parking on one side of the street as sixteen spaces of parallel parking. They are not included in their requirements for the parking onsite. That cartway is wider. It is 24-foot plus the additional width for the parking space itself and that's in line with the City's subdivision development requirements. If you have parking on one side, he believes that it is to be increased by a width of four feet so that would be a 28-foot wide cartway and if you have parking on both sides, it's to be ten feet wider or 34-foot wide. They are actually proposing wider than 28-feet; they are proposing a 32-foot wide cartway on Railroad Avenue. You would still have an unimpeded full 24-foot wide access for emergency vehicles with parking only allowed on one side and the other side would be signed not to be parked upon.

Mr. Hartman asked if we have an area with 24-foot-wide access that contains 1,400 units. Responding to Mr. Hartman, Mrs. Melson-Williams stated that there are a number of streets in the City of Dover that may only be 24-feet wide. In looking for an example with that kind of unit count it is not likely found here in Dover. Most of our apartment complexes do not have that number of units within them but their access drives are typically 24-feet wide because of the fire lane coverage. She is not sure if Mrs. Gray, the Planning Director has any other thoughts on that response.

Mrs. Gray stated that she would defer to Mr. Lyon to see if he had any thoughts as she does not.

Mr. Hartman stated that it just seems to him that that's a fairly restricted area to have a maximum of 1,400 units. He understands that it's not what they are proposing, but if our Ordinance allows for 1,400 units in an area like this, that should be a concern for the City of Dover. Responding to Mr. Hartman, Mr. Lyon stated that he is not aware of anywhere in the City that has that sort of density; however, there is an apartment complex behind Blue Hen Corporate Center with a 24-foot wide road throughout the apartment complex. He will also mention that Garrison Oak Technical Park is a 24-foot wide with no parking allowed on it. There are roads in the city that have this kind of dimensions.

Mr. Hartman stated that he couldn't understand anything that was said but he will ask a follow-up question for Planning Staff. Is this apartment a first of its kind here in Dover? Responding to Mr. Hartman, Mrs. Melson-Williams stated that we have very few properties that are zoned RG-5 (General Residence Zone for Mid-Rise Apartments) in the City. This is the first new development of an RG-5 (General Residence Zone for Mid-Rise Apartments) property that she can think of. There are certainly other apartment complexes that are out there existing that have well over 300 units in total. She believes that Mr. Lyon was referencing the Blue Hen Apartments project which is behind the Bleu Hen Corporate Center between there and Schoolview. She believes that unit count is as high as that but the sheer number of units is somewhat unusual for the City of Dover. But it is also what is contemplated in an RG-5 (General Residence Zone for Mid-Rise Apartments) zoning.

Mr. Rishel stated that DSU has student housing. He knows that it is not similar. Student housing is a little different from apartments but they have a similar density on campus and they have 24-foot wide drive aisles and access cartways. Forgive him for not remembering the name of the development but it is a 55 and older age restricted community with 5-story buildings and it looks fairly recently constructed. He believes that it's called The Grande. They are a similar

development and also have 24-foot wide access ways. Just to reiterate, there were Waivers that were previously requested for streets Raymond and Railroad with regards to design. They are not seeking those any longer. The design fully complies for the City street and design requirements with regards to cul-de-sac length, right-of-way width, and sidewalk on both sides.

Dr. Jones stated that her question concerns the Active Recreation Area Plan. Do you anticipate that your residents will be all adults or a large percentage of adults and if so, why? Responding to Dr. Jones, Mr. Rishel stated that he may ask the applicant to step in to answer this because he knows that they did a market study. It is going to be not restricted. The target is going to be probably younger adults considering the proximity to DSU and there may be some students that may want to live off campus. Almost 90% are single bedroom or studio apartments. They are thinking that they will be younger adults in their 20s or 30s and potentially older.

Dr. Jones stated that she looked at the Active Recreation Plan and she didn't really see anything that would speak to perhaps having family gatherings. Responding to Dr. Jones, Mr. Rishel stated that they do have a pavilion.

Dr. Jones stated that she means activity wise. Responding to Dr. Jones, Mr. Rishel stated like play equipment?

Dr. Jones stated yes, play equipment. Responding to Dr. Jones, Mr. Rishel stated that again, the target audience is a little older.

Mrs. Welsh stated that she is having a hard time hearing everything, but she had a question on the issue of a dorm situation. She just heard the discussion about mostly adult residents. Is it going to be mostly adults or is it anticipated that it will be more of a dormitory situation for the apartments? Responding to Mrs. Welsh, Mr. Rishel stated that it's definitely not going to be dorms. It is not intended to be used that way at all. There is just an understanding given the proximity of DSU and the need for off-campus housing, that there might be a higher population than another apartment complex in another area that wasn't close to a university. That there would be some market there for those types of residents.

Mr. Balascio stated that the units have been purposely designed so that they cannot result in dorm-like style living. They are simply not setup for that. They don't have the shared bedroom, the shared common space within the unit or anything of that sort. They purposely did that. They looked at what dorm apartments look like and purposely made sure that they were not designed in that manner so that it could not result in that. It is something that they do not want because their market study tells them that they are going to get a lot of first responders, military and police, and even some nurses. A smaller percentage would be older adults going back to college. These people could be in their 30s that have decided to go back to college. The architect is present tonight in case you have any questions for her. She is very familiar with the floor plans and anything else about the architectural components of the site.

Mrs. Welsh and Mrs. Malone stated that they could not hear what was just said. Responding to them, Mr. Balascio stated that the units have been purposely designed so that they will not be dorm style living. They have no shared bedroom space and they have no shared common space

within the units themselves. They are simply not big enough and they are targeted for a single occupant in the one bedroom and studio units. The market study has said that they would get first responders, military, police, and college students that would be looking at the units. Again, they do not want dorms and they purposely did not take the approach to having dorms for this site.

Mrs. Welsh stated that she heard the intention was "no dorms" and that was her concern.

Mrs. Maucher opened a public hearing.

Mr. Andre Boggerty – 229 Pebble Valley Drive Dover, DE 19904 (City Council Member At Large)

Mr. Boggerty stated that he wasn't going to speak but he is a little bothered by what he just heard. He gave the engineer and proposed developer audience, and went to the site to look at it himself with another Council member who he won't name because they are not here to confirm or deny what they heard. What frustrates him is what he just heard. At the last Council meeting, they granted a Waiver for parking but that was based on what we were told. He just heard, unless he overlooked it, that you can meet the standard with a parking garage. That frustrates him that you would want to take a shortcut to jeopardize the safety of our city and the safety of potential students or targeted individuals who are there. Our mission in part is that they are to ensure the safety of our city. He doesn't want any developer or anyone coming in who will come to our city and build something and not meet the standard when it's possible. You just told him that you are not willing to meet the standard by building a parking garage. If you didn't tell him that, the other question then is he is left to his own thought. He just heard that there is potential for growth. So, who is to say that now that you have potential for growth, sometime later after you build it and it's going to be filled? We have a shortage of housing. So, we need housing, but we need safe housing. So, what are you going to do now that you are not already planning your phase 2 and occupying more area because you're not telling us everything? He is concerned that you are not being forthright and had he known that the parking issue could have been resolved he would have voted for that. He wouldn't have moved forward with allowing some waiver for that. So for that, he is going to ask the Planning Commission to really look at the heart of the issue. Have we been told the truth, is this safe and can we trust the developers that are before us? We need housing. Delaware State ~~Housing~~ (University) is growing and it's part of our hub, but he wants people who are really going to be honest and partner with the City and not just build something really fast to fleece our City and our community.

Mr. Travis Sudler – State College Road Dover, DE 19904

Mr. Sudler stated that his question and concern is how are we talking about this building when we have no access to it. We are talking about building on property that you can't get to. We are still debating on how we are going to get to this land. You are up here listening to the actual construction of the property and that's telling him, like what he heard tonight, that this street has been approved to run through his community. By holding this tonight, you are telling me already that you are going to go ahead and approve the street through his community without fighting for other alternative ways when he made the request to City Council and to people personally. You know my family and he doesn't know why we are playing this game.

Mr. Sean Lynn – State Representative

Mr. Lynn stated that he was here tonight in opposition to the project. As he communicated to the attorney for the developer, Mr. Dominic Balascio months ago, he has received an outpouring of opposition to this project from the entirety of the community in and around College Road. A community in which with many of you, he serves. The reality is this, that while he thinks Mr. Travis Sudler made an excellent point earlier that while this community does need affordable housing, we need affordable housing in areas in which it's safe and prudent to develop that housing. There simply is no project like this within the city limits of the City of Dover. The closely similar project would be the Blue Hen Mall Apartments; however, he thinks that the major distinction between that project and this is that that project is serviced by Bay Road; a multi-lane highway. The only other projects that he can think of is Leander Lakes out by Dover High School, which again as the Planning Office will tell you, we have done significant work over the years to make Route 8 and flowing into North Street, the main new thoroughfare into Downtown Dover. That is where development should be because Route 8 can handle the capacity. He has been blessed over the years to represent in his other hat, a variety of apartment owners and probably the largest apartment owner in the City of Dover. The only project that we have even remotely like this in our inventory would be Silver Mill Apartments. The road Hiawatha Lane which is the road that services Silver Mill Apartments is not the same size as the roadway projected by this unit and certainly doesn't have the amount or capacity that this unit would suggest. The reality of it is that this is not an appropriate location for a project of this size. College Road and Saulsbury Road can't handle the capacity. If anyone in this room has been on Saulsbury Road trying to get home during rush hour or trying to get to work in the morning, you know that it is next to impossible to go anywhere quickly on Saulsbury Road. We are talking about adding 600-800 more vehicles onto the already congested arterial roads in and around this area which would include College Road and Saulsbury Road. We already have major safety issues along College Road. The City, the members of City Council, and the Mayor, we worked together to install a pedestrian crosswalk unit on College Road to allow Delaware State University students to cross the road safely. They installed that unit because there were issues with traffic and traffic flow in and around College Road. It presented a legitimate safety concern with students from Delaware State attempting to cross College Road to get to their residence. Now we are talking about adding 600-800 more vehicles to an area that is already unsafe and is already being serviced by a H.A.W.K. unit. For all of these reasons, he would ask that the Commission deny this application. It is simply the wrong place at the wrong time and again; it is not as if they have not communicated this to the developer. Dozens and dozens of constituents have called his office opposing this project. When he first got word of it, he is lucky that he and Mr. Balascio have worked together at Hudson, Jones and Jaywork probably 20 years ago where he was an attorney representing some developers in and around the State of Delaware. He communicated to him that he oppose this and this isn't good for his community and please place it elsewhere. Regrettably they haven't listened and they are trying to force through with this. It is not wanted; it is unsafe and he would ask this Commission to deny the application.

Mr. Bill Hare – 965 Westview Terrace Dover, DE 19904 (City Council Member – Second District)

Mr. Hare stated that he heard some things tonight that made him wonder but first he will address the parking issue. He guesses when the firefighters, the police and the nurses come to rent one of these places, they are going to have to be an abstinence person. They don't have a partner that can sleep in a bed with them that has two cars. He doesn't know how that means that we don't

need the parking that we have required. Most firefighters, police and nurses that he knows have a significant other that lives with them. He can't see waiving the parking at all especially when they said that they could meet the requirements. Following up on what Mr. Sudler said, he was out there looking at this property. He doesn't know that there has been a confirmation on how they are going to get back there. He looked at the red things that they stick in the ground and someone was going to live in the mobile home there. If this project gets approved, then this main road is going to be ten feet outside of his front door. He doesn't see how that is considered right-of-way. They are going to take down 15-20 trees in front of this mobile home and then put a road right through there so when somebody comes out their front door, they are going to have to make sure they are looking for cars so that they don't get hit. When he first heard of this project, it was like 200 units and then he read that it was around 300 units and now it's 385. He was told that project change so does that mean that if it does get approved that maybe they can just do 600 or 700 units because "projects change". He just doesn't see how they can waive the parking and proceed ahead to approve this when he doesn't even know if access is approved yet.

Mr. James Paige – 355 Rita-Wilma Road Dover, DE 19904

Mr. Paige stated that his questions go to the Committee. Why would you even take the time to do what you are doing now when they don't even meet the requirements by the City of Dover? They want all these waivers. They would do this and that and shorten their parking. If you know you're not straight when you come, don't come. Don't be asking for favors. The prime example in the City of Dover right now is that you can't even park your own car on the grass. If you know that, why are you going to try to bring a car in to park on the grass? You can't be excused for it so why stoop or change your policies just to please someone else or for the revenues. They are asking for too much and he doesn't trust them. Is the main entrance College Road and Mishoe Street? Picture this, you put a stop light right there with the traffic that we have on that road, no one on College Road would get through and no one on the other side on Mishoe Street would be able to get out. Have you ever been in the traffic when the train stops with traffic backed up both ways? You would be there all day. The next thing is college students. This thing is being built for basically 30 year old first alert people. What will someone with a child that wants to continue their education over 30 do? If they do have a child, what is the child supposed to do when there is no school? He saw no facilities for the kids to play on. So there are a lot of things that we need to think about. Not we, because we already know that we don't want it. You all need to think about it before accepting it. He thinks that he is a pretty intelligent guy but for his own sake, there was a question asked earlier on the voting. He has never heard someone answer yes or no by saying "present". What does that mean? Responding to Mr. Paige, Mrs. Melson-Williams stated that in Mr. Hartman's earlier vote, he was choosing not to vote "yes" and not to vote "no". He basically voted that "yes he was present" but he was really abstaining from voting on that application.

Reverend Raymond Fisher – 315 Raymond Street Dover, DE 19904

Rev. Fisher stated that his concern is that you get a toe and you want a foot. When he says that he means that they will say anything right now to get what they want. Once they get that, they will want something else. For we who have been there for so long, he has been there for 60 years, it is not fair for somebody to come in and get what they want and forget about the people who have spent so many years in a particular area. Secondly, he is concerned about children. He loves children and it would bring so much traffic back there that it would not be safe for not only

children but for adults. Right now there are some handicapped people living back there. Even now during DSU Homecoming, people park on Raymond Street and Mishoe Street; and they are mostly young people. He doesn't drink but they say when you get that fire water in you, you are not fully conscious of what you are doing. He would give his life for saving a little child who happened to be playing or crossing the street and someone drives through there intoxicated and kills the child. He is strictly against that. There are other properties around so, why there? Is it because it's a black community? He is going to say it like he feels it. They can't help that they are black. They can't help that they own the property that back then was very cheap. His grandfather worked for DSU washing dishes for 35 years. When he bought that land, it was dirt cheap because no white person wanted to live back there. So, why now that somebody wants to make a fortune? He gets letters all of the time to sell his property. No, he isn't selling unless you are going to give him what he wants and he doesn't think you can afford that. He is concerned about safety and senior people who some live in Mishoe Towers. Those people have lives and they may not mean much to the developer but they mean a whole lot to him. He is a preacher and he is concerned about people's lives. He asks the Commission to reconsider. You can say that it is a racial problem all that you want to. He doesn't care what you say. Why go into a community that has been there for years? On the other end of College Road, there is a lot of ground there and they have for sale signs there. He disagrees with the whole thing. It's just like cancer; if you lose a toe you might lose another one next to it. If we give into this and they get what they want, who says they are not going to take everything?

Dr. Wilma Mishoe – 353 Rita-Wilma Road Dover, DE 19904

Dr. Mishoe stated that she has been in front of City Council a couple of times and she has talked to others a couple of times. She is not going to take the time to go through all of the history and her opposition before. She agrees with everything that has been said thus far and she is absolutely against the project. Her reason for it, and it has nothing to do with them developing their land and building their beautiful apartments and housing. She is strictly concerned about safety and security and the access that they chose to use to get to their property. Access meaning coming down Mishoe Street which is a very short and then turning onto Raymond Street, which you have already heard is not really that wide and accommodative of what they want to do. But even more so, she has an issue with ownership because she has in her hands her survey property maps and she has her deeds and tax bills that she has been paying. Part of what they are calling Raymond Street is owned by her and is located in the County. She understands that some things have taken place recently that she is contesting in terms of annexing land that she owns into the City and she didn't request that that land be annexed into the City. It was deemed by someone as abandoned land when she can prove otherwise. The land was never abandoned. They have for over 50 years now, maintained that land and she has expenditures to prove that is the case. A part of Raymond Street that they are asking to consolidate or make improvements on is what she is saying that she owns and she is against it. She does not want them to do anything with her land. As it has been said, they really so far have not proposed a way to access their land other than coming through land that she owns. She is asking and requesting that they find another way to access their property and build the housing that they choose to build. Standing with her are her two sons who are to inherit that land as she has inherited from her father. Travis Sudler who has already spoken and Roy Sudler who is her older son who will speak at this time.

Mr. Roy Sudler Jr. – 5 Mishoe Street Dover, DE 19904 (City Council Member – Fourth

District)
Mr. Sudler stated that as someone who has served this community for over 18 years in different capacities on different Commissions, he thinks that we need to continue to put the safety of our constituents first. Although we do need to grow and have development, we need to make sure that our traffic and roadway network system infrastructure can handle the capacity and density in which we are seeking to occupy. He just asks that we continue to do a great job keeping our constituents first and putting safety first before the mighty dollar.

Dr. Mishoe stated that there are other property owners who are here tonight as well as residents of the apartments that are on that property as well. Senior citizens, those who have physical and even mental disabilities live in that area. This is truly a safety issue in addition to the dispute of property ownership.

Ms. Sandra Ryder – 291 College Road Dover, DE 19904
Ms. Ryder stated that she owns property that runs along Conwell Street and empties into Raymond Street. Her concern is that she has children and grandchildren, one of which is disabled. Some are coming in by van and some coming in by bus. This is horrible because everybody is going to come along that road. They already have problems out on State College Road with a kid getting off of the bus because she can't get off quickly. This is horrible when it comes to her. Drivers harass you and we are already harassed and nothing is really going on. Please somebody consider what they are going through.

Reverend Rita Mishoe-Paige – 355 Rita-Wilma Road Dover, DE 19904
Rev. Mishoe-Paige agrees with everything that has been said. Councilman Boggerty and I are on the same page here. She had just written it down. Her training says that when you have a vision, write it down and make it plain. She too believes that the developers have not been honest and straight forward with us. Tonight is the first time that she is hearing that this is going to be for college students, first responders and nurses. She thinks that they are really making up stuff. She is completely in opposition to this project. The overflow of parking needs are probably going to flow right over onto Mishoe Street which would be their street which is going to have some traffic congestion there. When you are coming through Raymond Street, she walked the area today and saw the property stakes that are where they want to come through. It has already been said that that would be taking away part of the property that people already own. It is a straight street and it looks like you are going to make a straight street crooked which is not good at all. They heard about the Fire Marshal saying that he will review; so, we don't know yet if there is enough room for your fire trucks to come through. He is going to review so that has not been approved. We don't know about the EMS. We don't know about the police. So, it is definitely a safety issue. All of this, Rev. Fisher brought up the racial piece of it and she said that every single property owner in that area is African American. So it did nothing but take her back to when white Caucasian Americans took away land from the Native Americans. It seems as though that's what the developers are trying to do here in her opinion. They have already been told more than once that Dr. Mishoe, her sister, owns quite a bit of that land that they want to make improvements to and they are not for that. She is asking the Commission to vote against this entire project and that they are trying to come through land that is not theirs. She really doesn't know how you can sleep well at night knowing that you have helped give somebody's land away.

Mr. Sammy Barrineau – 320 Raymond Street Apt 200 Dover, DE 19901

Mr. Barrineau stated that he loves the community. It is quiet and peaceful and he gets the exercise there. He is handicapped as he had a stroke in 2016. Since he has moved there, he does a lot of exercise since there is not a lot of traffic in the area. He is definitely against a lot of traffic being over there now because he doesn't want to get hit by a car. He is learning how to walk again and use his arms and stuff by exercising in this area. He feels safe here and there is not a bunch of crime. It feels great staying in this area and he wants to stay safe and not have a bunch of stuff going on to bring more traffic there. He wants it to stay like it is because he feels more peaceful and a lot safer there without having a bunch of traffic. He has his kids with him and he wouldn't want a car to hit him while he is walking with his kids. Bringing more traffic to the area will cause a big problem for him and his kids. He really appreciates if the Commission does not bring more traffic in there.

Ms. Michelle Hughes – 320 Raymond Street Dover, DE 19904

Ms. Hughes stated that she also agrees with everything going on. She is totally against the road going through there because it's dangerous. They live in a good community and she likes it the way it is.

Mr. Lewis Jackson – 320 Raymond Street Apt 306 Dover, DE 19904

Mr. Jackson stated that for the last ten years this has been his home and just the thought of them bringing another road through there is heartbreaking. They have kids that are handicapped that live there. What are they going to do? He hears about firemen and nurse's aides but what about the elderly? He is 70 years old and if they bring a road through there, what is he going to do? He hopes that the Commission doesn't approve it because it going to do a lot of people harm than good.

Ms. Pilar Sudler – 17 Tallowick Lane Dover, DE 19904

Ms. Sudler stated that she is a very great advocator about economic development and growth. She moved here from Seattle, Washington 17 years ago and she knows what a big city looks like and she misses that a lot. It cannot be done when you are approving multi-family developments that she has seen from 17 years of living in the city with no roads. The commuters that come from Route 8, they only have Loockerman Street which is a two-lane street, Forrest Avenue which is also a two-lane street and College Road which is a two-lane street. If we continue approving developments of this size, they have to be done with transparency and with great planning. You have to take into consideration the residents who already live in Dover that have to use those very congested streets. Right now, from what she hears here tonight, this project is lacking all three components. There is no transparency, it's very poor planning, and we are taking into consideration the already stakeholders that already live in the City of Dover.

Mr. David Anderson – 217 Cecil Street Dover, DE 19904 (City Council Member – Fourth District)

Mr. Anderson stated that he wanted to thank the Commissioners for their service and he has the utmost respect for their expertise. He knows that they will come to the right decision on those issues and he is not going to in any way second guess that. You already have his written comments about the parking waivers so he is not going to rehash that. The one concern that he

has, has nothing to do with zoning but he wanted to ask the Commission to consider tabling this issue for legal review because there is a dispute in some areas of ownership of the property which is currently working its way through the legal system. He just thinks that it would be very wise to have our Solicitor review to see if he believes that it may have merit if it goes to court or not. If it does have merit, then it should wait for that process to continue. If he doesn't believe that it does, then that opinion will allow the Commission to make their decision either way. He just thinks that until the ownership of certain parcels and the right of ways that would be taken to build the roads, until that it taken care of, he doesn't believe that it is a prudent idea of one who deals with the City's finances. Us okaying that wouldn't be prudent at this time.

Mr. Robin Christiansen – 714 Carol Street Dover, DE 19901 (Mayor of City of Dover)
Mr. Christiansen stated that he still has great concerns about the traffic and safety of the development being put behind Raymond Street, but he has a bigger issue concerning this project. One of the major reasons that back in colonial times that we fought the British was for property rights. He agrees with Councilman Anderson. He thinks that this should be put up for review to ascertain who owns the property before we map out streets and other amenities. Because all that you have in this lifetime is your God, your family, your good name and if you are fortune enough to have any property, that property. He is not here to try to influence in any way whatsoever. He still has the safety concerns which now are exacerbated by who owns the property and until that is settled, he would ask the Planning Commission to table any further movements on this property.

Ms. Lisa Dawn Bentley – Loockerman Street Dover, DE 19901
Ms. Bentley stated that she lived on her own for 3 years. People kept bringing in trash. She would take the trash out and they would bring it in. There is a garage nearby and a little light would come on when she walks near it. People brought her trash back in while she was asleep. She doesn't know who. (*Couldn't hear the rest of her statements)*

Mr. Roy Sudler Jr.– 5 Mishoe Street Dover, DE 19904 (City Council Member – Fourth District)
Mr. Sudler stated that he also wanted to point out that they have a petition from their community with 46 signatures. He didn't hear anything about a petition of opposition. We also have individuals for the public hearing that are online that we need to hear from. He would like to ask that during this time of the public hearing, is it for the public or is it also for the applicant to come back and speak? Responding to Mr. Sudler, Mrs. Maucher stated that after public comment they will go back to the applicant.

Mr. Sudler asked if the public could come back to speak after the applicant? Responding to Mr. Sudler, Mrs. Melson-Williams stated that typically they do allow the applicant to return to the podium in order to address any questions that were raised during public testimony or for additional questions that the Planning Commission may have a result of what they heard during public testimony.

Mrs. Melson-Williams stated that she wanted to enter into the record the written comments that they received. These were received today and they were distributed by email and also a hard copy to the Planning Commission members. This is the public comment for S-23-06 College

Road Apartments at Railroad Avenue/Grove Street. These comments were received as of 2PM this afternoon. Item #1 is an email of March 20, 2023, forwarded by Mrs. Andria Bennett, the City Clerk, on behalf of Dr. Wilma Mishoe and it had several attachments. By reference she is going to read the name title wise. Item #1A was a petition against S-23-06 and it outlined three items in particular: the waiver request for the reduction of parking requirements, the traffic safety problem with a 24-foot-wide pavement, and a safety analysis or a traffic impact study. That petition, after outlining some statements, does include a series of signatures. The list consists of 46 individuals, some of which have spoken this evening. Just for reference purposes there are a variety of addresses on Rita-Wilma Road, College Road, a number of residents from the Mishoe Cove Apartments that outlined their unit number and other addresses on Raymond Street and some other locations like the Whatcoat Shelter and addresses on College Road. Item Attachment #1B to that submission is a letter of November 4, 2022 from Ms. Shannon Owens Esquire on behalf of her client Wilma Mishoe regarding Raymond Street also known as Jason Street. That references the question of ownership. Item #1C is a letter of November 29, 2022 from Mayor Robin R. Christiansen which outlines his veto of the City Council actions regarding the Subdivision Waiver and as reported previously, that veto was not overridden. The second item in this set is Item 2, an email of March 20, 2023 from Councilman David Anderson on the parking waiver noting constituent concerns on traffic and parking that had reached out to him. That set of public comments is entered into the record and at this point we will go to participants that have joined online.

Ms. Kaylynn Daniels – Resident Advisor at Mishoe Towers – 320 Raymond Street Dover, DE 19904

Ms. Daniels stated that she has 17 residents who would like to speak but she believes that she is the consensus and would like to do so. They are against the plan in looking at the traffic proposals to extend our cul-de-sac for access to the back 30 acres for development. College Road at this time, is already overrun with traffic. They have traffic from DSU students, both car and foot traffic. There is a big concern with the Door Dashers blocking the western gate. There is a bottleneck already where the student crossing is. We have an overflow of traffic from Whatcoat Shelter and Social Services and not to mention all of the traffic that comes into the College Business Park. A big concern is also North Dover Elementary School with drop-off and pick-up that is actually on College Road. The buses are on College Road and the parents are on College Road twice a day. They also have an overflow of traffic from Presbyterian Senior Living, which locals refer to it as Westminster Living. The expansion of this road will just simply be an added over flux of traffic. She doesn't think that they are taking into consideration the foot traffic of the students trying to get to campus. It will just be a total disruption to our tranquil neighborhood back here. They have to take into consideration the construction vehicles. The street will be widened so that emergency vehicles can go through and there will be much more personal traffic. We are talking about 385 units with an access of over 680 parking spaces. They are just a small community comprised mostly of elderly and disabled people. This will totally change and disrupt our life. They are all for housing. They are against this expansion of our cul-de-sac. They vote no. She is the residential advisor for Mishoe Cove and she is also an outreach worker for Brandywine Counseling. So, she kind of always has her ear to the street has to what they need and what they would like. Again, she has fifteen residents and a few students from the Courtyard Apartments who are also concerned about the expansion here. Many developments are practically located directly across from Mishoe Street so that would be a big concern for them.

She actually has three representatives from some of the three apartment buildings over there who are quite concerned about this proposed expansion, and they also vote no. They are against this associated plan.

Mrs. Maucher closed the public hearing.

Mr. Hartman stated that after reviewing this without the benefit of the public comments, his main concern was property rights. He believes that it would be enough to hold up this application by tabling it or delaying it. Looking further about the concerns with safety, especially with all of the neighbors, he doesn't believe that we should take an opinion from DelDOT that a study is not necessary. He doesn't believe that we should reduce the parking. Everybody has that valid opinion that it is going to create a problem. To quote one of the speakers, "they chose the shortcut". Also, people were concerned about it not being a safe location for this. Every member here wants good and safe housing. The main concern is safety and everybody that has spoken doesn't believe that it is going to be a safe place because of the traffic and the access. Unless he has some argument from his fellow Commissioners, he intends to propose that they deny this application outright rather than table it.

Mr. Balsacio stated that there are a few comments that were made that he would like to politely comment on. Especially what Mr. Hartman just said because there is a little bit of confusion going on. The Planning Commission is in a tough spot tonight and he realizes that. With the comments that he is about to make, he politely says and also Mrs. Gray and Mrs. Melson-Williams can confirm what he is saying. As he goes through each point, they can be confirmed. First, their use that they are applying for is a use by-right under the Code. This is not a Conditional Use. This provided for in your *Comprehensive Plan*, it's provided for in the Zoning Code, and it's provided for in the Subdivision Code. They meet all of the requirements except for one requirement which is the Parking Waiver. They did not take a short cut on this. It came back to them with comments that they received from the Planning Department that they were going to result with way too much parking. They said okay no problem, we will decrease our density and not do as much and seek the Parking Waiver. With that being said, they can provide the additional parking and they can remove the Waiver which means that they have a plan that meets all of your code requirements. This is not a plan that can be denied. You guys have already said by adopting your *Comprehensive Plan* and your Zoning Code that they can do this. They are rightfully coming in saying that they comply with all of your requirements and they are seeking approval for that. The next point, which can also be confirmed by Mrs. Gray and Mrs. Melson-Williams, is that the Parking Waiver has not been in front of any other body. This first came up when they did the application. He thinks that Councilman Boggerty who commented on that was confused because it was not previously in front of any other body. This was brought up as part of our submission to the Planning Commission and the engineer with him tonight can also confirm that. The third point, he hears repeatedly about their density increasing. They can't increase our density unless they come back to you. Once this plan is approved, it is approved for what's on that plan. So if they came back down the road, they would have to come back before the Commission and show that they meet all of the requirements for whatever increased density that they are going to be putting in. They have no intentions at this point in time in doing that. Again, to do so they would have to come back before the Commission and all of the Committees that they have already appeared to in order to get that approval. They could not just put an additional

Building Permit in for additional units. They would have to come back and have the additional approval. Next, the access to the property has been brought up and Mrs. Melson-Williams and Mrs. Gray are very familiar with this. They were asked to go in front of Mayor and City Council and Mr. Rodriguez to have all of the right of way identified and re-annexed into the City which was approved by Mayor and Council which Mr. Rodriguez looked at. They provided all of the documentation for it and it was approved. Those roads go back to a Subdivision Plan which goes back to an 1890's Plan. Those roads have always been there. They went through and worked very closely with Mrs. Gray, Mrs. Melson-Williams, and Mr. Rodriguez. They even met onsite with people and met with Dr. Mishoe and one of her sons with Mr. Rodriguez where they went over all of this. The documentation that she provided says that she is adjacent to a street. Mr. Rodriguez looked at this because it was forwarded to him. Again, Mrs. Melson-Williams and Mrs. Gray were a part of this. They have had since October or November to provide any information. They have reached out to their lawyer and nothing has been heard. Mr. Rodriguez hadn't heard anything. The engineers that he has with him tonight, put out thousands of dollars at the request of the City to show that "your right-of-way" is "your right-of-way. They can't be denied access to the right of way at this point because it is a public right-of-way and it has already been approved by utilization of our land. That is in part why they own it and are developing it pursuant to the Code.

Dr. Jones has brought up the point in regards to playground equipment for the kids. Again, when they went through and worked with the appropriate Committee, the general consensus was to exclude playground equipment. He has no problem putting in a small playground area for kids based upon what they think it will be utilized for. That is something that they can work with the Planning Department to identify the best piece of equipment to put in that area. They have enough room to do it; so, they are fine with that. He thinks that ultimately what is going to happen is that it is just going to sit there and not be utilized. Due to the configuration of the property, they came up with more of the walking paths and put in blacktop that was going to be for the courts and all of that kind of stuff. If that is something that you want, they are more than glad to do it. That is the only thing that he has heard on the Recreation Plan even though it was approved by the Committee.

With regards to the traffic study, they have already gone through this with the Planning Department. They have spoken to DelDOT and gave them all of the calculations. They have met that requirement under the Code. There is nothing in the Code, because they asked, that is independent of that requirement that they have to fill; so, they have fulfilled that. What he is saying respectfully as an applicant is, they have started on this application well over a year ago. They were asked to go through an Annexation process to clear up the right-of-way for the City. They did that at their expense and spent thousands of dollars to do that and they appeared in front of everybody. They even worked with Mr. Rodriguez. Every time they have been asked to do something, Mrs. Gray and Mrs. Melson-Williams can confirm, they have done it. They have augmented it. They have moved the buildings around and they done everything. All of the Planning comments they have looked at, they have said okay to. They have gone through the PLUS procedure. They even backed off because the consensus was not to do the dorm style. They substantially decreased the density from what was permitted under the Code. He would respectfully say to the Commission that he understands the position that you are in. Mr. Rodriguez knew this application was tonight and he has previously heard and has all of the

information on that ownership question. If that wants to be addressed after this hearing tonight, it has nothing to do with their approval. Dr. Mishoe or whoever is allowed to present whatever they want as they go through wrapping up their Site Plan with Mrs. Gray and Mrs. Melson-Williams. They have pulled it all. The engineers have looked at it, their title company has looked at it, and Mr. Rodriguez has looked at it. It unequivocally goes back to the 1890's to a Site Plan and all of the roads are there. They have gone above and beyond to give the Commission a Code compliant Plan that meets everything including all of the Fire Marshal codes and everything before you tonight. What more as applicants can they do? Their property rights are being taken away from them. He respectfully submits to the Commission that they are not permitted to deny their plan because it is a use by-right. He knows that that is hard to hear because you want to take that measure based upon the comments tonight but you have to look at it from their way. They purchased a piece of property knowing that it was a use by-right and all that they had to do was meet the Code requirements. They have gone through that process and have met every requirement that has been asked of them. How at this point can they be denied a legally compliant plan? He has his engineers with him if there are any of the points that the Commissioners are stuck on. He had both of them come tonight because they are both familiar with various parts of the project. He also has the architect here. Please take advantage of that because they have gone above and beyond and have been a good applicant. When someone tonight is questioning their integrity, everything that they have given to the Planning Department and to Mr. Rodriguez has been in writing and it has not changed. He thinks that there is confusion because when we get in front of various committees and bodies, things are said that don't necessarily tie in. Like when they were in front of the Parks, Recreation and Community Enhancement Committee last week, everybody kept on speaking about parking which had nothing to do with that Committee. They were told not to speak to it and to stick to the Parks and Recreation points; and that's what they did. If there are any questions, please ask. They have been very open and honest. Again, Mrs. Melson-Williams and Mrs. Gray know that because they have been copied on numerous emails. Mrs. Gray was also attended the meeting with Dr. Mishoe and Mr. Rodriguez over ownership, and it was absolutely resolved that day.

Mrs. Maucher stated that it is a lawyer's opinion. You can ask five lawyers and get five different opinions so she is not sure that that's significant. Responding to Mrs. Maucher, Mr. Balascio stated that this was definitely decided. Mr. Rodriguez looked at this and all of this documentation was given to him, Mrs. Melson-Williams, and Mrs. Gray. They had both engineers go through with surveyors. They got another third attorney involved who looked at it with Mr. Rodriguez. Mr. Rodriguez asked for some clarifying documents and they got them from the title company and provided them. In Delaware, lawyers take and make all of the decisions on the title. They are what they call the "title agents" in Delaware. They make legal opinions every day. When you purchase your home, it's him as your settlement attorney who does it. When you develop a piece of property, it is him as your settlement attorney who issues titles. In Delaware, the attorneys are the one who decide that. They provided a lot of documentation. They spent a lot of time on that and they traced it back to its original roots. The Planning Department has the plans where they went back to the original plan from the 1890's and traced it all the way forward. It was always shown on your GIS mapping that way. It was shown in the County records and the State records that way. The County and the State both consented to the Annexations and then the City Council with Mr. Rodriguez, approved it and they moved forward. It's really not a step that normally they as an applicant has to do but they did it. They went through that process and got it done.

Again, everybody has had ample time all throughout that process to question the ownership, to appear before Mayor and Council, or to submit something to Mr. Rodriguez. Even after that, they met with people and they still had ample time. No one has provided any documentation. All these documents are recorded and they are public records; anyone can provide them. They have combed through them. The right-of-ways are where the right-of-ways are shown on their plans which are consistent with your Annexations that were approved by Mayor and Council which are consistent with State and County records.

Mrs. Malone stated that she searched some of this property because what really bothered her was the ownership question. What she found was that the property was sold on September 26, 2011 from GEM Investors and then it sold again on November 11, 2011. Then the owner was College Road Management Inc. and then Kent Storage Facilities. Is that affiliated with the Patel College Property? Responding to Mrs. Malone, Mr. Balascio stated that those would be the prior owners in the chain in title. They are not the current owners; they were the prior owners to us.

Mrs. Malone stated that is what she is asking. Did Patel College Property buy it from them? Responding to Mrs. Malone, Mr. Balascio stated yes, they are the prior owners in the chain of title but the chain of title isn't what's being questioned; it's the right-of-ways. No party owns the right-of-ways. The City of Dover holds the public right-of-way for the benefit of the public; so, they are not in anybody's deeds. It's the same thing when you do a Subdivision Plan or any other plan. When you dedicate it to the "public", it's a public roadway. Since the 1890's, those right-of-ways have been dedicated, shown on a Subdivision Plan, and have been part of City records. They have provided all of the documentation to Mr. Rodriguez and he confirmed it.

Mrs. Malone stated that she wasn't talking about the right-of-way. She was talking about property that Dr. Mishoe said she owned. Responding to Mrs. Malone, Mr. Balascio stated that is what they met with Dr. Mishoe, Mr. Rodriguez and Mrs. Gray about. The part that she is claiming ownership to is part of the right-of-way. They also looked at every adjacent property owner along that way and it ends at the roadway. Mr. Rodriguez was provided this information, Mrs. Gray was at the meeting and their title to their property stops at the right-of-way like it does for all owners of properties. It mentions the road because it says "up to" or "across" or "by that road", but it is not the actual road bed at all. Mr. Rodriguez looked at that and there was even a deed that Dr. Mishoe brought up during the meeting. They immediately got that deed, showed it to Mr. Rodriguez, and he agreed that it mentions her property running by the right-of-way but does not cross over or own the right-of-way.

Mrs. Malone stated that you were saying that her property backs up to this property. Responding to Mrs. Malone, Mr. Balascio stated no, her property or any of the adjacent owners is not part of the public right-of-way. The public right-of-way is held by the City of Dover. They went through and looked at this. All parcels are not in question. What they are questioning is if the City owns the public right-of-way which it does. That is why that argument cannot be used to deny our application because nobody has made a challenge that they own their four parcels. He would hope that Mrs. Gray or Mrs. Melson-Williams could speak to this. It was completely vetted and spoke about with Mr. Rodriguez and looked at. They suffered a huge delay and tens of thousands of dollars to address that one issue.

Mr. Hartman stated that if this access is so important, why don't they as the Planning Commission have a letter from Mr. Rodriguez rather than hearing it hearsay from the applicant? Why wasn't that given to the Commission in the packet? Responding to Mr. Hartman, Mrs. Gray stated that the legal issue is not a Planning Commission or a Planning Department issue. When talking with Mr. Rodriguez, the process was followed regarding the Annexation of the roadway delineating the right-of-way in the road. That issue was determined to be a civil issue.

Mr. Hartman stated yet in Article 10, Section 2-22 one of the things that this Commission is supposed to look at is "the provision of adequate access to all proposed structures, equipment, or material on the site for fire, ambulance, police, and other emergency services." This affects access to this property. Why is this not a Planning Commission issue? Responding to Mr. Hartman, Mrs. Gray stated with the issue in her perspective, the question was asked and answered. The road was annexed into the city and the right-of-way was delineated; the right of way was defined.

Mr. Hartman asked if the City is prepared to go to court over that? Responding to Mr. Hartman, Mrs. Gray stated that she is not the City Solicitor; so, she cannot answer that question.

Mr. Hartman asked if it would be too much to ask for an answer from Mr. Rodriguez on this matter? Responding to Mr. Hartman, Mrs. Gray stated that she can't answer for Mr. Rodriguez. She had asked him to be here tonight should any of these issues be brought up, but he was unable to be here tonight. She will certainly be happy to ask that question of him should that be the pleasure of the Planning Commission.

Mr. Hartman stated that that should be at the very least in his opinion, unless there are opposing opinions of Commissioners then that would indicate that they should table this measure until we actually have something to address what they are supposed to do. If it's in opposition to what the City Solicitor says, he would just like to have clarity on that. Responding to Mr. Hartman, Mr. Balascio stated that their Plan is a Code compliant plan. They were told that in order to submit this Plan, and Mrs. Gray can verify this, that they had to go through Mayor and Council to get that right-of-way annexed and approved into the City which the City did that. It is officially recorded and done. You (the City) as taken ownership over that public right-of-way but you have already had it since the 1890's as each property came in. Mrs. Melson-Williams and Mr. Gray helped them go through this. Those were all identified through the State of Delaware, the County, the City of Dover, the Planning Department, and Mr. Rodriguez; and, this was all approved. For them to come here for this step tonight, they were asked to take and clean that up because it was unclear when certain people came in whether when they came in if they also identified the adjacent roadbed to their property which they are supposed to do. It was a house cleaning amendment because the roadway was in part left behind in either the State or County. It was a road regardless; it was whether or not the City has jurisdiction over it. What they did is they went back and worked with those agencies, identified the parts that they believed were not annexed in. Then they did a whole housekeeping one where the whole roadbed was annexed in by the City of Dover. That is what Mrs. Gray can confirm. That's what they did. It was always a road. They didn't take property from any individual homeowner when they went through that. They worked with the City of Dover, the County, and the State to collectively make sure that all of the roadbed was in the City of Dover by the time that they got done. It was always a roadbed

in the 1890's plan that they based it off of. They moved forward with all of the other agencies and related deeds. They pulled every surrounding property on that plan. They pulled their deeds and they matched it to the right-of-way. They went back pretty far in title and traced in back to that 1890 plan which is pretty impressive to do. They have in front of the Commission tonight, a code compliant plan. They have met all of the Codes, all of the regulations of the Codes, and all of the fire codes. They have worked with pleasure with the Planning Department and have had all of their comments and revised things and done what they have asked them to do and have it documented. At this point, what more as an applicant is he supposed to do if he has complied with all of the additional hearings that they have been asked to do. They have complied with all of your rules, regulations and Code requirements. How can he be denied tonight? Responding to Mr. Balascio, Mr. Hartman stated that you haven't complied with all of the Code requirements. You don't have the adequate off-street parking.

Mr. Balascio stated that they were asked by the Planning Department to seek the waiver. They can provide the parking. Their density is going to go up. They said they would take and seek the Parking Waiver and not go up in density, if that is something that the Planning Department wanted to recommend so that the design of the overall site looks better. He is telling you on the record tonight, if you want them to during the process, because there is always amendments that you do to revise the plan between now and getting all of the various agency approvals, they can provide the additional parking. That is not an issue. As he said to Dr. Jones, if she would like to have the children's playground equipment on there, they will do it. Those are the only two things that he has heard tonight and they can fulfill those things easily. The engineers have said that they are well under the density that they could otherwise provide on this site. They can provide that. They were just following a Planning Department recommendation where they were asked to seek the Parking Waiver.

Mr. Hartman asked if the Planning Department asked him to provide examples from New Castle and other areas to support your waiver. Responding to Mr. Hartman, Mr. Balascio stated that he would have to have the engineer come down to answer that but he believes that was indeed the case. That they didn't just willy nilly arrive at a number. They collectively had an ongoing conversation about how to arrive at that number based upon the size of the units and the bed count that was going to be in there.

Mr. Hartman stated that he has a one-bedroom apartment behind his house. It's a very small apartment; but all this weekend, there were four cars parks in the grass from it. Responding to Mr. Hartman, Mr. Balascio stated that if you want them to take and meet the parking requirement even though the Planning Department thought a better design of the project was to reduce it and not have a sea of asphalt sitting there. The issue becomes that when you have this many units and you have the additional parking what is happening is that it's a compounding effect. You keep on ending up with extra and extra and extra units for parking that you don't need because there are so many units going in. What happens is that you end up with a drastic amount of extra units sitting in there. That's when the engineers worked with the Planning Department to say this is the better number. So, they don't end of with a sea of gray out there because this is a beautiful property out there and we are trying to preserve. That is why they didn't touch any of that back part at all.

Mr. Rishel stated that he can offer a whole lot extra. You have in your packets, the justification letter that outlined how there were coming up with their support for their waiver. They did look at other municipalities. They selected in the letter that was provided, four comparative areas using the City of Newark, Kent County, New Castle County and the City of Seaford and how they break down requirements for apartment uses. The City of Newark is 2 per unit. Kent County says 1.5 spaces per efficiency, 1.75 per one-bedroom and 2 spaces per two-bedroom. New Castle is similar with 1.5 spaces per one-bedroom, 2 spaces per two-bedroom, and then they offer an overflow in New Castle County requirement which is kind of like to account for visitors and such where you provide one space per five units on top of the spaces provided per bedroom. Seaford is two per unit. They did an analysis and an average and showed that Dover has a based requirement of 2.25 per unit. It really just comes down to that they feel that that's going to be excessive given the high ratio of one-bedroom and studio apartments that are proposed within these buildings. It's not that they don't want to provide the parking and can't provide the parking. It's really just to reduce what they feel is going to be excess, unused or extra paving. They derived all of this and came up with what's recommended. It is outlined on the second page which the proposed parking rational breaks down this way: 1.5 spaces per studio and one-bedroom apartments and 2 spaces per two-bedroom apartment plus 1 additional space per every five units to account for some overflow. That is how they derived the 683 spaces for 385 units. That breaks down if you run the math backwards to 1.8 spaces per unit average.

Mr. Hartman stated that he understands that; he read the package. You really didn't have to that detail. He is opposing the Planning Office accepting that as justification for a waiver for this especially in light of all of the complaints that they have heard from the community both tonight and in writing prior to this meeting. Middletown has a requirement for 2 spaces. He thinks Bridgeville has a requirement for 3 spaces. Responding to Mr. Hartman, Mr. Balascio stated that has he previously said they are fine with providing the additional parking if that's what you want them to do. Each time that they have worked with the City of Dover, they have always worked with all of the committees and commissions. When they have provided insight of such to do, if it's something that they didn't think of, they take it into consideration and work with them to do it. That is what they did here and they did nothing more than that. They were just working with the Planning Department.

Mr. Hartman stated that you keep saying that and he is going to continue to say that there are things that should have been presented to this Commission tonight. There should have been a traffic study. There should have been adequate parking. There should have been a ruling from the City Solicitor on the property rights issue. You are asking the Commission to make a blind judgement. In accordance with Appendix B, Article 10, the objectives of this Commission is "to assure maximum safety and convenience of vehicular transit, bicycle and pedestrian traffic by ensuring that all proposed and impacted streets, driveways and walkways are adequate but not excessive in number". Responding to Mr. Hartman, Mr. Balascio stated that they meet the requirements as the engineer, Mrs. Gray, and Mrs. Melson-Williams say. In the Plan that they provided to you, all of their sidewalks, streets and everything meets all of the Code requirements including the Fire Marshal comments. They were reviewed as part of all of the agencies and committees that review us before we even get here. They even went to PLUS with this and had them review it. Again, they have offered to remove the Parking Waiver even though it was something that was requested of them. They can work to provide the additional parking. he is

more than glad to work with Dr. Jones on what is an appropriate piece of playground equipment for the children. Other than that, that Code section that you just stated means that the roads right-of-ways and sidewalks that they put in must meet your Code. They meet the Code requirements because there is not any comments from the Planning Department or any of the other agencies that reviewed their packets that says they did not comply. The Fire Marshal is one of those agencies that reviewed it.

Mr. Hartman stated that they are not the Planning Department; they are the Planning Commission and what they are required to do is listed in Article 10, Section 2.2 states "In considering and acting upon site development plans, the public health, safety and welfare, the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular shall be taken into consideration." When he tries to take these into consideration, he has no information from the Planning Staff or the applicant.

Mr. Balascio asked Mrs. Gray if part of their packet and all of the other reviews that they had when they submitted this was to review the sidewalks and streets that they are providing to get here tonight. They had them reviewed. During their submission process, what they have submitted to date shows that they are able to meet the Code requirements for the streets, right-of-ways and sidewalks. They have a code compliant plan. There is not any comments that say that they are not meeting the section that Mr. Hartman is talking about. That section turns around and points to the actual Code requirements for the sidewalks, streets, and right-of-way; they will meet those requirements. The Plan that they have right now in front of the Commission shows that they will meet that including all Fire Marshal requirements.

Dr. Jones stated thanked the applicant for mentioning her concern for the playground. She can sense his passion for his work and for the submission of a code compliant plan. But she does think that there are more issues of concern this evening. She is uncomfortable with several things that she has heard. One, they have talked about safety and the traffic patterns and traffic jams. Those of us who live on the west side of Dover experience those things every day. She is concerned about any legal ramifications, but moreover what she would like to say is that regardless of what came out of the Planning Office and regardless to the code compliant plan that does not negate a property owner's right to contest. That is her concern and from that perspective, she is very uncomfortable with moving forward. She thinks some things have to be straightened out before we can go forward.

Mr. Roach stated that he knows it seems very difficult as far as all of the negative comments. He does want to say thank you for being in compliance with the Planning Commission and working with the consistently. That goes above and beyond so they definitely appreciate that. Seriously, because he is feeling right now like he (Mr. Balascio) is by himself. He does want to say the same thing that Dr. Jones basically said. They know that at times when they are here and in charge of making a decision in regards to any type of application that comes here, they have to do that based on what they have. So it is just like anything, if you imagine yourself being put in that situation and being somebody who is claiming, saying or contesting the fact that they own something, tabling it for a month after you've said that you have been working all of this time for them to get more information so therefore she (Dr. Mishoe) has time to work out whatever legalities that she is trying to argue. He feels as though for him, personally and what he thinks

there are all here saying as a Planning Commission, they are not negating his point. You are absolutely right; it is code compliant and it's an acceptable use. He gets all of that because he doesn't want apartments there but you purchased the land and you do what you want to do with it and we go from there. But him being on this Commission knowing that he is just going to say, historically what has been happening forever, Native Americans and African Americans are having land snatched. You are trying to tell him that you have confirmation from someone named Mr. Rodriguez and he doesn't even know who that is. He doesn't have that information so for him, he feels as though for them as a Commission, it would be unfair as much as it is unfair to you. Because you said that you have spent tens and tens of thousands of dollars but that doesn't always negate 50, 60 or 70 years of stuff that has been passed down through people from generation to generation. Responding to Mr. Roach, Mr. Balascio stated that he has no problem if they want to table it for that specific reason. Mr. Rodriguez is the City Solicitor. If it is going to be tabled for that reason, he would ask that they are specifically told what it's tabled on so that they know what they are working on in the interim. What he would like to not have to do is to come back and have to re-go through all of these points. What he heard from Mr. Roach was "the ownership issue" which he is more than fine with working with Mr. Rodriguez on that. They can get it back and compile that data. Number 2 is if there can be a confirmation made in the packet which Mrs. Gray and Mrs. Melson-Williams could tell you that there is no requirement that can be imposed on them to do anything with regards to the traffic impact. They are here tonight and they can confirm that. They already got comments in writing back from DelDOT on this.

Mr. Roach stated that he thinks they are kind of beating a dead horse. He is just letting them know that as far as him personally, for having a person who is sitting here saying that that land has been passed down for generation to generation and for him to hear that is unsettling. Responding to Mr. Roach, Mr. Balascio stated that that is completely fine. If you want to table it for that reason and that reason alone because everything else they are willing to do, that's fine. Because that data has already been compiled and Mr. Rodriguez has it. He believes that Mrs. Gray and Mrs. Melson-Williams were copied on those emails and he can easily tune in and say that because Mayor and Council already annexed that property in.

Mr. Roach stated that again, he is just basically speaking from a standpoint of somebody who thinks this way. How many people have been in jail for 20 years to get released later on because somebody made a mistake? How many times have we had situations where people make a decision and just because that one person made that decision or looked at that map or said this? That does not mean anything to him. He is just letting you know because there is a woman sitting here who is trying to pass her land to her family. So for him, saying that Mr. Rodriguez has some documentation that they can look at, cool. But when he has someone sitting here who says that they own the land and it's been passed down for generation to generation, he feels as though as much as they are going to give him the opportunity to speak here for two hours so that we can talk about it, he feels as though she deserves that time to try to legally fight for what's hers. Responding to Mr. Roach, Mr. Balascio stated that he is very glad if you want to table it for that reason and that reason alone. They can recompile that data and get it to Mr. Rodriguez again so that he can follow up with the Commission in the appropriate manner.

Dr. Jones stated that after all of the discussion this evening, how does the applicant respond to the concerns raised by all of the people how spoke against the project? It doesn't sound as

though there has been communication. One of the things that we do on this Commission, when they have this kind of a disagreement is to usually ask the applicant how they have worked with the residents? Responding to Dr. Jones, Mr. Balascio stated that they made several meetings where they met out onsite; who was invited to those meetings, he doesn't know. Also, this went through the whole Annexation process where all of the notices were given. They have also posted out on the property by putting signs up. He would say that he understands their concerns but also what he would hope is as Mr. Roach just pointed out is that they have appeared before the Commission and followed your rules on a piece of property that allows them to develop it. You guys, over the years, have adopted a *Comprehensive Plan* that repeatedly identified this property being developed in this manner. One of the Councilmen had pointed out to them that there is actually a study on their property. Instead of putting apartments here (and he believes that the City of Dover took part in this study); this property could be developed as a rail access property. They decided not to do that even though they were approached and that's what the prior owners were going to do. That's why the study started because that would have resulted in hundreds of thousands of square feet of warehousing, 24 hour operations, lighting and large trucks coming in and out. That is a permissible code use and they said no they don't want to do that but they want this route of putting something in that they thought was beneficial to the community by keeping it in a residential like setting. They have also reduced the density. He is more than glad to work with the Commission and follow up on any comments that you have. But if it's going to be tabled tonight, they would respectfully request that it be tabled only with regards to that because they have met all of the other Code requirements.

Mr. Cooper stated that that one of the things that Mr. Hartman was getting at was that the Planning Commission looks at not only just the Code requirements, but they look at the human aspect of it as well. He has a great deal of heartburn about the ownership issue which he thinks they are going to squash by next month or however that works out so we are going to set that aside. The parking issue he thinks is completely off the table so he can get rid of that. But what he does struggle with and he is having a very hard time with it, is that he believes very much in your property rights to do with your property in which you want to do and what Code allows you to do. But he also believes very much in their property rights to enjoy their neighborhood and to enjoy their street. They are going to go from having 50 cars a day on a small side street to having several hundred a day. Representative Lynn referenced 600-800 cars which he thinks is a bit of an exaggeration. We are talking about a street that was designed by the City or the County however many decades ago for that amount of traffic. Now we are going to try and use that same street for this significantly larger amount of traffic. He is torn and he is glad that they are going to have a month to think about it and for him to wrestle with it because he has trouble with their property rights versus yours and yours versus theirs. Responding to Mr. Cooper, Mr. Balascio stated that he hears your concern and his answer to that would be that the City protects the residents by the Codes that you have adopted. The Codes that you have adopted in this case, allow them as a use by-right to develop the property in this manner; and, they have met that Code requirement and exceeded it. They went to PLUS and the State of Delaware's DelDOT was a part of that. They followed up with DelDOT afterwards and they spoke about it and this was the decision. Now, for somebody to go back and say after it's been documented that you can use these right of ways and these roads in this way for your plan as by-right and then change it, it wouldn't be fair to them if that's the decision that has already been made. That is why he respectfully submits to you that if you want to table it tonight, he thinks the tabling needs to be

limited to the question of ownership because as the packet before you shows, they have met all other Code requirements and have removed the Parking Waiver to make that clear on the record.

Mr. Cooper stated that that's part of his frustration with the whole situation is the human aspect that Mr. Hartman brought up. He struggles with all that you have invested in this and all that they have invested in their property and the impact that our decision has on both parties involved. In his mind, he is looking at it as one to one. He is not looking at it as 75 residents to your 385 units. It's property rights versus property rights in his mind. And then, it's the human aspect of the Code. It absolutely sucks for a lack of a better way of putting it, for the situation that you are in but it absolutely sucks for the situation that they are in as well because nobody thought in 1890 that this was going to get built up with a 385 unit apartment complex. Responding to Mr. Cooper, Mr. Balascio stated that you just rezoned this property within the last decade for this to go on there. You didn't but the City of Dover rezoned this property meaning they went through a *Comprehensive Plan* amendment. Your *Comprehensive Plan* said that this property should have apartments on it, you approved that *Comprehensive Plan*. Then you updated your Zoning Code and then you made them come and rezone the property. They are code compliant. The prevailing rule under Delaware Law right now (and he hears the public), but the prevailing rule is that if he comes before you, follows all of your rules, and he has a use by-right that you have adopt you can't deny him.

Mr. Cooper stated that he interprets everything that Mr. Hartman read out of that book as the failsafe. They are the human aspect; the failsafe for this Code book. So again, he values your property rights and mine and theirs. That's why he is glad that we are going to table this and we are going to have a solid month to wrestle with that because he guarantees that he is not the only one sitting on this floor that's wrestling with those same property rights issues. He knows that Mr. Roach is and he knows that they are not the only two. He is glad to have this month to wrestle with it and figure it out in their heads because when they come back here, they have to decide that. That's a very tough spot for them to be in. Responding to Mr. Cooper, Mr. Balascio stated that he would ask that when we do come back, they as the applicant are given the opportunity to speak about those points at that time. And in the interim, through Mrs. Gray and Mrs. Melson-Williams if there is stuff that you need, please ask us for it and they will supply it because they haven't hidden anything. Anything that has been asked of us to date, they have provided upon their request.

Mrs. Malone asked for the names of the two people that were speaking. Responding to Mrs. Malone, Mrs. Maucher stated it was Mr. Cooper and the applicant Mr. Balascio.

Mr. Baldwin stated that he realizes that all of his questions that he had written down have been gone over but one thing that he heard it touched on very lightly is that you have people who have owned property for years. No matter what you do or say, this project is going to change their lifestyle and they are going to have to do things differently. He understands that its code compliant but they have to look at the human side of this. How many people are going to have to stop doing some things that they normally do just because of this housing project? He understands that it is your property and you have the right to do it and you are code compliant. But they have to look at the people that have been living there for 15, 20 or 30 years.

Dr. Jones stated that Mr. Rodriguez's name has been mentioned. He is the City Solicitor representing the City. But the family has an attorney so in her mind, it's going to be a meeting of the minds and some kind of reconciliation and some decision made as a result of attorneys representing both parties coming together. So, it will not be a simple matter of what Mr. Rodriguez says. She knows Mr. Rodriguez and respects him but at the same time, they cannot discount their attorney. Responding to Dr. Jones, Mr. Balascio stated that they gave all of the information to that attorney and they have not responded since October or November of last year.

Dr. Jones stated that she understands and she doesn't think that they are fighting with him. They are just simply saying that sometimes one plus one equals two. She shouldn't use analogies because she doesn't do well with analogies. But they just simply cannot negate what is happening on the other side and that is with the Mishoe family and the other owners who live in that area.

Mr. Cooper moved to table S-23-06 College Road Apartments at Railroad Avenue/Grove Street while waiting for the right-of-way outcome, seconded by Dr Jones.

Mrs. Gray asked for the Commissioners to articulate the length of when it's going to be tabled for. Responding to Mrs Gray, Mrs. Maucher stated that they are asking until it's resolved.

Mrs. Gray stated that she is not sure whether that is a proper motion. She believes that it needs to be tabled for a period of time until perhaps the next meeting. Responding to Mrs. Gray, Mrs. Maucher stated that she would say then if they have it come back, if the response is not satisfactory that they continue to table.

Mrs. Gray stated that she would agree with that, and they could have it reviewed at that time.

Mr. Cooper moved to table S-23-06 College Road Apartments at Railroad Avenue/Grove Street while waiting for the right-of-way outcome until next month at which they can assess the property legalities and right-of-ways, seconded by Dr. Jones and the motion was carried 6-2 by roll call vote with Mrs. Denney absent. Mr. Cooper voting yes; for everything stated for earlier. Mr. Roach voting yes. Mr. Hartman voting no; he still has many many concerns about traffic safety, property rights, and parking. Mr. Baldwin voting yes. Dr. Jones voting no; she has the same concerns as Mr. Hartman outlined. Mrs. Welsh voting yes; for all of the reasons stated regarding the concerns that people have over the right-of-way and they need to address those issues. Mrs. Malone voting yes; regarding the right-of-way clarification but she is also concerned that she doesn't want the applicant to be encouraged to continue with this because they have put a lot of time and money into this project for many years and that is not something that she wants the City of Dover to be known for. They are trying to encourage positive development in the city and she is concerned that this would turn other positive development away. Mrs. Maucher voting yes; for the reasons stated.

AX-23-02 Lands of Christina L. Kelleher at 273 Acorn Lane - Public Hearing and Review for Recommendation to City Council of an Annexation Request and Rezoning Request for a parcel of land totaling 0.611 acres+/- located at 273 Acorn Lane. The property is currently zoned RS-1 (Residential Single-Family Zone) in Kent County. The proposed Zoning is R-8 (One Family

Residence Zone). The property is located on the west side of Acorn Lane between Revolutionary Boulevard and South Hancock Avenue. The annexation category according to Dover's *2019 Comprehensive Plan* is Category 1: High Priority Annexation Areas and the land use designation is Residential Medium Density. The property owner is Christina L. Kelleher. Property Address: 273 Acorn Lane. Tax Parcel: ED-00-068.19-01-13.00-000. Proposed Council District 3. Ordinance #2023-02. *The First Reading of this Annexation Request was held on February 13, 2023. Public Hearing before the Planning Commission is scheduled for March 20, 2023 and City Council on April 10, 2023.*

Representatives: Ms. Christina Kelleher, property owner (attending virtually)

Mrs. Melson-Williams stated that she would refer the Commission to the DAC Report. As noted, this is a property at 273 Acorn Lane. Our *Comprehensive Plan* designates it as a Category 1: High Priority Annexation Area with a land use classification of Residential Medium Density. Currently, there is a single family dwelling on the property zoned RS-1 (Residential Single Family Zone) in Kent County and the proposed use would be to continue that single family dwelling. They would like to take the opportunity to hopefully connect to City water and sewer to resolve some of the issues that they have with the property currently. It is already served by City of Dover Electric and the proposed zoning is R-8 (One Family Residence Zone). In this case of an Annexation, Planning Commission is making a recommendation to City Council regarding the Annexation and the appropriate zoning classification for the property.

Ms. Kelleher stated that she is the owner of 273 Acorn Lane. The property has been in her family for years and she is just looking to be able to connect to City services. She has read all of the information that has been sent to her and at this time, she doesn't have any comments or questions.

Mrs. Maucher asked what the reason was for the zoning change. We do these things and she thinks that they are seeing the effect of sometimes changing and the unintended consequences. There is houses of worship and some of the other things that are allowed in R-8 (One Family Residence Zone) that may not be allowed in RG-1 (General Residence Zone). She is just curious for the reason and if it's just simply to connect to City services. Responding to Mrs. Maucher, Mrs. Melson-Williams stated that the RS-1 (Residential Single Family Zone) that the property is currently is a Kent County zoning classification. Upon Annexation into the City of Dover, a City of Dover zoning classification must be selected. R-8 (One Family Residence Zone) is one of the ones that this property is eligible for and probably the most reasonable of the residential zones that are allowed for this property under our *Comprehensive Plan.*

Mrs. Maucher stated that not knowing the possible uses, are there any that is more strictly just to maintain it as a residential use? Again, she thinks that they have kind of seen what can occur with a Rezoning. Responding to Mrs. Maucher, Mrs. Melson-Williams stated that the other residential districts that are offered are other One Family Residence Zones. It could potentially be R-10 (One-Family Residence Zone) and you would be looking at the same use list. Actually all of the other residential zones that it could become are either more intense in the types of units that would be allowed there and still continue to refer to a number of conditional use opportunities that would require additional review just like if it was R-8 (One Family Residence

Zone).

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

Mr. Hartman moved to recommend approval to City Council for AX-23-02 Lands of Christina L. Kelleher at 273 Acorn Lane and the Rezoning request because in the Comprehensive Plan it is a Category 1: High Priority Annexation Area and he also bases it on the testimony of Ms. Kelleher who spoke tonight, seconded by Mr. Cooper and the motion was carried 8-0 by roll call vote with Mrs. Denney absent. Mr. Hartman voting yes; based on what he stated in the motion. Mr. Baldwin voting yes. Dr. Jones voting yes. Mrs. Welsh voting yes; for reasons stated in the motion. Mrs. Malone voting yes; for reasons stated. Mr. Cooper voting yes; for reasons stated in the motion. Mr. Roach voting yes. Mrs. Maucher voting yes; for reasons stated in the motion.

SB-23-01C – Lands of Wyoming, LLC at Jefferson Terrace Extended (Ekaman Subdivision): Conceptual Subdivision Plan - Public Hearing and Review of a Conceptual Subdivision Plan to create six (6) lots from an existing parcel totaling 4.2311 acres to be known as Ekaman Subdivision. The proposed subdivision is to consist of four residential lots, a stormwater management area lot, and a residual lot for residential use. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The property is zoned R-10 (One Family Residence Zone) and is located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (also referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owner: Wyoming, LLC. Tax Parcel: ED-05-077-17-06-02.01-000. Council District 2. *Subdivision Waiver Requests: Alternative Lot Configuration and Reduced Frontage on a Public Street (Stormwater Management Area Lot); Increased Percentage of Lots on Cul-de-sac; and Elimination of Sidewalk on Monroe Terrace Frontage of Residual Lot. Note: Any renaming of Jefferson Terrace (to Ekaman Way) is subject to a separate review process.*

Representatives: Mr. Kyle Burchard, Mountain Consulting; Mr. Emmanuel Elize, representative of Wyoming, LLC; Mr. Lacy Holly, attorney representative of Wyoming, LLC.

Mr. Swierczek stated that this is a Major Subdivision Application that is slightly different than the more typical Minor Subdivision Application, primarily because there is not a roadway currently present. Part of the Application is to propose the extension of Jefferson Terrace. What the applicant is proposing that is making this a Major Subdivision Application is that it would extend Jefferson Terrace further to the west. There would be six lots in total that would be proposed with the Subdivision. Lots 1-4 have access currently on what would become a new cul-de-sac known as Jefferson Terrace Extension. The fifth lot would be towards the south of the property and would utilize existing frontage on Monroe Terrace and then a sixth lot which is sort of centrally located to the property would not be for development as that would for stormwater management. This Application is a Conceptual Plan for a Major Subdivision Review. The first stage would be a conceptual one and the second would be that they would return for a more formal Preliminary Subdivision Plan. This is not in itself proposing a development, this is for the road and the subdivision of the lots themselves. He will note that present on the property you will see floodplain and wetland areas. The Code stipulates that development in wetland areas and

floodplain areas is not permitted and there are additionally setback requirements for construction of new development from wetland areas and named water bodies as well that will apply to any physical development on these properties. The applicant has submitted with their application Waivers. One is for an alternate lot configuration that reduces frontage on a public street. There are technically five lots that are immediately accessing that end of the cul-de-sac. There is a fifteen-foot-wide strip of the more centrally located Stormwater Management Lot to access from the cul-de-sac. It is really to access the stormwater management area. The second one is an increased percentage of lots on cul-de-sac. Because of the sort of unique form or layout of the existing property, the four parcels that are meant for development to the north would all have to access the cul-de-sac that is proposed as well as that fifth Stormwater Management Lot and then that sixth Residual Parcel would be utilizing that existing frontage on Monroe Terrace. Finally, the applicant has submitted a Waiver Request from the requirement to provide sidewalk along the public right of way frontage of Monroe Terrace. That would be the southernmost part of the existing Monroe Terrace shown at the bottom part of the plan. Planning Staff will note that generally speaking, the infill standards per the Code would apply for development on lots in already developed areas. Such standards would require the implementation of sidewalks and there are several other houses on Monroe Terrace that have provided sidewalks. However, it is not consistent throughout, but Planning Staff would recommend that they do implement the sidewalk on that frontage.

Mr. Burchard stated that everything that Mr. Swierczek mentioned is the substance of their application. They received a number of public comments to which they drafted a response letter which is in the packet tonight on concerns about the flood plain, the stream channel, the wetlands and the buffers, and erosion and sediment control. They have taken a shot at describing what the requirements are to address those matters. They are applying all the standards that are required from DNREC in order to make a plan that is adequately addressing those issues. Their counselor just mentioned this evening that there is some concern that he hadn't heard before about fallen trees that may or may not be obstructing the channel of stream itself. So, they will certainly be addressing these in the Preliminary Subdivision Plan that would come next.

Mr. Hartman stated with the channel that is designated to wetlands is that where you are talking about the fallen trees? Responding to Mr. Hartman, Mr. Burchard stated that it was just brought up to him this evening. He thinks that the channel itself and maybe some of the other woodland areas were of concern. He didn't get specifically what he had heard.

Mr. Hartman asked who would be responsible for maintaining that channel after the development is built? Would it be the property owners of the development or the City? Responding to Mr. Hartman, Mr. Burchard stated that he doesn't know that there is a maintenance schedule established for a natural stream channel.

Mrs. Melson-Williams stated that they have (online attending virtually) the property owner, Mr. Emmanuel Ehize and also his lawyer representative, Mr. Lacy Holly. She isn't sure if they would like to make any comments before we get too deep into Planning Commissioner's questions.

Mr. Holly stated that that he thinks it's important to note that the City's data sheet suggests that a very similar Conceptual Subdivision was previously conditionally approved. That owner did not

follow through and so the conditional approval expired. He would also like to note that the City's data sheet suggests that with this subdivision that the four lots are largely compliant with the zoning and bulk standards. Also, to highlight, the data sheet suggests that of the four variances (waivers) sought of the Planning Commission appears to recommend three of those four. They ask that the Planning Commission decide this on the merits of the law and the land use regulations of the City of Dover. The applicant is appreciative and mindful that there is quite a bit of comment, concerns and objections of nearby neighbors. That is why the applicant made careful effort and spent significant money to have their engineer be prepared to address all seven of their concerns and that they believe that after considerations of the objections and concerns that the discussion by Mountain Consulting through Mr. Kyle Burchard, will show that there are no violations of the City of Dover regulations and any other alleged violations are not even appropriate of this particular proposal with the exception of the four variances (waivers) requested. He would suggest that time be yielded back to Mr. Burchard to go over all seven of the objections on the record. He encourages the Planning Commission to approve the Conceptual Plan.

Mr. Burchard stated that he would briefly go through the concerns raised by the neighbors. There were seven of them and then there were a pair of exhibits. The first was a concern about an obstruction of stream flow which may be wrapped up in the counselor's notification in the hearing tonight but there is nothing that is proposed in the Subdivision that would create obstruction to the flow in the existing blue line stream that is on property. Item #2 is about compliance with Delaware Erosion and Sediment Control Standards. There is to be a complete review and approval by Kent Conservation District; so, there will not be any deficiencies in the construction and post construction erosion control systems. Item #3 is very similar to Item #2, illustrating in the front matter of the Erosion Sediment Control Handbook about the economic impacts of sediment washing into streams and getting downstream. Again, there will be full compliance with DNREC under KCD review. Item #4 was about meeting floodplain requirements. Since there is no touching of the flood zone that is mapped on the property, it really doesn't apply. There are no additional flood plain requirements for the project. Item #5 relates to wetlands and being that they are not proposing any disturbance to any of the wetlands on the property, they are essentially in compliance with all the regulations that are applicable there. The Delaware Land Protection Act (Chapter 75) talks about protecting those resources. In the City Code, there is a requirement to have a stormwater management easement around the flood plain which is proposed; so, they are compliant with that as well. Item #7 is cited in the Kent County Land Subdivision Ordinance about the suitability of land. The layout is not proposing to subdivide buildable land within the floodplain. He is not sure that it's applicable in the City anyway, but we are not violating that anyway. Exhibit A and part of the nature of the letter was concerns about the previous applications and why they did not go forward. He does not have any background in that former application, and he has not seen it. Exhibit B has several mappings which are reflected in their plans of all the flood plain, the stream channel and the wetlands so they are addressing all of that. At this conceptual stage, they just want to clear the air and make sure that everybody understands that they are not into all of the environmental areas that would cause a concern and that would result in flooding on these neighboring properties. Most of the properties are upstream of this property to begin with. He would just like to put it before the Commission that they had to comply with a lot of other regulations in order to get the overall approvals to be able to move forward into construction.

Mrs. Maucher opened the public hearing.

Mrs. Melson-Williams stated that she wanted to enter into the record the public comments that we have received. The first set (Set 1) were public comments that were received as of March 10, 2023 and that was an email and subsequent attachments received from Mr. Steve LeBoon. That is the 7 item letter and that included some signatures of other area residents located along Westview Terrace, Mallard Drive and Crescent Drive which are nearby streets to the west and south of this application. A number of those people have stuck it out online with us tonight. The second set of public comments were additional comments received in the last week and as of 2PM today and they are calling it Set 2. That was distributed by email to the Commission members and also provided on their desks this evening. The first item is Item 2A; an email dated March 11, 2023 from Ms. Jean Taylor. It does reference the previous email that Mr. LeBoon sent and notes her concerns about this proposed subdivision and its affects on neighbors. Item 2B is an email from March 13, 2023 from Mr. Steve LeBoon referencing that email from March 11, 2023 from Ms. Taylor. Item 3 is the March 17, 2023 letter from Mountain Consulting on behalf of the Ekaman Subdivision that gave that itemized response to that public comment Set #1 and that was just reviewed by the project engineer, Mr. Burchard.

Ms. Jean Taylor – 1017 Westview Terrace Dover, DE 19904

Ms. Taylor stated that if it ever rains in the next couple of weeks, please take a drive through their neighborhood. She is not sure what's happened over the years. They have been there for 20 years and increasingly, the water rises in the streets and the sewer don't seem to be managing things well. She is not sure if it's the runoff ponds and streams in our areas but it's bad enough that they seriously have had teenagers water surfing well on their streets during significant storms. She is seeing Lots 1-4 on the diagram shown on the screen, but she heard you say that 6 is the area of wetlands but you mentioned a Lot 5. For the life of her, she can't find a 5 on the diagram. Responding to Ms. Taylor, Mr. Burchard stated that it is labeled SWM and RESID.

Ms. Taylor stated that their concern is just even with any additional development, unless there is something significant that happens with the way that water is channeled away from the properties, any additional impermeable areas. They are just very concerned that they are going to increase the amount of water that they are already feeling and that is rising over the years and affecting their properties. If this is going to happen, then it would have to happen with a lot of assistance to prevent water damage from occurring with some very specific native plantings or some restructuring of waterways and pipes. That is really a huge concern for them on Westview Terrace.

Mr. Steve LeBoon –1025 Westview Terrace Dover, DE 19904

Mr. LeBoon stated that this is very serious. With the 7 items that they have illustrated, they protect the neighbors. This would be catastrophic. The water from his back property is a flood plain. The flood plains that have been illustrated according to the previous owner is over 70 years old. They are so outdated, that the flood plain would include all Woodbrook and the surrounding neighborhood. On August 4, 2021, they had a very serious tornado. That is when the previous owner, he would like to set the record straight because he articulated to him that he could not building back there because of the flooding and due to the utilities. He is saying that

the plans expired. It expired because they couldn't do it. He would like this Committee to take some time to think about it and really look into it and research how these statutes and codes protect the homeowners. Finally, he is asking for a full denial on the legal merits based on what's been furnished to this Committee.

Mrs. Cassandra LeBoon – 1025 Westview Terrace Dover, DE 19904

Mrs. LeBoon stated that when she listens to the responses to all of the concerns from Mr. Holly, all of the responses seem to dismiss everything that they have put forward and they are just supposed to believe that they are going to figure it out and do what's right. They take care of them on the four streets that will be affected by this subdivision. She knows that it is at a preliminary stage, but they should have come prepared for more than just "we will be in compliance." It seems nonchalant that they are just sort of brushing them away and saying, "just trust us, we will take care of you." That is why they put all of the time and effort into looking into the different statutes and looking at the protections that are out there for them. It is evident for the people before them that sometimes developers tell you one thing and then then come back and do a different thing. She is sure that all of her neighbors agree with her and if they need to, they can get more people.

Mr. Holly stated that he understands that the neighbors are concerned and very passionate as they should be about their home. But not one of them cited a particular statute or regulation this evening; it may have been in some of their emails. That is why they have in fact addressed all of the objections in the writing that has been submitted and will be part of the record. The proposed Subdivision infrastructure improvements do not propose any work within 100 year FEMA floodplain. The existing floodplain and blueline stream buffers on the property are very dense and won't be touched. On the economic impact of the floodplain requirements, Mr. Burchard has taken very careful time to respond to each and every one of the seven objections. The neighbors can express their opinions that his profession opinion is incorrect but to say that they haven't responded to their concerns, he doesn't believe is accurate. He would ask that the Conceptual Plan be approved and note that of the four variances (waivers) that they need, the Planning Office recommends three of those. They ask that the Conceptual Plan be approved, and he would like Mr. Burchard to be more specific and technical on his particular responses on the neighbor objections. They made quite a bit of effort to get Council that has much more experience in front of this Commission. He is a practicing attorney in land use and real estate in New Castle County. Mr. Burchard has very detailed responses to the neighbors' concerns and he would ask the Planning Commission consider that this very similar Subdivision Plan that has previously been approved. All of the bulk requirements under the regulations for the four lots that are intended for immediate commercial development and that the owner of Wyoming, LLC. should be able to do what they want to do with the property as long as it complies with Dover regulations, and they contend that it does.

Mr. Burchard stated that he was trying to be brief with the Commission because of the written statements to respond to the neighbor's concerns. All of these measures are in place to protect their property and their rights. They are compliant with all of that and it is a matter of proving it in the design with other review processes in order for that to be enacted. He can't presuppose the final design before it actually happens. If there are maintenance issues within the subdivision that have affected their drainage system that need to be taken care of. He doesn't know whose

responsibility that is. It may be the City or the homeowners association if there is one and that might be worth looking into.

Mrs. Maucher closed the public hearing.

Mr. Hartman stated that the earlier question that he asked about maintenance, he was looking at the *Code of Ordinances*, Section 42-1 Drainage Courses of Private Property. It lists two scenarios: maintenance by the City, where surface water naturally flows over private property forming a surface water drainage course, of which said private property is not subject to an agreement by the property owner. That type of surface water drainage is required to be maintained by the City. There is another one where it's the property owner's responsibility to manage their surface water flows into other private properties. On those four lots when the residences will be built, who will be responsible for the drainage if it goes towards the people who are having the problem? Responding to Mr. Hartman, Mrs. Melson-Williams stated that this Subdivision Plan will be subject to a Stormwater Management Plan that would need to meet the Delaware Sediment and Stormwater Management Guidelines. They are limited that they can't increase what is already coming off of their properties onto properties of others with those regulations. She would let you know that this is a challenged watershed overall. It drains ultimately, a very significant area of the city. But they will be dealing with the impacts on their individual properties. The City would not be the one responsible for managing the stream that is there and likely with the subdivision, there would have to be some type of maintenance organization for any of the open space areas that support those lots. That would be certainly something to come forward in future steps in a Subdivision Application process.

Mr. Hartman stated that the Surface Water Management Plan that is required would require that the surface water not be drained towards other personal property. Responding to Mr. Hartman, Mrs. Melson-Williams stated that is basically how it works. You can probably refer to the engineer that is standing before you because this is an engineering standpoint. We also have Mr. Jason Lyon who is the City Engineer that is hopefully still available if you want to go to him for the questions that he may have knowledge of. But their management of stormwater is a big deal.

Mr. Burchard stated that he doesn't have the full answer as to who is responsible for the maintenance. It seems is if there is a bit of a possible conflict there and it doesn't seem to quite make sense. He would agree that Mr. Lyon would have a better idea of how the City maintains open waterways that are known blueline streams and if that falls under the City maintenance requirements. If it's required of the applicant to maintain it and that is the determination that happens, then that's what will be the determination.

Mr. Hartman asked if the plans would include grading that divert stormwater away from the residents that are already having a problem. In response it was stated that for this particular property basically, there is a plateau at the top of the property that then falls away to drain towards the blueline stream that runs through it. Other than a yard as it is today, the yard would have incremental amount of additional runoff that would flow off of it but it's not much different than the meadow that it is today. The grass areas that would head into the alley that is between the properties flows down to the headwall that begins the origin point of the stream.

This particular property and the developed portion of this property would be controlled to not worsen whatever the existing drainage problems are with those adjacent residents to the west or to the north or to the east should they all need to flow towards the stream.

Mr. Hartman stated that he appreciates the applicant's submittal. His main concerns are with the existing problems with the area. This was in one of the references submitted by the people who are opposed to this. They mention a City Council Meeting on July 12, 2021, where Councilman Taylor showed a series of photographers of some of the problems over there. Most of it looked like it was that pond west of Westview Terrace. One of these photographs shows an area where water is supposed to come out under Westview Terrace and is nothing but woods that impedes the water flow. Councilman Taylor went on to say that the issue was a high priority, and they need to look at the flow of water and how it is changing the landscape. His question is was anything done after that presentation by Councilman Taylor? Responding to Mr. Hartman, Mr. Swierczek stated that would be something that would likely be coordinated by the Public Works Office if it's looking at to sort of mitigate stormwater management or what part the City plays versus private property owners. That would not be something that the Planning Office wouldn't participate in because that would be something done in the Public Works Office.

Mr. Hartman stated that it seems that the Planning Office should be very concerned about this and he believes that the Planning Officer is actually the Floodplain Administrator for the City of Dover. Responding to Mr. Hartman, Mrs. Melson-Williams stated that the City Planner is named as the Floodplain Administrator and they do have Mr. Jason Lyon, the City's Engineer that can probably speak to some of the questions and issues related to the difficulties experienced on Westview Terrace.

Mr. Lyon stated that with regard to the Westview Terrace, he is familiar with the City owning that pond and we are working on trying to clear that out and dipping it out to get a little bit better retention there. His recollection with blueline streams is that it's to the ownership of the property that it is on. This certainly came up at the Puncheon Run which is just south of this blueline. That issue has come up before where there was some damage of trees that had fallen into the Puncheon Run stream and it was the owner's responsibility for clearing that out. They went to the State for clarification on that. He does not see any difference with this specific situation as the blueline that is going through this developed property is not the City's property; it is a property owned by private development. He would echo Mrs. Melson-Williams' point about the runoff as Kent Conservation District will not allow this development to be approved if there is additional runoff from pre-development to post development. What that means is, when a rain event happens, the amount of rain that came before development into that ditch or the floodplain cannot be increased at post development.

Mr. Holly stated that to assume that is it going to increase the runoff is at best premature. He defers greatly to the Commission and to Mr. Lyon, but we can't presuppose that the development is going to increase the runoff. They understand that they are not going to get approval if it does, but he would ask the Planning Commission not to make a decision based on an assumption ahead of the game that water runoff is going to increase after the improvement. Their engineer doesn't agree that that's what will happen, but they understand that they can't

get approval unless it doesn't increase the stormwater management runoff after the construction is constructed.

Mr. Hartman stated that based on what Mr. Lyon said, that blueline stream would be the applicant's. Responding to Mr. Hartman, Mr. Burchard stated that's what it sounded like, and he would ask Mr. Lyon as to the permit requirements to have equipment in the blueline stream to remove big logs and things that might be obstructing flow.

Mr. Hartman asked how much work you could do in a wetlands area like that? Responding to Mr. Hartman, Mr. Burchard stated that that was the point of his question.

Mr. Hartman stated that he understands what they are up against, but he knows that there are things that can happen applying to the (Army Corps of) Engineers for access or work. They have seen that at Dover High School where that was done at that pond. His concern remains with the Planning Office because this particular area has been brought up by City Council as problem and a priority area to look at. Out of Article 1, Section 50-4 "basis for establishing special flood hazard areas: The City of Dover may identify and regulate new local flood hazard or ponding areas. These areas should be delineated and adopted on a "Local Flood Hazard Map" using best available topographic data and locally derived information such as flood of record, historic high water marks or approximate study methodologies." The question to the Planning Office is, has this been done in the area? Has research on a local flood hazard area been done in the area? Responding to Mr. Hartman, Mrs. Melson-Williams stated that there are no locally designated flood hazard areas that have gone through that process. There are provisions in our Code to do so, but there have not been steps to take that with any properties here in the City of Dover.

Mr. Hartman stated that one of the requirements of Article 2, Section 50-21 of the Floodplain Administrator is to "review application for permits to determine whether proposed activities will be reasonably safe from flooding and interpret floodplain boundaries and provide flood elevation and flood hazard information." It just seems to him that if they have had historic problems in this area then that's something that the Planning Office would have looked at in the past. Responding to Mr. Hartman, Mr. Burchard stated that is sounded like Mr. Lyon was addressing a maintenance issue upstream which could certainly affect what these neighbors on Westview Terrace have been experiencing.

Mrs. Maucher asked once the stormwater pond was built, who is responsible for the maintenance of that stormwater facility. Responding to Mrs. Maucher, Mr. Burchard stated that there will be an HOA established that is required to set that up. There will be an agreement put in place so that that is funded and taken care of.

Mrs. Maucher asked if the HOA would be for four properties only. Responding to Mrs. Maucher, Mr. Burchard stated that it is a very small HOA.

Mrs. Maucher asked if the developer was intending to pre-fund because there is quite an expense with stormwater management ponds. A big issue in the State is that property owner HOA's are not equipped to deal with them and do not have the money or expertise to deal with

them. The working out the extent of what the facility may look like with KCD to make sure that it's appropriate for this position in the floodplain is part of their next steps to workout. He doesn't have the answer to the funding issue and how that would work. He would say that there is a review with the Planning Commission and certainly that will be something that will need to be addressed.

Mr. Cooper stated that by approving this, should that motion get made, they are merely sending this onto the next steps so that they can get that Kent Conservation District information and everything else that goes on. They are just approving this to get more answers and more questions for the next step, correct? Responding to Mr. Cooper, Mr. Burchard stated that is correct.

Mrs. Melson-Williams stated the subdivision process is a multi-step process. This is the initial concept where they give you the basic sense of this is what we would like to do for a road and a lot configuration. The second step is called the Preliminary Subdivision Plan and with that step you get greater detail on some of these engineering questions. But ultimately there is various delegated agencies that have technical review responsibilities much more intense than what you are doing here, and the stormwater management must be in compliance with the Delaware Sediment and Stormwater Management Regulations. They will be working closely with the Kent Conservation District on that. This evening you are really dealing with the concept of the subdivision layout. It is an allowable use as noted in the R-10 (One Family Residence Zone). They do have several Wavier Requests. One of them they kind of grouped together with the first one being the Alternative Lot Configuration and Reduction Frontage on a Public Street for that Stormwater Management Area Lot. The number two Waiver Request is related to the Increased Percentage of Lots on the Cul-de-sac. The third Waiver is the request to eliminate the sidewalk requirement along the public right of way frontage of Monroe Terrace (that southern piece that comes back out to front there). There are three Waiver Requests. These are Subdivision Waivers, so the Planning Commission makes a recommendation, and they carry that recommendation forward through a City Council review process of those Subdivision Waivers.

Mr. Holly asked that for the record, is he correct that the Planning Staff did recommend all of the waiver requests except for the sidewalk? Responding to Mr. Holly, Mr. Swierczek stated that the Planning Staff has recommended approval of all but the sidewalk waiver request. The Planning Commission will take the recommendations into consideration.

Mr. Hartman SB-23-01C Lands of Wyoming, LLC at Jefferson Terrace Extended (Ekaman Subdivision): Conceptual Subdivision Plan that based on the testimony of the applicant tonight and the Planning Staff write up in the DAC Report (be approved) and subsequentially approve the Alternate Lot Configuration and Reduce Frontage on a Public Street for the Stormwater Area Lot, the Increased Percentage of Lots on a Cul-de-sac. And he recommends that they deny the Waiver Request for the Elimination of the Sidewalk on Monroe Terrace Frontage of the Residual Lot, seconded by Mr. Cooper and the motion was carried 7-0 with Mrs. Denney and Dr. Jones absent. Mr. Hartman voting yes; based on the motion that he stated. Mr. Baldwin voting yes; based on the aforementioned statements. Mrs. Welsh voting yes; for reasons stated. Mrs. Malone voting yes; for reasons stated. Mr. Cooper voting yes. Mr. Roach voting yes; for

reasons stated.

NEW BUSINESS

Meeting adjourned at 11:32 PM.

Sincerely,

Kristen Mullaney
Secretary

BECKER MORGAN GROUP

ARCHITECTURE
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CLIENTS' SUCCESS

April 6, 2023

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

RE: **Master Site Plan Approval Extension Request - S-20-10**
SITE DEVELOPMENT MASTER PLAN
PARKING LOT EXPANSION FOR BAYHEALTH STAFF
Dover, Delaware
2019184.07

Dear Dawn:

On behalf of our client, Bayhealth Medical Center, Inc., we respectfully request a one (1) year extension of approval S-20-10 referenced as BayHealth Staff Parking Expansion at the Scull Property. The City of Dover Planning Commission originally approved this project at their meeting of April 19, 2021.

The basis for the request is that BayHealth must transfer the two properties into the same ownership before the consolidation plat can be completed, which is a requirement of the approval. The legal process has taken longer than anticipated. Once completed, the final construction plans will be submitted to your office.

Thank you for your consideration in this matter. Please contact me directly should you need additional information.

Sincerely,

BECKER MORGAN GROUP, INC.

Michael A. Reed
Senior Associate

MAR

Cc: Mr. Mike Metzing, BayHealth Medical Center, Inc.
201918407az-ltr-City-Extension.docx

BECKER MORGAN GROUP, INC.

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

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

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

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

www.beckermorgan.com

S-23-06 College Road Apartments at Railroad Avenue/Grove Street

- Originally submitted to the Planning Commission for review at their March 20, 2023 meeting where action was deferred.

S-23-06 College Road Apartments at Railroad Avenue/Grove Street – Continued Review of Site Development Plan for construction of two 6-story mid-rise apartment buildings with a total of 385 units consisting of studio, 1 bedroom, and 2 bedroom units. The ground level of each apartment building is parking and the other site improvements include six 7-car garage buildings, parking lots, landscaping, and recreation areas. The Project also includes street construction/improvements to Raymond Street and Railroad Avenue. A Lot Consolidation Plan will combine the four parcels located east of Railroad Avenue for a total of 31.08 acres of land. These properties are zoned RG-5 (General Residence Zone for Mid-Rise Apartments). The subject area is located north of, but not adjacent to College Road, and east of the Railroad corridor in the vicinity of Raymond Street, Railroad Avenue, and Grove Street. Property Owners: Patel College Properties, LLC and Patel Excess College Road, LLC. Tax Parcels: ED-05-067.00-02-53.00-000, ED-05-067.00-02-54.00-000, ED-05-067.00-02-55.00-000, and ED-05-067.00-02-56.00-000. Council District 4. *Waiver Requests: Reduction of Parking Requirement. Consideration of Active Recreation Area Plan. The Planning Commission conducted a Public Hearing and began review of this application at their March 20, 2023 Meeting and deferred action seeking additional information.*

Original Attachments as submitted for March 20, 2023 Planning Commission Meeting:

a. Development Advisory Committee (D.A.C.) Report (including Agency Comments and Location Map) of March 8, 2023
b. Active Recreation Area Plan Report of March 14, 2023 (PRCE) with Active Recreation Area Plan
c. Parking Waiver Request Letter
d. PLUS Review Response Letter of January 25, 2023 and PLUS Comment Letter of January 23, 2023
e. Site Plan Set
f. Architectural Elevations Set and Color Elevation Drawing
g. Public Comments Received (as of 3/20/2023) Set 1

Additional Information for the April 17, 2023 Planning Commission Meeting on Application S-23-06 will be forwarded when received from the City Solicitor.

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF March 8, 2023

PLANNING COMMISSION MEETING OF March 20, 2023

Plan Title:	College Road Apartments at Railroad Avenue/Grove Street, S-23-06
Plan Type:	Site Development Plan
Associated Plan:	Raymond Street and Railroad Avenue Street Improvements, S-22-04
Location:	North of College Road and East of the Lands of Delaware Railroad
Address:	Unaddressed off Railroad Avenue
Tax Parcels:	ED-05-067.00-02-53.00-000 ED-05-067.00-02-55.00-000 ED-05-067.00-02-54.00-000 ED-05-067.00-02-56.00-000
Applicant:	Patel College Properties, LLC and Patel Excess College Road, LLC
Site Area:	31.08 acres +/- (30.50 acres +/- net)
Zoning:	RG-5 (General Residence Zone for Mid-Rise Apartments)
Current Use:	Vacant Land (Open Space and Woodland)
Proposed Use: Dwelling Units:	Mid-Rise Apartments 385 units
Parking:	Required: 867 spaces Proposed: 683 spaces
Sewer & Water:	City of Dover
Waiver Requests:	Reduction of Parking Requirement
For Consideration: Recreation Area:	Active Recreation Area Plan Required – 1.61 acres +/- Provided – 1.67 acres +/- (72,771 SF)

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: March 8, 2023

APPLICATION: College Road Apartments at Railroad Avenue/Grove Street

FILE #: S-23-06 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP, Principal Planner PHONE: 302-736-7196

I. PLAN SUMMARY

This application is for review of Site Development Plan for construction of two 6-story mid-rise apartment buildings with a total of 385 units consisting of studio, 1 bedroom, and 2 bedroom units known as College Road Apartments at Railroad Avenue/Grove Street. The ground level of each apartment building is parking and the other site improvements include six 7-car garage buildings, parking lots, landscaping, and recreation areas. The Project also includes street construction/improvements to Raymond Street and Railroad Avenue. A Lot Consolidation Plan will combine the four parcels located east of Railroad Avenue for a total of 31.08 acres of land. These properties are zoned RG-5 (General Residence Zone for Mid-Rise Apartments). The subject area is located north of, but not adjacent to College Road, and east of the Railroad corridor in the vicinity of Raymond Street, Railroad Avenue, and Grove Street. Property Owners: Patel College Properties, LLC and Patel Excess College Road, LLC. Tax Parcels: ED-05-067.00-02-53.00-000, ED-05-067.00-02-54.00-000, ED-05-067.00-02-55.00-000, and ED-05-067.00-02-56.00-000. Council District 4. *Waiver Requests: Reduction of Parking Requirement. Consideration of Active Recreation Area Plan.*

Existing Property:

The subject project area for the project consists of four parcels with three parcels aligned east of the railroad corridor and a larger tract extending east to a boundary near the Fork Branch (waterway). The subject properties have frontage on the rights-of-way for Raymond Street, Railroad Avenue, and Grove Street. The property includes woodlands, wetlands, floodplain areas, and other open lands. In the northwest corner of the property is an area (former Atlantic Coast Environmental (A.C.E.) Facility) that is subject to an Environmental Covenant with DNREC.

Surrounding Land Uses

The surrounding parcels are a mix of zoning classifications, and some adjacent properties are not within the City of Dover. To the east across the Fork Branch is the Delaware State University main campus zoned IO (Institutional and Office Zone) and Subject to the SWPOZ (Source Water Protection Overlay Zone). To the north is a parkland area (part of Fork Branch Nature Preserve) owned by the State of Delaware (DNREC) zoned RS-1 (Single-Family Residential District) in

Kent County. To the west is the right-of-way of Railroad Avenue, the railroad corridor, and then on the west side of the railroad the College Business Park with properties zoned M (Manufacturing zone) and CPO (Commercial Professional Office Zone. To the south on the north side of Raymond Street. are two parcels also zoned RG-5 including the Mishoe Towers apartment complex and a property zoned RS-1 and RMH (Residential Manufactured Home) in Kent County. To the south in the area between Raymond Street and College Road, are a series of residential lots with RM-2 (Medium Density Residential Zone) and R-8 (One Family Residence Zone) in the City and other residential lots zoned RMH in Kent County and a parcel zoned IG (General Industrial) in Kent County. This area to the south includes single family detached dwelling, manufactured homes/mobile homes, and a multiplex (3-unit building at 299 College Road). There are several parcels zoned IO (Institutional and Office Zone) including a Delaware State University building at 255 College Road adjacent to the railroad tracks, Vera's Haven a transitional housing development by People's Place, and an area adjacent to the Fork Branch.

II. PROJECT DESCRIPTION

The Site Development Plan as submitted by the applicant for the College Road Apartments at Railroad Avenue consists of two (2) mid-rise apartment buildings with ground level parking (first floor) and five stories of residential units above. The site also has a series of parking lots and six (6) small garage buildings each with seven interior parking spaces. There is a sidewalk network throughout the site and walking paths connecting to active recreation areas.

The applicant proposed street improvements for the extension of Raymond Street and the construction of Railroad Avenue in this area with Site Development Plan Application S-22-04 in order to provide street access to the apartment complex as the street network has not been fully constructed. The associated Plan proposed the realignment and continuation of Raymond Street for a distance of approximately 525 feet and the construction of Railroad Avenue for a distance north of approximately 400 feet ending in a cul-de-sac. The plan also proposes the dedication of right-of-way to bring the total right-of-way along its frontages with Raymond Street and Railroad Avenue to 60 feet in width.

Preliminary Land Use Services Review (PLUS)

An application (PLUS Review #2022-12-08) related to this Collage Road Apartments 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 December 21, 2022. 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. Copies of the PLUS Review Comments are provided. The Applicant's Response to PLUS have also been received and provided.

III. PREVIOUS APPLICATIONS

The subject property was annexed into the City of Dover in 2006 with Application AX-06-02– Lands of College Road Management Inc., Kent Storage Facilities, LLC, and Loralex Company, LLC consisting of four (4) parcels containing 30.766 acres north of Raymond Street (aka Jason Street) and east of the railroad corridor and Railroad Avenue with the eastern boundary of the subject area being the river. At the time of annexation, it was rezoned M (Manufacturing Zone). Following an attempt for create an industrial subdivision with Application SB-08-01C College

Road Professional Park (a Conceptual Subdivision Plan that later expired), the properties were zoned in 2011 to RG-5 (General Residence Zone for Mid-Rise Apartments) with Application Z-11-02 and Comprehensive Plan Amendment MI-11-01B for a change in land use classification.

In 2021, the nearby street rights-of way were part of recent clarifying annexation into the City of Dover. The Annexation Application AX-21-04 was meant to clarify if the Rights-of-Way of Raymond Street (aka Jason Street), Grove Street, and Railroad Avenue were in the City Limits of the City of Dover. The right-of-way (width of 35 feet) was originally documented in a subdivision plat of "The College Settlement Company" of 1899. However, over the years many properties in the vicinity were annexed into the City, but it was unclear if the Rights-of-Way were consistently included. The Annexation Application went to Planning Commission in November 2021 and was referred to City Council on December 13, 2021, where Ordinance #2021-23 was adopted for the annexation clarification of the Rights-of-Way of Raymond Street, Grove Street, and Railroad Avenue totaling 1.6791 acres +/-.

The Planning Commission in March 2022 granted conditional approval to S-22-04 Site Development Plan Application to permit the construction of street improvements in the Rights-of-Way of Railroad Avenue and Raymond Street; a series of Subdivision Waiver Requests related to the streets were not approved by City Council. These street improvements are to include paved roadways, curbing, sidewalks, and utility infrastructure (water, sewer, and stormwater drainage). Raymond Street is proposed to be extended west as a 24 ft. paved width roadway to intersect with Railroad Avenue. Railroad Avenue is proposed to be constructed as a 24 ft. paved width roadway extending to the north and ending in a cul-de-sac.

IV. ZONING REVIEW:

The subject area is unaddressed and is zoned as RG-5 (General Residence Zone for Mid-Rise Apartments). The RG-5 zone allows for the housing unit types of single family detached dwellings and mid-rise apartments (as defined in *Zoning Ordinance,* Article 12).

> *Mid-rise apartment:* Multiple dwellings where individual dwelling units share a common outside access, and elevators serve each floor. The dwelling units share a common lot area, which is the sum of the required lot areas of all dwelling units within the building.

The RG-5 zone requires that 25% of the lot area (property) be an open area which is not parking areas. See the following code excerpt for the bulk standards from *Zoning Ordinance,* Article 4 Section 4.6.

RG-5	**For Multiple Dwellings:**
Minimum required:	
Lot area (sq. ft.)	900 per dwelling unit
Lot width (ft.)	100
Lot depth (ft.)	125
Front yard (ft.)	25
Side yard (ft.)	At the ground level or at any setback level, one-sixth of the height of the nearest outside wall of the building measured in each case from the average level of the finished grade along the side of the building, but in no case less than 25 feet.

Rear yard (ft.)	At the ground level or at any setback level, one-sixth of the height of the nearest outside wall of the building measured in each case from the average level of the finished grade along the rear of the building, but in no case less than 25 feet.
Off-street parking spaces	2/Du
Accessory commercial uses parking spaces	1 per employee or 1 per 300 sq. ft. of floor area, whichever is greater.
Open space	25% of the lot area shall be devoted to open area, not including parking areas.
Maximum permitted:	
Building height	
Stories	6
Feet	70

V. PARKING SUMMARY:

The parking requirement for multiple dwellings in the RG-5 is listed as two spaces per dwelling unit. 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 (385 units), this site would require 867 parking spaces. The plans submitted identify a total of 683 parking spaces located as the first floor of each apartment building, in parking lot around the perimeter of the complex including handicapped accessible parking spaces near each building, and within six (6) small garage buildings.

Waiver Request: Reduction of Parking Requirement (Number of Parking Spaces)

The *Zoning Ordinance,* Article 6 Section 3.9 allows the Planning Commission to consider adjustments to parking requirements. The Planning Commission in granting a parking reduction can require that an area of open space be designated where parking could be constructed. Parking is required at a rate of 2.25 spaces per dwelling unit for apartments (*Zoning Ordinance*, Article 5 Section 6); this requires 867 parking spaces based on the unit count and the proposed plan is for 683 parking spaces. The applicant has proposed a parking rate based on the type of apartment unit (studio, 1-bedroom, and 2-bedroom) and a visitor rate resulting in an overall rate of 1.78 parling spaces per dwelling unit. See Request Letter with analysis.

Bicycle Parking

The site plans submitted identify two (2) bike rack locations listed as covered parking outside of each building. Bicycle parking is required at a ratio of one space for every twenty parking spaces. Based on the 683 vehicle parking spaces, then thirty-five (35) bicycle parking spaces are required.

Upright Curbing

The upright cubing for parking lots and drive isles is required by the requirements of the Article 6 Section 3.6(b) of the *Zoning Ordinance*.

VI. SITE CONSIDERATIONS

Access

The project will include construction of a 24-foot paved width roadway with upright curbing on both sides for Raymond Street and Railroad Avenue. Railroad Avenue will also have on-street parking along its west side. There are two access (entrance/exit) points from the adjacent streets onto the apartment complex site. The main entrance is off the cul-de-sac terminus of Railroad Avenue and continues onsite as a main drive aisle leading east to Building #2 and connecting to multiple drive aisles of the parking lots. A second entrance is from Raymond Street connecting into a drive aisle within the southernmost parking lot area. All parking lota are interconnected by drive aisles.

Rear Emergency Access

Rear Emergency Access is required for some residential dwelling types. According to Article 5, Section 17 of the *Zoning Ordinance* a 24-foot Primary Fire Lane is required for Apartments that are 4 stories and greater to serve as rear access. This is to provide access to rear building areas. The plan has a series of fire lanes that encircle each 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.

Sidewalks

Sidewalks are proposed along both sides of Raymond Street and Railroad Avenue where these streets front this subject site. The street improvements to Raymond Street will also continue the sidewalk along its south side completing the sidewalk system to Mishoe Street (which has existing sidewalk continuing to College Road. On-site, sidewalks are shown on the plans between the parking lots and fully surrounding the apartment buildings access points. Key board style crosswalks are shown on the plans at street intersections and across drive aisles on-site. On the east side of the parking lots and leading to the Active Recreation Area is a pathway system of sidewalk and then connecting to a paved trail system among the recreation amenities.

Lighting

The Plan proposes a series of light poles along the Raymond Street and Railroad Avenue. The lighting continues throughout all areas of the parking lots surrounding the apartment buildings and continuing east to the recreation areas.

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 385 apartment units, a total of sixteen (16) Dumpsters are required. There are five (5) dumpster enclosures (with space for 16 units) located at the parking lot perimeters. There must be space for both trash and recycling containers in these Dumpsters.

VII. BUILDING ARCHITECTURE:

The applicant has submitted example floor plans for the apartment buildings depicted the first floor (ground level) as parking and several entrance points to the building including a main lobby with elevator (found at building interior corner location0 and other elevator and stair towers. The

residential floors of each Building show a mix of studio, 1-bedroom, and 2-bedroom units and also a Yoga/Game Room per floor. Each apartment includes an inset balcony space.

Each Apartment Building consists of six floors with the first floor as parking and the floors o2-6 as residential. The first floor is clad in stacked stone masonry with select areas of same masonry veneer continuing vertically. The exterior finishes of the apartment building walls consist of several colors (tan and white) of siding in both horizontal and vertical patterns with white trimwork. Window openings are predominately paired windows sets with glass door also utilized at the balcony areas. The hipped roof also includes paired turned gables highlighting the balcony areas. The main lobby points of entry for each building have a covered portico entry element.

The Small Garage Buildings have a stone veneer watertable with stone cap and then horizontal vinyl siding for the wall surface along with an asphalt shingled hipped roof. There are seven (7) garage doors across the front of the structure leading to individualized garage bays (10'6" by 20' bay). The second long side (rear) of the garage buildings is not depicted in the plan set.

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 10001C0166H effective date May 5, 2003. Portions of the subject property are within the Special Flood Hazard Area (100-year floodplain/ 1% chance of annual of flooding) as Zone AE; these are found in the eastern portion of the site. Additionally, the area immediately adjacent to the Fork Branch are also within the Floodway. The floodplain and floodway 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 existing woodland on-site is generally found in the eastern area of the property. 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 23.14 acres of existing woodlands, and they propose to preserve 19.65 acres (84.9%) of these woodlands. Based on the 10.85 acres of non-woodland area for this development site, the minimum required number of trees is 158 trees. The site plans show 268 trees spread over the site around the parking lots and in the internal open space areas. The trees are a mix of deciduous, ornamental, and evergreen trees. The evergreen trees are placed as a screening of the adjacent properties to the southeast.

Shade Trees

The *Land Subdivision Regulations* references street trees but does not list specific spacing requirements. Shade trees are required to be located so as not to interfere with utilities or sidewalks. The Plan shows that some existing trees (in the right-of-way) are to be removed by the construction

for the extension of Raymond Street. The Plan proposes the planting of Greenspire Little Leaf Linden trees along Raymond Street and Railroad Avenue.

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 wetlands which coincide with a water body that boarders the property and also in floodplain areas. A 100-foot setback is required; however, this setback can be reduced to 50 feet with implementation of a Riparian Buffer. Adjacent to the large wetland area, the plan shows a 50 foot riparian buffer where existing woodland/vegetation will be maintained, and also additional plantings implemented. A complete Wetlands Report is on file in the Planning Office for the subject property.

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 105,875 SF (2.43 acres) of area. However, the *Zoning Ordinance* does cap the amount of recreation area required at 10% of the gross area of the development. An itemized listing of the Recreation Areas and materials is given on the Plan sheet (Revised Sheet 10) See Recreation Plan Review Report for more detailed review (attached document).

XI. 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 (Review of Plan Submission dated 1/23/2023 Sheets 1-10):

1) Active Recreation Area: The applicant is responsible for providing an Active Recreation Area of a minimum 1.61acres. The Plans Applicant has provided information indicating they intend to provide 1.67 SF of Active Recreation Area. See Recreation Plan Review Report and Addendum 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 March 14, 2023.

2) 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 if type of curbing proposed.

3) Cover Sheet/Sheet 1:
   a) Check spelling in all notes throughout plan set.
   b) The soils map is difficult to read; change soil labeling font style.
   c) List names of signees on behalf of property owners.
   d) Property Summary Column:
      i) Provide complete address of property owners (only street address line is provided).
      ii) List difference between gross and net property area.
      iii) Check survey dates.
   e) Identify any special name for the apartment complex. The has previously reviewed another project referred to as "College Road Apartments."
   f) The Final Plan set will also need to include the Entrance Plan set, Stormwater Management Plan set, and a Record Plan for the Lot Consolidation Plan.

4) Sheet 2 – Existing Conditions and Demolition Plan:
   a) Adjust drawing to make College Road right-of-way visible at railroad crossing.
   b) Adjust label for railroad corridor ownership and add tie line.
   c) Label ownership information for the parcel at 255 College Road.
   d) Label Railroad Avenue right-of-way.
   e) Use different linework or method to identify the area subject to the environmental covenant. Provide information on details/limitations of this environmental covenant.
   f) Identify small circles shown on plan drawing (monitoring or testing wells?)
   g) Label Floodplain line for clarity.
   h) Label nearby street rights-of-ways, i.e., College Road, Mishoe Street, Conwell Street.
   i) Plan sheet doesn't read as a Demolition Plan. This information may need to be provided on a separate sheet showing tree protection areas for tree preservation, items to be removed, etc.

5) Sheet 3 – Overall Site Plan (and also Sheet 4 – Site Plan):
   a) Fire Marshal Notes #3: for the Lock Box (Knox Box) contact the City of Dover Fire Marshal's Office (not Fire Chief).
   b) Clarify the footprints of the small garage units as some linework is missing.
   c) Identify distance of northernmost row of parking to property line.
   d) Data Column listing:
      i) Check listing for missing spaces.
      ii) Clarify what is being considered the gross development area (for recreation area).
      iii) Required number of Dumpsters is 16 units.
   e) Waivers Required Notation: Remove reference to variances. Add action taken on this waiver request.
   f) List floodplain information.

g) Ensure parking spaces shown under building match building architectural plans and clarify elevator and entry locations to the apartment buildings.
h) Number the garage buildings.
i) Identify paving material for trail system on east side.
j) Label wetland buffer areas to ensure existing woodland remains or new tree plantings are implemented in the buffer areas.

6) Sheet 6 – Utility Plan: Hydrants are also required along the new streets.

7) Sheets 7 and 8 –Landscape Plan:
   a) Label the tree species on the plan drawings; the use of graphic depictions for each tree specific is difficult to read/review. Also label the shrub plantings for clarity.
   b) The Landscape Plan must include certification note and signature/seal of authorized design professional (Landscape architect, architect, or Delaware Certified Nursery Professional).
   c) Identify any landscape planting plan around each apartment building.
   d) Tree placements providing shade to recreation amenity areas is encouraged.
   e) There a several conflicts of tree placement with other site improvements i.e., garage building, light poles, parking lot, plantings within existing woodland areas, etc. Also evaluate trees proposed on south side of Building #1 for conflicts with fire protection requirements.
   f) Please be aware of placement of any trees/landscaping with regards to any underground utilities/storm water management systems.

8) Clarify the preferred type of light fixtures for streetlights along Railroad Avenue and Raymond Street per City of Dover Electric Department.

9) Sheet 10 - Active Recreation Area Plan: See Revised Plan Sheet (clarified submission) of March 2, 2023 for current proposal. See the Active Recreation Area Report for review comments.

10) The Small Garage Buildings are technically accessory structures. In order to comply with the provisions of *Zoning Ordinance*, Article 1 Section 1.2, the two garage buildings located south of Apartment Building #2 must be relocated so that they are not between the building and the street (Raymond Street).

11) Dumpsters enclosures with unit counts have been added to the plans. Please provide detail on the dumpster enclosure construction and materials.

12) Please provide one or more detail sheets depicting required site details, including but not limited to bike racks, Dumpsters, traffic control signage, stormwater, and utility details, etc.

13) Provide the distance from the edge of parking/ drive aisles to each apartment building. With Multifamily Dwellings (Buildings) the *Zoning Ordinance*, Article 6 Section 5.3 requires a distance of 15 feet from the parking to the building.

14) Any Erosion & Sediment Control Plans and Stormwater Management Plans granted approval by the Kent Conservation District and/or 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.

a) Clarify the approach to stormwater management for the project.
b) Continued work should be done to communicate with the Kent Conservation District and/or DNREC and the City of Dover Public Works Department to identify how storm water flow will be managed from the construction of the Street Rights-of-Way.

15) Site development plan and uses must comply with any provisions of Brownfield Remedial Action Plans as approved by DNREC.

16) A separate Record Plan sheet must be submitted to show the consideration of the parcels to complete the Lot Consolidation to create the main parcel and to document the right-of-way dedication.
    a) The Record Plan must include cross access easements, any easements, or other items affecting the property lines.

17) Signs are subject to a separate review and approval process in the City of Dover. However, advice may be given on the locations of freestanding signs if they are included on the Site Plan.

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: Reduction of Parking Requirements: Planning Staff recommends approval of the Waiver Request for the reduction in Parking Requirements. The Applicant is requesting a rate based on the type of apartment unit. Planning Staff further notes the overall proposed vehicle parking space figure is 683 parking spaces for the site overall, which should be sufficient and also reduces impact to natural areas on the site. The site includes bicycle parking and has proposed a sidewalk system connecting to sidewalks along proposed and current streets. The site may be within proximity of public transit routes along College Road.

2) Site Improvements: The Planning Staff has identified the following suggestions for improvements to the project/site design:
    a) Include some handicapped parking spaces within the ground level (covered) parking area.
    b) Include bicycle parking and/or storage areas within the ground level parking area.
    c) Add detailing to rear elevations of the small garages.
    d) Add handicapped parking spaces at east end of parking lot near recreation areas.
    e) Add clearance alerts for under building parking area entries.
    f) Add fencing and other recommended protection measures along the north property line adjacent to the State park area – Fork Branch Nature Preserve. Implement Nature Preserve

signage as recommended by DNREC.
g) Ensure accessible pathways are connected to the sport court surfaces and fitness amenities.

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

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.

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) Following Planning Commission approval of the Site Development Plan and Record 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.

5) 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, the import of fill dirt, etc.

6) The addresses for the new buildings proposed on the property will need to be confirmed with

the City's Tax Assessment Office.

7) 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.

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

9) The applicant shall be aware that 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.

10) 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: MARCH 1, 2023

APPLICATION: College Road Apartments at Railroad Avenue/Grove Street

FILE #: S-23-06

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.

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. Submerged pipe inlets to ponds may only be permitted if they are so designed that the permanent pool elevation of the storm water management area doesn't surcharge back into the City of Dover's storm drain structures and system.
4. The City of Dover Department of Public Works specifications require all culverts to be designed for the 25-year storm frequency and all storm sewers to be designed for the 10-year storm frequency. The Manning's equation shall be utilized in design as applicable. Storm sewers are required to provide a minimum full flow velocity of 2 fps. Provide the calculations for each proposed pipe segment that, at a minimum, include: upstream and downstream inverts, upstream and downstream ground elevations, and ground cover provided; pipe slope, length, material, n value, and diameter; design flow, depth and velocity; and full flow and velocity.
5. The City of Dover Department of Public Works specifications require that all inlets (catch basins) be designed for the 10-year storm frequency (25-year storm frequency for sump conditions) and that the spread of water shall not exceed eight feet (8') from the flow line of the curb. The design must also meet the requirement that the hydraulic grade line may be no higher than one foot (1') below the top of the inlet. Provide the calculations for each proposed catch basin utilizing flows determined by each catch basin's contributory drainage area, for the appropriate storm frequency. Spread, depth of flow and hydraulic grade line data for each inlet must also be included. Any carryover should also be noted and included at appropriate downstream catch basins as applicable.
6. Provide all stormwater management calculations and erosion and sedimentation control plan as required by Article 5, Section 11.2 and 11.2 of the City of Dover Zoning Ordinance. Ensure that individual lot grading, house locations with finished floor

elevations, and driveway locations and grades are provided on the plans in order to verify the adequacy of the design. The provided information should also show adequate conveyance of runoff from each lot.

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 current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.
3. It shall be unlawful for any person to alter the curb of any street so as to create a curb depression for the purpose of permitting vehicles to enter onto or exit from the city streets, without a permit issued by the city manager.
4. When determined to be necessary, dead-end streets, designated to be so permanently, shall not be longer than 400 feet and shall be provided at the closed end cul-de-sac with a turnaround having an outside roadway diameter of 80 feet and a street right-of-way diameter of 100 feet. In no instance shall more than 20 percent of the lots in a proposed development front on the turnaround section of a cul-de-sac.
5. Streets shall be laid out so as to intersect as nearly as possible at right angles. The inner right-of-way line of a street intersecting another street at an angle of less than 90 degrees shall be tangent to and follow a curve with a minimum radius of 150 feet centered on the nearest right-of-way line and shall be parallel to said inner right-of-way line.
6. Street right-of-way lines deflecting from each other at any point shall be connected with a curve, the radius of which, for the centerline of the right-of-way, shall not be less than 500 feet on arterial streets, 300 feet on collector streets and 150 feet on minor streets. The outer and inner right-of-way line shall be parallel to said center right-of-way line.
7. Street rights-of-way lines at intersections shall be connected with a curve, the radius of which shall be at least 25 feet. The required radius may be increased by the city engineer if the increased radius is necessary for public safety.
8. Street grades shall not exceed five percent.
9. Street grades shall not be less than one-half percent wherever feasible.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
   b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
   c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that effective May 1, 2022, water mains can now be constructed using 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) water meter for the proposed building. These projections must be submitted prior to

approval so the meter size can be placed on the final site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.

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. Based on the number of units proposed, the water main will be required to be twelve inches (12"). **This would also require the existing water main on Raymond Street and Mishoe Street to be upgraded to twelve inches (12") as well.** This is required to meet the necessary fire flow protection in this area. This upgrade will be the responsibility of the developer.
8. Each building shall have one (1) water service.

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. The downstream pump station must be evaluated by the developer / engineer to verify it can handle the additional effluent flow.

GENERAL

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

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

WASTEWATER

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

GENERAL

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

SANITATION / STORMWATER / STREETS

1. None.

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

CITY OF DOVER ELECTRIC

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MAR 1, 2023

APPLICATION: College Road Apartments at Railroad Avenue/Grove Street

FILE #: S-23-06

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. 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.

S-23-06

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: March 1, 2023

CITY OF DOVER FIRE MARSHAL

APPLICATION: College Road Apartments at Railroad Avenue/Grove Street

FILE #: S-23-06 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Fire Marshal 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. Proposed occupancy classification is residential/apartments and storage/garages.

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 100% for the apartments and 50% for the garages and clearly shown on the plans.

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

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

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

5. Fire lanes shall cover 75% for the apartments 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)

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)

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

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

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

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

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

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

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

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

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

(City Code of Ordinances 46-171)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

    *Multiple-family dwellings, measurements, t*he number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with

apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll numbers used shall be Arabic numerals.

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

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

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

*Arabic numerals, a*ll numbers used shall be Arabic numerals,

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

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. This is a midrise building, please refer to the 2021 Delaware State Fire Prevention Regulations for additional requirements (supplied at the end of this packet)
2. Please confirm that the garages has 50% perimeter access as outlined in item # 4 listed above
3. Please confirm that the Fire Lane is 24' wide at building 1 by the garages
4. Please confirm that there is 15' between the building and parking as outlined in item # 6 listed above
5. Please confirm that the cul-de-sac is in compliance with the 2021 Delaware State Fire Prevention Regulations as outlined in item # 14 listed above.
6. Please confirm that the fire hydrant spacing is 800' on center as outlined in item # 17 listed above.
7. Please confirm that a fire hydrant is within 300' of each FDC as outlined in item # 25 listed above
8. Please confirm/ensure the landscape plan does not interfere with Fire Lanes and Perimeter Access

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.**

"Mid Rise Building" Any building within the following occupancy classification that exceeds 50 feet in height and up to 75 feet in height.

Health Care Occupancies
Ambulatory Health Care
Detention and Correction Occupancies
Residential to include Hotels, Dormitories, Lodging and Rooming Houses, Apartments/Condominiums, Residential Board and Care

Chapter 5 Mid Rise, High Rise and Large Area Buildings

1.0 Application

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

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

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

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

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

2.0 Mid Rise Building Fire Protection Features Required.

2.1 Fire Command Center

2.1.1 Every Mid Rise building shall contain a fire command center for fire department operations in a location reviewed by the responsible Fire Chief and approved by the Office of the State Fire Marshal.

2.1.2 The fire command center shall contain the following:

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

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

2.1.2.3 Status indicators and controls for air handling

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

2.1.2.5 Telephone and internet access for fire department use

2.1.2.6 Emergency and standby power status indicators

2.1.2.7 Generator supervision devices and manual start and transfer features

2.1.2.8 Controls for unlocking fire exit stairway doors simultaneously

2.1.2.9 Controls required for smoke control

2.1.2.10 Important Keys to include

2.1.2.10.1 Elevator machine room
2.1.2.10.2 Elevator hoistway door access key
2.1.2.10.3 Side access door elevator car key
2.1.2.10.4 Electric room keys
2.1.2.10.5 Fire pump room keys
2.1.2.10.6 Mechanical room keys
2.1.2.10.7 Any master key

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

2.1.3 The Office of the State Fire Marshal may reduce the requirements of §1.1.2 of this Chapter if the Office of the State Fire Marshal determines that a specific item is not necessary for a specific building.

2.1.4 It is not the intent of this section to require a room solely for the purpose of a fire command center. The fire command center can be constructed as part of a lobby, security office, or other accessible gathering area. However, this area must meet the minimum criteria specified in this section for equipment, location, and personnel use.

2.2 Fire Alarm and Detection

2.2.1 Every Mid Rise building shall be provided with a fire alarm and detection system in accordance with the Life Safety Code, (NFPA 101) and other provisions of the Delaware State Fire Prevention Regulations.

2.2.2 Every Mid Rise building shall be provided with a standard manual fire alarm system with audio and visual devices in accordance with the National Fire Alarm Code (NFPA 72).

2.3 Smoke Management

2.3.1 Every Mid Rise building shall have fire exit stair tower pressurization in accordance with NFPA 92 and include Areas of Refuge if located in an enclosed area other than an exit stair tower.

2.3.2 Except for the lobby at main entrance level, all elevators lobbies shall be separated from the remainder of the floor by a smoke barrier. The elevator lobby is permitted to serve additional elevators.

2.3.3 The elevator lobbies shall be permitted to be open to the remainder of the floor in buildings equipped with a mechanical smoke control system that will restrict smoke and hot gases from entering the elevator shaft on the fire floor.

2.4 Standby Power, Light, and Emergency Systems

2.4.1 Every Mid Rise building shall be provided with an emergency power supply.

2.4.2 Standby power, light and emergency systems shall comply with the provisions of NFPA 110, or NFPA 111 as adopted and modified by these Regulations.

2.4.3 The fuel supply located on premises shall be sufficient for not less than two hours of the full demand operation of the system.

2.4.4 The standby system shall have a rated capability needed to simultaneously supply all equipment required to be operational during an emergency.

2.4.5 All required lighting, smoke management pressurization, electrically powered fire pumps and at least one elevator shall be connected to the standby power source. Elevators shall be provided with a selective load switch to allow transfer of power to each elevator. This will permit each elevator to be returned to the lobby and placed out of service except for fire department service.

2.4.6 Emergency Systems. Exit signs, exit illumination, and elevator car lighting shall be considered emergency systems, shall be connected to the standby source and shall operate within ten seconds of failure of the normal power supply.

2.4.7 Areas of Refuge. Areas of Refuge shall be provided in accordance with the requirements of this Regulation, Chapter 3.

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

DELDOT

==========

APPLICATION: College Road Apartments at Railroad Avenue / Grove Street

FILE#: S-23-06 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Joshua Johnson 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. The developer should schedule a pre-submittal meeting to discuss the development with DelDOT Subdivisions. The intersection of College Road and Mishoe Street should be evaluated as the site entrance.

KENT CONSERVATION DISTRICT

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
MARCH 2023

APPLICATION: College Road Apartments at Railroad Ave/Grove Street

FILE #: S-23-06

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:

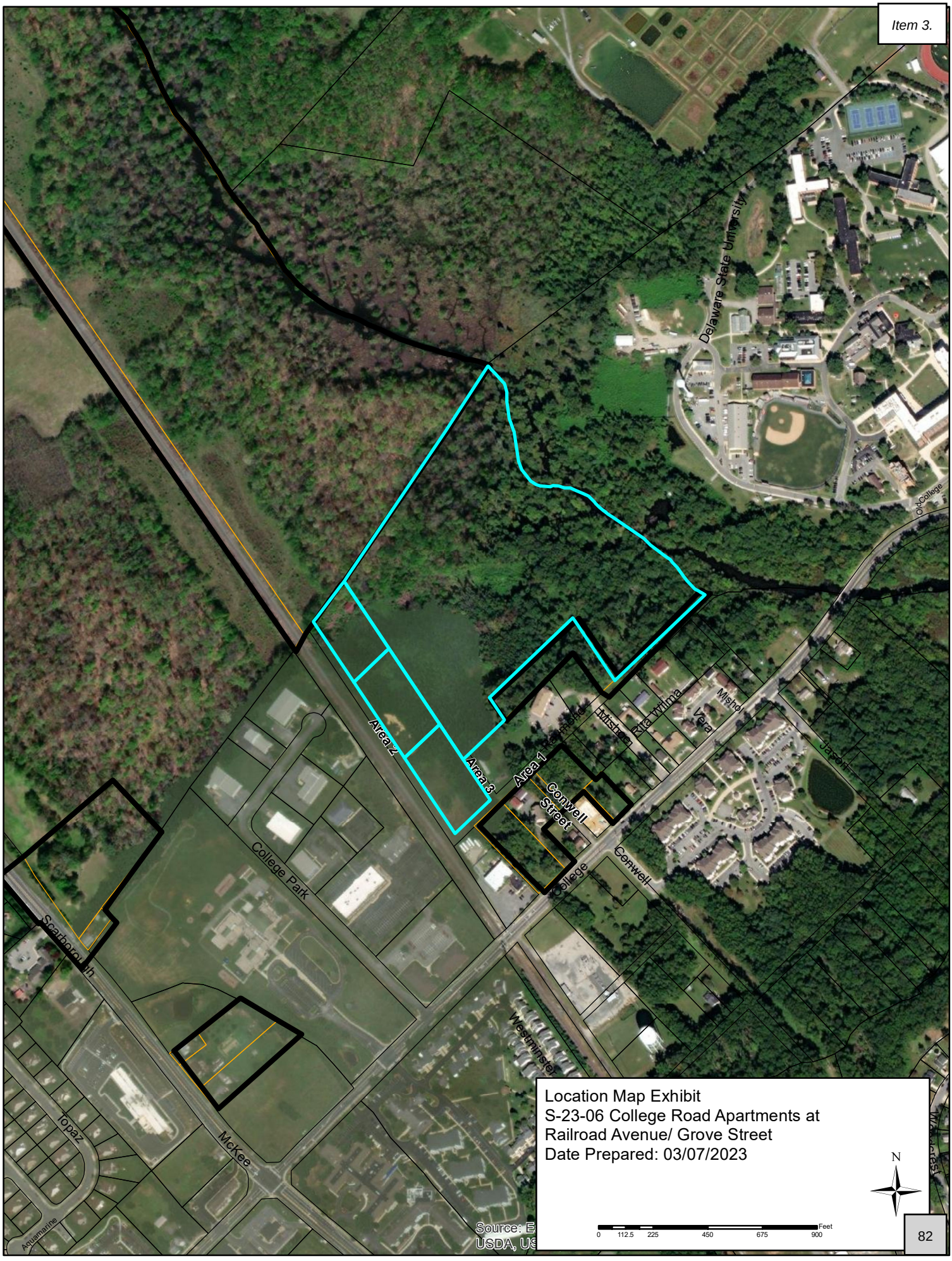
Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. A Stormwater Assessment Study (SAS) and pre-application meeting are required.
2. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by 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.
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. A soils investigation in the proposed Stormwater facility areas is required to determine impacts of the seasonal high groundwater level and soils for any Best Management Practice (BMP) design.
2. 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.
3. It is recommended that the stormwater management areas be incorporated into the overall landscape plan to enhance water quality and to make the stormwater facility an attractive community amenity.
4. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management Plan has been approved.



Location Map Exhibit
S-23-06 College Road Apartments at
Railroad Avenue/ Grove Street
Date Prepared: 03/07/2023

N

0 112.5 225 450 675 900 Feet

Source: E
USDA, U

Christiana Executive Cam
121 Continental Drive, Suite
Newark, DE 19713
T: 302-655-4451
F: 302-654-2895
www.pennoni.com

January 23, 2023

PLAWX-19001

Ms. Mary Ellen Gray, AICP, Director
City of Dover Department of Planning & Inspections
15 Loockerman Plaza
Dover, Delaware 19901

RE: College Road Apartments Project – Off-Street Parking Waiver Request
Railroad Avenue/Grove Street – City of Dover, Kent County, Delaware

Dear Ms. Gray:

As you are aware, the proposed College Road Apartments Project consists of two six-story apartment buildings with a total of 385 units. According to the City of Dover Zoning Code, off-street parking in the amount of 2.25 spaces per unit is required. This would equate to 867 off-street parking spaces (385*2.25=867). Please consider that, between the two buildings, the units are broken down as follows:

- 155 Studio Units
- 175 1-Bedroom Units
- 55 2-Bedroom Units
  385 Total Apartment Units

As discussed at our December 20, 2022 Pre-Application Meeting, we believe that the requirement of 2.25 parking spaces per unit for these buildings – considering the fact that 330 of 385 of the proposed apartments will be studio or 1-bedroom units – is excessive. By comparison, we researched adjacent municipal zoning codes to determine what their off-street parking requirement would be for this project. These municipalities include the following:

- City of Newark
- Kent County
- New Castle County
- City of Seaford

The following table summarizes our analysis:

OFF-STREET PARKING REQUIREMENT ANALYSIS		
Municipality	**Parking Requirement**	**Required Spaces**
City of Newark	2 Per Unit	770
Kent County	1.5 Per Efficiency, 1.75 Per 1-Bed, 2 Per 2-Bed	650
New Castle County	***1.5 Per 1-Bed, 2 Per 2-Bed + 1 Per 5 Units***	***683***
City of Seaford	2 Per Unit	770
City of Dover	***2.25 Spaces Per Unit***	***867***

We believe that an off-street parking requirement for this project shall be based more on the type of unit (i.e., studio, 1-bedroom) rather than the total amount of units, similar to what Kent County and New Castle County incorporate in their zoning codes. Therefore, the parking rationale illustrated on our Preliminary Site Plans incorporates the following formula (similar to New Castle County):

Proposed Parking Rationale: 1.5 Per Studio & 1-Bed, 2 Per 2-Bed + 1 Per 5 Units (Overflow)
(1.5*330)+(2.0*55)+(385/5)
683 Spaces

Based on this approach, there should be 683 off-street parking spaces for the unit mix proposed with this project. There are 683 parking spaces proposed on the Preliminary Site Plans.

On behalf of the developer, please consider this letter as a formal waiver request from the off-street parking requirement of 2.25 spaces per unit (867 parking spaces). An off-street parking requirement of 1.5 Per Studio & 1-Bed, 2 Per 2-Bed Plus 1 Per 5 Units is being sought (683 parking spaces).

Thank you for your continued assistance with this project. If you have any questions/comments or require additional information, please do not hesitate to contact me at this office.

Respectfully submitted,

PENNONI ASSOCIATES INC.

Gregory B. Rishel, RLA
Division Manager

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F: 302-654-2895
www.pennoni.com

January 25, 2023

PLAWX-19001

Mr. David L. Edgell, AICP
Director, Office of State Planning Coordination
State of Delaware Executive Department
122 Martin Luther King Jr. Boulevard South
Haslet Armory – Third Floor
Dover, Delaware 19901

RE: PLUS Review 2022-12-08
College Road Apartments

Dear Mr. Edgell:

Thank you for meeting with us on December 21, 2022 to discuss the above referenced project. We have received your review letter dated January 23, 2023 (attached as reference). On behalf of the developer, we acknowledge receipt of these comments which will be fully considered during the land development design phase of the project. The following responses shall be noted at this time:

Strategies for State Policies and Spending

- The proposed improvements are located within a Level 1 investment area where infrastructure is existing or readily available, and where future redevelopment projects are expected and encouraged.
- The Office of State Planning Coordination has no objections to the site plan.

Code Requirements/Agency Permitting Requirements

Department of Transportation

- DelDOT will accept an Area Wide Study (AWS) Fee in lieu of a Traffic Impact Study.
- The developer will submit a Letter of No Objection to Recordation (LONOR) Application and Entrance Plan Application to DelDOT.

Department of Natural Resources and Environmental Control

- Provisions will be incorporated so that access to the Fork Branch Nature Preserve is provided through the subject property within the Railroad Avenue right-of-way.
- Fencing with wind screening and signage (to be provided by the Office of Nature Preserves) may be added between the subject site and the Fork Branch Nature Preserve, where appropriate.
- There is no proposed impact to wetland areas.
- A 50’ wide vegetated buffer is proposed adjacent to wetland areas.
- No structures or features, except for a proposed active recreation trail, are proposed within the floodplain.
- A Detailed Sediment and Stormwater Plan Application will be prepared.

- There is no land disturbance within the Excellent Groundwater Recharge Area.
- The subject property is not located within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant.
- There are no known archaeological sites or known National Register listed or eligible properties on the parcel assemblage.

Recommendations/Additional Information

DART First State

- Covered bicycle parking may be provided.

Department of Natural Resources and Environmental Control

- Natural habitats will be conserved to the maximum extent practicable.
- Appropriate erosion and sediment control measures will be taken curing construction activities.
- Removing forested areas for development will be avoided to the greatest extent possible.
- The developer will consider voluntarily participating in the Natural Areas Preservation Program.
- Electric vehicle (EV) charging stations may be incorporated within the parking areas.
- According to FEMA's National Risk Index, the parcel is considered relatively low for overall natural hazards risks.

Delaware State Housing Authority

- DSHA supports the site plan.

We thank you for your continued assistance with this project. If you have any questions/comments or require additional information, please do not hesitate to contact me at this office.

Respectfully submitted,
PENNONI ASSOCIATES INC.



Douglas D. Barry, PE
Associate Vice President

Attachments

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

January 23, 2023

Andrew Shields
Pennoni Associates, Inc.
Christiana Executive Campus
121 Continental Drive, Suite 207
Newark, DE 19713

RE: PLUS review – 2022-12-08; College Road Apartments

Dear Mr. Shields:

Thank you for meeting with State agency planners on December 21, 2022 to discuss the proposed plans for the College Road Apartments. According to the information received and the revised site plan presented at the PLUS meeting, you are seeking review of a site plan for the construction of 2 six-story apartment buildings with a total of 332 dwelling units, parking, and other site improvements.

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 improvements to the site are located in a Level 1 investment area, which is consistent with the 2020 Strategies for State Policies and Spending. A large portion of parcel 2-05-06700-02-5600-00001 is located in an Out of Play area according to the 2020 Strategies for State Policies and Spending. Out of Play areas are defined as areas not available for private development. Specifically, this site contains 100 Year Floodplain, requires a wetland buffer, and is part of the Delaware Ecological Network. The site is located in the municipal boundary of the City of Dover.

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. Development in Level 1 is consistent with the 2020 Strategies for State Policies and Spending; therefore, the Office of State Planning Coordination has no objections to this site plan provided that no development occurs in the Out of Play areas directly adjacent to the Level 1 area and the improvements avoid environmental features on the site and meet the relevant codes and ordinances of The City of Dover.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The following access comments refer to what DelDOT will be looking at regarding entrances during the plan review process. As there are different ways for sites to access the state-maintained road network, the comments reflect what roads and access points DelDOT will be looking at when the applicant submits plans for review and approval. The site access on College Road (KCR 99) through Mishoe Street (Municipal Road) 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. Previous Project Coordination meetings are not sufficient for this purpose.

- 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, consisting of 332 mid-rise multifamily housing units, would generate 1,504 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 131 and 127, respectively. Therefore, a TIS would normally be required.

    - 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 Area Wide Study (AWS) Fee in lieu of the TIS if the local government does not require a TIS. The AWS Fee is calculated as $10 per daily trip or, in this case, $15,040. AWS Fees are used to fund traffic studies, not to build improvements.

- The purpose of a TIS, per DelDOT regulations, is to determine the offsite improvements for which the developer should be responsible to build or contribute toward. DelDOT anticipates requiring the developer to improve College Road, within the limits of their frontage or within the limits needed for construction of any required auxiliary lanes, to meet DelDOT's standards associated with its Functional Classification. College Road is a Minor Arterial, for which the standard includes 12-foot lanes and 8-foot shoulders. Frontage, as defined in Section 1.8 of the Manual, includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway.

- Questions regarding the requirement to improve the site frontage should be directed to the Kent County Review Coordinator, Mr. Olayiwola Okesola. Mr. Okesola may be reached at Olayiwola.Okesola@delaware.gov or (302) 760-2409.

- 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.

  - Depiction of all existing entrances within 300 feet of the proposed entrance on College Road.

  - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.4 of the Manual addresses accessways, paved pathways connecting a sidewalk or path along a road frontage to an internal sidewalk or path. DelDOT anticipates requiring an accessway to connect the site to the sidewalk along College Road.

- 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 College Road.

- 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.

- The project has frontage along the Delmarva Secondary rail line. The applicant is to work with the railroad program manager for DelDOT, Rich Sinegar. Mr Sinegar can be reached at Richard.Sinegar@delaware.gov regarding any requirements associated with the rail line when the project comes in for plan review.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 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

Nature Preserves

The site is located adjacent to the Fork Branch Nature Preserve, which borders the project parcel along the northwestern edge. The Articles of Dedication for the Fork Branch Nature Preserve have been provided for your reference.

Requirements:

- As the owner of parcel 2-00-06700-01-0101-00001, DNREC has the right to retain access to this property through the established right-of-way, known as Railroad Avenue. Currently, the project plan does not include a cut out in the cul-de-sac at the end of Railroad Avenue. It is required for the engineer to include this cut out on the project site plan to ensure access is still available to DNREC's property.

- The developer must maintain pre-development hydrology to prevent impacts to the adjacent Nature Preserve. The pre-development hydrology should be verified by another engineering firm or an expert in urban hydrology.

- The location of the northernmost parking spaces and trail is an area of concern for the Office of Nature Preserves, as these features are proposed only 3-5 feet from the shared

boundary. The Office of Nature Preserves requires a provision for fencing at this boundary, to be temporary during construction and permanent afterwards.

- A wind screen should be added to the required fencing along the northern boundary of the project parcel to ensure that litter from the nearby dumpsters is caught at the fence line. This windbreak should then be maintained at least weekly, if not daily.

- Nature Preserve signage will be supplied by the Office of Nature Preserves to ensure it is known that encroachment from both the construction workers and the residents into the Nature Preserve is prohibited.

Contact: DNREC Division of Parks and Recreation, Office of Nature Preserves at (302) 739-9039.
Website: https://dnrec.alpha.delaware.gov/parks/natural-areas/

Natural Areas

The forested area that currently exists on the northern third of the site is connected to a much larger contiguous forest complex extending into land designated as the Fork Branch Natural Area. Natural Areas contain lands of statewide significance identified by the Governor's Natural Areas Advisory Council as containing a high quality of natural features unique to Delaware.

Requirements:

- Local codes and ordinances may apply to protect areas designated as Natural Areas. Please consult with local planning agencies to see how local codes and ordinances may impact the proposed development of this site.

Contact: DNREC Division of Parks and Recreation, Office of Nature Preserves at (302) 739-9039.
Website: https://dnrec.alpha.delaware.gov/parks/natural-areas/

Wetlands and Subaqueous Lands

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands on the northern half of the site. The application indicates that wetlands have been delineated. The application does not propose direct impacts to the wetlands.

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 50-foot vegetated buffer zones 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), a 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 AE. 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. A portion of this is also situated within the moderate risk floodplain, or 500-year floodplain (0.2% annual chance of flooding), identified as a shaded zone-X. No structures or features, except for a trail, are 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

This application proposes greater than 5000 square feet of land disturbing activities, therefore, this project 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/

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/

Excellent Groundwater Recharge Area

A small portion of an Excellent Groundwater Recharge Area is located on the northern 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/

Nutrient Management Plan

This project proposes open space of approximately 24 acres.

Requirements:

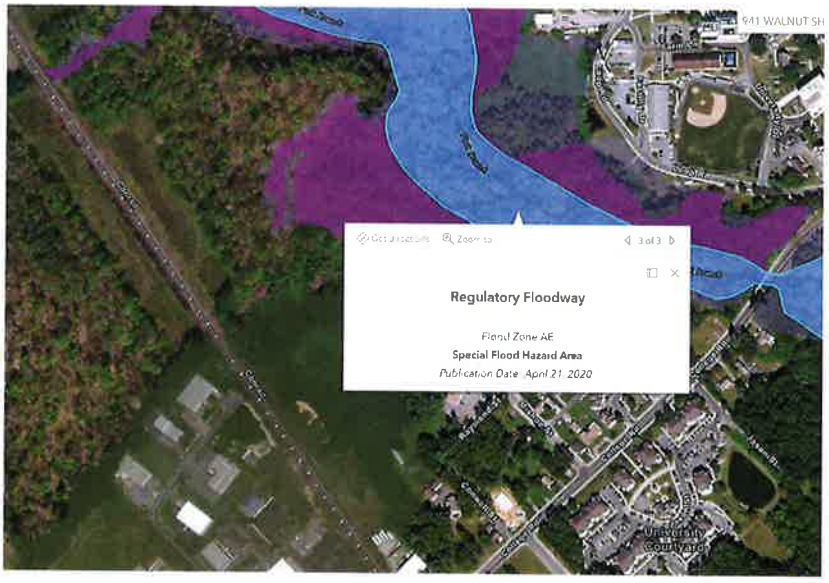
- A nutrient management plan is required for all persons or entities who apply nutrients to lands or areas of open space of 10 acres or more.

Contact: Delaware Department of Agriculture's Nutrient Management Program at (302) 698-4558.
Website: https://agriculture.delaware.gov/nutrient-management/

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

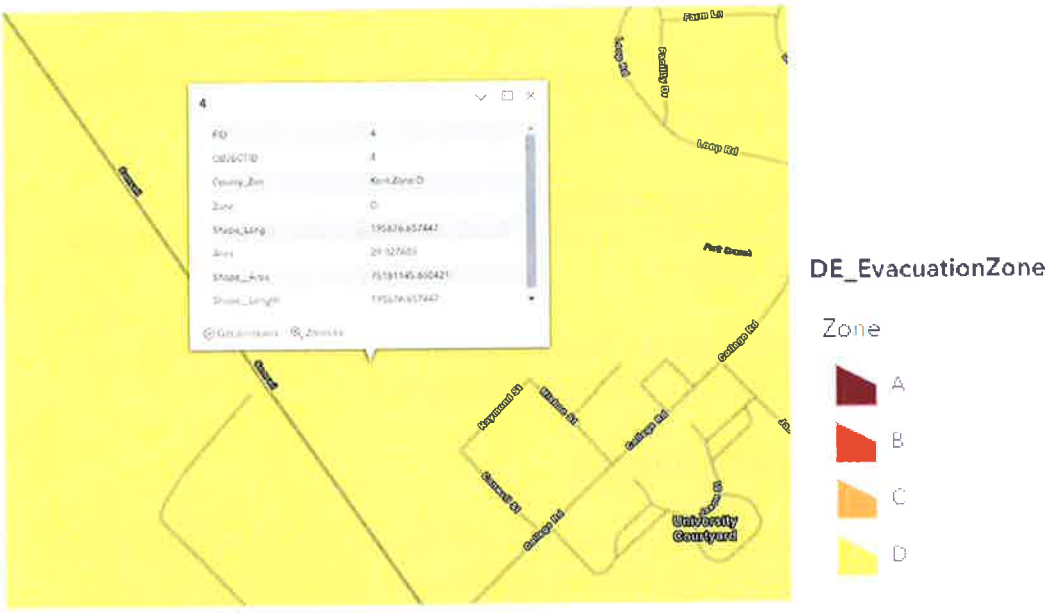
Proposed Project Parcel Flood Concern

- This parcel primarily is located within an area of **Minimal Flood Concern of 1000 years or greater; however, some sections appear to be within a 1% Flood Concern for 100 years and a Regulatory Floodway identified as Flood Zone AE.**



Parcel Status within County Evacuation Zone Location

- The parcel(s) is/are located within Kent County's Evacuation Zone D.



DEMA recommends and encourages the ***County Evacuation Zone Location be made publicly available to businesses and patrons through signs, pamphlets, or other means.

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 – Contact Carlton Hall 302-736-7400

- There are no known archaeological sites or known National Register listed or eligible properties on the parcels. While there are no archaeological sites immediately within the proposed project area, there are numerous sites adjacent to the parcels in question.

- The project area carries a high potential for historic resources based on the presence of numerous agricultural dwellings in the area, as indicated by historic maps. Furthermore, the project area carries high potential for native American archaeological resources based on the presence of several environmental factors conducive to human settlement; some of those factors would include immediate access to fresh water, well drained soils, and the preponderance of previously recorded archaeological sites nearby which are located in similar environments. The project area has also seen minimal disturbance, based on

historic aerials, and is still predominantly wooded. This high potential for historic and precontact archaeological remains in conjunction with the limited amount of disturbance may indicate that archaeological resources may still be present in the project area. **This office recommends an archaeological survey prior to any ground disturbance.**

- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch.54).

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

- The Office of State Fire Marshal does not have jurisdiction in the City of Dover. Comments should come from the City of Dover Fire Marshal.

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 – Contact Stephen Bayer 302-760-4834

- Please be advised there is a Capital Transportation Program (CTP) project in the area. College Road, Kenton Road to McKee Road (Project number T202311701) is a project in the current FY23-FY28 Program that may affect the site. The applicant should coordinate with DelDOT during the project's plan review and building process.

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to College Road.

- 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, 2022. The notes can be found at https://www.deldot.gov/Business/subdivisions/

DART First State – Contact Jared Kauffman 302-576-6062

- Covered bicycle parking is recommended.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

State of Delaware Rare, Threatened, or Endangered Species
The DNREC Division of Fish and Wildlife has records of a historic heron rookery (nesting area for herons) in Fork Branch Natural Area, within the forested portion of the proposed project site. As aerial imagery suggests, suitable habitat is also present within the project site and could potentially support breeding herons.

- Scientists from the DNREC Division of Fish and Wildlife request a site visit to survey the project area and ensure wildlife and critical resources will not be impacted. Contact the Species Conservation and Research Program if the landowner will grant a site visit.

- To minimize negative impacts to these species, we recommend that natural habitats be conserved to the maximum extent practicable.

- If conserving the forested area is not feasible, we recommend that tree clearing not occur April 1st and September 15th to protect breeding herons. This clearing recommendation would only protect these species during one breeding season, because once trees are cleared the result is an overall loss of habitat.

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/

Key Wildlife Habitat
The non-tidal coastal plain stream on this property is mapped as a Key Wildlife Habitat in the Delaware Wildlife Action Plan because it is part of a large wetland complex that can support an array of plant and animal species across the landscape.

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

- Maintain an upland buffer of at least 100 feet, comprised of the existing vegetation or planted with Delaware native species of trees, shrubs, grasses, or wildflowers.

- The St. Jones River supports diadromous species, including blueback herring (*Alosa aestivalis*), alewife (*Alosa pseudoharengus*), white perch (*Morone americana*) and American eel (*Anguilla rostrata*). To minimize potential impacts to these species, appropriate erosion and sediment control measures should be taken during construction activities and adequate shoreline buffers should be maintained.

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/

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.

- 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 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/

Delaware Ecological Network
Most of the parcel 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 forest on the site. An analysis of historical data indicates that 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.

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

Natural Areas and Nature Preserves

- As proposed, reduce environmental impacts in Natural Areas by avoiding development or destruction of sensitive natural features such as, but not limited to, wetlands, hardwood forests, or riparian buffers.

- Consider voluntarily participating in the Natural Areas Preservation Program, which would permanently protect the Fork Branch Natural Area located on the parcel by dedicating it as part of the Fork Branch Nature Preserve. Conservation options include fee-simple sale of land within the Natural Area, donation of the land within the Natural Area, or placing a Conservation Easement on the Natural Area. Placing a Conservation Easement would allow the landowner to retain ownership of the land while selling the development rights to a Conservation Entity, in this case, DNREC.

Contact: DNREC Division of Parks and Recreation, Office of Nature Preserves at (302) 739-9039.
Website: https://dnrec.alpha.delaware.gov/parks/natural-areas/
https://dnrec.alpha.delaware.gov/parks/open-space/conservation-easements/

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.

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 proposed 50-foot vegetated buffer zones to 100 feet. These zones should be placed 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/

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.
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 St. 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.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. https://dnrec.alpha.delaware.gov/watershed-stewardship/

Excellent Groundwater Recharge Area

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

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945.
Website: https://dnrec.alpha.delaware.gov/water/supply/ground-water-protection/

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/

Additional Sustainable Practices

- Install electric vehicle (EV) charging stations for your residents. Increasingly, residents will expect 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.
- 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 – 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 40, though, with development, this will undoubtedly change.

- The adjacent blocks aggregated brings the area to a total population of 1193.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.

Expected Annual Loss
× Social Vulnerability
÷ Community Resilience
= Risk Index

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

- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.

- Its community resilience is rated as **relatively high**. In contrast, its social vulnerability is rated as **relatively moderate**.

Renewable Energy Commitment

- Regarding energy use and consumption, the parcel utilizes utility gas as the predominant fuel type for heating purposes.

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities.

- Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure.

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

Delaware State Housing Authority - Contact Karen Horton 302-739-4263

- DSHA supports the site plan for the construction of 332 rental units on 31 acres located north of Raymond St. and east of Railroad Ave. in Dover. Two six-story multi-family buildings will include first-floor parking and residential in the upper floors. While market-rate, multi-family rental units offer a *more* affordable option to the many county residents experiencing housing insecurity.

- Due to the intensity of the proposal, we recommend a human-scaled and pedestrian-oriented site layout that incorporates attractive streetscapes, significant landscaping measures and connections to adjacent neighborhoods and trail networks. In addition, visually-appealing façade treatments are important for creating a desirable quality community where all households can thrive.

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

Attachment:
DNREC Forestdale Articles of Dedication

Tax Parcel 2-00-06700-01-0100-00001
Prepared By And Returned To:
Department of Natural Resources
And Environmental Control
89 Kings Highway
Dover, Delaware 19904

ARTICLES OF DEDICATION

These Articles of Dedication are made this 25th day of April, 2016 by the Department of Natural Resources and Environmental Control, hereinafter "Department" and the Division of Parks and Recreation, hereinafter "Division".

WHEREAS, it is the policy of the State of Delaware that areas of unusual significance be set aside and preserved for the benefit of present and future generations; and

WHEREAS, a Natural Areas Preservation System has been established by the Department pursuant to 7 Del. Code, Chapter 73, to be administered by the Office of Nature Preserves within the Division, with the assistance of the Natural Areas Advisory Council; and

WHEREAS, the State of Delaware owns the tax parcel located in Kent County, State of Delaware, known as the Forestdale Farm and under the control of the Department and managed by the Division; and

WHEREAS, the conservation values of the site include extensive wooded swamp and mixed hardwood upland forest surrounding the northwestern tip of Silver Lake in addition to the presence of a rookery and nesting Bald Eagle; and

WHEREAS, this parcel of land contains an identified State natural area, known as the Fork Branch Natural Area; and

WHEREAS, the aforesaid Fork Branch Natural Area was identified and entered on the Delaware Natural Areas Registry in 1980, updated in 2006, the Department now desires to dedicate a portion of tax parcel 2-00-06700-01-0100-00001, as identified in Exhibit "A" as a Nature Preserve within the Delaware Natural Areas Preservation System and to declare and set forth restrictions which shall be binding upon the aforesaid Fork Branch Nature Preserve in perpetuity; and

WHEREAS, the Natural Areas Advisory Council recommended approval of the Articles of Dedication at its March 12, 2015 public meeting.

NOW, THEREFORE:

Know that the Department, pursuant to 7 Del. Code, Chapter 73, hereby designates 58.319 acres consisting of a tract of land to be known as the Forestdale Farm Tract of the Fork Branch Nature Preserve, located in Kent County, Delaware, hereinafter "Nature Preserve". The purpose of a nature preserve is to protect significant features of the natural heritage of Delaware and guarantee their existence for future generations. The Department, and specifically the Office of Nature Preserves within said Department, agrees to administer and to monitor the following restrictions to aid in the protection and maintenance of the Nature Preserve.

The Department reserves the right to impose regulations upon use of the Nature Preserve by the general public provided that such regulations are reasonably related to (a) ensuring the safety and health of persons utilizing the Nature Preserve, (b) ensuring that the natural and cultural resources located on the Nature Preserve are not materially and/or adversely affected by use by the general public; and (c) ensuring that use of the Nature Preserve by the general public conforms with the requirements of law. Any activity on or use of the Nature Preserve inconsistent with the purpose of these Articles of Dedication is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited and the Department voluntarily agrees and declares that the following restrictions are placed thereon in perpetuity.

1. No construction or placing of buildings, improvements, facilities, communication towers, or other structures on, above or under the ground, except for low-impact recreational amenities (i.e., canoe camping); without the consent of the Office of Nature Preserves with final approval by the Department Secretary.

2. No signs, billboards or outdoor advertising structures shall be placed or maintained on the Nature Preserve; except for a reasonable number of signs for resource protection, safety, boundary identification, management, and interpretation of natural and cultural areas.

3. No construction of roads, trails, or parking facilities, except for infrastructure identified in an approved trail plan.

4. No construction of utilities or public works structures; except within existing rights-of-way.

5. No placing or dumping of material or substances as landfill, trash, waste, or unsightly or offensive materials. No disposal, burial, storage, or stock piling of junk, vehicles, equipment, liquid or solid waste or other liquid or solid materials shall be allowed.

6. No dumping, depositing, abandoning, discharging or releasing of any gaseous, liquid, solid or hazardous waste, substances, materials or debris of whatever nature on, in, over, or under the ground or into surface or ground water shall occur; except as permitted by law.

7. No loam, peat, gravel, soil, rock, sand, or other similar material shall be deposited on, placed, excavated, dredged, or removed; nor shall there be made any change in the general topography of the land except for approved materials associated with erosion control, habitat enhancement, authorized cultural resource activities, or public health and safety issues, except for as noted in Section 1.

8. No removal or destruction of trees, shrubs, wildflowers or other vegetation or animal species; except for control of diseases, pests, invasive species, non-native species, and noxious weeds; for safety purposes; for proper management of species, natural communities and cultural resources; and for approved trail plan.

9. No intentional introduction of non-native, non-indigenous plant and animal species; except for those used for control measures and then only if compatible with the maintenance of the natural features of the Nature Preserve.

10. No use of pesticides, herbicides, insecticides or other chemicals, except as may be necessary for the purposes set forth in Section 8 above. If the natural balance of the area is threatened, control measures may be employed that are compatible with the maintenance of the natural features and consistent with the purpose of preserving the conservation values of the Nature Preserve.

11. No collecting of plant, animal, fossil, mineral, or cultural resources; except for approved scientific research and nature study, in accordance with applicable State and Federal regulations and permits.

12. Hunting, fishing and trapping is permitted for recreational and ecological management purposes.

13. Recreational, educational and scientific activities shall be passive in nature (not unduly destructive to the natural resources on site) and limited to trail areas and low-impact recreational amenities, and consistent with maintaining the character of the Nature Preserve.

14. No other acts, uses or discharges shall be allowed which adversely affect the plant and animal species or the preservation of land or water areas on the Nature Preserve.

15. All exceptions and allowances are subject to the approval of the Office of Nature Preserves.

It is understood and agreed that the imposition of these restrictions shall in no way void or replace any protective status under law which the land would have were it not a nature preserve, but shall be supplemental thereto.

IN WITNESS WHEREOF, the Department of Natural Resources and Environmental Control, by its Secretary, and the Division of Parks and Recreation, by its Director, has executed this document the day and year aforesaid.

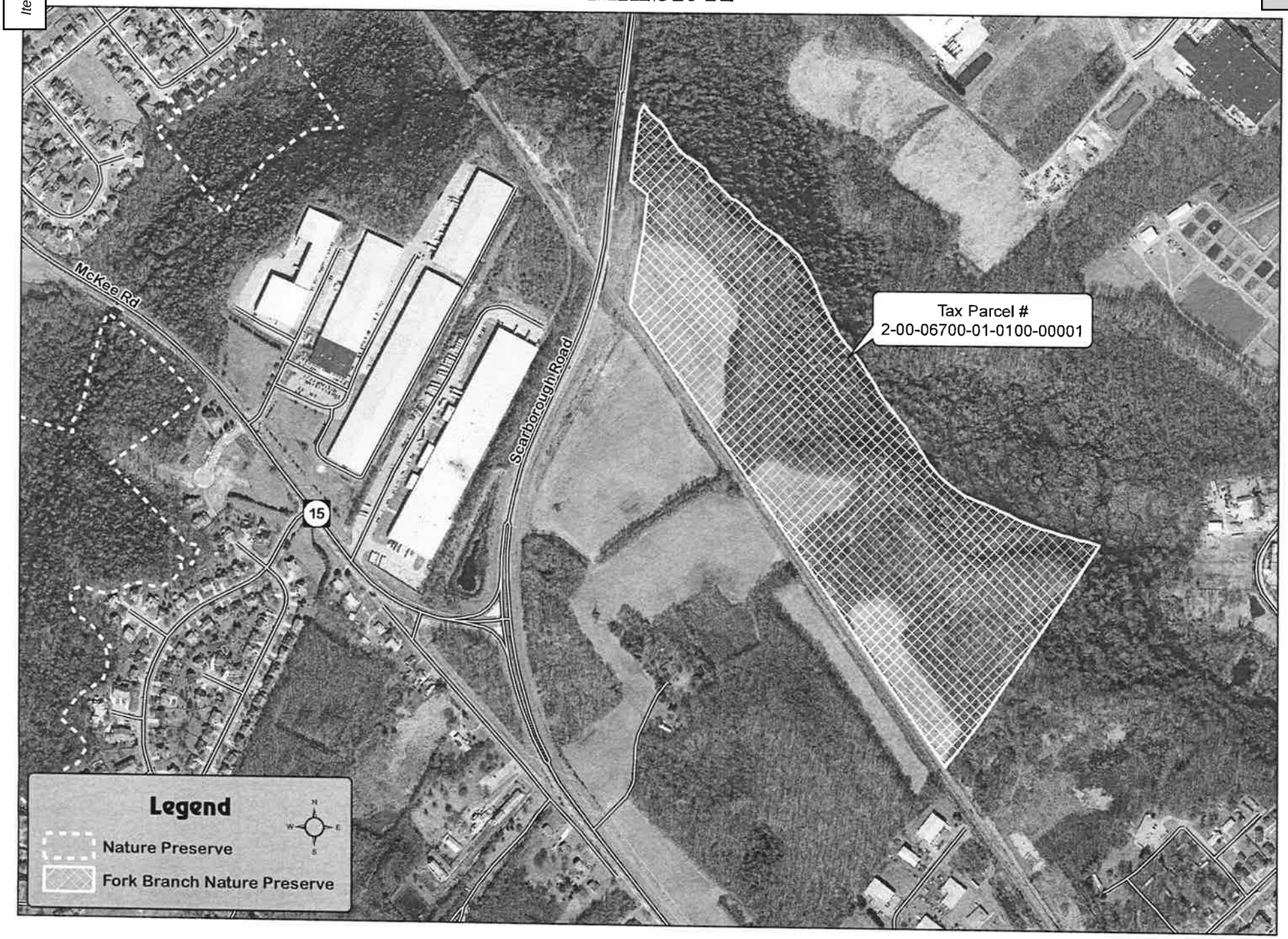
Division of Parks and Recreation
Resources

By: _____ (SEAL)
RAYMOND E. BIVENS, Director

Department of Natural
and Environmental Control

By: _____ (SEAL)
DAVID S. SMALL, Secretary

Exhibit A


McKee Rd
Scarborough Road
15
Tax Parcel #
2-00-06700-01-0100-00001
Legend
Nature Preserve
Fork Branch Nature Preserve

STATE OF DELAWARE)
)ss.
COUNTY OF KENT)

BE IT REMEMBERED, that on this 25 day of April, 2016, personally came before me, the Subscriber, a Notary Public in and for the State and County aforesaid DAVID S. SMALL, Secretary of the Department of Natural Resources and Environmental Control, party to this Instrument, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said Department.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

CASIE R. ANTHONY
NOTARY PUBLIC
STATE OF DELAWARE
MY COMMISSION EXPIRES ON
July 23, 2019

Notary Public

STATE OF DELAWARE)
)ss.
COUNTY OF KENT)

BE IT REMEMBERED, that on this 21st day of April, 2016, personally came before me, the Subscriber, a Notary Public in and for the State and County aforesaid RAYMOND E. BIVENS, Secretary of the Department of Natural Resources and Environmental Control, party to this Instrument, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said Department.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

Notary Public

CHARLES R. VICKERS
NOTARY PUBLIC
STATE OF DELAWARE
My Commission expires at end
of government service

City of Dover

DATA SHEET FOR RECREATION PLAN REVIEW
Review of Active Recreation Area Plan

PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF March 14, 2023
PLANNING COMMISSION MEETING of March 20, 2023

Plan Title:	College Road Apartments at Railroad Avenue/Grove Street, S-23-06
Plan Type:	Active Recreation Area Plan Associated with Site Development Plan, S-23-06
Associated Plan:	Raymond Street and Railroad Avenue Street Improvements, S-22-04
Location:	North of College Road and East of the Lands of Delaware Railroad
Address:	Unaddressed off Railroad Avenue
Tax Parcels:	ED-05-067.00-02-53.00-000 ED-05-067.00-02-55.00-000 ED-05-067.00-02-54.00-000 ED-05-067.00-02-56.00-000
Applicant:	Patel College Properties, LLC and Patel Excess College Road, LLC
Site Area:	31.08 acres +/- (30.50 acres +/- net)
Zoning:	RG-5 (General Residence Zone for Mid-Rise Apartments)
Current Use:	Vacant Land (Open Space and Woodland)
Proposed Use: Dwelling Units:	Mid-Rise Apartments 385 units
Recreation Area:	Required – 1.61 acres +/- Provided – 1.67 acres +/- (72,771 SF)

I. PROJECT SUMMARY:

This application is for review of a Site Development Plan for construction of two 6-story mid-rise apartment buildings with a total of 385 units consisting of studio, 1 bedroom, and 2 bedroom units known as College Road Apartments at Railroad Avenue/Grove Street. The ground level of each apartment building is parking and the other site improvements include six 7-car garage buildings, parking lots, landscaping, and recreation areas. The Project also includes street construction/improvements to Raymond Street and Railroad Avenue. A Lot Consolidation Plan will combine the four parcels located east of Railroad Avenue for a total of 31.08 acres of land. These properties are zoned RG-5 (General Residence Zone for Mid-Rise Apartments). The subject area is located north of, but not adjacent to College Road, and east of the Railroad corridor in the vicinity of Raymond Street, Railroad Avenue, and Grove Street. Property Owners: Patel College Properties, LLC and Patel Excess College Road, LLC. Tax Parcels: ED-05-067.00-02-53.00-000, ED-05-067.00-02-54.00-000, ED-05-067.00-02-55.00-000, and ED-05-067.00-02-56.00-000. Council District 4.

Proposed Residential Development

Each Apartment Building consists of six floors with the first floor as parking and the floors 2-6 as residential. The apartment buildings depict the first floor (ground level) as parking and several entrance points to the building including a main lobby with elevator (found at building interior corner location) and other elevator and stair towers. The residential floors of each Building show a mix of studio, 1-bedroom, and 2-bedroom units and also a Yoga/Game Room per floor. Each apartment includes an inset balcony space.

Site Considerations

The subject site includes woodland areas, areas of wetlands, and Special Flood Hazard Areas (floodplain). The *Zoning Ordinance* contains provisions that regulate, and place limitations related to these features. A maximum of 50% of the woodland on a property may be cleared for development. This site has 23.14 acres of woodland and will preserve 19.65 acres of woodland (84.9%). Wetland areas over 0.25 acres in size require a buffer; a 50-foot riparian buffer will be established adjacent to the wetland areas. The *Zoning Ordinance*, Article 5 §11.21 requires that flood hazard areas (1% Annual Chance Flood/100-year floodplain) remain as open natural areas with no impervious surfaces. The proposed development activity is not located within wetlands or floodplain areas.

It is also noted that the RG-5 zone requires that 25% of the lot area (property) be an open area which is not parking areas. For the subject property, at total of 923,907 SF (69.5%) is open space (not buildings, parking, or other impervious surfaces).

II. ACTIVE RECREATION AREA PLAN SUMMARY:

The Site Development Plan set as submitted by the applicant for the College Road Apartments at Railroad Avenue consists of multiple plan sheets including an Active Recreation Area Plan. This information is provided to show how the Plan is achieving the aims set out in the *Zoning Ordinance,* Article 5 Section 10: Open space, recreation, and other public facilities.

The Active Recreation Area is required at a rate of 275 SF per unit or a half-acre (21,780 SF), whichever is greater. With this project of 385 units, the Active Recreation Area requirement calculates to 105,875 SF (2.43 acres) which is greater than the half-acre (21,780 SF). Additionally,

the *Zoning Ordinance* limits the recreation area requirement to 10% of the development area. The development area was calculated from the overall lot size of 30.50 acres minus the wetlands area of 14.32 acres; this results in a development area of 16.18 acres for the property. Thus, the maximum Active Recreation Area required is 1.618 acres. The Active Recreation Areas proposed are shown within the Plan set and specifically on the Active Recreation Plan (Sheet 10 of 10; as revised 3/2/2023). See Summary Table below of Active Recreation Areas.

Active Recreation Area (Article 5 §10.1)	
Required	***Provided on Plan***
275 S.F. per dwelling unit or ½ acre (21,780 SF) whichever is greater to be provided on site. 385 DU = 105,875 SF (2.43 acres) Maximum required: 10% of gross development area (16.18 acres +/) Maximum Required = 1.618 SF *Provided: 72,771 SF (1.67 acres)*	• Multi-Sport Court (Basketball, Tennis, Pickleball) • Sand Volleyball Court • Picnic Pavilion with picnic tables • Paved Walking Trail (1,640 linear feet) • Woodland Walking Trail (1,807 linear feet) • Outdoor Fitness Stations • Covered Bike Racks • Interior to Buildings: ○ Yoga/Game Room (~520 SF Each, one per floor)

Article 5 §10.151	*Accessible*	Each floor within the Apartment Building has a Yoga/Game Room space. The recreation amenities and trail areas are located to the east of the buildings and are accessed via paved sidewalks and trail systems.
10.152	*Pedestrian oriented*	In addition to the sidewalk system, there is a paved trail on the east side of the parking lot area and then a wooded walking trail.
10.153	*Age Oriented*	The types of recreation areas outlined in the plans show a variety of options that could be utilized by all age groups.
10.154	*Parking*	The parking is provided for the buildings and in the vicinity of the multi-sport court and picnic pavilion.
10.155	*Walking, jogging and biking trails*	There are 2 covered bike racks on the plan near the apartment buildings. The requirement is 1 bike space for every 20 car spaces (Article 6, Section 3 of the *Zoning Ordinance*): thus requiring 34 bicycle spaces. A total of 36 spaces are shown.
10.156	*Setbacks*	The recreation areas on these site plans appear to follow the setback requirements from property lines.
10.157	*Landscaping*	A total of 19.65 acres of woodland will retain on the property. The site also requires 158 new tree plantings, and the Plan proposes 268 trees and a number of shrub plantings over the site adjacent to parking lot, along property lines as screening, and adjacent to the trail system.

10.158	*Area*	Exterior Areas: Total 67,771 SF • Multi-Sport Court (Basketball, Tennis, Pickleball) • Sand Volleyball Court • Picnic Pavilion with picnic tables • Outdoor Fitness Stations Total Area of 47,083 SF • Paved Walking Trail – Total Area of 9,845 SF • Woodland Walking Trail – Total Area of 10,843 SF Interior Areas in Buildings: Total Area of 5,000 SF Yoga/Game Room per floor

III. REVIEW PROCESS

The Planning Office has prepared this Active Recreation Area Report outlining the Recreation Area proposal. The Parks, Recreation and Community Enhancement Committee will need to consider the proposed Active Recreation Area and make a recommendation. The Planning Commission must act to accept the Recreation Area Plan as part of the Site Plan review process.

The Parks, Recreation and Community Enhancement Committee will review the Recreation Area Plan at their meeting on March 14, 2023. The Planning Commission Public Hearing and Review of the Site Development Plan S-23-06 and the Recreation Area Plan is scheduled for March 20, 2023.

IV. CODE CITATIONS:

Dover Code of Ordinances, Appendix B – Zoning, Article 5 – Supplementary Regulations, Section 10 – Open Space, Recreation and Other Public Facilities (select excerpts).

Article 5 Section 10
Section 10. - Open space, recreation, and other public facilities.
The City of Dover shall require the reservation of open space, recreation, and other public facilities in accordance with the provisions of this section as a condition of approval for all one-family dwelling, two-family dwelling and multiple-family dwelling residential developments requiring conditional use approval, site development plan approval, or land subdivision approval by the City of Dover Planning Commission.

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.

10.12 Dedication required. The commission shall require the dedication or reservation of recreation areas, and the subsequent construction of recreation facilities of a character, extent and location suitable to the needs created by a development for recreation facilities as defined and in accordance with the design guidelines set forth.

10.13 Definition. The following are illustrative of the types of recreation areas and subsequent facilities that shall be deemed to serve active recreational needs and therefore to count toward satisfaction of the recreation area requirements of this section: tennis courts, handball courts,

racquetball courts, swimming pools, saunas and exercise rooms, meeting or activity rooms within clubhouses, baseball and soccer fields, basketball courts, volleyball courts, swings, slides and play apparatus, and developed walking, jogging or biking trails.

10.14 *Recreation area review*….
10.15 *Design guidelines…*

10.16 Area required. All residential developments shall provide recreational areas in a size equal to 275 square feet per dwelling unit or one-half acre of land, whichever is greater. In no case shall the commission require that more than ten percent of the gross area of the development be so dedicated or reserved when the gross area is greater than five acres.

V. STAFF RECOMMENDATIONS

The following are comments and recommendations from staff of the Planning Office following review of the Active Recreation Area Plan.

1) Active Recreation Area: As a residential development, there is a requirement for Active Recreation area(s) and the project has proposed areas to satisfy the required size of 1.618 SF. Staff Recommends the following regarding these Recreation Areas:

   a. Multi-Sport Courts: The Multi-Sport Court appears to show features indicating for paved surface with markings and select equipment. Clarify the materials used for court areas.
      i. Add connecting path to this area from the Walking Trail to allow for wheelchair and stroller access.
   b. Sand Volleyball Court: Placement is nearby to Multi-Sport Court and may be able to share seating options.
   c. Picnic Pavilion: The design includes a sidewalk connection to the trail and ADA compliant picnic tables.
      i. Clarify if other equipment like grills will be provided.
   d. Walking Trails: There are two trail systems: a Paved Trail adjacent to the parking lot area and a Woodland Walking Trail.
      i. Clarify surface material, width, and edge treatment of the trails.
   e. Outdoor Fitness Stations: Plans submitted show that there are proposed features identified as fitness areas placed within a wooded area.
      i. Clarify surface treatments.

2) Bicycle Parking: Bicycle parking is located at each of the Apartment Buildings. If any Bike Parking facilities are proposed internal to the buildings, then the Plans should note as such.
   a) Staff recommends adding bike racks near the recreation amenities at the end of the parking lot cul-de-sac.

3) Identify locations of any benches for seating at recreation amenities and along trails.

4) Adequate Lighting for the Site: The Plan shows site lighting as pole fixtures within and adjacent to parking lots and apartment building. Clarify if there is any trail level lighting for the Woodland Walking Trail.

5) Landscape Plan:
   a) Label the tree species on the plan drawings; the use of graphic depictions for each tree

specific is difficult to read/review. Also label the shrub plantings for clarity.

a) The Landscape Plan must include certification note and signature/seal of authorized design professional (Landscape architect, architect, or Delaware Certified Nursery Professional).
b) Tree placements providing shade to recreation amenity areas is encouraged.
c) There a several conflicts of tree placement with other site improvements i.e., garage building, light poles, parking lot, plantings within existing woodland areas, etc.

2) 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.

6) The subject property is adjacent to State parkland that is part of the Fork Branch Nature Preserve. Recommendations were made as part of the PLUS (Preliminary Land Use Services) Review process regarding this proximity.
   a) Add fencing and other recommended protection measures along the north property line adjacent to the State park area. Implement Nature Preserve signage as recommended by DNREC.

VI. ADVISORY COMMENTS

1) This Site Development Plan set depicting the Recreational Areas are to include appropriate improvements, plans, and details of the Active Recreation Area as approved.

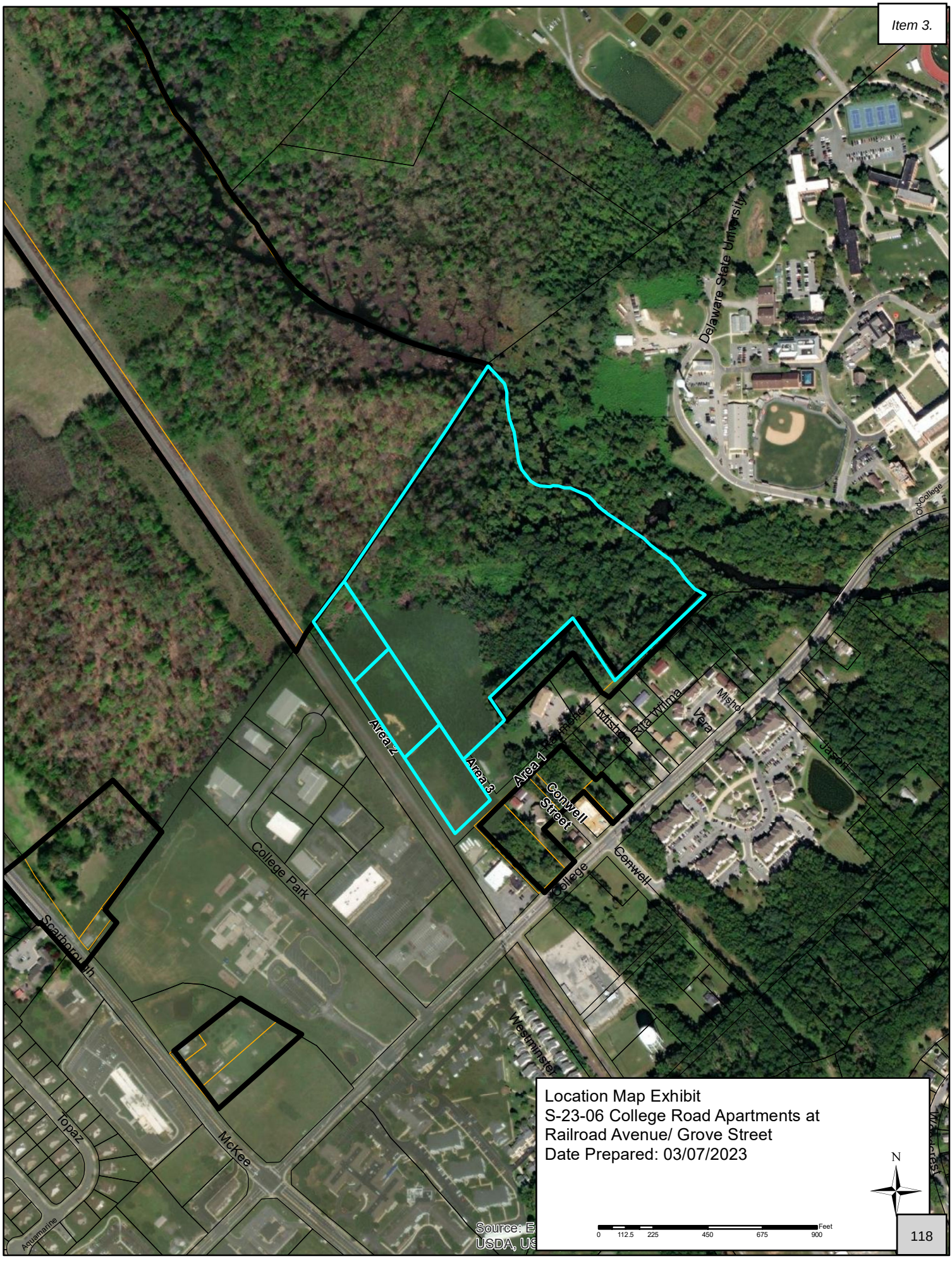
2) There shall be provisions which ensure that the community space (all areas under consideration for Active Recreation Areas) shall continue as such and be properly managed and maintained. The developer shall either retain ownership and responsibility for maintenance of the common use areas or provide for and establish one (1) or more organizations for the ownership and maintenance of all common space i.e., a Homeowners Association or other property management entity. The organization shall be responsible for maintenance, insurance, and taxes on the community space.

3) In the event, that major changes and revisions to the Plan occur in the finalization of the Plan contact the Planning Office. Examples include reorientation of buildings, relocation of site components, changes in floor area or unit count, or design revisions impacting Active Recreation Areas. These changes may require resubmission for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regard to the plan.

4) The Parks, Recreation, and Community Enhancement Committee shall submit to the Planning Commission a report detailing the recommendations as to the Recreation Area Plan.

Attachments:

- Location Map Exhibit
- Active Recreation Area Plan (Sheet 10) S-23-06 College Road Apartments at Railroad Avenue
- Select Other Sheets from Site Plan Set: Overall Site Plan (Sheet 3) Landscape Plan (Sheets 7 and 8)



Location Map Exhibit
S-23-06 College Road Apartments at
Railroad Avenue/ Grove Street
Date Prepared: 03/07/2023

N

0 112.5 225 450 675 900 Feet

PROPERTY SUMMARY

TAX PARCEL NUMBERS:	2-05-06700-02-5600-00001 - 26.13 Acres 2-05-06700-02-5500-00001 - 1.42 Acres 2-05-06700-02-5400-00001 - 1.72 Acres 2-05-06700-02-5300-00001 - 1.81 Acres
OWNERS:	PATEL COLLEGE PROPERTIES, LLC PATEL EXCESS COLLEGE ROAD, LLC
LOT SIZE GROSS (CONSOLIDATED):	31.08 ACRES (1,353,974 SQ. FT.)
LOT SIZE NET (CONSOLIDATED):	30.50 ACRES (1,328,578 SQ. FT.)
ZONING:	RG-5
PROPOSED USE:	MID-RISE APARTMENTS

ACTIVE RECREATION AREA CALCULATION:

AREA REQUIREMENTS PER CITY OF DOVER CODE, ARTICLE V, SECTION 10.16:

- 275 SQ. FT. PER DWELLING UNIT OR ¼ ACRE MIN. (WHICHEVER IS GREATER)

  385 DWELLING UNITS * 275 SQ. FT. = 105,875 SQ. FT. (2.43 ACRES)

- IN NO CASE SHALL THE COMMISSION REQUIRE MORE THAN 10% OF THE DEVELOPMENT AREA BE PROPOSED AS ACTIVE RECREATION.

  DEVELOPMENT AREA = NET LOT AREA (30.50 ACRES) MINUS WETLAND AREAS (14.32 ACRES) = 16.18 ACRES

  10% OF DEVELOPABLE PORTION OF SITE = 1.61 ACRES (MIN. REQUIRED ACTIVE RECREATION AREA)

PROPOSED ACTIVE RECREATION AREA:

- INTERIOR BUILDING = 5,000 SF - RECREATION / FITNESS ROOMS (500 SF / FLOOR OR 2,500 SF PER BLDG.)
- EXTERIOR = 67,771 SF
  - 1,640 ± LF PAVED TRAIL ALONG PARKING (9,845 SF)
  - 1,807 ± PAVED WOODED WALKING TRAIL (10,843 SF)
  - SPORTS COURTS, PICNIC AREAS, FITNESS ACTIVITY STATIONS (47,083 SF)
- TOTAL ACTIVE RECREATION AREA = 72,771 SQ. FT. (1.67 ACRES)



OVERALL SITE RECREATION PLAN
SCALE: 1" = 80'



MULTI-SPORT COURT (BASKETBALL, TENNIS, PICKLEBALL)



OUTDOOR FITNESS STATIONS



PICNIC PAVILION



SAND VOLLEYBALL COURT



COVERED BICYCLE RACK



ADA COMPLIANT PICNIC TABLE

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ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

COLLEGE ROAD APARTMENTS
RAILROAD AVENUE & GROVE STREET
CITY OF DOVER, KENT COUNTY, DELAWARE

ACTIVE RECREATION PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

NO.	DATE	BY	REVISIONS

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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 40'
DRAWN BY	ALS
APPROVED BY	GBR

CS1002

SHEET 10 OF 10

U:\Accounts\PLAWX\PLAWX19001 - DSU Student Housing\DESIGN_SHEETS\CS1002.dwg PLOTTED: 3/2/2023 4:29 PM, BY: Gregory Rishel PLOTSTYLE: Pennoni NCS.ctb PROJECT STATUS: —



SITE CONSTRUCTION NOTES:

1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER. THE CONTRACTOR SHALL ERECT AND MAINTAIN, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.
2. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
3. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
4. ALL MATERIALS SHALL BE NEW AND SHALL BE ASBESTOS AND VERMICULITE FREE. ALL MATERIALS SHALL BE STORED SO AS TO ASSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE INTENDED WORK.
5. DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED. IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
6. PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD AND DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REMOVED OR REPLACED, ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
7. THE CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF CONTRACT DRAWINGS ON WHICH HE SHALL NOTE, IN RED, THE ALIGNMENTS AND INVERTS OF ALL UNDERGROUND UTILITIES INSTALLED OR ENCOUNTERED DURING THE PROSECUTION OF THE WORK. ALL DISCREPANCIES BETWEEN THE PLAN LOCATIONS AND ELEVATIONS OF BOTH THE EXISTING AND PROPOSED UTILITIES SHALL BE SHOWN ON THE AS-BUILT DRAWINGS TO BE MAINTAINED BY THE CONTRACTOR IN THE FIELD.
8. THE CONTRACTOR SHALL OPEN ONLY THAT SECTION OF TRENCH OR ACCESS PITS WHICH CAN BE BACKFILLED AND STABILIZED AT THE END OF EACH WORKING DAY. STEEL PLATES SHALL BE USED ON ANY TRENCH OR ACCESS PITS WHICH MUST REMAIN OPEN OVERNIGHT. THIS REQUIREMENT DOES NOT APPLY TO AREAS COMPLETELY CLOSED AND SECURE FROM VEHICULAR OR PEDESTRIAN TRAFFIC.
9. DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER, CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
10. MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
11. ALL DISTURBED AREAS WITHIN THE LIMIT OF DISTURBANCE, BUT NOT IN PAVEMENT, SHALL BE TOP-SOILED (6" MINIMUM), SEEDED AND MULCHED. IF THE ENGINEER DETERMINES THAT A SATISFACTORY STAND OF GRASS DOES NOT EXIST AT THE TIME OF FINAL INSPECTION, ALL COSTS ASSOCIATED WITH RE-ESTABLISHING A SATISFACTORY STAND OF GRASS SHALL BE AT THE CONTRACTOR'S EXPENSE.
12. ALL SIGNING FOR MAINTENANCE OF TRAFFIC IS THE CONTRACTORS RESPONSIBILITY, AND SHALL FOLLOW THE GUIDELINES SHOWN IN LATEST EDITION OF "DELAWARE TRAFFIC CONTROLS FOR STREETS AND HIGHWAY CONSTRUCTION, MAINTENANCE, UTILITY, AND EMERGENCY OPERATIONS."
13. DESIGN, FABRICATION AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD.
14. DESIGN AND INSTALLATION OF ALL PAVEMENT MARKINGS AND STRIPING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD. FOR FINAL PERMANENT PAVEMENT MARKINGS:
    a) EPOXY RESIN PAINT SHALL BE REQUIRED FOR LONG LINE STRIPING.
    b) THERMO PLASTIC (EXTRUDED OR PREFORMED MATERIAL) WILL BE REQUIRED ON ASPHALT SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOLS/LEGENDS.
    c) PERMANENT PAVEMENT MARKING TAPE (PER DELDOT APPROVED MATERIALS LIST) WILL BE REQUIRED ON CONCRETE SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOLS/LEGENDS.
15. BREAKAWAY POSTS SHALL BE USED WHEN INSTALLING ALL SIGNS. REFERENCE DELDOT STANDARD CONSTRUCTION DETAIL T-15.
16. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING, TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION:
    16.1. THE OWNER, KENT CONSERVATION DISTRICT, & SITE ENGINEER
17. THE CONTRACTOR SHALL MAINTAIN PUBLIC ROADS AND STREETS IN A BROOM SWEPT CONDITION AT ALL TIMES.
18. THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL REGULATORY, WARNING AND INFORMATION SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
19. TRANSITIONS FROM PROPOSED SIDEWALK AND CURB TO EXISTING SHALL BE MADE AT THE NEAREST EXISTING JOINT.

PURPOSE NOTE

THE PURPOSE OF THIS PLAN IS TO SHOW THE CONSOLIDATION OF 4 EXISTING TAX PARCELS INTO ONE PARCEL AND TO PROPOSE TWO MID-RISE, MULTI-FAMILY RESIDENTIAL APARTMENT BUILDINGS WITH PARKING, ACTIVE RECREATIONAL AREAS, AND ASSOCIATED APPURTENANCES.

PROPERTY SUMMARY

TAX PARCEL NUMBERS	2-05-06700-02-5600-00001 - 26.13 Acres 2-05-06700-02-5500-00001 - 1.42 Acres 2-05-06700-02-5400-00001 - 1.72 Acres 2-05-06700-02-5300-00001 - 1.81 Acres
OWNER	PATEL COLLEGE PROPERTIES, LLC PATEL EXCESS COLLEGE ROAD, LLC
LOT SIZE GROSS (CONSOLIDATED)	31.08 ACRES (1,353,974 SQ. FT.)
LOT SIZE NET (CONSOLIDATED)	30.50 ACRES (1,328,578 SQ. FT.)
ZONING	RG-5
PROPOSED USE	MID-RISE APARTMENTS

ZONING (RG-5) REQUIREMENTS

	ALLOWED / REQUIRED	PROPOSED
MINIMUM LOT AREA (MAX DENSITY)	900 SF / DU (1,476 DU)	385 DU (3,451 SF/DU)
MINIMUM LOT WIDTH	100 FEET	172 ± FEET
MINIMUM LOT DEPTH	125 FEET	1,015 ± FEET
MINIMUM FRONT YARD	25 FEET	25 FEET
MINIMUM SIDE YARD	25 FEET	25 FEET
MINIMUM REAR YARD	25 FEET	>25 FEET (VARIES)
MAXIMUM BUILDING HEIGHT	70 FEET OR 6 STORIES	6 STORIES < 70 FEET
MINIMUM OPEN SPACE	25% LOT AREA (7.73 AC.)	>= 21.21 ACRES (69.5%)
MINIMUM ACTIVE RECREATION	10% of GROSS DEVELOPMENT AREA(16.18*10%=1.61 ACRES)	72,771 SF (1.67 ACRES)
REQUIRED PARKING (APARTMENTS)	2.25 PER DU(2.25X385UNITS = 867)	
PROPOSED PARKING (APARTMENTS) WAIVER REQUIRED*	1.5 PER STUDIO (233) 1.5 PER 1 BEDROOM(263) 2 PER 2 BEDROOM(110) 1 PER 5 UNITS(77)	179- GARAGE (INT.) 42 - GARAGE (EXT.) 462 - SURFACE
ADA SPACES	683 MIN. SPACES REQUIRED 2% OF TOTAL PROPOSED(15)	683 PROPOSED 16 PROPOSED
REQUIRED BIKE PARKING	1 PER 20 PARKING SPACE 683 SPACES/20= 34 REQUIRED	36 PROPOSED BIKE SPACES
WETLAND PAVING SETBACK	100 FEET OR 50 FEET W/ PROPOSED RIPARIAN BUFFER PLANTINGS	50 FEET
PARKING SETBACKS	NOT ALLOWED IN FRONT YARD MIN. 3' OTHER YARDS	COMPLIES (25' MIN.) 5 FEET
DUMPSTERS REQUIRED	15 (1 PER FIRST 48 DU, 1 FOR EACH ADDITIONAL 24 DU)	15

DWELLING UNIT TYPE BREAKDOWN

	PROPOSED
2 BEDROOM APARTMENT	55 UNITS (15% OF TOTAL)
1 BEDROOM APARTMENT	175 UNITS
STUDIO APARTMENT	155 UNITS
TOTAL	385 UNITS

WAIVERS OR VARIANCES REQUIRED

A WAIVER IS REQUESTED FROM ARTICLE VI, SECTION 3, WHICH REQUIRES 2.25 PARKING SPACES PER DWELLING UNIT TO PERMIT 1.78 SPACES PER DWELLING UNIT USING RATIOS AS FOLLOWS:

1.5 SPACES PER STUDIO
1.5 SPACES PER 1-BEDROOM APARTMENT
2.0 SPACES PER 2-BEDROOM APARTMENT
1.0 SPACE PER 5 UNITS FOR VISITOR OVERFLOW PARKING

FIRE MARSHAL NOTES:

1. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
2. THE FOLLOWING WATER FOR FIRE PROTECTION REQUIREMENTS APPLY: MAIN SIZES: 6" MINIMUM. MINIMUM CAPACITY: 1,000 GPM @ 20 PSI RESIDUAL FOR 1 HOUR DURATION. HYDRANT SPACING: 800' ON CENTER (DSFPR REGULATION 702, CHAPTER 6, SECTION 3).
3. LOCK BOX WILL BE REQUIRED. CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF BOX ON THE BUILDING.
4. THE PROPOSED BUILDING SHALL BE SIX STORY (70 FT MAX.)
5. AUTOMATIC FIRE SPRINKLERS ARE PROPOSED FOR THIS STRUCTURE AND SHALL BE MONITORED BY AN APPROVED FIRE ALARM SYSTEM.
6. FIRE DEPT. CONNECTION SHALL BE WITHIN 50 FEET OF MAIN ENTRANCE. ACCESS TO THE FIRE DEPT. CONNECTION SHALL BE CLEAR AND UNOBSTRUCTED AS DEFINED BY THE STATE FIRE REGULATIONS. FIRE DEPT. CONNECTION SHALL BE WITHIN 300 FEET OF A FIRE HYDRANT, MEASURED AS HOSE WOULD OFF THE FIRE EQUIPMENT.
7. ADDRESS NUMBERS OF AT LEAST 12 INCHES IN HEIGHT MUST BE PLACED ON THE STREET SIDE OF THE BUILDING AND VISIBLE FROM THE STREET.

0 80' 160'

CITY OF DOVER GENERAL NOTES:

1. OWNERSHIP OF THE PROPOSED ACTIVE RECREATION AREA SHALL BE RETAINED BY THE DEVELOPER OR A DESIGNATED HOMEOWNER'S / MAINTENANCE ASSOCIATION. THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE, INSURANCE AND TAXES ON THE RECREATION AREA.
2. SANITATION SERVICES SHALL BE PROVIDED BY A PRIVATE SANITATION HAULER.

PROPOSED LAND USE SUMMARY

BUILDINGS	79,493 SF (6.0%) INCLUDES GARAGES
OTHER IMPERVIOUS SURFACE	325,178 SF (24.5%)
OVERALL IMPERVIOUS COVERAGE	404,671 SF (30.5%)
OPEN SPACE	923,907 SF (69.5%)
TOTAL	1,328,578 SF

PENNONI ASSOCIATES INC.
Christiana Executive Campus
121 Continental Drive, Suite 207
Newark, DE 19713-4310
T 302.655.4451 F 302.654.2895

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

COLLEGE ROAD APARTMENTS

RAILROAD AVENUE & GROVE STREET
CITY OF DOVER, KENT COUNTY, DELAWARE

OVERALL SITE PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

NO.	REVISIONS	BY	DATE

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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 80'
DRAWN BY	ALS
APPROVED BY	GBR

CS1001.1

SHEET 3 OF 10

u:\Accounts\PLAWX\plaw19001 - dau student housing\DESIGN_SHEETS\CS1001.1.dwg PLOTTED: 1/23/2023 12:55 PM BY: Andrew Shields PLOTSTYLE: Pennoni MCS.stb PROJECT STATUS: —

MATCHLINE SEE SHEET CS2002
SEE SHEET CS2001

NORTH

BUILDING #1
126 UNIT - 6 FLR. APARTMENT BLDG.
1 FLR PARKING - 80 SPACES

BUILDING #2
210 UNIT - 6 FLR. APARTMENT BLDG.
1 FLR PARKING - 99 SPACES

7 CAR GARAGE
1,470 SQ. FT

Grove Street
(35' Wide)

RAILROAD
(TRACKS STACKED WAY)

0 40' 80'

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COLLEGE ROAD APARTMENTS

RAILROAD AVENUE & GROVE STREET
CITY OF DOVER, KENT COUNTY, DELAWARE

LANDSCAPE PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

NO.	DATE	REVISIONS	BY

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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 40'
DRAWN BY	ALS
APPROVED BY	GBR

CS2001

SHEET 7 OF 10

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PLANT SCHEDULE

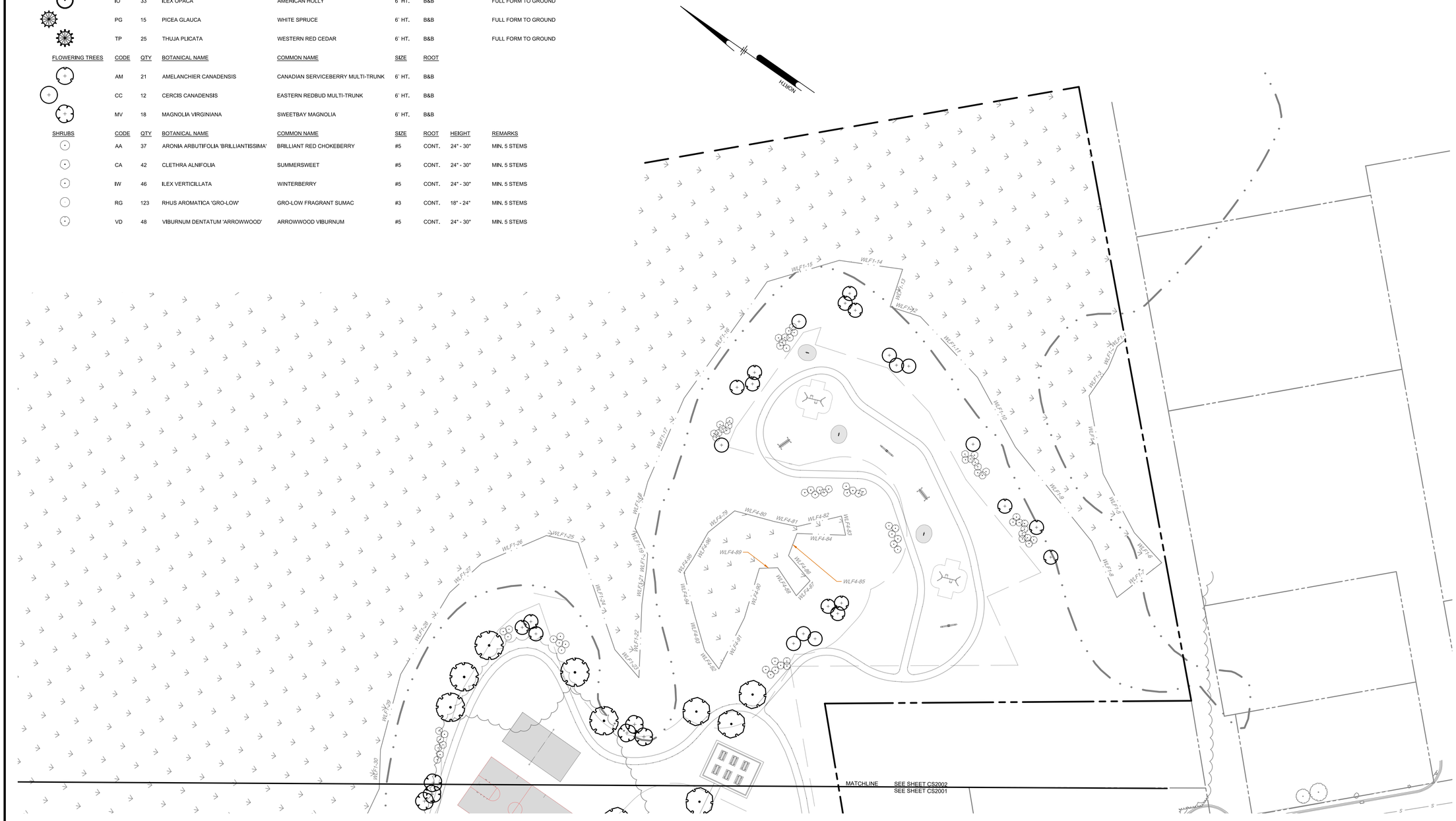
CANOPY TREE	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	
	AB	15	ACER RUBRUM 'BOWHALL'	BOWHALL RED MAPLE	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	BN	16	BETULA NIGRA	RIVER BIRCH	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	GB	14	GINKGO BILOBA 'AUTUMN GOLD' TM	AUTUMN GOLD MAIDENHAIR TREE	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	GI	22	GLEDITSIA TRIACANTHOS INERMIS	THORNLESS HONEY LOCUST	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	NS	20	NYSSA SYLVATICA 'DAVID ODOM' TM	AFTERBURNER TUPELO	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	QB	12	QUERCUS BICOLOR	SWAMP WHITE OAK	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	TD	15	TAXODIUM DISTICHUM	BALD CYPRESS	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	TG	30	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LITTLELEAF LINDEN	2" CAL.	B&B	STRAIGHT SINGLE LEADER
EVERGREEN TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	
	IO	33	ILEX OPACA	AMERICAN HOLLY	6` HT.	B&B	FULL FORM TO GROUND
	PG	15	PICEA GLAUCA	WHITE SPRUCE	6` HT.	B&B	FULL FORM TO GROUND
	TP	25	THUJA PLICATA	WESTERN RED CEDAR	6` HT.	B&B	FULL FORM TO GROUND
FLOWERING TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	
	AM	21	AMELANCHIER CANADENSIS	CANADIAN SERVICEBERRY MULTI-TRUNK	6` HT.	B&B	
	CC	12	CERCIS CANADENSIS	EASTERN REDBUD MULTI-TRUNK	6` HT.	B&B	
	MV	18	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	6` HT.	B&B	

SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	HEIGHT	REMARKS
	AA	37	ARONIA ARBUTIFOLIA 'BRILLIANTISSIMA'	BRILLIANT RED CHOKEBERRY	#5	CONT.	24" - 30"	MIN. 5 STEMS
	CA	42	CLETHRA ALNIFOLIA	SUMMERSWEET	#5	CONT.	24" - 30"	MIN. 5 STEMS
	IW	46	ILEX VERTICILLATA	WINTERBERRY	#5	CONT.	24" - 30"	MIN. 5 STEMS
	RG	123	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	#3	CONT.	18" - 24"	MIN. 5 STEMS
	VD	48	VIBURNUM DENTATUM 'ARROWWOOD'	ARROWWOOD VIBURNUM	#5	CONT.	24" - 30"	MIN. 5 STEMS

TREE DENSITY WORKSHEET	
TOTAL LOT AREA:	30.50 AC.
TOTAL AREA OF WOODLANDS ON SITE:	23.14 AC.
TOTAL AREA OF WOODLANDS TO BE PRESERVED (MUST BE >= 50%):	19.65 AC. (84.9%)
NON-WOODLAND AREA (SITE AREA MINUS AREA OF PRESERVED WOODLAND):	10.85 AC. (472,626 SF)
NEW TREE PLANTINGS REQUIRED (1 TREE PER 3,000 SQUARE FEET OF NON-WOODLAND AREA ON SITE):	158
TREE PLANTINGS PROPOSED:	268

GENERAL LANDSCAPE NOTES:

1. ALL NEW TREES SHALL HAVE A ONE YEAR REPLACEMENT GUARANTEE.
2. ONLY PRUNE OR REMOVE EXISTING TREES WHERE REQUIRED TO CONSTRUCT IMPROVEMENTS.
3. NO PLANTINGS SHALL BE PLANTED CLOSER THAN TEN FEET (10') TO UTILITIES.



PENNONI ASSOCIATES INC.
Christiana Executive Campus
121 Continental Drive, Suite 207
Newark, DE 19713-4310
T 302.655.4451 F 302.654.2895

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

COLLEGE ROAD APARTMENTS

RAILROAD AVENUE & GROVE STREET
CITY OF DOVER, KENT COUNTY, DELAWARE

LANDSCAPE PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

NO.	DATE	REVISIONS	BY

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 40'
DRAWN BY	ALS
APPROVED BY	GBR

CS2002

SHEET 8 OF 10

u:\Accounts\PLAW\Sitex19001 - dsu student housing\DESIGN_SHEETS\CS2002.dwg PLOTTED: 12/2/2022 12:56 PM, BY: Andrew Shields PLOTSTYLE: Pennoni WCS.stb PROJECT STATUS: —

S-23-06 College Road Apartments at Railroad Avenue/Grove Street

Public Comments Received (as of 2:00pm 3/20/2023)

Set 1

Item 1: Email of 3/20/2023 forwarded by Andria Bennett, City Clerk on behalf of Dr. Wilma Mishoe with attachments

- Item 1A: Petition against S-23-06 regarding 1. Waiver Requests: Reduction of Parking Requirement; 2. Traffic Safety Problem with 24 ft. Pavement; and 3. Safety Analysis or Traffic Impact Study
- Item 1B: Letter of November 4, 2022 from Shannon Owens, Esq. on behalf of client Wilma Mishoe regarding Raymond Street a/k/a Jason Street
- Item 1C: Letter of November 29, 2022 from Mayor Robin R. Christiansen veto of City Council Actions on Subdivision Waivers

Item 2: Email of 3/20/2023 from Councilman David Anderson on Parking Waiver noting constituent concerns on traffic and parking

From: Gray, Mary Ellen
To: Melson-Williams, Dawn; Swierczek, Julian D.; Mullaney, Kristen N; Oehmke, Katherine M.
Subject: Fwd: Planning Commission Testimony Submission
Date: Monday, March 20, 2023 1:03:50 PM
Attachments: image001.png
S-23-06 Petition - College Road Apartments.pdf
LT City of Dover - Raymond aka Jason Street.pdf
Veto Letter from Mayor Christiansen 11.29.2022.pdf

Sent from my T-Mobile 5G Device
Get Outlook for Android

From: Bennett, Andria <abennett@dover.de.us>
Sent: Monday, March 20, 2023 12:25:27 PM
To: Bobby Jones - Planning Commission <bcj1021@yahoo.com>; 'englady602@gmail.com' <englady602@gmail.com>; 'hollie323@aol.com' <hollie323@aol.com>; 'dover.hartman@gmail.com' <dover.hartman@gmail.com>; Maucher, Andrea <mauch@yahoo.com>; 'jed1492@aol.com' <jed1492@aol.com>; 'ccooper021@gmail.com' <ccooper021@gmail.com>; 'jhb947@outlook.com' <jhb947@outlook.com>; 'kennethroach1986@yahoo.com' <kennethroach1986@yahoo.com>; Gray, Mary Ellen <mgray@dover.de.us>
Cc: WILMA MISHOE <wmishoe1@comcast.net>
Subject: Planning Commission Testimony Submission

Good Morning Director Gray and Planning Commission Members,

Dr. Wilma Mishoe requested the attached document be read into the record for tonight's Planning Commission Public Hearing.

Thank you in advance.

Respectfully,

Andria Bennett
City Clerk-
City of Dover
P: (302) 736-7009
F: (302) 736-5068
abennett@dover.de.us

RECEIVED
MAR 20 2023
OFFICE OF THE CITY CLERK

WE THE PETITIONERS OPPOSE FILE #: S-23-06 SITE PLAN AND REQUEST A

TRAFFIC IMPACT STUDY

TO ASSESS CURRENT SAFETY CONCERNS FOR THE WELL-BEING OF OUR COMMUNITY

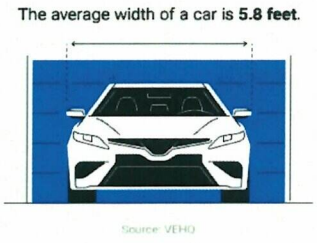
Dear Planning Commission: **3-17-23**

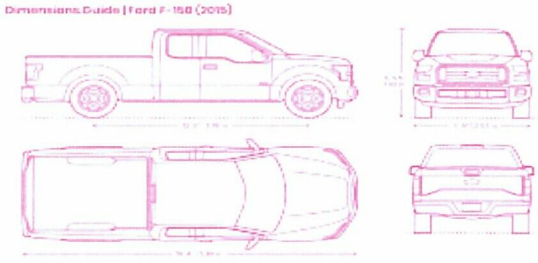
We the Residents impacted by the proposed Plan Type: Site Development Plan and Associated Plan: Raymond Street and Railroad Avenue Street Improvements, S-22-04 are **"AGAINST"** this Proposal for several safety and parking concern reasons.

1. The current **Waiver Requests: Reduction of Parking Requirement if approved** would coerce the applicant's residents and or their visitors to find parking in our community; thus, encroaching upon our right to enjoy our community's parking amenities.
2. The proposed re-alignment of Raymond Street via right-away would not only devalue the scenery of our community, but additionally **generate a traffic safety problem with only 24' feet of pavement** designed for a moderate low density road system and fire lanes.

Example:

The average residential width of a two-way road system with asphalt pavement is 40' feet with sidewalks 4' feet on both sides for a total of 48' feet road system. The average width of a small vehicle is around 5.8 feet, and the overall width of a truck with mirrors is 8' feet, for a total of 13 14 feet of vehicle space needed.





WE THE PETITIONERS OPPOSE FILE #: S-23-06 SITE PLAN AND REQUEST A

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If the proposed right-away road system being paved at 24' feet (18' feet less than our current residential pavement) is approved, then each lane exiting and entering would only allow 12' feet for each lane. In other words, if an individual visiting or residing at the proposed site project (College Apartments) were to park on one side of Raymond Street, then that would decrease the traveling space by at least 5' feet, equaling 19' feet of traveling space for a two-way road system, which traffic infrastructure will not support the high-density traffic with low-density infrastructure improvement (associated) plan.

3. **No Safety Analysis or Traffic Impact Study** has been conducted to assess the pedestrian, bike, and human risk factors this application presents if approved by the planning committee to Westminster Senior Housing Community, North Dover Elementary School Parents/Teacher/Students, The Delaware State University Students, People's Place Shelter, and Residents of the College Road Community.

In our view, this application for constructing **two 6-story mid-rise apartment** buildings with a total of **385 units** consisting of studio, 1-bedroom, and 2-bedroom units known as College Road Apartments at Railroad Avenue/Grove Street is a **"High-Density Development."**

The proposed ***High-Density Development Site Plan Type and Intensity*** in the vicinity of Raymond Street, Railroad Avenue, and Grove Street, but not limited to Salisbury Road, College Road, and Mishoe Street, could generate 400 vehicles per day or more on an average weekday.

Therefore, we, the petitioners, request a Safety Analysis to review several factors, including a review of the adequacy of sight distance and accident data, before consideration of approval of College Road Apartments at Railroad Avenue/Grove Street, S-23-06 and Associated Plan: Raymond Street and Railroad Avenue Street Improvements, S-22-04.

WE THE PETITIONERS OPPOSE FILE #: S-23-06 SITE PLAN AND REQUEST A

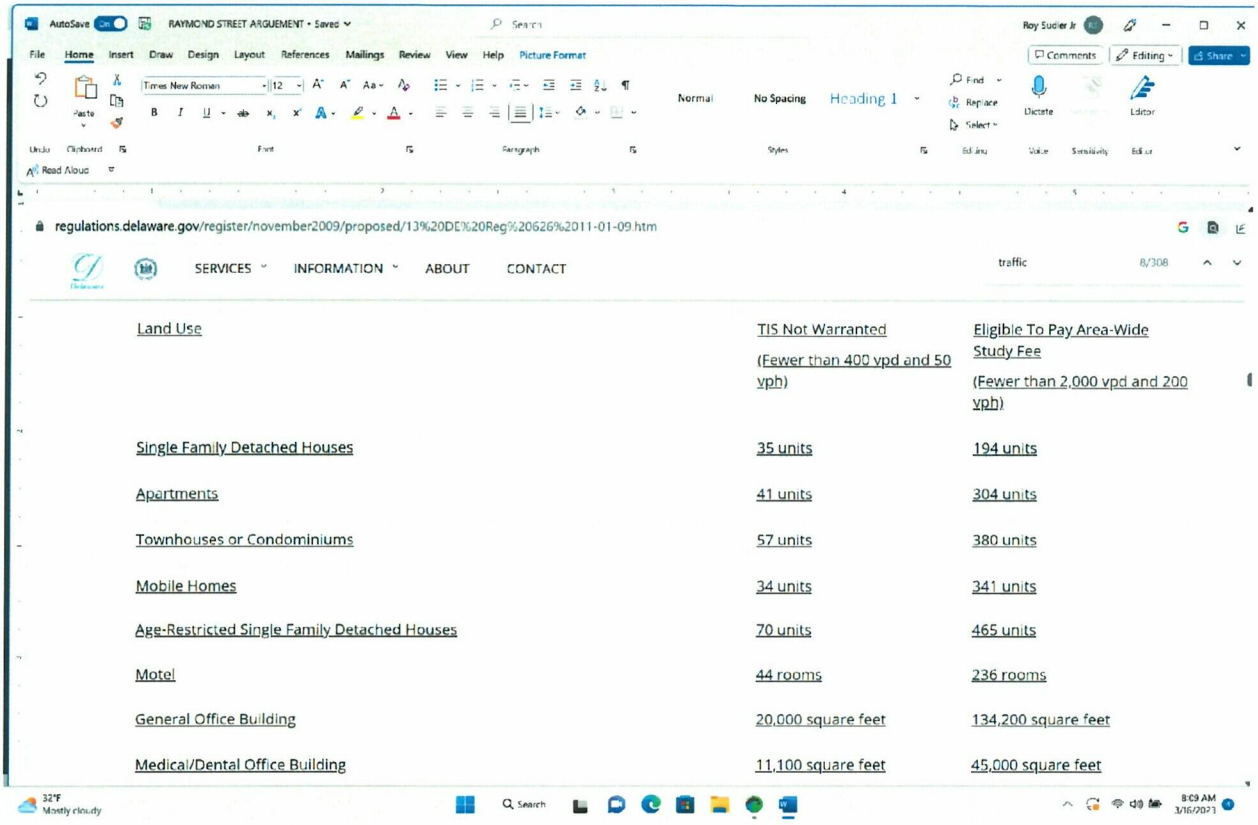
TRAFFIC IMPACT STUDY

TO ASSESS CURRENT SAFETY CONCERNS FOR THE WELL-BEING OF OUR COMMUNITY

Our request is aligned with the warrants for DelDOT Traffic Impact Studies (TIS) based on the notion that the proposed **385 units well surpasses** the (**304** apartment units) warrant benchmarks and quantity of units allotted for apartments TIS Not Warranted according to table section 2.3.

{**Please review Item 2-Apartment Units**}

Table SECTION 2.3. FOR OTHER WARRANTS THAT MAY APPLY



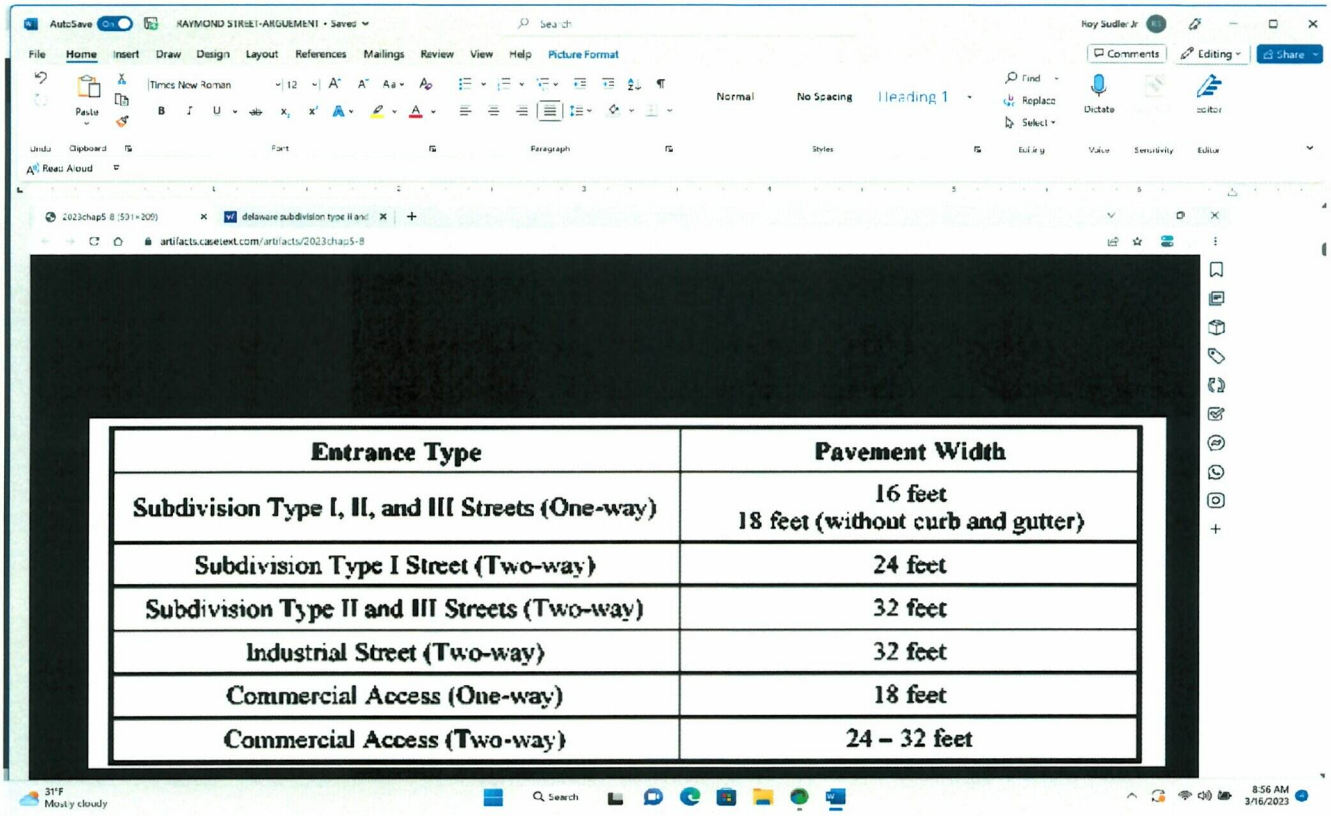
Land Use	TIS Not Warranted (Fewer than 400 vpd and 50 vph)	Eligible To Pay Area-Wide Study Fee (Fewer than 2,000 vpd and 200 vph)
Single Family Detached Houses	35 units	194 units
Apartments	41 units	304 units
Townhouses or Condominiums	57 units	380 units
Mobile Homes	34 units	341 units
Age-Restricted Single Family Detached Houses	70 units	465 units
Motel	44 rooms	236 rooms
General Office Building	20,000 square feet	134,200 square feet
Medical/Dental Office Building	11,100 square feet	45,000 square feet

The proposed **"Site Street Plan (SSP)"** for the development of Raymond Street extending west as a 24 ft. paved width roadway to intersect with Railroad Avenue as entrance type is more aligned with a Subdivision Type I Street (Two-way), which infrastructure is not adequate for emergency apparatus (Firetruck, EMS, Etc.) to endure a high density of traffic in a senior and veteran-based community, which was addressed in Mayor Robin R. Christiansen's Veto of City Council Action.

WE THE PETITIONERS OPPOSE FILE #: S-23-06 SITE PLAN AND REQUEST A

TRAFFIC IMPACT STUDY

TO ASSESS CURRENT SAFETY CONCERNS FOR THE WELL-BEING OF OUR COMMUNITY



Entrance Type	Pavement Width
Subdivision Type I, II, and III Streets (One-way)	16 feet 18 feet (without curb and gutter)
Subdivision Type I Street (Two-way)	24 feet
Subdivision Type II and III Streets (Two-way)	32 feet
Industrial Street (Two-way)	32 feet
Commercial Access (One-way)	18 feet
Commercial Access (Two-way)	24 – 32 feet

Petitioners Recommendation to the Planning Commission:

1. The Planning Commission directs the Applicant (Patel College Properties, LLC and Patel Excess College Road, LLC.) to conduct a **Traffic Impact Study** to discuss the current and future traffic conditions on College Rd. and Salisbury Street without the addition of traffic generated by the proposed project future without project **(FWOP)**.
2. The Planning Commission **"OMIT"** the Associated Plan: Raymond Street and Railroad Avenue Street Improvements, S-22-04 from the Site Development Plan Title: College Road Apartments at Railroad Avenue/Grove Street, S-23-06
3. The Planning Commission **"NOT APPROVE"** the Site Plan Title: College Road Apartments at Railroad Avenue/Grove Street, S-23-06

WE THE PETITIONERS OPPOSE FILE #: S-23-06 SITE PLAN AND REQUEST A

TRAFFIC IMPACT STUDY

TO ASSESS CURRENT SAFETY CONCERNS FOR THE WELL-BEING OF OUR COMMUNITY

	OWNER NAME	
1.	Owner	Rev. Rita Mishoe Paige 355 Rita-Wilma Road Dover, DE 19904
2.	Owner	Wilma Mishoe 353 Rita-Wilma Rd. Dover, DE 19904
3.	Owner	Rev. Raymond Bishop 315 Raymond Street Dover, DE. 19904
4.	Owner	Sandra L Ryder 291 College Rd Dover, DE 19904
5.	OWNER	Wyatt. Wales 28 college Rd Dover, DE 19904
6.	OWNER	Dr. Joe W. Burden JR. P.O Box 613, Dover, DE. 19904
7.	Owner	James Paige Sr. 335 College Rd Dover DE 19904
8.	Owner	James Paige 335 College Rd. Dover DE
9.	Renter	Bruce Brown 331 college rd Dover De 19904
10.	Sammy Barnes	Mishoe cove Unit 200
11.	Michelle Hughes	Mishoe cove Unit 200
12.	Irving Jackson	Mc Unit 306
13.	Aron Tolson	MC Unit 306
14.	Roosevelt Banks	MCL Unit 304
15.	Gentry Outler	MCL. Unit 203
16.	Bobbie Lilly	MCL Unit 105

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MAR 20 2023
OFFICE OF THE CITY CLERK

	NAME	ADDRESS	SIGNATURE
17.	Ted Scaggs	MISHOE COVE - unit 101	T.S.
18.	Ronald Johnson	Mishoe Cove unit 208	RJ
19.	Roy Sadler, Jr.	5 - Mishoe St.	R. Sadler Jr.
20.	Frederick Campbell	Court yard apartments	
21.	Linwood Worthington	245 College Rd A-1	
22.	Kaylyn Daniels	320 RAYMOND St Apt 106	KD
23.	Taraji Daniels	320 Raymond st Apt 106	T.D
24.	Michelle Hughes	320 RAYmond St. Apt. 200	MH.
25.	Cynthia Roane	Cynthia Roane Mishoe Apt 104	C.R.
26.	Monique Boggs	320 Raymond DR. Apt 203 Dover DE 19904	MB
27.	Tanja Mitchell	320 Raymond Apt 305 Dover, DE 19904	TLM
28.	James E Mitchell	Mishoe Apt 305	JM
29.	Mike Brown	331 college Rd	MB
30.	Chantal Collier	3 VERAS WAY Wrightsville Beach Monitor	CC

	NAME	ADDRESS	SIGNATURE
31.	Priscilla Faith-Ravens	299 College Road	PFR
32.	DARIUS Elliott JR.	COURTYARD APARTMENTS	DEJR.
33.	John Ryder	291 College Rd	John Ryder
34.	Cawsen Eckmeyer	Mishoe Cove	Apt 103
35.	Josh Morris	Mishoe Cove	Apt 103
36.	Jurion Morris	Mishoe Cove	Apt 103
37.	Daniel Mi	Mishoe Cove	Apt 105
38.	Robert Point	8 Meshoa ST	R.P
39.	Jack Byer	Westminster Village	JB
40.	Samuel Ingram	320 Raymond street Apt 307	Samuel Ingram
41.	Dennite Hoskins	para proffesional N.Dover Elem.	D.H
42.	Heather Wayman	Mishoe Cove #202	H. W.
43.	ZAHIR Moody	Whatcoat Shelter	ZM
44.	Tianie Dixon	190 College Road	TD
45.	Amira Riddick	290 College Road	AR.

Total of 46

SERGOVIC CARMEAN WEIDMAN McCARTNEY & OWENS, P.A.

John A. Sergovic, Jr.
David J. Weidman
Shannon R. Owens
Rachel Bleshman
Kathleen Geiszler

Website: www.sussexattorney.com

Shannon Carmean Burton
Deirdre A. McCartney
Harold W.T. Purnell, II
George B. Smith, of Counsel

November 4, 2022

Sent via electronic mail
City Solicitor, Nick Rodriguez nrodriguez@schmittrod.com
Director of the Clerk's Office in care of City Council
Attention to Madam Clerk Andria Bennet (CityClerk@dover.de.us)

Re: Raymond Street a/k/a Jason Street

Dear Mr. Rodgriguez and Ms. Bennet:

My law firm represents Wilma Mishoe. I am being retained to perform research concerning Ms. Mishoe's claims concerning Raymond Street a/k/a Jason Street. Please note that my client opposes the abandonment status/ownership matter; henceforth, we are respectfully requesting additional time to resolve this dilemma.

Very truly yours,

Shannon R. Owens, Esquire

SRO/aln
Cc: Wilma Mishoe

Item 1C

City of Dover

OFFICE OF THE MAYOR

November 29, 2022

Council President Roy Sudler, Jr.
Members of City Council
City of Dover
15 E Loockerman Plaza
P.O. Box 475
Dover, DE 19903

Dear Ladies and Gentlemen,

I hope this finds you well. This letter is to inform you that I am vetoing Council's actions during the City Council meeting of Monday, November 28, 2022, in accordance with the authority granted to the Mayor in the code. That item is the following: *Request for Waiver Appendix A – Subdivision, Article VI – Subdivision – General Requirements and Design Standards, Section A – Streets (Right-of-Way known as Raymond Street and Railroad Avenue) – Waiver of Requirements to Increase in Maximum Length of a Dead-End Street (Cul-de-Sac), and the Elimination of Sidewalk on One side of Public Street associated with a Site Development Plan for the improvements to the rights-of-way of Raymond Street and Railroad Avenue to allow for further development of the properties that these streets will give access.*

I respect the opinions of each member of Council and particularly the comments of Councilman Neil with which I concur, the need for decent affordable housing. I believe that we need to look at the hardship of the current residents of the area and their future safety; and those of future residents with one way in and one way out. Also, I have concerns of the property rights of the Mishoe Family and that legacy which has been entrusted to them.

Therefore, I feel compelled to error on the side of the angels and hereby veto that action to approve those waivers. I would hope that a solution which is fair to all concerned in consideration to the above concerns which I have.

Respectfully,

Robin R. Christiansen
Mayor, City of Dover

RECEIVED
NOV 29 2022
OFFICE OF THE CITY CLERK

From: Anderson, David
To: CompPlan
Subject: College Apartments item 7
Date: Monday, March 20, 2023 1:04:59 PM

Dear Sirs/Madams:

I am writing to express my concerns about the parking waiver. I had received phone calls regarding this matter, but because it doesn't come before us this is the only opportunity for me to express the concerns of my constituents. I would not express an opinion if I would see the project for a vote, but not having such an opportunity, my only option is the same as any citizen, and my opinion has the same weight. Nonetheless, I wanted to see with fresh eyes the dynamic before I commented so I drove then walked on the streets affected. Three different residents expressed concerns to me. Two of whom I had never spoken to on this issue.

The opinions on the project vary, but based upon people who called, attended one of our regular townhall meetings and the people who spoke to me while I was walking around there is unanimity on traffic and parking concerns. No one believes that less parking is good. Some believe that the inevitable overflow on some weekends could endanger handicapped residents.

One can imagine the parking situation with just a few student parties out of the 700 to 900 residents with fewer than 700 parking spaces. It would be a nightmare for emergency vehicles to pull up in a medical situation. The concern in the eyes of one particular gentleman who's seriously ill was impactful enough that I felt compelled to share his perspective because he won't be able to do so.

Thank you considering the reason why the parking requirements are so important for residential projects especially when the projects do not have on street parking as a back up.

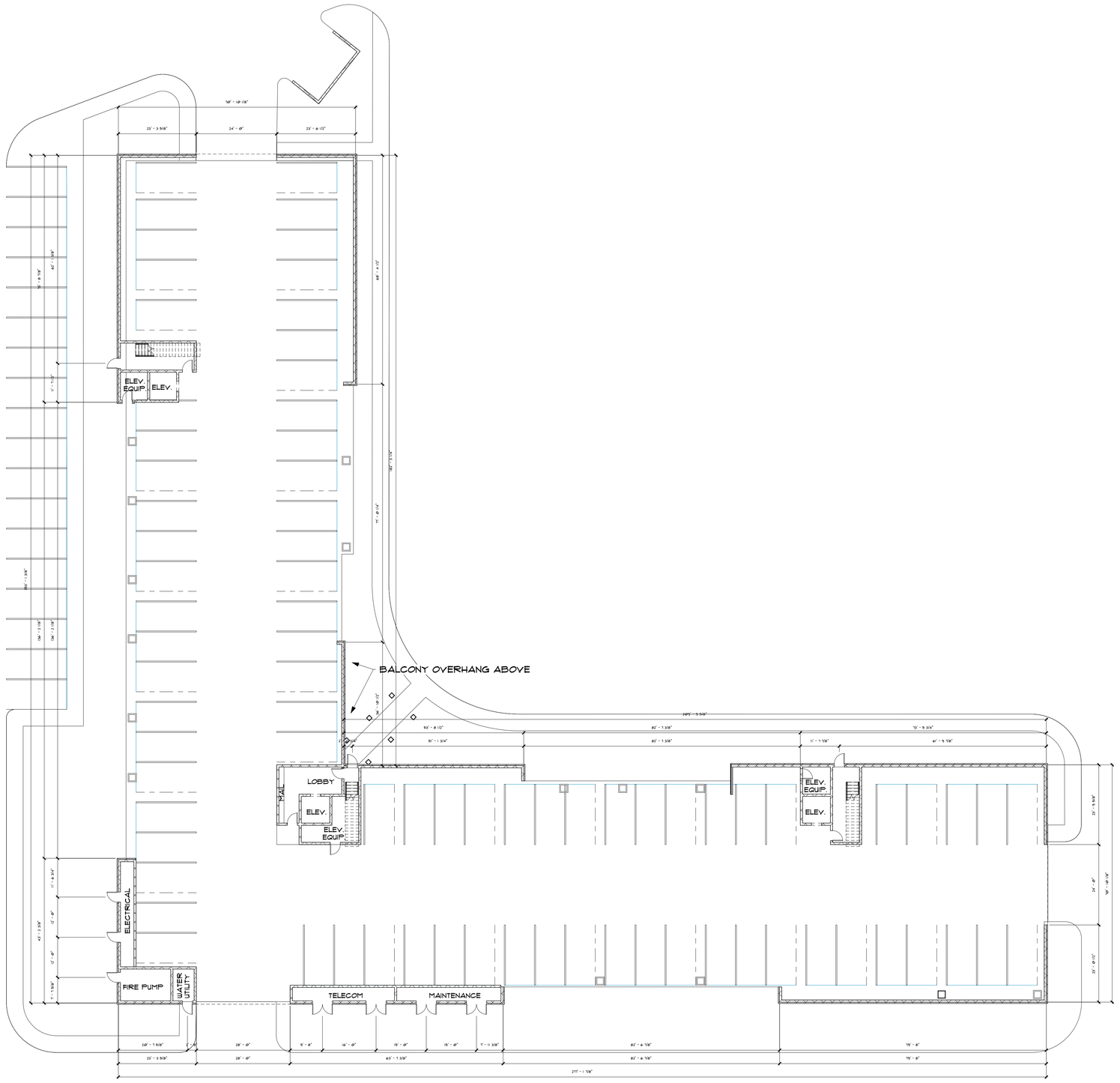
The Honorable David L. Anderson

4th District Councilman, Dover, DE

Phone: (302)339-1047

Council Office: (302)736-7006

Sent from my T-Mobile 5G Device
Get Outlook for Android



1 FIRST FLOOR
1/16" = 1'-0"

FISHER ARCHITECTURE
Fisher Architecture, LLC
542 Riverside Drive
Salisbury, MD 21801
(410) 742-0238

SEAL:

FOR REVIEW ONLY NOT FOR CONSTRUCTION

PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF DELAWARE.

LICENSE NO.: S5-0007610
EXPIRATION NO.: 01.31.2022

THE DOCUMENTS PREPARED BY FISHER ARCHITECTURE, LLC, ARE SOLELEY FOR THE PURPOSES OF THE SPECIFIED PROJECT. THEY ARE NOT INTENDED OR AUTHORIZED FOR USE ON ANY OTHER PROJECT. FISHER ARCHITECTURE, LLC MAKES NO NO REPRESENTATION AS TO THEIR SUITABILITY FOR ANY OTHER USE. ALL DRAWINGS PREPARED BY FISHER ARCHITECTURE, LLC ARE INSTRUMENTS OF PROFESSIONAL SERVICE IN RESPECT OF THE PROJECT. THESE DOCUMENTS ARE, AND SHALL REMAIN, THE PROPERTY OF FISHER ARCHITECTURE, LLC.

CONSULTANTS:

APARTMENTS

RAYMOND STREET
DOVER, DELAWARE

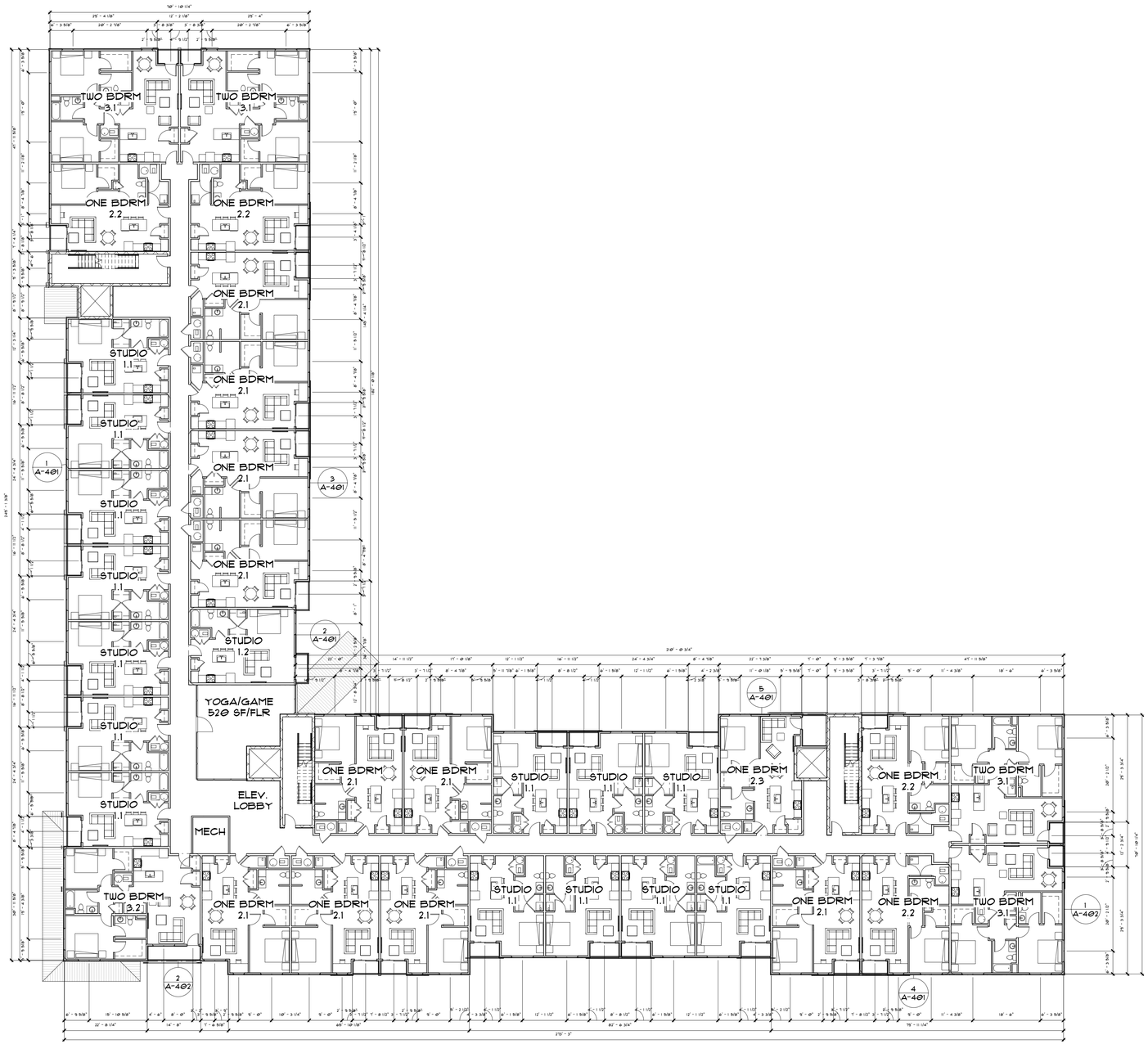
SHEET INFO:

FIRST FLOOR PLAN
- BUILDING 1

REV	REV DATE	DESCRIPTION
DATE:		2022.01.04
PROJECT NO.		2022052
SCALE:		1/16" = 1'-0"
PROJ MGR:		LEW
DRAWN BY:		Author

SHEET NUMBER:

A1-101



1 SECOND FLOOR (ALL RESIDENTIAL FLOORS SIMILAR)
1/16" = 1'-0"

UNIT SUMMARY - BUILDING 1								
	AREA	FIRST	SECOND	THIRD	FOURTH	FIFTH	SIXTH	TOTAL
STUDIO - UNITS 1.1, 1.2	520-540 S.F.	0	15	15	15	15	15	75 (42.5%)
1 BEDROOM - UNITS 2.1, 2.2, 2.3	715-740 S.F.	0	15	15	15	15	15	75 (42.5%)
2 BEDROOM - UNITS 3.1, 3.2	1,015-1,040 S.F.	0	5	5	5	5	5	25 (15%)
TOTAL		0	35	35	35	35	35	175

FISHER ARCHITECTURE
Fisher Architecture, LLC
542 Riverside Drive
Salisbury, MD 21801
(410) 742-0238

SEAL:

FOR REVIEW ONLY NOT FOR CONSTRUCTION

PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF DELAWARE.

LICENSE NO.: S5-0007610
EXPIRATION NO.: 01.31.2022

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CONSULTANTS:

APARTMENTS

RAYMOND STREET
DOVER, DELAWARE

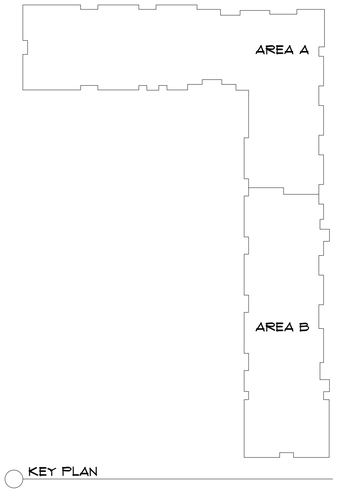
SHEET INFO:

SECOND FLOOR PLAN - BUILDING 1

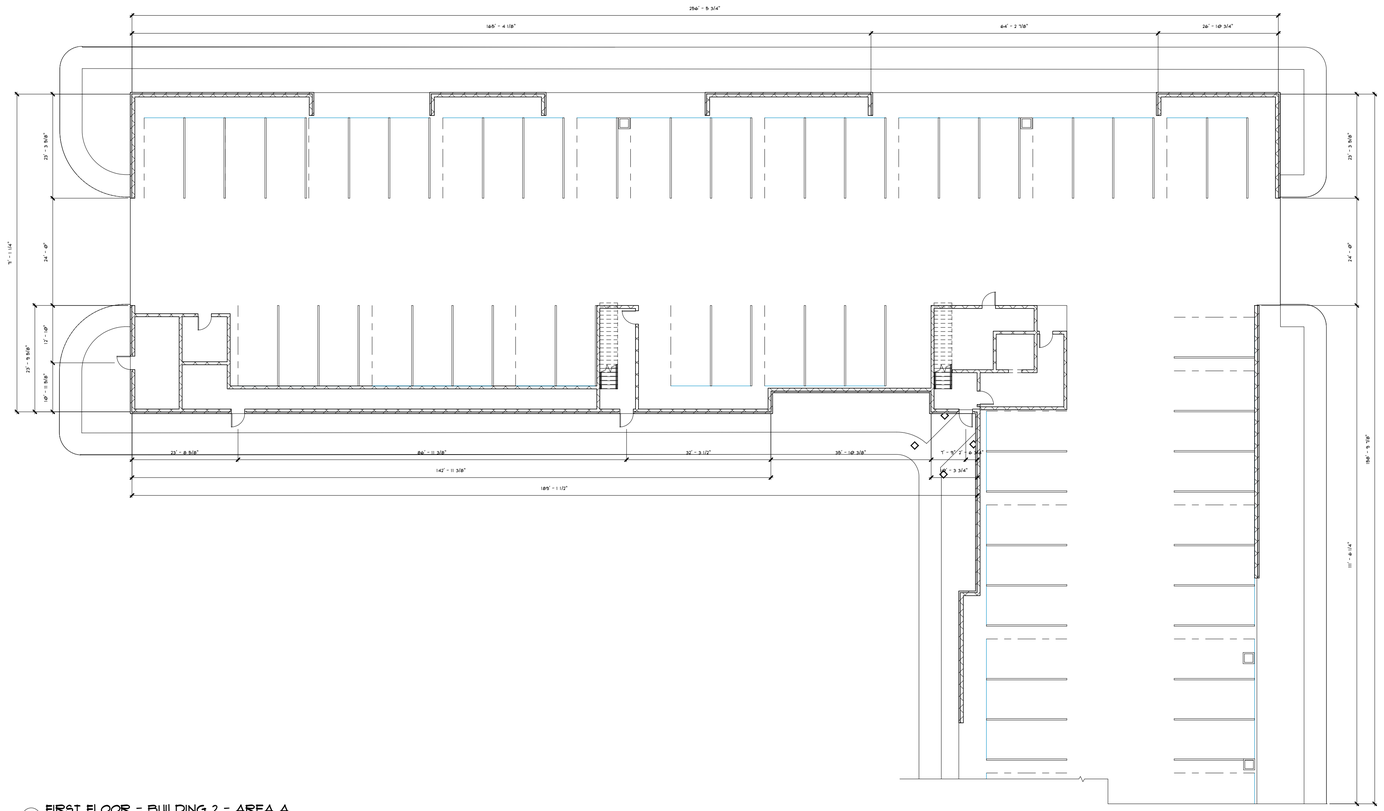
REV	REV DATE	DESCRIPTION
	DATE:	2022.01.04
	PROJECT NO.	2022052
	SCALE:	As indicated
	PROJ MGR:	LEW
	DRAWN BY:	LEW

SHEET NUMBER:

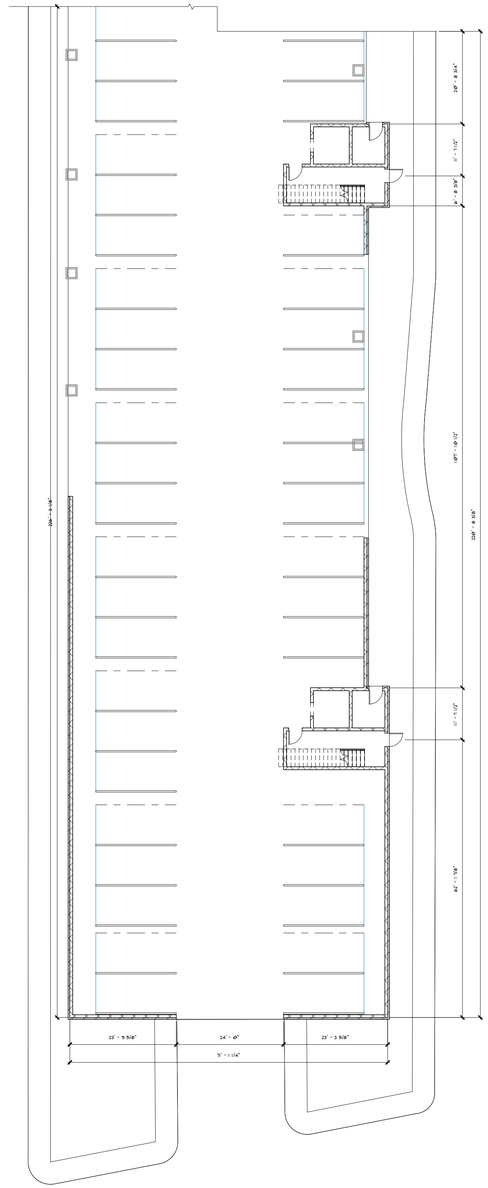
A1-102



KEY PLAN



2 FIRST FLOOR - BUILDING 2 - AREA A
1/16" = 1'-0"



3 FIRST FLOOR - BUILDING 2 - AREA B
1/16" = 1'-0"

FISHER
ARCHITECTURE
Fisher Architecture, LLC
542 Riverside Drive
Salisbury, MD 21801
(410) 742-0238

SEAL:

FOR REVIEW ONLY NOT FOR CONSTRUCTION

PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF DELAWARE.

LICENSE NO.: S5-0007610
EXPIRATION NO.: 01.31.2022

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CONSULTANTS:

APARTMENTS

RAYMOND STREET
DOVER, DELAWARE

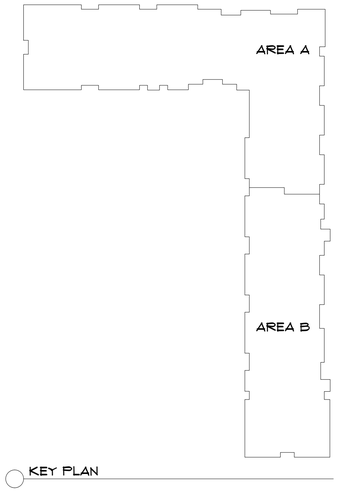
SHEET INFO:

FIRST FLOOR PLAN
- BUILDING 2

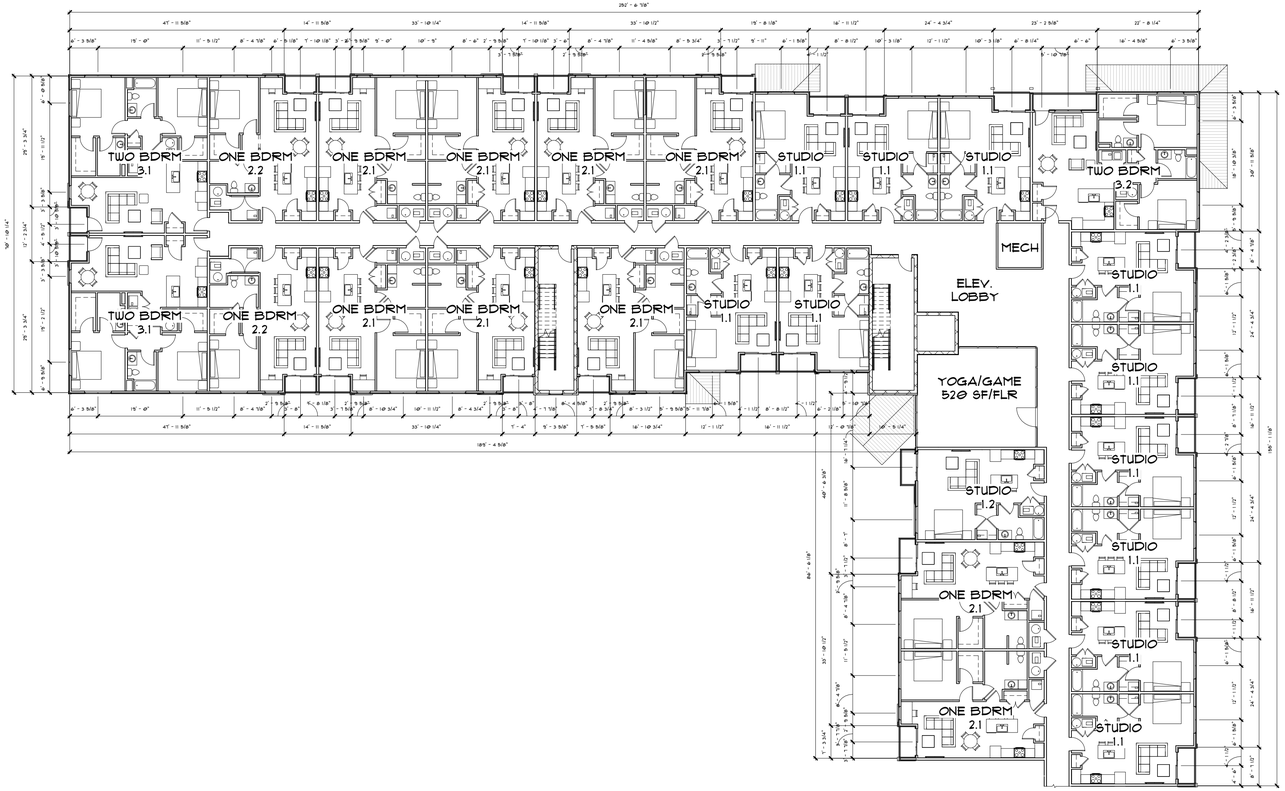
REV	REV DATE	DESCRIPTION
DATE:		2022.01.04
PROJECT NO.		2022052
SCALE:		As indicated
PROJ MGR:		LEW
DRAWN BY:		Author

SHEET NUMBER:

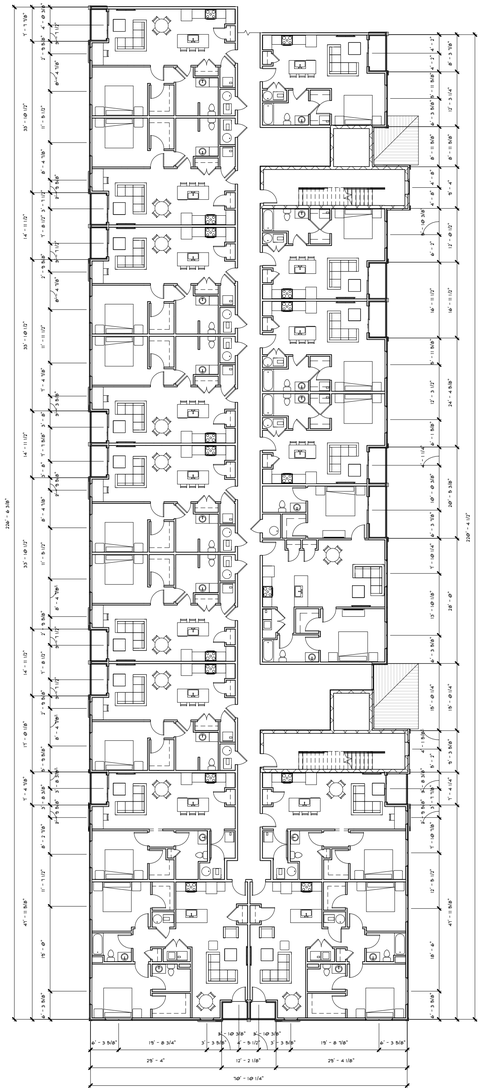
A2-101.1



KEY PLAN



2 SECOND FLOOR - BUILDING 2 - AREA A
1/16" = 1'-0"



3 SECOND FLOOR - BUILDING 2 - AREA B
1/16" = 1'-0"

UNIT SUMMARY - BUILDING 2								
	AREA	FIRST	SECOND	THIRD	FOURTH	FIFTH	SIXTH	TOTAL
STUDIO - UNITS 1.1, 1.2	520-540 S.F.	0	16	16	16	16	16	80 (38%)
1 BEDROOM - UNITS 2.1, 2.2	715-740 S.F.	0	20	20	20	20	20	100 (48%)
2 BEDROOM - UNITS 3.1, 3.2, 3.3	1,015-1,070 S.F.	0	6	6	6	6	6	30 (14%)
TOTAL		0	42	42	42	42	42	210

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CONSULTANTS:

APARTMENTS

RAYMOND STREET
DOVER, DELAWARE

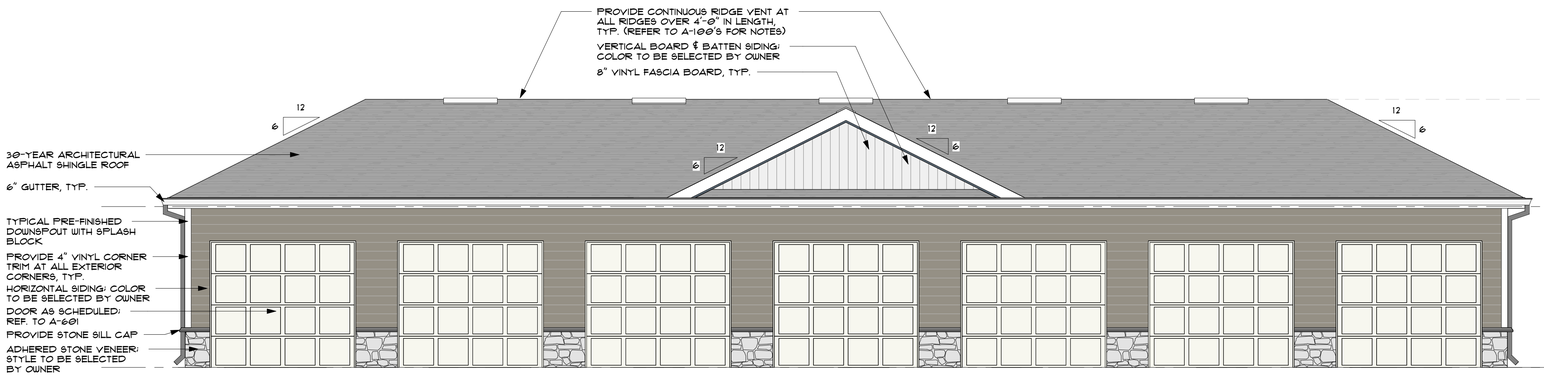
SHEET INFO:

SECOND FLOOR PLAN - BUILDING 2

REV	REV DATE	DESCRIPTION
DATE:		2022.01.04
PROJECT NO.		202052
SCALE:		As indicated
PROJ MGR:		LEW
DRAWN BY:		Author

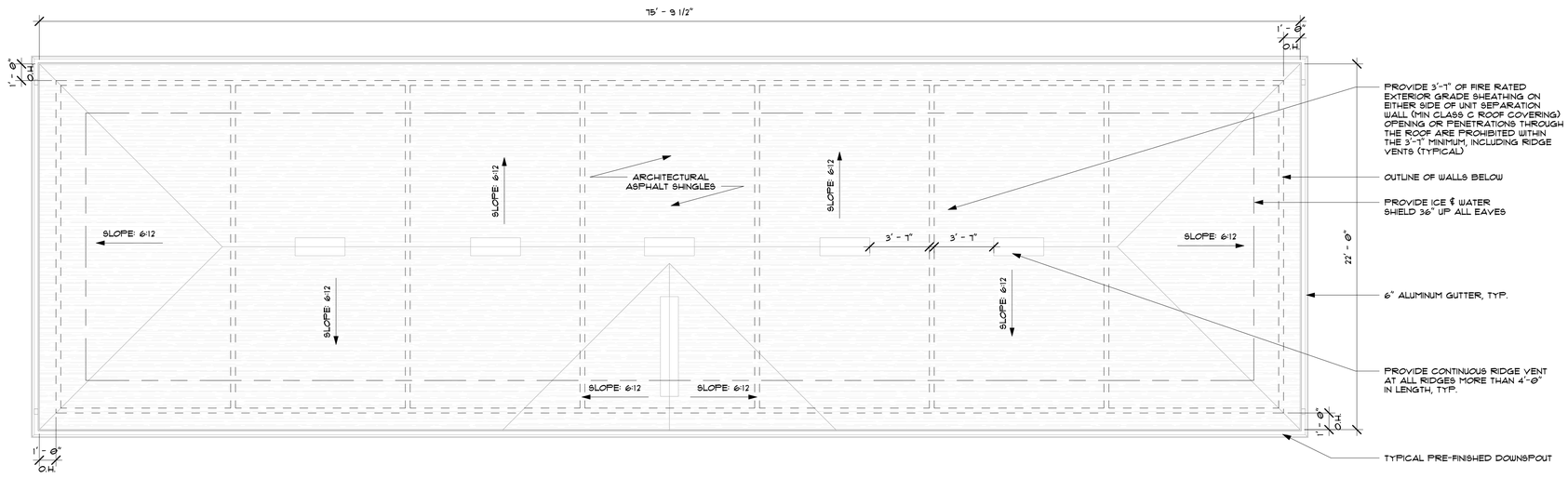
SHEET NUMBER:

A2-102

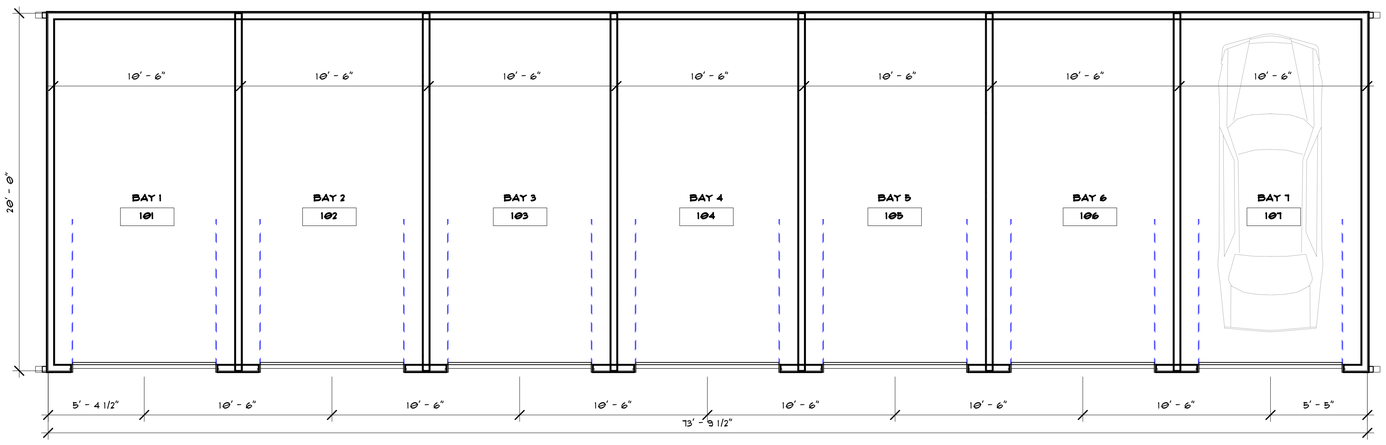


3 GARAGE 1 - FRONT ELEVATION
1/4" = 1'-0"

4 GARAGE 1 - LEFT ELEVATION
1/4" = 1'-0"



2 GARAGE 1 ROOF PLAN
1/4" = 1'-0"



1 GARAGE 1 FLOOR PLAN
1/4" = 1'-0"

FISHER ARCHITECTURE
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(410) 742-0238

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LICENSE NO.: S5-0007610
EXPIRATION NO.: 01.31.2022

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CONSULTANTS:

TYPICAL GARAGE

RAYMOND STREET
DOVER, DELAWARE

SHEET INFO:

GARAGE 1 PLANS

REV	REV DATE	DESCRIPTION
DATE:		2023.01.04
PROJECT NO.		2022052
SCALE:		1/4" = 1'-0"
PROJ MGR:		LEW
DRAWN BY:		C. Park

SHEET NUMBER:

AG-101



3 SOUTH ELEVATION - BUILDING 1
1/16" = 1'-0"



1 NORTH ELEVATION - BUILDING 1
1/16" = 1'-0"



2 EAST ELEVATION - BUILDING 1
1/16" = 1'-0"



4 WEST ELEVATION - BUILDING 1
1/16" = 1'-0"

ELEVATION MATERIAL LEGEND

- VERTICAL DENSGLAS SIDING
  COLOR: WHITE
- HORIZONTAL DENSGLAS SIDING
  COLOR: TAN
- STACKED STONE
  COLOR: GRAY
- ASPHALT SHINGLE ROOF
  COLOR: GRAY
- METAL STANDING SEAM ROOF
  COLOR: BLACK
- VINYL TRIM
  COLOR: WHITE

FISHER
ARCHITECTURE
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CONSULTANTS:

APARTMENTS

RAYMOND STREET
DOVER, DELAWARE

SHEET INFO:

ELEVATIONS - BUILDING 1

REV	REV DATE	DESCRIPTION
DATE:		2022.01.04
PROJECT NO.		2022052
SCALE:		As indicated
PROJ MGR:		LEW
DRAWN BY:		Author

SHEET NUMBER:

A1-201



1 NORTH ELEVATION - BUILDING 2
1/16" = 1'-0"



2 SOUTH ELEVATION - BUILDING 2
1/16" = 1'-0"



3 WEST ELEVATION - BUILDING 2
1/16" = 1'-0"



4 EAST ELEVATION - BUILDING 2
1/16" = 1'-0"

ELEVATION MATERIAL LEGEND

- VERTICAL DENSGLAS SIDING
  COLOR: WHITE
- HORIZONTAL DENSGLAS SIDING
  COLOR: TAN
- STACKED STONE
  COLOR: GRAY
- ASPHALT SHINGLE ROOF
  COLOR: GRAY
- METAL STANDING SEAM ROOF
  COLOR: BLACK
- VINYL TRIM
  COLOR: WHITE

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CONSULTANTS:

APARTMENTS

RAYMOND STREET
DOVER, DELAWARE

SHEET INFO:

ELEVATIONS - BUILDING 2

REV	REV DATE	DESCRIPTION
DATE:		2022.01.04
PROJECT NO.		2022052
SCALE:		As indicated
PROJ MGR:		LEW
DRAWN BY:		Author

SHEET NUMBER:

A2-201





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CONSULTANTS:

APARTMENTS

RAYMOND STREET
DOVER, DELAWARE

SHEET INFO:

RENDERINGS

REV	REV DATE	DESCRIPTION
DATE:		2022.01.04
PROJECT NO.		2022052
SCALE:		
PROJ MGR:		LEW
DRAWN BY:		Author

SHEET NUMBER:

A-801

GENERAL SITE CONSTRUCTION SPECIFICATIONS

BITUMINOUS PAVING

GENERAL

1. THE CONTRACTOR SHALL CONSULT THESE SECTIONS IN DETAIL, AS HE WILL BE RESPONSIBLE FOR WORK INDICATED AND GOVERNED BY CONDITIONS SET FORTH THERE IN.

QUALITY ASSURANCE

1. PERFORM WORK IN ACCORDANCE WITH APPLICABLE DELAWARE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS.
2. MIXING PLANT: DELAWARE DEPARTMENT OF TRANSPORTATION APPROVED FACILITY.
3. OBTAIN MATERIALS FROM SAME SOURCE THROUGHOUT.

ENVIRONMENTAL REQUIREMENTS

1. DO NOT PLACE BITUMINOUS WHEN AMBIENT AIR OR COARSE STONE BASE COURSE SURFACE TEMPERATURE IS LESS THAN 40 DEGREES F, NOR WHEN SURFACE IS WET OR FROZEN.

MATERIALS

1. BINDER COURSE: DELDOT TYPE B
2. WEARING COURSE: DELDOT TYPE C
3. TACK COAT: EMULSIFIED ASPHALT
4. FORMS: WOOD FORM MATERIAL, PROFILED TO SUIT CONDITIONS.
5. PAVEMENT MARKINGS IN ACCORDANCE WITH DELAWARE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS.

EXECUTION

1. VERIFY THAT COMPACTED SUBBASE IS DRY AND READY TO SUPPORT PAVING AND IMPOSED LOADS, SEE STRUCTURAL FILL SECTION.
2. VERIFY GRADIENTS AND ELEVATIONS OF BASE ARE CORRECT.
3. APPLY TACK COAT TO VERTICAL CONTACT SURFACES OF EXISTING CURBS, PAVEMENTS, AND STRUCTURES.
4. COAT SURFACES OF MANHOLE OR INLET FRAMES WITH OIL TO PREVENT BOND WITH BITUMINOUS CONCRETE PAVEMENT. DO NOT TACK COAT THESE SURFACES.
5. PLACE BITUMINOUS MIXTURE WHEN TEMPERATURE IS NOT MORE THAN 15 F DEGREES FROM THE TEMPERATURE OF THE COMPLETED MIXTURE AT THE PLANT.
6. PLACE WEARING COURSE WITHIN TWO HOURS OF PLACING AND COMPACTING BINDER COURSE. IF NOT PLACED WITHIN TWO HOURS, APPLY TACK COAT OVER BINDER COURSE TO ASSURE ADHESION.
7. COMPACT PAVEMENT BY ROLLING WITH MINIMUM 10 TON ROLLER. DO NOT DISPLACE OR EXTRUDE PAVEMENT FROM POSITION. HAND COMPACT IN AREAS INACCESSIBLE TO ROLLING EQUIPMENT WITH HOT IRON TAMPERS, WEIGHING NOT LESS THAN 25 LBS.
8. PERFORM ROLLING WITH CONSECUTIVE PASSES TO ACHIEVE EVEN AND SMOOTH FINISH, WITHOUT ROLLER MARKS.
9. LONGITUDINAL JOINT IN ONE LAYER SHALL OFFSET THE PREVIOUS JOINT IN THE LAYER IMMEDIATELY BELOW BY APPROXIMATELY 6 INCHES. WHERE ABUTTING PAVING IS NOT PLACED THE SAME DAY OR THE ABUTTING JOINT IS DISTORTED, THE JOINT SHALL BE TRIMMED TO A TRUE SURFACE AND PAINTED WITH A TACK COAT.
10. TRANSVERSE JOINTS SHALL BE STRAIGHT-EDGED TO ASSURE SMOOTHNESS, AND THE JOINT FACE SHALL BE PAINTED WITH A TACK COAT. CROSS ROLL, TO OBTAIN THOROUGH COMPACTION OF JOINT.
11. IMMEDIATELY AFTER PLACEMENT, PROTECT PAVEMENT FROM MECHANICAL INJURY UNTIL ADEQUATE STABILITY AND ADHESION HAVE BEEN OBTAINED AND THE MATERIAL HAS COOLED SUFFICIENTLY TO PREVENT DISTORTION OR LOSS OF FINES.
12. NO VEHICULAR TRAFFIC SHALL BE PERMITTED ON THE NEW SURFACE IN LESS THAN SIX (6) HOURS AFTER THE SURFACE HAS BEEN FINISHED.

PAVEMENT MARKINGS

GENERAL

1. THE CONTRACTOR SHALL CONSULT THESE SECTIONS IN DETAIL, AS HE WILL BE RESPONSIBLE FOR WORK INDICATED AND GOVERNED BY CONDITIONS SET FORTH THERE IN.
2. THIS WORK SHALL CONSIST OF FURNISHING AND INSTALLING OF PAVEMENT MARKINGS TO VARIOUS SURFACES AT LOCATIONS AND PATTERNS AS SPECIFIED IN THE CONTRACT DOCUMENTS OR AS DIRECTED BY THE ENGINEER/ARCHITECT. THIS INCLUDES DURABLE AND NONDURABLE LINE MARKINGS (STRIPING), LEGENDS (LETTERS AND NUMBERS), AND SYMBOLS.

MATERIALS

1. MATERIALS SHALL MEET THE REQUIREMENTS OF THE DELAWARE DEPT. OF TRANSPORTATION AND AS INDICATED ON THE DRAWINGS.

EXECUTION

1. INSTALLATION SHALL BE IN ACCORDANCE WITH THE DELAWARE DEPT. OF TRANSPORTATION AND AS INDICATED ON THE DRAWINGS.
2. MAINTAIN THE STRIPING AND PAVEMENT MARKINGS, EXISTING OR CONSTRUCTED BY THIS CONTRACTOR, IN "LIKE NEW" CONDITION FOR THE DURATION OF THE CONTRACT. REPAIR OR REPLACE UNSUITABLE PAVEMENT MARKINGS WITH NEW PAVEMENT MARKINGS MEETING THE REQUIREMENTS OF THIS SPECIFICATION.

EARTHWORK

QUALITY INSURANCE

1. FILLS SHOULD BE PLACED IN LAYERS NOT EXCEEDING 8 INCHES COMPACTED MEASURE. THIS CRITERION MIGHT BE ADJUSTED BY THE GEOTECHNICAL ENGINEER IN THE FILED DEPENDING ON THE CONDITIONS PRESENT AT THE TIME OF CONSTRUCTION, ON THE COMPACTION EQUIPMENT USED, AND ON FILL MATERIAL SELECTED. FILLS FOR SUPPORT OF PAVEMENTS SHOULD BE COMPACTED TO AT LEAST 95 PERCENT OF THE LABORATORY DETERMINED DRY DENSITY, ASTM D-698, WHEN SMALL, HAND-OPERATED COMPACTION EQUIPMENT US USED, AND TO AT LEAST 95 PERCENT OF THE LABORATORY DETERMINED DRY DENSITY, ASTM D-1557, WHEN SELF-PROPELLED, HEAVY DUTY CONSTRUCTION EQUIPMENT IS USED.
2. UNDER PAVEMENTS, PREPARED SUBGRADES SHOULD BE THOROUGHLY PROOF ROLLED USING A MINIMUM 10-TON VIBRATORY ROLLER OPERATED IN STATIC MODE OR A FULLY LOADED DUMP TRUCK IN AN ATTEMPT TO IDENTIFY UNSTABLE (SOFT, YIELDING, ETC.) SURFACE AREAS. DURING PROOFROLLING ANY UNSTABLE AREA FOUND SHOULD BE STABILIZED BY EXCAVATING AND REPLACING THOSE SOILS WITH SUITABLE SOILS.
3. A QUALIFIED GEOTECHNICAL ENGINEER OR TECHNICIAN, PAID FOR BY THE OWNER, SHALL MONITOR ALL SITE PREPARING, GRADING, AND FILL CONSTRUCTION. THE ENGINEER/ TECHNICIAN SHOULD OBSERVE AND DOCUMENT THE SITE PREPARATION, EXISTING FILL MATERIAL REMOVAL, AND FILL/BACKFILL CONSTRUCTION WORK, AND MAKE APPROPRIATE FILED TESTS, AS NECESSARY, TO VERIFY THAT ACCEPTABLE FILL MATERIALS ARE BEING USED AND THAT CONSTRUCTION IS BEING PERFORMED IN ACCORDANCE WITH APPLICABLE PLANS, SPECIFICATIONS AND ACCEPTABLE CONSTRUCTION PRACTICES.

STRUCTURAL BACKFILL

1. STRUCTURAL FILL SHOULD BE INCLUDED IN THE CONTRACT DOCUMENTS. GRANULAR FILL SHOULD CONSIST OF WELL-GRADED MATERIAL WITH MAXIMUM PARTICLE SIZE LESS THAN 3 INCHES, MOT MORE THAN 20 PERCENT PASSING THE NO. 200 SIEVE AND HAVE A PLASTICITY INDEX (PI) NOT GREATER THAN 8 PERCENT.
2. IMPORTED STRUCTURAL FILL SHOULD BE APPROVED AND SAMPLED BY TESTING AGENCY PRIOR BACKFILL OPERATIONS.
3. UNIFORMLY MOISTEN OR AERATE SUBGRADE AND EACH SUBSEQUENT FILL OR BACKFILL SOIL LAYER BEFORE COMPACTION TO WITHIN 3 PERCENT OF OPTIMUM MOISTURE CONTENT
4. DO NOT PLACE BACKFILL OR FILL SOIL MATERIAL ON SURFACES THAT ARE MUDDY, FROZEN, OR CONTAIN FROST OR ICE.

FIELD QUALITY CONTROL

1. TESTING AGENCY TO INSPECT AND TEST SUBGRADES AND EACH FILL OR BACKFILL LAYER. PROCEED WITH SUBSEQUENT EARTHWORK ONLY AFTER TEST RESULTS FOR PREVIOUSLY COMPLETED WORK COMPLIES WITH REQUIREMENTS.
2. TESTING AGENCY WILL TEST COMPACTION OF SOILS IN PLACE ACCORDING TO ASTM D 1556, ASTM D2167, ASTM D 2922, AND ASTM D 2937, AS APPLICABLE.
3. TEST PAVED AREA SUBGRADES AND AT EACH COMPACTED FILL AND BACKFILL LAYER, AT LEAST 1 TEST FOR EVERY 2000 SQUARE FEET, BUT NO FEWER THAN 3 TESTS.
4. WHEN TESTING AGENCY REPORTS SUBGRADE, FILLS, OR BACKFILLS HAVE NOT ACHIEVED DEGREE OF COMPACTION SPECIFIED, SCARIFY AND MOISTEN OR AERATE, OR REMOVE AND REPLACE SOIL TO DEPTH REQUIRED; RECOMPACT AND RETEST UNTIL SPECIFIED COMPACTION IS OBTAINED.

DEWATERING

1. PREVENT SURFACE WATER AND GROUND WATER FROM ENTERING EXCAVATIONS, FROM PONDING ON PREPARED SUBGRADES, AND FROM FLOODING PROJECT SITE AND SURROUNDING AREAS. THE BIDDER IS RESPONSIBLE FOR COMPLETE DEWATERING FOR ALL SITE WORK INCLUDING STORMWATER MANAGEMENT AND EROSION CONTROL FACILITIES. ALL DEWATERING METHODS MUST BE APPROVED BY DNREC AND MUST BE PER THE DNREC ESC HANDBOOK, LATEST VERSION EFFECTIVE FEBRUARY, 2019.
2. PROTECT SUBGRADES FROM SOFTENING, UNDERMINING, WASHOUT, AND DAMAGE BY RAIN AND EATER ACCUMULATION. REROUTE SURFACE WATER RUNOFF AWAY FROM EXCAVATED AREAS. DO NOT ALLOW WATER TO ACCUMULATE IN EXCAVATIONS. WHERE PONDING DOES OCCUR, THE WATER SHOULD BE PUMPED IMMEDIATELY, AND GRADES SHOULD THEN BE ESTABLISHED TO PREVENT FURTHER PONDING.

CALL BEFORE YOU DIG
Call Miss Utility of Delmarva
800-282-8555
Ticket Number(s): ----

COLLEGE ROAD APARTMENTS

TAX PARCEL # 2-05-06700-02-5300, -5400, -5500, & -5600

PRELIMINARY SITE PLANS

CITY OF DOVER, KENT COUNTY, DELAWARE

INITIAL SUBMISSION: JANUARY 23, 2023

PREPARED FOR:

OWNER/DEVELOPER

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC

1640 POWDERHORN DRIVE

NEWTOWN, PENNSYLVANIA 18940

OWNER'S CERTIFICATION:
I, THE UNDERSIGNED, 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.

DATE

PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

OWNER'S CERTIFICATION:
I, THE UNDERSIGNED, 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.

DATE

PATEL COLLEGE PROPERTIES, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

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

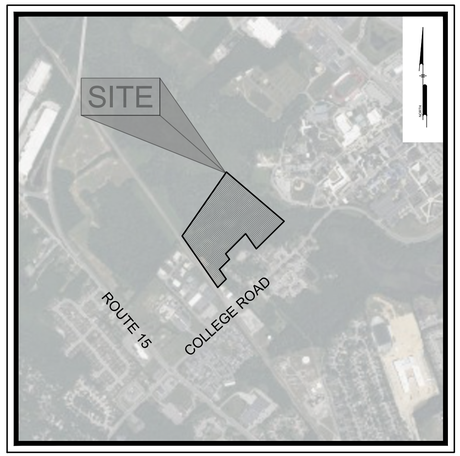
STEVEN ANDERSON JR., PE (DE PE# 13187) DATE
PENNONI ASSOCIATES INC.
121 CONTINENTAL DRIVE, SUITE 207
NEWARK, DE 19713-4310 PHONE: (302) 351-5227 FAX: (302) 654-2895

PROPERTY SUMMARY

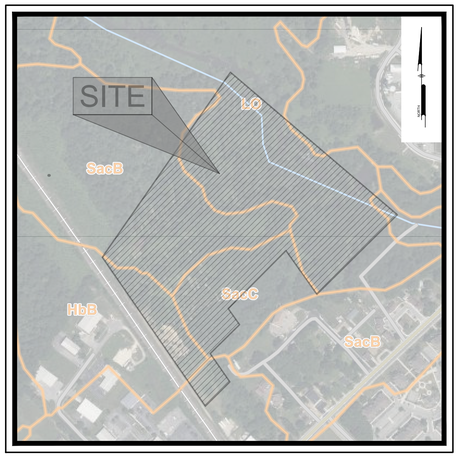
TAX PARCEL NUMBERS	2-05-06700-02-5600-00001 - 26.13 Acres 2-05-06700-02-5500-00001 - 1.42 Acres 2-05-06700-02-5400-00001 - 1.72 Acres 2-05-06700-02-5300-00001 - 2.81 Acres
OWNERS	PATEL COLLEGE PROPERTIES, LLC PATEL EXCESS COLLEGE ROAD, LLC 1640 POWDERHORN DRIVE
LOT SIZE GROSS (CONSOLIDATED)	31.08 ACRES (1,353,974 SQ. FT.)
LOT SIZE NET (CONSOLIDATED)	30.50 ACRES (1,328,578 SQ. FT.)
DEED REFERENCE	D 6009/140
SURVEYED BY	PENNONI ASSOCIATES INC MAY 2031 & MARCH. 2022
DATUM	NAVD 88, NAD 83
ZONING	RG-5
GEOGRAPHIC LOCATION	N:429958.27 E:618299.47
EXISTING USE	VACANT LOT
PROPOSED USE	MID-RISE APARTMENTS



LOCATION MAP
Scale: 1" = 400'



LOCATION MAP
Scale: 1" = 1200'



SOILS MAP
Scale: 1" = 400'

PREPARED BY:

PENNONI ASSOCIATES INC.

Christiana Executive Campus
121 Continental Drive, Suite 207
Newark, DE 19713-4310
T 302.655.4451
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LEGEND

EXISTING BUILDING	COMBINED SEWER	PROPOSED HEAVY DUTY CONCRETE	PROPOSED WATER MAIN
RIGHT-OF-WAY / PROPERTY LINE	OVERHEAD ELECTRIC LINE	PROPOSED LIGHT DUTY CONCRETE	PROPOSED UNDERGROUND ELECTRIC
CURB	UNDERGROUND ELECTRIC LINE	PROPOSED HEAVY DUTY ASPHALT	PROPOSED UNDERGROUND COMMUNICATIONS
SIDEWALK	UNDERGROUND TELECOMM LINE	PROPOSED LIGHT DUTY ASPHALT	PROPOSED UNDERGROUND NATURAL GAS
PAVEMENT	UNDERGROUND COMMUNICATIONS LINE	PROPOSED MILL/OVERLAY PAVING	PROPOSED STORM SEWER ≤ 12"
SIGN	MANHOLES	PROPOSED WILDFLOWER PLANTING	PROPOSED STORM SEWER > 12"
UTILITY POLE AND LIGHT		PROPOSED MAJOR CONTOUR	PROPOSED SITE LIGHTING
HYDRANT	VALVES	PROPOSED MINOR CONTOUR	
MAJOR CONTOUR	INLET	TOP OF BANK ELEVATION	
MINOR CONTOUR	TREE	BOTTOM OF SWALE ELEVATION	
WATER LINE	PROPOSED BUILDING	EDGE OF PAVEMENT ELEVATION	
UNDERGROUND GAS LINE	PROPOSED PROPERTY LINE	EDGE OF CONCRETE ELEVATION	
UNDERGROUND STEAM LINE	PROPOSED CONCRETE CURB	TOP/BOTTOM OF CURB ELEVATION	
SANITARY SEWER		PROPOSED SANITARY SEWER	

Sheet List Table

Sheet Number	Sheet Title
1	COVER SHEET
2	EXISTING CONDITIONS AND DEMOLITION PLAN
3	OVERALL SITE PLAN
4	SITE PLAN
5	GRADING PLAN
6	UTILITY PLAN
7	LANDSCAPE PLAN
8	LANDSCAPE PLAN
9	LIGHTING PLAN
10	ACTIVE RECREATION PLAN

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

COLLEGE ROAD APARTMENTS
RAILROAD AVENUE & GROVE STREET,
CITY OF DOVER, KENT COUNTY, DELAWARE

COVER SHEET

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

NO.	DATE	REVISIONS	BY

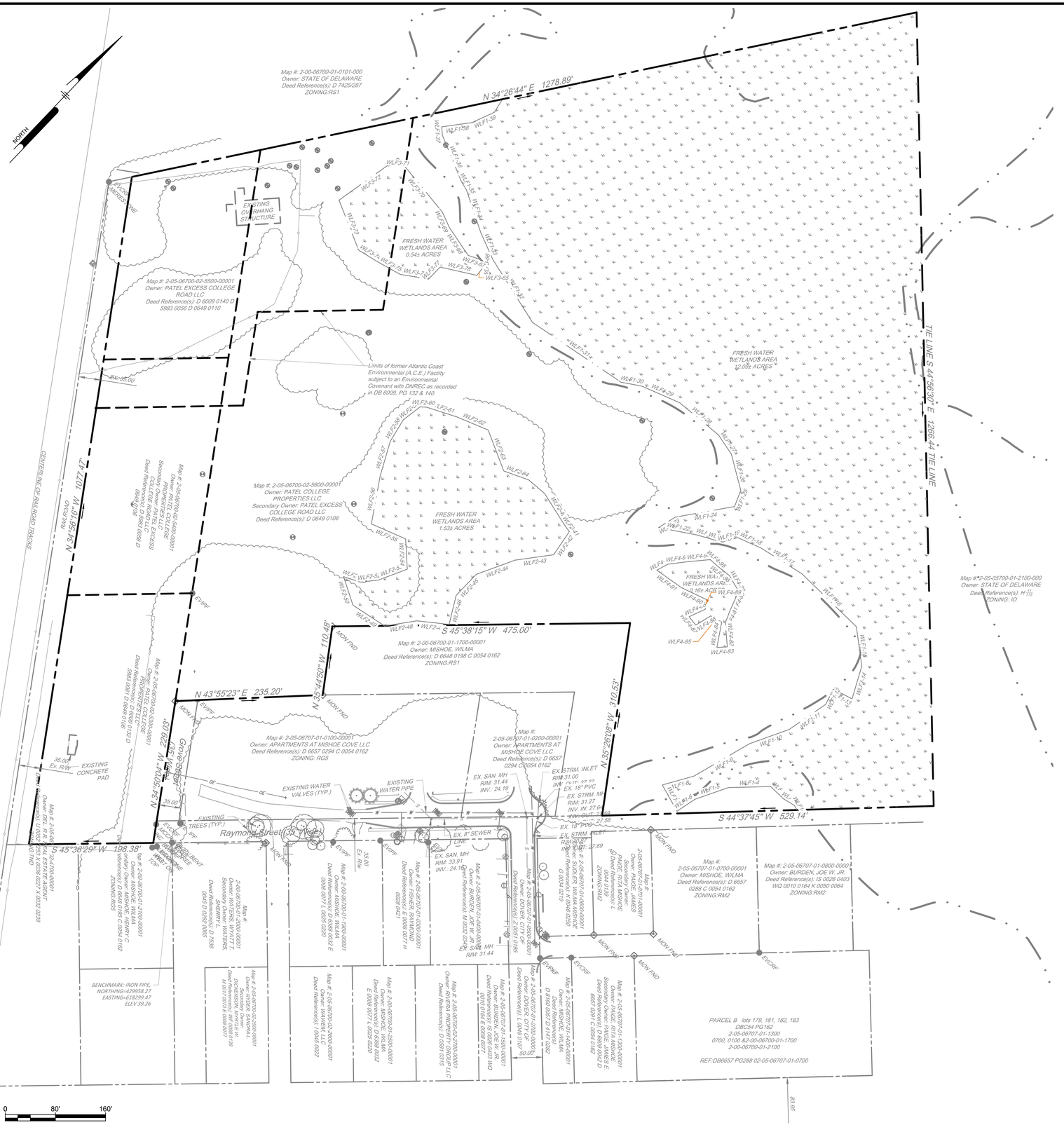
ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATE, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	NTS
DRAWN BY	ALS
APPROVED BY	GBR

CS0001

SHEET 1 OF 10

PLOTTED: 1/23/2023 12:55 PM, BY: Andrew Shields PLOTSTYLE: Pennoni NCS.stb PROJECT STATUS: —
u:\Accounts\P-AW\Dallas\19001 - dau student housing\DESIGN_SHEETS\CS0001.dwg



NOTES:

1. THE SUBJECT PROPERTIES ARE REFERENCED AS TAX MAP:
   2-05-06700-02-5600-00001
   2-05-06700-02-5500-00001
   2-05-06700-02-5400-00001
   2-05-06700-02-5300-00001

   TOPOGRAPHIC INFORMATION WAS TAKEN FROM FIELD SURVEYS PERFORMED BY PENNONI ASSOCIATES, INC
2. MISS UTILITY SHALL BE NOTIFIED THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO EXCAVATION, AT 1-800-282-8555.
3. ALL SIGNING FOR MAINTENANCE OF TRAFFIC IS THE CONTRACTORS RESPONSIBILITY, AND SHALL FOLLOW THE GUIDELINES SHOWN IN LATEST EDITION OF "DELAWARE TRAFFIC CONTROLS FOR STREETS AND HIGHWAY CONSTRUCTION, MAINTENANCE, UTILITY, AND EMERGENCY OPERATIONS."
4. UNLESS SPECIFICALLY STATED OR SHOWN HEREON TO THE CONTRARY, THIS SURVEY IS MADE SUBJECT TO AND DOES NOT LOCATE OR DELINEATE:
   - 4.1. RIGHTS OR INTEREST OF THE UNITED STATES OF AMERICA OR STATE OF DELAWARE OVER LANDS NOW OR FORMERLY FLOWED BY TIDEWATER, BUT NO LONGER VISIBLE OR PHYSICALLY EVIDENT, OR LANDS CONTAINING ANY ANIMAL, MARINE OR BOTANICAL SPECIES REGULATED BY OR UNDER THE JURISDICTION OR ANY FEDERAL, STATE, OR LOCAL AGENCY.
   - 4.2. BUILDING SETBACK LINES, ZONING REGULATIONS OR LINES ESTABLISHED BY ANY FEDERAL, STATE OR LOCAL AGENCY WHICH MAY AFFECT THE BUILDING OR DEVELOPMENT POTENTIAL OF THE SUBJECT PROPERTY.
   - 4.3. ANY SUBSURFACE OR SUBTERRANEAN CONDITION, EASEMENTS OR RIGHTS, INCLUDING, BUT NOT LIMITED TO MINERAL OR MINING RIGHTS, OR THE LOCATION OF OR RIGHTS TO ANY SUBSURFACE STRUCTURES, CONTAINERS OR FACILITIES OR ANY OTHER NATURAL OR MAN-MADE SUBSURFACE CONDITION WHICH MAY OR MAY NOT AFFECT THE USE OR DEVELOPMENT POTENTIAL OF THE SUBJECT PROPERTY.
5. UTILITY NOTES:
   - 5.1. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN HAVE BEEN TAKEN FROM EXISTING UTILITY RECORDS AVAILABLE AT THE TIME THESE PLANS WERE PREPARED AND FROM SURFACE OBSERVATION OF THE SITE. LOCATIONS OF UTILITIES AS SHOWN AND MAY OR MAY NOT BE COMPLETE. THE NATURE AND EXACT LOCATION OF EXISTING UTILITIES SHOULD BE VERIFIED PRIOR TO INITIATING ANY ACTIVITY THAT MAY AFFECT THEIR USE OR LOCATION.
   - 5.2. COMPLETENESS OR ACCURACY OF LOCATION AND DEPTH OF UNDERGROUND UTILITIES AND STRUCTURES IS NOT GUARANTEED.
   - 5.3. THE CONTRACTORS SHALL VERIFY LOCATIONS AND DEPTHS OF ALL UNDERGROUND UTILITIES AND STRUCTURES BEFORE THE START OF WORK.
   - 5.4. IF CONFLICTS ARE FOUND THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER AND DESIGN ENGINEER FOR INSTRUCTION BEFORE PROCEEDING WITH WORK.
6. THIS SITE IS ZONED RG-5 (GENERAL RESIDENCE ZONE FOR MID-RISE APARTMENTS)

WETLANDS 1 TABLE		
LINE #	BEARING	DISTANCE
WLF1-1	S 74°58'11" E	8.79'
WLF1-2	N 77°24'26" E	19.90'
WLF1-3	N 89°58'11" E	28.36'
WLF1-4	N 44°51'32" E	67.47'
WLF1-5	N 27°04'30" E	56.44'
WLF1-6	N 12°34'42" E	34.45'
WLF1-7	S 72°47'11" E	48.08'
WLF1-8	S 30°46'51" W	52.21'
WLF1-9	S 16°03'48" W	102.90'
WLF1-10	S 26°30'19" W	67.02'
WLF1-11	S 11°48'17" W	70.82'
WLF1-12	S 17°09'52" E	26.93'
WLF1-13	S 73°28'00" W	33.60'
WLF1-14	S 27°04'08" E	54.26'
WLF1-15	S 51°25'46" E	63.66'
WLF1-16	S 89°32'43" E	121.35'
WLF1-17	N 78°29'09" E	77.06'
WLF1-18	N 70°21'07" E	40.76'
WLF1-19	N 29°25'16" E	24.64'
WLF1-20	N 59°36'34" E	12.41'

WETLANDS 1 TABLE		
LINE #	BEARING	DISTANCE
WLF1-21	N 62°23'54" E	30.48'
WLF1-22	N 57°14'45" E	62.21'
WLF1-23	S 14°21'43" W	31.34'
WLF1-24	S 36°07'12" W	96.00'
WLF1-25	S 22°36'54" E	27.60'
WLF1-26	S 58°14'59" E	59.80'
WLF1-27	S 77°33'46" E	36.79'
WLF1-28	N 85°57'49" E	80.48'
WLF1-29	N 69°59'41" E	66.34'
WLF1-30	N 56°43'31" E	33.05'
WLF1-31	N 80°17'34" E	170.62'
WLF1-32	S 75°58'22" E	118.11'
WLF1-33	S 67°54'00" E	47.63'
WLF1-34	S 62°14'59" E	72.45'
WLF1-35	S 75°31'25" E	14.57'
WLF1-36	S 66°01'35" E	80.47'
WLF1-37	S 48°26'03" E	13.29'
WLF1-38	S 38°18'14" W	48.84'
WLF1-39	S 21°35'21" W	39.30'

WETLANDS 2 TABLE		
LINE #	BEARING	DISTANCE
WLF2-60	N 48°50'27" E	10.55'
WLF2-61	N 64°04'56" E	50.15'
WLF2-62	N 69°00'46" E	54.62'
WLF2-63	S 64°32'21" E	69.91'
WLF2-64	N 65°59'42" E	42.35'

WETLANDS 3 TABLE		
LINE #	BEARING	DISTANCE
WLF3-65	N 05°22'03" W	12.74'
WLF3-66	N 39°08'51" W	14.08'
WLF3-67	S 65°11'39" W	24.28'
WLF3-68	N 77°39'05" W	53.69'
WLF3-69	N 68°12'04" W	27.28'
WLF3-70	N 83°09'45" W	110.84'
WLF3-71	S 50°28'50" W	0.67'
WLF3-72	S 10°45'24" W	114.99'
WLF3-73	S 65°03'33" E	85.70'
WLF3-74	N 77°45'02" E	35.96'
WLF3-75	N 75°22'35" E	41.05'
WLF3-76	N 55°29'58" E	45.75'
WLF3-77	N 00°18'12" E	26.42'
WLF3-78	N 58°58'30" E	60.11'

WETLANDS 2 TABLE		
LINE #	BEARING	DISTANCE
WLF2-40	S 76°02'54" E	60.33'
WLF2-41	S 80°27'50" E	12.08'
WLF2-42	S 09°25'33" E	44.72'
WLF2-43	S 38°18'33" W	61.98'
WLF2-44	S 26°11'58" W	66.18'
WLF2-45	S 00°06'31" E	46.26'
WLF2-46	S 30°06'31" E	47.62'
WLF2-47	S 52°39'14" W	51.84'
WLF2-48	S 37°01'39" W	51.98'
WLF2-49	S 79°37'47" W	60.53'
WLF2-50	N 61°54'48" W	48.04'
WLF2-51	N 64°23'48" E	28.71'
WLF2-52	N 39°12'38" E	28.87'
WLF2-53	N 25°40'15" E	48.87'
WLF2-54	N 46°54'58" W	48.37'
WLF2-55	S 69°57'15" W	59.59'
WLF2-56	N 33°20'11" W	77.56'
WLF2-57	N 27°29'48" W	58.02'
WLF2-58	N 12°20'14" W	39.78'
WLF2-59	N 08°32'22" E	33.80'

WETLANDS 4 TABLE		
LINE #	BEARING	DISTANCE
WLF4-79	S 74°05'45" E	28.85'
WLF4-80	S 19°55'40" E	34.63'
WLF4-81	S 22°46'45" E	20.10'
WLF4-82	S 48°18'04" E	38.45'
WLF4-83	S 42°49'04" W	16.60'
WLF4-84	N 32°57'44" W	41.28'
WLF4-85	S 75°42'54" W	20.10'
WLF4-86	S 14°31'23" W	28.06'
WLF4-87	N 82°18'17" W	17.12'
WLF4-88	N 21°21'08" E	28.46'
WLF4-89	N 36°55'39" W	15.56'
WLF4-90	S 71°47'42" W	43.96'
WLF4-91	S 81°30'30" W	48.31'
WLF4-92	N 17°43'08" E	20.09'
WLF4-93	N 39°10'33" E	32.32'
WLF4-94	N 40°59'45" E	35.71'
WLF4-95	N 88°18'41" E	13.76'
WLF4-96	N 84°54'02" E	26.10'

PENNONI ASSOCIATES INC.
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ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

COLLEGE ROAD APARTMENTS

RAILROAD AVENUE & GROVE STREET,
CITY OF DOVER, KENT COUNTY, DELAWARE

EXISTING CONDITIONS AND DEMOLITION PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

NO.	DATE	BY	REVISIONS

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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 80'
DRAWN BY	ALS
APPROVED BY	GBR

CS0201

SHEET 2 OF 10

v:\Accounts\PLAWX\dwv\19001 - dbu student housing\DESIGN_SHEETS\CS0201.dwg PLOTTED: 12/2/2022 11:25 PM, BY: Andrew Shields PLOTSTYLE: Pennoni-NCS.ctb PROJECT STATUS: —



SITE CONSTRUCTION NOTES:

1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER. THE CONTRACTOR SHALL ERECT AND MAINTAIN, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.
2. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
3. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
4. ALL MATERIALS SHALL BE NEW AND SHALL BE ASBESTOS AND VERMICULITE FREE. ALL MATERIALS SHALL BE STORED SO AS TO ASSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE INTENDED WORK.
5. DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED. IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
6. PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD AND DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REMOVED OR REPLACED, ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
7. THE CONTRACTOR SHALL MAINTAIN ONE COMPLETE SET OF CONTRACT DRAWINGS ON WHICH HE SHALL NOTE, IN RED, THE ALIGNMENTS AND INVERTS OF ALL UNDERGROUND UTILITIES INSTALLED OR ENCOUNTERED DURING THE PROSECUTION OF THE WORK. ALL DISCREPANCIES BETWEEN THE PLAN LOCATIONS AND ELEVATIONS OF BOTH THE EXISTING AND PROPOSED UTILITIES SHALL BE SHOWN ON THE AS-BUILT DRAWINGS TO BE MAINTAINED BY THE CONTRACTOR IN THE FIELD.
8. THE CONTRACTOR SHALL OPEN ONLY THAT SECTION OF TRENCH OR ACCESS PITS WHICH CAN BE BACKFILLED AND STABILIZED AT THE END OF EACH WORKING DAY. STEEL PLATES SHALL BE USED ON ANY TRENCH OR ACCESS PITS WHICH MUST REMAIN OPEN OVERNIGHT. THIS REQUIREMENT DOES NOT APPLY TO AREAS COMPLETELY CLOSED AND SECURE FROM VEHICULAR OR PEDESTRIAN TRAFFIC.
9. DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER, CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
10. MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
11. ALL DISTURBED AREAS WITHIN THE LIMIT OF DISTURBANCE, BUT NOT IN PAVEMENT, SHALL BE TOP-SOILED (6" MINIMUM), SEEDED AND MULCHED. IF THE ENGINEER DETERMINES THAT A SATISFACTORY STAND OF GRASS DOES NOT EXIST AT THE TIME OF FINAL INSPECTION, ALL COSTS ASSOCIATED WITH RE-ESTABLISHING A SATISFACTORY STAND OF GRASS SHALL BE AT THE CONTRACTOR'S EXPENSE.
12. ALL SIGNING FOR MAINTENANCE OF TRAFFIC IS THE CONTRACTORS RESPONSIBILITY, AND SHALL FOLLOW THE GUIDELINES SHOWN IN LATEST EDITION OF "DELAWARE TRAFFIC CONTROLS FOR STREETS AND HIGHWAY CONSTRUCTION, MAINTENANCE, UTILITY, AND EMERGENCY OPERATIONS."
13. DESIGN, FABRICATION AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD.
14. DESIGN AND INSTALLATION OF ALL PAVEMENT MARKINGS AND STRIPING SHALL BE AS OUTLINED IN THE LATEST VERSION OF THE DE MUTCD. FOR FINAL PERMANENT PAVEMENT MARKINGS:
    a) EPOXY RESIN PAINT SHALL BE REQUIRED FOR LONG LINE STRIPING.
    b) THERMO PLASTIC (EXTRUDED OR PREFORMED MATERIAL) WILL BE REQUIRED ON ASPHALT SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOLS/LEGENDS.
    c) PERMANENT PAVEMENT MARKING TAPE (PER DELDOT APPROVED MATERIALS LIST) WILL BE REQUIRED ON CONCRETE SURFACES, FOR SHORT LINE STRIPING, I.E. SYMBOLS/LEGENDS.
15. BREAKAWAY POSTS SHALL BE USED WHEN INSTALLING ALL SIGNS. REFERENCE DELDOT STANDARD CONSTRUCTION DETAIL T-15.
16. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING, TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION:
    16.1. THE OWNER, KENT CONSERVATION DISTRICT, & SITE ENGINEER
17. THE CONTRACTOR SHALL MAINTAIN PUBLIC ROADS AND STREETS IN A BROOM SWEPT CONDITION AT ALL TIMES.
18. THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL REGULATORY, WARNING AND INFORMATION SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE.
19. TRANSITIONS FROM PROPOSED SIDEWALK AND CURB TO EXISTING SHALL BE MADE AT THE NEAREST EXISTING JOINT.

PURPOSE NOTE

THE PURPOSE OF THIS PLAN IS TO SHOW THE CONSOLIDATION OF 4 EXISTING TAX PARCELS INTO ONE PARCEL AND TO PROPOSE TWO MID-RISE, MULTI-FAMILY RESIDENTIAL APARTMENT BUILDINGS WITH PARKING, ACTIVE RECREATIONAL AREAS, AND ASSOCIATED APPURTENANCES.

PROPERTY SUMMARY

TAX PARCEL NUMBERS	2-05-06700-02-5600-00001 - 26.13 Acres 2-05-06700-02-5500-00001 - 1.42 Acres 2-05-06700-02-5400-00001 - 1.72 Acres 2-05-06700-02-5300-00001 - 1.81 Acres
OWNER	PATEL COLLEGE PROPERTIES, LLC PATEL EXCESS COLLEGE ROAD, LLC
LOT SIZE GROSS (CONSOLIDATED)	31.08 ACRES (1,353,974 SQ. FT.)
LOT SIZE NET (CONSOLIDATED)	30.50 ACRES (1,328,578 SQ. FT.)
ZONING	RG-5
PROPOSED USE	MID-RISE APARTMENTS

ZONING (RG-5) REQUIREMENTS

	ALLOWED / REQUIRED	PROPOSED
MINIMUM LOT AREA (MAX DENSITY)	900 SF / DU (1,476 DU)	385 DU (3,451 SF/DU)
MINIMUM LOT WIDTH	100 FEET	172 ± FEET
MINIMUM LOT DEPTH	125 FEET	1,015 ± FEET
MINIMUM FRONT YARD	25 FEET	25 FEET
MINIMUM SIDE YARD	25 FEET	25 FEET
MINIMUM REAR YARD	25 FEET	>25 FEET (VARIES)
MAXIMUM BUILDING HEIGHT	70 FEET OR 6 STORIES	6 STORIES < 70 FEET
MINIMUM OPEN SPACE	25% LOT AREA (7.73 AC.)	>= 21.21 ACRES (69.5%)
MINIMUM ACTIVE RECREATION	10% of GROSS DEVELOPMENT AREA(16.18*10%=1.61 ACRES)	72,771 SF (1.67 ACRES)
REQUIRED PARKING (APARTMENTS)	2.25 PER DU(2.25X385UNITS = 867)	
PROPOSED PARKING (APARTMENTS) WAIVER REQUIRED*	1.5 PER STUDIO (233) 1.5 PER 1 BEDROOM(263) 2 PER 2 BEDROOM(110) 1 PER 5 UNITS(77) 683 MIN. SPACES REQUIRED	179- GARAGE (INT.) 42 - GARAGE (EXT.) 462 - SURFACE 683 PROPOSED
ADA SPACES	2% OF TOTAL PROPOSED(15)	16 PROPOSED
REQUIRED BIKE PARKING	1 PER 20 PARKING SPACE 683 SPACES/20= 34 REQUIRED	36 PROPOSED BIKE SPACES
WETLAND PAVING SETBACK	100 FEET OR 50 FEET W/ PROPOSED RIPARIAN BUFFER PLANTINGS	50 FEET
PARKING SETBACKS	NOT ALLOWED IN FRONT YARD MIN. 3' OTHER YARDS	COMPLIES (25' MIN.) 5 FEET
DUMPSTERS REQUIRED	15 (1 PER FIRST 48 DU, 1 FOR EACH ADDITIONAL 24 DU)	15

DWELLING UNIT TYPE BREAKDOWN

	PROPOSED
2 BEDROOM APARTMENT	55 UNITS (15% OF TOTAL)
1 BEDROOM APARTMENT	175 UNITS
STUDIO APARTMENT	155 UNITS
TOTAL	385 UNITS

WAIVERS OR VARIANCES REQUIRED

A WAIVER IS REQUESTED FROM ARTICLE VI, SECTION 3, WHICH REQUIRES 2.25 PARKING SPACES PER DWELLING UNIT TO PERMIT 1.78 SPACES PER DWELLING UNIT USING RATIOS AS FOLLOWS:

1.5 SPACES PER STUDIO
1.5 SPACES PER 1-BEDROOM APARTMENT
2.0 SPACES PER 2-BEDROOM APARTMENT
1.0 SPACE PER 5 UNITS FOR VISITOR OVERFLOW PARKING

FIRE MARSHAL NOTES:

1. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
2. THE FOLLOWING WATER FOR FIRE PROTECTION REQUIREMENTS APPLY: MAIN SIZES: 6" MINIMUM. MINIMUM CAPACITY: 1,000 GPM @ 20 PSI RESIDUAL FOR 1 HOUR DURATION. HYDRANT SPACING: 800' ON CENTER (DSFPR REGULATION 702, CHAPTER 6, SECTION 3).
3. LOCK BOX WILL BE REQUIRED. CONTACT LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF BOX ON THE BUILDING.
4. THE PROPOSED BUILDING SHALL BE SIX STORY (70 FT MAX.)
5. AUTOMATIC FIRE SPRINKLERS ARE PROPOSED FOR THIS STRUCTURE AND SHALL BE MONITORED BY AN APPROVED FIRE ALARM SYSTEM.
6. FIRE DEPT. CONNECTION SHALL BE WITHIN 50 FEET OF MAIN ENTRANCE. ACCESS TO THE FIRE DEPT. CONNECTION SHALL BE CLEAR AND UNOBSTRUCTED AS DEFINED BY THE STATE FIRE REGULATIONS. FIRE DEPT. CONNECTION SHALL BE WITHIN 300 FEET OF A FIRE HYDRANT, MEASURED AS HOSE WOULD OFF THE FIRE EQUIPMENT.
7. ADDRESS NUMBERS OF AT LEAST 12 INCHES IN HEIGHT MUST BE PLACED ON THE STREET SIDE OF THE BUILDING AND VISIBLE FROM THE STREET.

CITY OF DOVER GENERAL NOTES:

1. OWNERSHIP OF THE PROPOSED ACTIVE RECREATION AREA SHALL BE RETAINED BY THE DEVELOPER OR A DESIGNATED HOMEOWNER'S / MAINTENANCE ASSOCIATION. THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE, INSURANCE AND TAXES ON THE RECREATION AREA.
2. SANITATION SERVICES SHALL BE PROVIDED BY A PRIVATE SANITATION HAULER.

PROPOSED LAND USE SUMMARY

BUILDINGS	79,493 SF (6.0%) INCLUDES GARAGES
OTHER IMPERVIOUS SURFACE	325,178 SF (24.5%)
OVERALL IMPERVIOUS COVERAGE	404,671 SF (30.5%)
OPEN SPACE	923,907 SF (69.5%)
TOTAL	1,328,578 SF

PENNONI ASSOCIATES INC.
Christiana Executive Campus
121 Continental Drive, Suite 207
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T 302.655.4451 F 302.654.2895

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COLLEGE ROAD APARTMENTS

RAILROAD AVENUE & GROVE STREET
CITY OF DOVER, KENT COUNTY, DELAWARE

OVERALL SITE PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

NO.	REVISIONS	BY	DATE

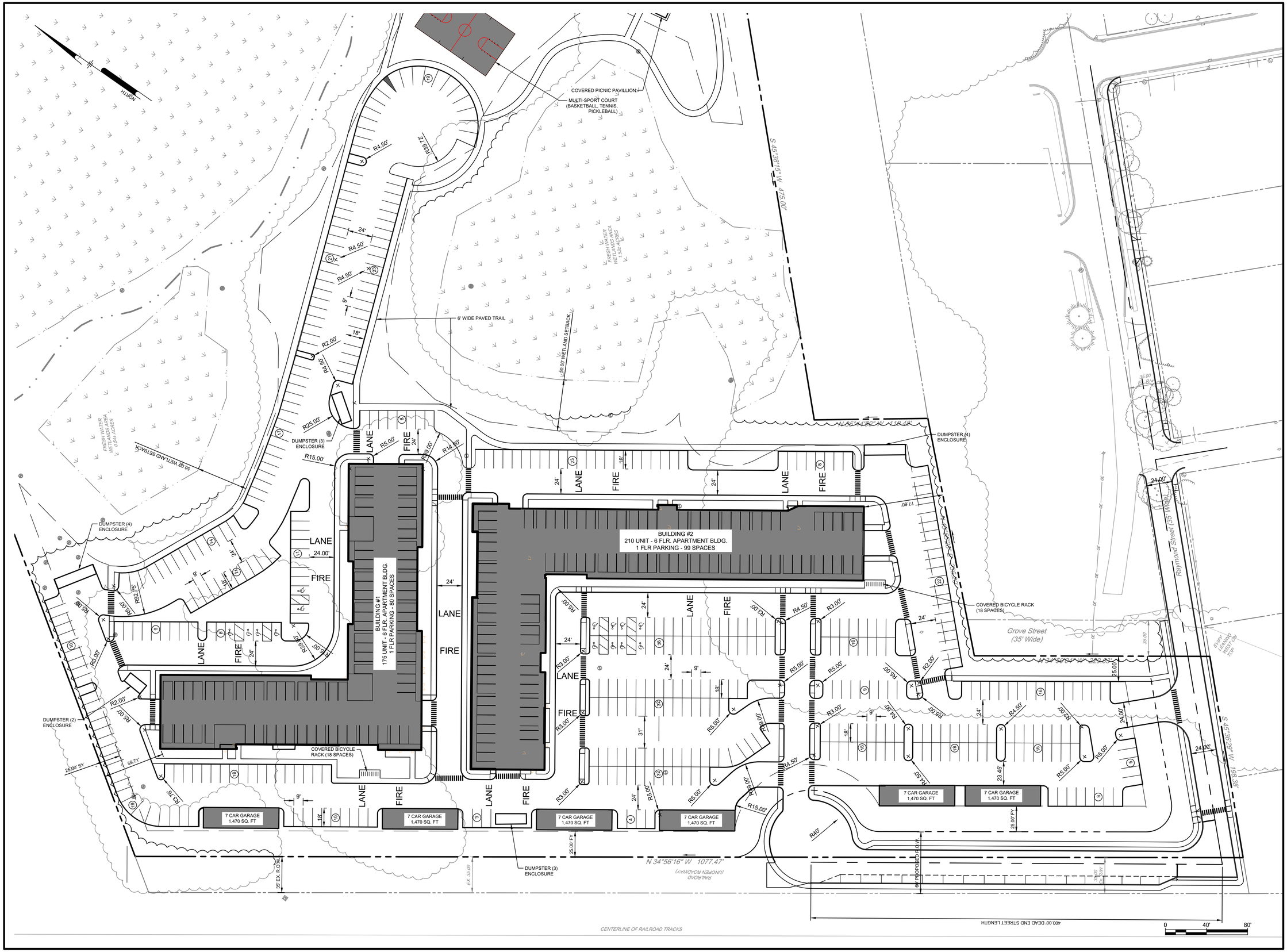
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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 80'
DRAWN BY	ALS
APPROVED BY	GBR

CS1001.1

SHEET 3 OF 10

u:\Accounts\PLAWX\plaw19001 - plau student housing\DESIGN_SHEETS\CS1001.1.dwg PLOTTED: 1/23/2023 12:55 PM BY: Andrew Shields PLOTSTYLE: Pennoni MCS.stb PROJECT STATUS: —



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SITE PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

BY	NO.	DATE
	REVISIONS	

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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 40'
DRAWN BY	ALS
APPROVED BY	GBR

CS1001

SHEET 4 OF 10

u:\Accounts\PLAWX\dwg\wx19001 - dsu student housing\DESIGN_SHEETS\CS1001.dwg PLOTTED: 1/23/2023 12:55 PM BY: Andrew Shields PLOTSTYLE: Pennoni NCS.stb PROJECT STATUS: —

GRADING NOTES:

1. BEDDING REQUIREMENTS SPECIFIED HEREIN ARE TO BE CONSIDERED AS MINIMUMS FOR RELATIVELY DRY, STABLE EARTH CONDITIONS. ADDITIONAL BEDDING SHALL BE REQUIRED FOR ROCK TRENCHES AND WET AREAS. CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO PROVIDE SUCH ADDITIONAL BEDDING AS MAY BE REQUIRED TO PROPERLY CONSTRUCT THE WORK.
2. COMPACTION OF THE BACKFILL OF ALL TRENCHES SHALL BE COMPACTED TO THE DENSITY OF 95% OF THEORETICAL MAXIMUM DRY DENSITY (ASTM D698). BACKFILL MATERIAL SHALL BE FREE FROM ROOTS, STUMPS, OR OTHER FOREIGN DEBRIS AND SHALL BE PLACED IN LIFTS NOT TO EXCEED 8 INCHES IN COMPACTED FILL THICKNESS. CORRECTION OF ANY TRENCH SETTLEMENT WITHIN A YEAR FROM THE DATE OF APPROVAL WILL BE THE RESPONSIBILITY OF THE CONTRACTOR. MATERIAL THAT CANNOT BE COMPACTED AS REQUIRED SHALL BE BROUGHT TO THE ATTENTION OF A GEOTECHNICAL ENGINEER, OVER EXCAVATED, AND THEN REPLACED WITH SUITABLE FILL.
3. THE CONTRACTOR WILL INSURE THAT POSITIVE AND ADEQUATE DRAINAGE IS MAINTAINED AT ALL TIMES WITHIN THE PROJECT LIMITS. THIS MAY INCLUDE, BUT NOT BE LIMITED TO, REPLACEMENT OR RECONSTRUCTION OF EXISTING DRAINAGE STRUCTURES THAT HAVE BEEN DAMAGED OR REMOVED OR REGRADING AS REQUIRED BY THE ENGINEER, EXCEPT FOR THOSE DRAINAGE ITEMS SHOWN AT SPECIFIC LOCATIONS AND HAVING SPECIFIC PAY ITEMS IN THE DETAILED ESTIMATE. NO SEPARATE PAYMENT WILL BE MADE FOR ANY COSTS INCURRED TO COMPLY WITH THIS REQUIREMENT.
4. THE CONTRACTOR SHALL PROVIDE ANY AND ALL EXCAVATION AND MATERIAL SAMPLES NECESSARY TO CONDUCT REQUIRED SOIL TESTS. ALL ARRANGEMENTS AND SCHEDULING FOR THE TESTING SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
5. SOILS TESTING AND ON-SITE INSPECTION SHALL BE PERFORMED BY AN INDEPENDENT GEOTECHNICAL ENGINEER. THE SOILS ENGINEER SHALL PROVIDE COPIES OF TEST REPORTS TO THE CONTRACTOR, THE OWNER AND THE OWNER'S REPRESENTATIVE AND SHALL PROMPTLY NOTIFY THE OWNER, HIS REPRESENTATIVE AND THE CONTRACTOR, SHOULD WORK PERFORMED BY THE CONTRACTOR FAIL TO MEET BUILDING STANDARDS.
6. CONTRACTOR SHALL FURNISH AND MAINTAIN ALL NECESSARY BARRICADES AROUND THE WORK AREA AND SHALL PROVIDE PROTECTION AGAINST WATER DAMAGE AND SOIL EROSION.
7. MAXIMUM SIDEWALK CROSS SLOPE IS 2% AND MINIMUM SIDEWALK CROSS SLOPE IS 1% FOR ADA ACCESSIBLE AREAS.
8. VERTICAL ELEVATIONS ARE BASED ON NAVD 88.
9. ALL SLOPES MAXIMUM 3:1 UNLESS OTHERWISE NOTED.

NORTH

BUILDING #1
124 UNIT - 6 FLR. APARTMENT BLDG.
4 FLR PARKING - 60 SPACES

BUILDING #2
210 UNIT - 6 FLR. APARTMENT BLDG.
1 FLR PARKING - 99 SPACES

7 CAR GARAGE
1,470 SQ. FT.

STORM INLET TYP.

FRESH WATER WETLANDS AREA
1,534 ACRES

50.00' WETLAND SETBACK

Limits of former Atlantic Coast Environmental (ACE) Facility subject to an Environmental Covenant with DNREC at Vol. 6000, Pg. 132 & 140

Raymond Street (35' Wide)

Grove Street (35' Wide)

EXISTING TREES (TYP.)

EXISTING WATER VALVES (TYP.)

EXISTING CONCRETE PAD

RAILROAD (UNOPEN ROADWAY)

0 40' 80'

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GRADING PLAN

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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 40'
DRAWN BY	ALS
APPROVED BY	GBR

CS1501

SHEET 5 OF 10

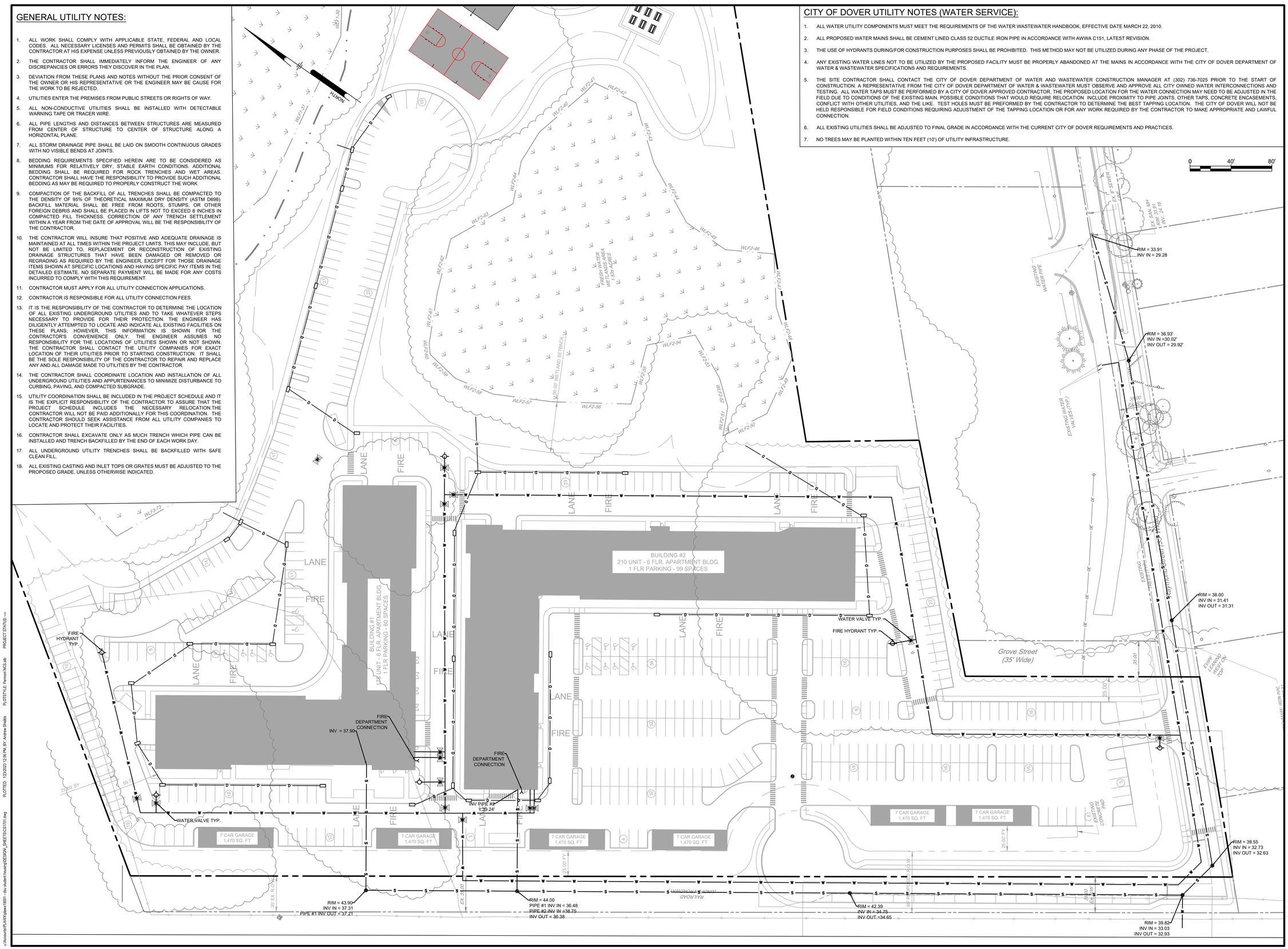
u:\Accounts\PLAW\Sites\19001 - rbu student housing\DESIGN_SHEETS\CS1501.dwg PLOTTED: 12/2/2022 12:55 PM, BY: Andrew Shields PLOTSTYLE: Pennoni MCS.ctb PROJECT STATUS: —

GENERAL UTILITY NOTES:

1. ALL WORK SHALL COMPLY WITH APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY THE OWNER.
2. THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
3. DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
4. UTILITIES ENTER THE PREMISES FROM PUBLIC STREETS OR RIGHTS OF WAY.
5. ALL NON-CONDUCTIVE UTILITIES SHALL BE INSTALLED WITH DETECTABLE WARNING TAPE OR TRACER WIRE.
6. ALL PIPE LENGTHS AND DISTANCES BETWEEN STRUCTURES ARE MEASURED FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE ALONG A HORIZONTAL PLANE.
7. ALL STORM DRAINAGE PIPE SHALL BE LAID ON SMOOTH CONTINUOUS GRADES WITH NO VISIBLE BENDS AT JOINTS.
8. BEDDING REQUIREMENTS SPECIFIED HEREIN ARE TO BE CONSIDERED AS MINIMUMS FOR RELATIVELY DRY, STABLE EARTH CONDITIONS. ADDITIONAL BEDDING SHALL BE REQUIRED FOR ROCK TRENCHES AND WET AREAS. CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO PROVIDE SUCH ADDITIONAL BEDDING AS MAY BE REQUIRED TO PROPERLY CONSTRUCT THE WORK
9. COMPACTION OF THE BACKFILL OF ALL TRENCHES SHALL BE COMPACTED TO THE DENSITY OF 95% OF THEORETICAL MAXIMUM DRY DENSITY (ASTM D698). BACKFILL MATERIAL SHALL BE FREE FROM ROOTS, STUMPS, OR OTHER FOREIGN DEBRIS AND SHALL BE PLACED IN LIFTS NOT TO EXCEED 8 INCHES IN COMPACTED FILL THICKNESS. CORRECTION OF ANY TRENCH SETTLEMENT WITHIN A YEAR FROM THE DATE OF APPROVAL WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
10. THE CONTRACTOR WILL INSURE THAT POSITIVE AND ADEQUATE DRAINAGE IS MAINTAINED AT ALL TIMES WITHIN THE PROJECT LIMITS. THIS MAY INCLUDE, BUT NOT BE LIMITED TO, REPLACEMENT OR RECONSTRUCTION OF EXISTING DRAINAGE STRUCTURES THAT HAVE BEEN DAMAGED OR REMOVED OR REGRADING AS REQUIRED BY THE ENGINEER, EXCEPT FOR THOSE DRAINAGE ITEMS SHOWN AT SPECIFIC LOCATIONS AND HAVING SPECIFIC PAY ITEMS IN THE DETAILED ESTIMATE. NO SEPARATE PAYMENT WILL BE MADE FOR ANY COSTS INCURRED TO COMPLY WITH THIS REQUIREMENT.
11. CONTRACTOR MUST APPLY FOR ALL UTILITY CONNECTION APPLICATIONS.
12. CONTRACTOR IS RESPONSIBLE FOR ALL UTILITY CONNECTION FEES.
13. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES AND TO TAKE WHATEVER STEPS NECESSARY TO PROVIDE FOR THEIR PROTECTION. THE ENGINEER HAS DILIGENTLY ATTEMPTED TO LOCATE AND INDICATE ALL EXISTING FACILITIES ON THESE PLANS; HOWEVER, THIS INFORMATION IS SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS OF UTILITIES SHOWN OR NOT SHOWN. THE CONTRACTOR SHALL CONTACT THE UTILITY COMPANIES FOR EXACT LOCATION OF THEIR UTILITIES PRIOR TO STARTING CONSTRUCTION. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO REPAIR AND REPLACE ANY AND ALL DAMAGE MADE TO UTILITIES BY THE CONTRACTOR.
14. THE CONTRACTOR SHALL COORDINATE LOCATION AND INSTALLATION OF ALL UNDERGROUND UTILITIES AND APPURTENANCES TO MINIMIZE DISTURBANCE TO CURBING, PAVING, AND COMPACTED SUBGRADE.
15. UTILITY COORDINATION SHALL BE INCLUDED IN THE PROJECT SCHEDULE AND IT IS THE EXPLICIT RESPONSIBILITY OF THE CONTRACTOR TO ASSURE THAT THE PROJECT SCHEDULE INCLUDES THE NECESSARY RELOCATION.THE CONTRACTOR WILL NOT BE PAID ADDITIONALLY FOR THIS COORDINATION. THE CONTRACTOR SHOULD SEEK ASSISTANCE FROM ALL UTILITY COMPANIES TO LOCATE AND PROTECT THEIR FACILITIES.
16. CONTRACTOR SHALL EXCAVATE ONLY AS MUCH TRENCH WHICH PIPE CAN BE INSTALLED AND TRENCH BACKFILLED BY THE END OF EACH WORK DAY.
17. ALL UNDERGROUND UTILITY TRENCHES SHALL BE BACKFILLED WITH SAFE CLEAN FILL.
18. ALL EXISTING CASTING AND INLET TOPS OR GRATES MUST BE ADJUSTED TO THE PROPOSED GRADE, UNLESS OTHERWISE INDICATED.

CITY OF DOVER UTILITY NOTES (WATER SERVICE):

1. ALL WATER UTILITY COMPONENTS MUST MEET THE REQUIREMENTS OF THE WATER WASTEWATER HANDBOOK, EFFECTIVE DATE MARCH 22, 2010.
2. ALL PROPOSED WATER MAINS SHALL BE CEMENT LINED CLASS 52 DUCTILE IRON PIPE IN ACCORDANCE WITH AWWA C151, LATEST REVISION.
3. THE USE OF HYDRANTS DURING/FOR CONSTRUCTION PURPOSES SHALL BE PROHIBITED. THIS METHOD MAY NOT BE UTILIZED DURING ANY PHASE OF THE PROJECT.
4. 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.
5. THE SITE CONTRACTOR SHALL CONTACT THE CITY OF DOVER DEPARTMENT OF WATER AND 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 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 RELOCATION INCLUDE PROXIMITY TO PIPE JOINTS, OTHER TAPS, CONCRETE ENCASEMENTS, CONFLICT WITH OTHER UTILITIES, AND THE LIKE. TEST HOLES MUST BE PREFORMED 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 APPROPRIATE AND LAWFUL CONNECTION.
6. ALL EXISTING UTILITIES SHALL BE ADJUSTED TO FINAL GRADE IN ACCORDANCE WITH THE CURRENT CITY OF DOVER REQUIREMENTS AND PRACTICES.
7. NO TREES MAY BE PLANTED WITHIN TEN FEET (10') OF UTILITY INFRASTRUCTURE.



PENNONI ASSOCIATES INC.
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COLLEGE ROAD APARTMENTS

RAILROAD AVENUE & GROVE STREET,
CITY OF DOVER, KENT COUNTY, DELAWARE

UTILITY PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

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DATE	2023-01-23
DRAWING SCALE	1"= 40'
DRAWN BY	ALS
APPROVED BY	GBR

CS1701

SHEET 6 OF 10

u:\Accounts\PLAW\Sitework\19001 - rbu student housing\DESIGN_SHEETS\CS1701.dwg PLOTTED: 12/2/2022 12:56 PM BY: Andrew Shields PLOTSTYLE: Pennoni NCS.stb PROJECT STATUS: —

MATCHLINE SEE SHEET CS2002
SEE SHEET CS2001

NORTH

BUILDING #1
126 UNIT - 6 FLR. APARTMENT BLDG.
1 FLR PARKING - 80 SPACES

BUILDING #2
210 UNIT - 6 FLR. APARTMENT BLDG.
1 FLR PARKING - 99 SPACES

7 CAR GARAGE
1,470 SQ. FT

Grove Street
(35' Wide)

RAILROAD
(TRACKS STACKED WAY)

0 40' 80'

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LANDSCAPE PLAN

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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 40'
DRAWN BY	ALS
APPROVED BY	GBR

CS2001

SHEET 7 OF 10

v:\Accounts\PLAWX\dwx\19001 - dsu student housing\[DESIGN_SHEETS-CS2001.dwg PLOTTED: 1/23/2023 12:56 PM, BY: Andrew Shields PLOTSTYLE: Pennoni-MCS.ctb PROJECT STATUS: —

PLANT SCHEDULE

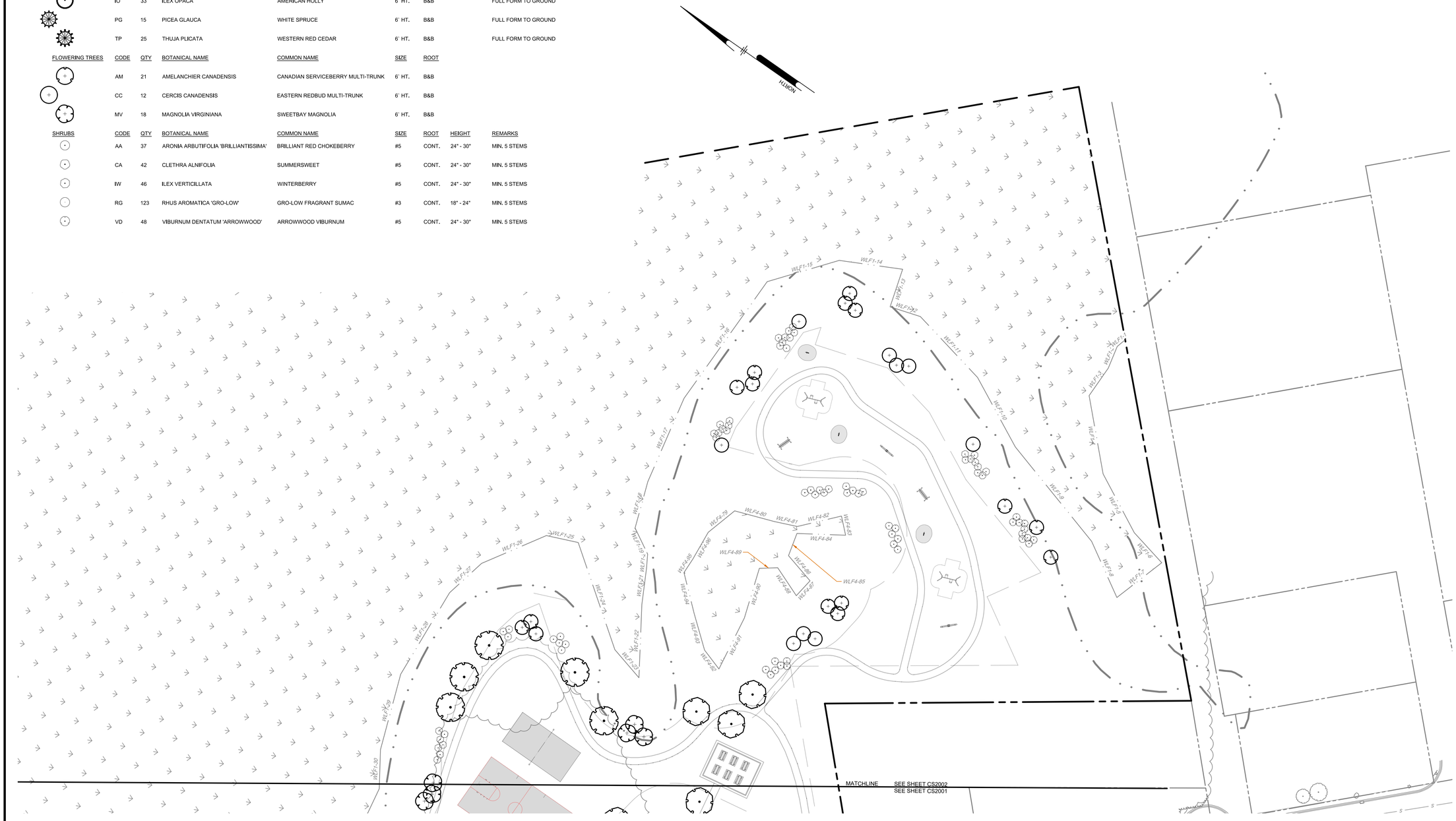
CANOPY TREE	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	
	AB	15	ACER RUBRUM 'BOWHALL'	BOWHALL RED MAPLE	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	BN	16	BETULA NIGRA	RIVER BIRCH	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	GB	14	GINKGO BILOBA 'AUTUMN GOLD' TM	AUTUMN GOLD MAIDENHAIR TREE	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	GI	22	GLEDITSIA TRIACANTHOS INERMIS	THORNLESS HONEY LOCUST	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	NS	20	NYSSA SYLVATICA 'DAVID ODOM' TM	AFTERBURNER TUPELO	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	QB	12	QUERCUS BICOLOR	SWAMP WHITE OAK	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	TD	15	TAXODIUM DISTICHUM	BALD CYPRESS	2" CAL.	B&B	STRAIGHT SINGLE LEADER
	TG	30	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LITTLELEAF LINDEN	2" CAL.	B&B	STRAIGHT SINGLE LEADER
EVERGREEN TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	
	IO	33	ILEX OPACA	AMERICAN HOLLY	6` HT.	B&B	FULL FORM TO GROUND
	PG	15	PICEA GLAUCA	WHITE SPRUCE	6` HT.	B&B	FULL FORM TO GROUND
	TP	25	THUJA PLICATA	WESTERN RED CEDAR	6` HT.	B&B	FULL FORM TO GROUND
FLOWERING TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	
	AM	21	AMELANCHIER CANADENSIS	CANADIAN SERVICEBERRY MULTI-TRUNK	6` HT.	B&B	
	CC	12	CERCIS CANADENSIS	EASTERN REDBUD MULTI-TRUNK	6` HT.	B&B	
	MV	18	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	6` HT.	B&B	

SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	HEIGHT	REMARKS
	AA	37	ARONIA ARBUTIFOLIA 'BRILLIANTISSIMA'	BRILLIANT RED CHOKEBERRY	#5	CONT.	24" - 30"	MIN. 5 STEMS
	CA	42	CLETHRA ALNIFOLIA	SUMMERSWEET	#5	CONT.	24" - 30"	MIN. 5 STEMS
	IW	46	ILEX VERTICILLATA	WINTERBERRY	#5	CONT.	24" - 30"	MIN. 5 STEMS
	RG	123	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	#3	CONT.	18" - 24"	MIN. 5 STEMS
	VD	48	VIBURNUM DENTATUM 'ARROWWOOD'	ARROWWOOD VIBURNUM	#5	CONT.	24" - 30"	MIN. 5 STEMS

TREE DENSITY WORKSHEET	
TOTAL LOT AREA:	30.50 AC.
TOTAL AREA OF WOODLANDS ON SITE:	23.14 AC.
TOTAL AREA OF WOODLANDS TO BE PRESERVED (MUST BE >= 50%):	19.65 AC. (84.9%)
NON-WOODLAND AREA (SITE AREA MINUS AREA OF PRESERVED WOODLAND):	10.85 AC. (472,626 SF)
NEW TREE PLANTINGS REQUIRED (1 TREE PER 3,000 SQUARE FEET OF NON-WOODLAND AREA ON SITE):	158
TREE PLANTINGS PROPOSED:	268

GENERAL LANDSCAPE NOTES:

1. ALL NEW TREES SHALL HAVE A ONE YEAR REPLACEMENT GUARANTEE.
2. ONLY PRUNE OR REMOVE EXISTING TREES WHERE REQUIRED TO CONSTRUCT IMPROVEMENTS.
3. NO PLANTINGS SHALL BE PLANTED CLOSER THAN TEN FEET (10') TO UTILITIES.



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CS2002

SHEET 8 OF 10

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Luminaire Schedule									
Fixture Type	Qty	Fixture Description	Mounting Height	Manufacturer	Catalog Number	LLF	Total Watts	Delivered Lumens	Photometric File Name
P4WA	35	AREA LIGHT, TYPE 4 WIDE WITH INTERNAL PACKLIGHT CONTROL	20 Feet	Hubbell Lighting Inc	VP-S-60L-136-3K7-4W-BC	0.900	133.506	8498	VP-S-60L-136-3K7-4W-BC.ies
P5W	17	AREA LIGHT, TYPE 5 WIDE	20 Feet	Hubbell Lighting Inc, dba Beacon Product	VP-S-60L-136-3K7-5W	0.900	134.793	13495	VP-S-60L-136-3K7-5W.ies

LIGHTING NOTES:

1. ALL NEW SITE LIGHTING SHALL OPERATE DAILY ON A DUSK TO DAWN BASIS. LIGHTS WILL BE CONTROLLED BY PHOTOCELL AND/OR ASTRONOMIC TIME CLOCK AND POWERED FROM THE NEW BUILDING ELECTRIC SERVICES.

BEACON
Energy Efficient Lighting Technology

DATE: LOCATION:
TYPE: PROJECT:
CATALOG #:

VIPER S
SMALL VIPER LUMINAIRE

FEATURES
- Small size companion to Viper Large
- Wide choice of different LED wattage configurations
- Nine optical distributions
- Designed to replace HID lighting up to 400W MH or HPS
- Suitable for wet locations

"ISSM and some CCTs only

CONTROL TECHNOLOGY
NX DISTRIBUTED INTELLIGENCE · WiSCAPE · energenie · SiteSync CONNECTED LIGHTING

SPECIFICATIONS
CONSTRUCTION
- Manufactured with die cast aluminum
- Coated with a polyester finish that meets ASTM B117 corrosion test requirements and ASTM D522 cracking and loss of adhesion test requirements
- IP5 polyester powder-coat electrostatically applied and thermocured. IP5 finish consists of a five stage pretreatment regimen with a polymer primer sealer and top coated with a thermoset super TGIC polyester powder coat finish
- The finish meets the AAMA 2604 performance specification which includes passing a 3,000-hour salt spray test for corrosion resistance and resists cracking or loss of adhesion ASTM D522 and resists surface impacts of up to 160 inch-pounds
- External hardware is corrosion resistant

OPTICS
- Cartridge is held together with internal brass standoffs soldered to the board so that it can be field replaced as a one-piece optical system
- One-piece silicone gasket ensures a weatherproof seal around each individual optic
- One-piece optical cartridge system consisting of an LED engine, optics, gasket and stainless steel bezel

INSTALLATION
- Mounting options for horizontal arm, vertical tenon or traditional arm mounting available. Mounting hardware included

ELECTRICAL
- Luminaire accepts 100V through 277V, 347V or 480V input 50 Hz to 60 Hz (UNV)

ELECTRICAL (CONTINUED)
- Power factor is ≥ 90 at full load
- Dimming drivers are standard, but CD must be selected in options to obtain external wiring leads for dimming controls
- Component-to-component wiring within the luminaire may carry no more than 80% of rated load and is certified by UL for use at 600VAC at 90°C or higher
- Plug disconnects are certified by UL for use at 600 VAC, 13A or higher. 13A rating applies to primary (AC) side only
- Fixture electrical compartment contains all LED driver components
- Optional 7-pin ANSI C136.41-2013 Twist-Lock® photo control receptacle available. Compatible with ANSI C136.41 external Multi-volt control devices
- Ambient operating temperature -40°C to 25°C
- Surge protection: 20kA
- Lifeshield™ Circuit (see Electrical Data)

CONTROLS
- Available with an optional passive infrared (PIR) motion sensor capable of detecting motion 360° around the luminaire. When no motion is detected for the specified time, the motion response system reduces the wattage to factory preset level, reducing the light level accordingly. When motion is detected by the PIR sensor, the luminaire returns to full wattage and full light output. Please contact Beacon Products if project requirements vary from standard configuration
- Available with Energenie for optional set dimming, timed dimming with simple delay, or timed dimming based on time of night

CONTROLS (CONTINUED)
- In addition, Viper can be specified with SiteSync™ wireless control system for reduction in energy and maintenance costs while optimizing light quality 24/7

CERTIFICATIONS
- DLC® (DesignLights Consortium) Qualified. Please refer to the DLC website for specific product qualifications at www.designlights.org
- Certified to UL 1598 and UL 8750
- 3G rated for ANSI C136.31 high vibration applications with MAF mounting
- IDA approved
- This product qualifies as a "designated country construction material" per FAR 52.225-11 Buy American-Construction Materials under Trade Agreements effective 04/23/2020. See Buy American Solutions.

WARRANTY
- 5 year warranty
- See HLI Commercial and Industrial Outdoor Lighting Warranty for additional information

KEY DATA
Lumen Range	4,045–16,216
Wattage Range	39–136
Efficacy Range (LPW)	100–124
Reported Life (Hours)	L70>60,000
Input Current Range (Amps)	0.1–1.1

RELATED PRODUCTS
Viper Large

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HUBBELL Lighting

BEACON
Energy Efficient Lighting Technology

DATE: LOCATION:
TYPE: PROJECT:
CATALOG #:

VIPER S
SMALL VIPER LUMINAIRE

ORDERING GUIDE
Example: VPS–24L–55–4K7–4W–UNV–A–DBT–TL–GEN–04–BC

CATALOG #:

VPS											
Series	**LED Engine**	**ECTICS®**	**Distribution**	**Rotation**	**Voltage**	**Mounting**	**Color**	**Control Options**	**Options**
VPS Viper Small	24L-39 39W LED array 24L-55 55W LED array 36L-65 65W LED array 36L-80 80W LED array 48L-110 110W LED array 60L-136 136W LED array	3K7 3000K, 70 CRI 4K7 4000K, 70 CRI 5K7 5000K, 70 CRI	FR Type 1R Front Row 2 Type 2 3 Type 3 4F (formerly 4) Type 4 4W Type 4 Wide 5QM Type 5QM 5R Type 5R (rectangular) 5W Type 5W (round wide) TC Tennis Court CR Corner Right CL Corner Left	Blank No rotation L Optic rotation left* R Optic rotation right*	UNV 120–277V 347 347V 480 480V	A Rectangular Arm (formerly 8A) for square or round pole MAF Mast Arm Fitter (formerly SF2) for 2"8" OD horizontal arm K Kit (formerly PK2) limit to 30" tilt or 2"4" OD horizontal arm or vertical tenon WB Wall Bracket AD Universal Arm for square pole AD3 Adapter for 2.4"-4" round pole AD4 Adapter for 4.2"-5.3" round pole AD5 Adapter for 5.5"-5.9" round pole AD6 Adapter for 6.5"-6.7" round pole	BLT Black Matte Textured BLS Black Gloss Smooth DBT Dark Bronze Matte Textured DBS Dark Bronze Gloss Smooth GTT Graphite Matte Textured LGS Light Grey Gloss Smooth PSS Platinum Silver Smooth WHT White Matte Textured WHS White Gloss Smooth VGT Verde Green Textured **Color Option** CC Custom Color	**Control Options** NXWE NX Wireless Enabled (module + radio) NXSPW_E Nx Wireless, PIR Occ. Sensor, Daylight Harvesting* NXDP_F NX, PIR Occ. Sensor, Daylight Harvesting* WR Wireless Controls, wiSCAPE **Control Options** 7PR 7-Pin Receptacle only (shorting cap, photo control, or wireless control provided by others) 7PR-SC 7-Pin Receptacle w/Shorting Cap 7PR-TL 7-Pin Receptacle w/Twist-Lock® photo control SCR_F Programmable Occupancy Sensor w/ daylight control*,2,3,4 GEN-XX ENERGENI™ SWP SiteSync Pre-Commission*,3 SWPM_F SiteSync Pre-Commission* w/ Sensor*,2,3,4	BC Backshield (available for 3R, 4W Optics) CD Continuous Dimming F Fusing TB Terminal Block

House Side Shield Accessories	
HSS-VP-S-90-FB-XXX	90° shield front or back
HSS-VP-S-90-LR-XXX	90° shield left or right
HSS-VP-S-270-FB-XXX	270° shield front or back
HSS-VP-S-270-LR-XXX	270° shield left or right
HSS-VP-S-360-XXX	Full shield

Replace XXX with +color+ for sealed finish color. Refer to page 8 for shield images.

Mounting Accessories	
VPL-AD-RN3	2.4"-4" Round Pole Adapter for AD arm
VPL-AD-RN4	4.2"-5.3" Round Pole Adapter for AD arm
VPL-AD-RN5	5.5"-5.9" Round Pole Adapter for AD arm
VPL-AD-RN6	6.5"-6.7" Round Pole Adapter for AD arm

Notes:
1. Not available with other wireless control or sensor options
2. Specify mounting height: 8'–9' in less, 40'–5' to 40'
3. Specify routine setting code (example: GEN-04). See SiteSync® Sensors and Controls for more information on SiteSync® options
4. Specify group and zone at time of order. See www.hubbellbeacon.com/sitesync for further details. Order at least one SiteSync interface accessory SW-SM or SW-PM. Each option installs SiteSync, Lifeline, SLC, and Bridge Node
5. Only available with PR_3, 4, 4W and 5R distributions
6. Specify mounting height; 8'–9', 30–50

Accessories and Services (Ordered Separately)	
SCP-REMOTE	Remote Control for SCR_F option. Order at least one per project by program and control the occupancy sensor
SWUSB*	SiteSync interface software loaded on USB flash drive for use with owner supplied PC (Windows based only). Includes SiteSync license, software and USB radio bridge node
SWTAB*	Windows tablet and SiteSync interface software. Includes tablet with preloaded software, SiteSync license and USB radio bridge node
SWBRG	SiteSync USB radio bridge node only. Order if a replacement is required or if an extra bridge node is requested
SWTPN+	SiteSync 7-Pin on fixture module On/Off/Dim, Daylight Sensor 120–480VAC
SWO-SPKS-3	Bird Spikes

* When ordering SiteSync, at least one of these two interface options must be ordered per project.
+ Available as a SiteSync retrofit solution for fixtures with an existing 7-pin receptacle.

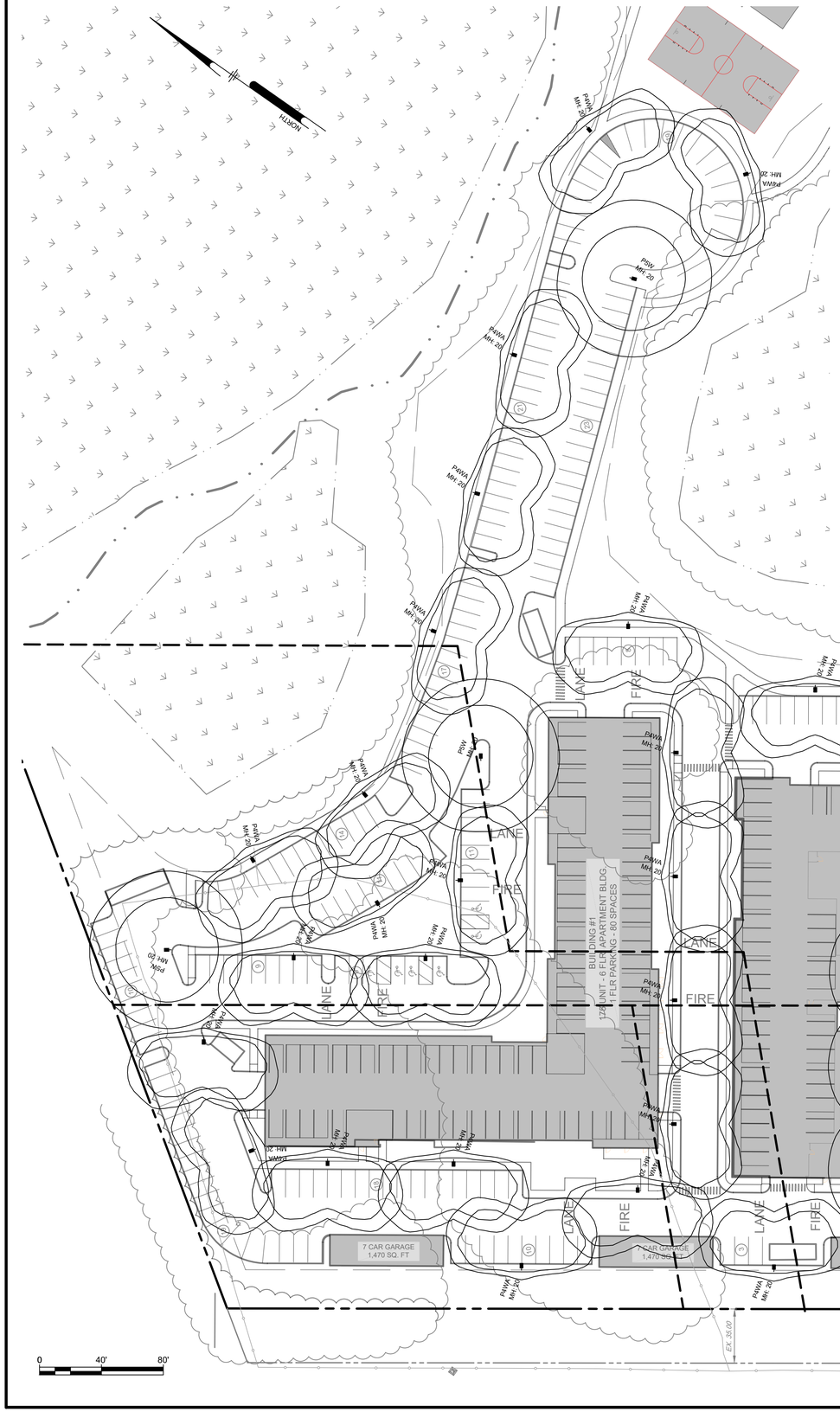
Hubbell Control Solutions — Accessories (Sold Separately)	
NX Distributed Intelligence®	
NXOPM-1810-UNV	On-fixture Module (7-pin) On / Off / Dim, Daylight Sensor with HubbNET Radio and Bluetooth® Radio, 50–480VAC
wiSCAPE® Lighting Control	
WIR-PMS-L	On-fixture Module (7-pin or 5-pin), On / Off / Dim, Daylight Sensor with wiSCAPE Radio, 50–480VAC

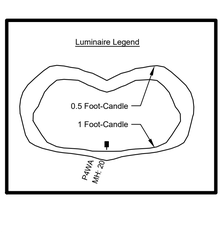
For additional information and to view accessories please visit www.hubbellcontrols.com/nx-distributed-intelligence/nxopm-1810-unv for use instructions, or see SiteSync® Sensors and Controls for more information on SiteSync® options

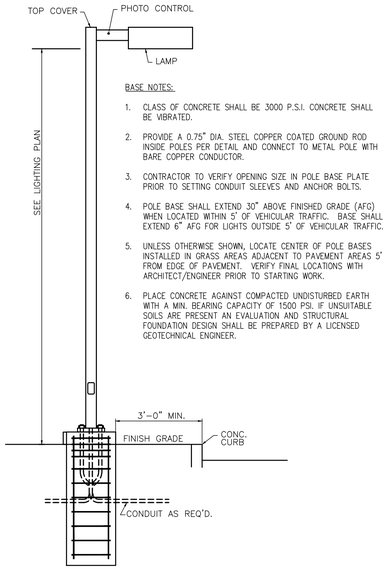
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HUBBELL Lighting







BASE NOTES:
1. CLASS OF CONCRETE SHALL BE 3000 P.S.I. CONCRETE SHALL BE VIBRATED.
2. PROVIDE A 0.75" DIA. STEEL COPPER COATED GROUND ROD INSIDE POLES PER DETAIL AND CONNECT TO METAL POLE WITH BARE COPPER CONDUCTOR.
3. CONTRACTOR TO VERIFY OPENING SIZE IN POLE BASE PLATE PRIOR TO SETTING CONDUIT SLEEVES AND ANCHOR BOLTS.
4. POLE BASE SHALL EXTEND 30" ABOVE FINISHED GRADE (AFG) WHEN LOCATED WITHIN 5' OF VEHICULAR TRAFFIC. BASE SHALL EXTEND 6" AFG FOR LIGHTS OUTSIDE 5' OF VEHICULAR TRAFFIC.
5. UNLESS OTHERWISE SHOWN, LOCATE CENTER OF POLE BASES INSTALLED IN GRASS AREAS ADJACENT TO PAVEMENT AREAS 5' FROM EDGE OF PAVEMENT. VERIFY FINAL LOCATIONS WITH ARCHITECT/ENGINEER PRIOR TO STARTING WORK.
6. PLACE CONCRETE AGAINST COMPACTED UNDISTURBED EARTH WITH A MIN. BEARING CAPACITY OF 1500 PSI. IF UNSUITABLE SOILS ARE PRESENT AN EVALUATION AND STRUCTURAL FOUNDATION DESIGN SHALL BE PREPARED BY A LICENSED GEOTECHNICAL ENGINEER.

LIGHT POLE FOUNDATION AND MOUNTING DETAIL
SCALE: N.T.S.

PENNONI ASSOCIATES INC.
Christiana Executive Campus
121 Continental Drive, Suite 207
Newark, DE 19713-4310
T 302.655.4451 F 302.654.2895

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

COLLEGE ROAD APARTMENTS
RAILROAD AVENUE & GROVE STREET
CITY OF DOVER, KENT COUNTY, DELAWARE

LIGHTING PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

NO.	DATE	REVISIONS	BY
2	9/3/21	PER TOWN ENGINEER COMMENTS	GBR
1	7/27/21	REVISED PER TOWN COMMENTS	BRD

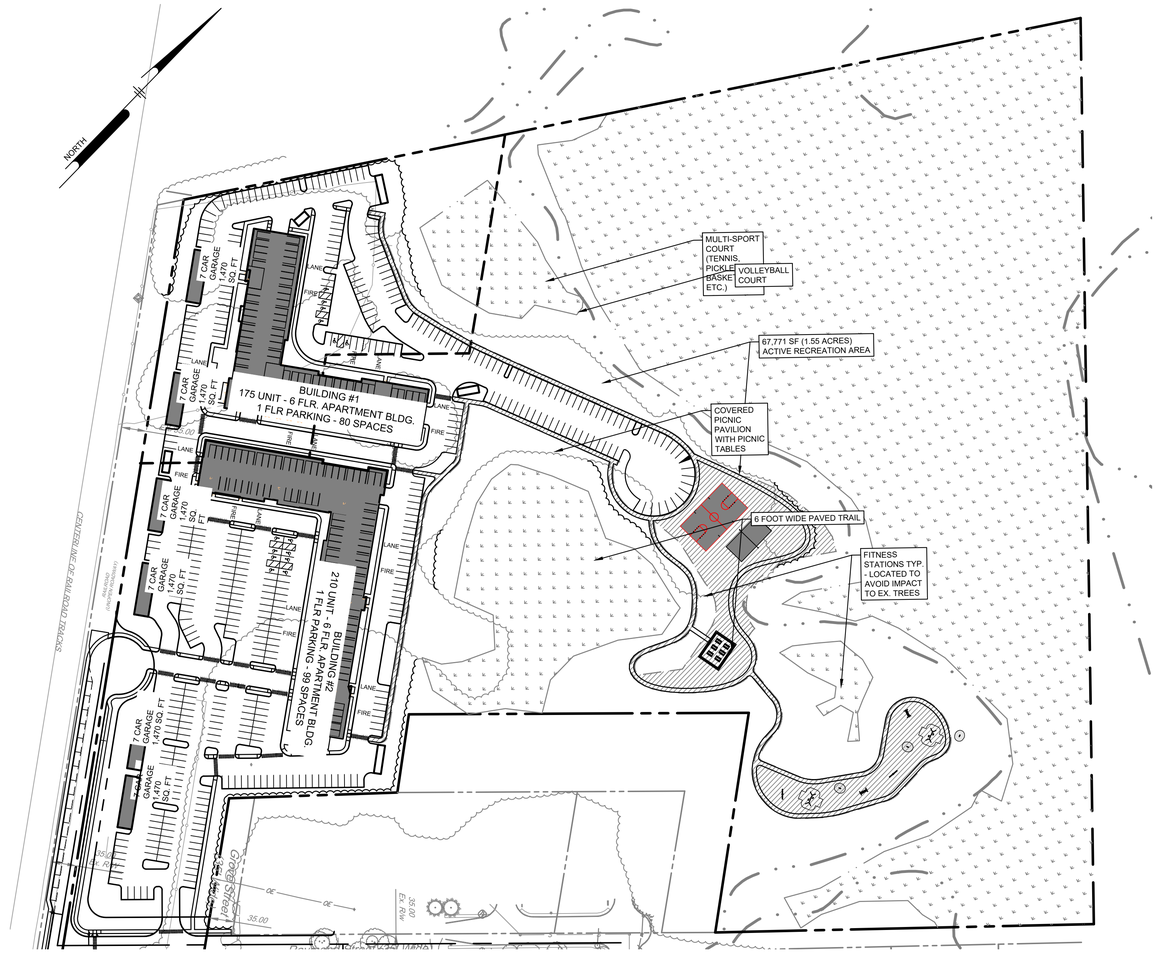
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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 60'
DRAWN BY	ALS
APPROVED BY	GBR

CS2201

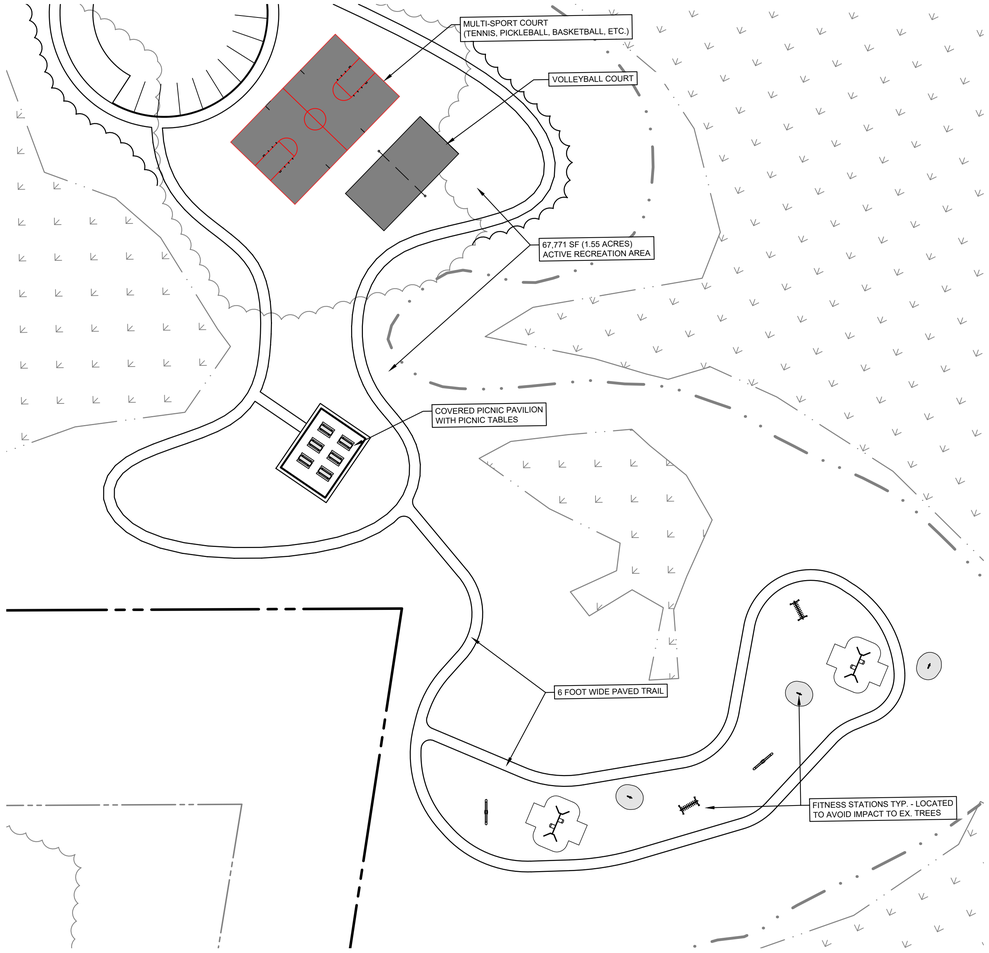
SHEET 9 OF 10

v:\Accounts\PLAWX\dwg\19001 - rbu student housing\[DESIGN]_SHEETS\CS2201.dwg PLOTTED: 1/23/2023 12:26 PM, BY: Andrew Shields PLOTSTYLE: Pennoni NCS.stb PROJECT STATUS: —



OVERALL SITE RECREATION PLAN

SCALE: 1" = 100'



ACTIVE RECREATION AREA ENLARGEMENT

SCALE: 1" = 40'

PROPERTY SUMMARY

TAX PARCEL NUMBERS:	2-05-06700-02-5600-00001 - 26.13 Acres 2-05-06700-02-5500-00001 - 1.42 Acres 2-05-06700-02-5400-00001 - 1.72 Acres 2-05-06700-02-5300-00001 - 1.81 Acres
OWNERS:	PATEL COLLEGE PROPERTIES, LLC PATEL EXCESS COLLEGE ROAD, LLC
LOT SIZE GROSS (CONSOLIDATED):	31.08 ACRES (1,353,974 SQ. FT.)
LOT SIZE NET (CONSOLIDATED):	30.50 ACRES (1,328,578 SQ. FT.)
ZONING:	RG-5
PROPOSED USE:	MID-RISE APARTMENTS

ACTIVE RECREATION AREA CALCULATION:

AREA REQUIREMENTS PER CITY OF DOVER CODE, ARTICLE V, SECTION 10.16:

- 275 SQ. FT. PER DWELLING UNIT OR ¼ ACRE MIN. (WHICHEVER IS GREATER)

  385 DWELLING UNITS * 275 SQ. FT. = 105,875 SQ. FT. (2.43 ACRES)

- IN NO CASE SHALL THE COMMISSION REQUIRE MORE THAN 10% OF THE DEVELOPMENT AREA BE PROPOSED AS ACTIVE RECREATION.

  DEVELOPMENT AREA = NET LOT AREA (30.50 ACRES) MINUS WETLAND AREAS (14.32 ACRES) = 16.18 ACRES

  10% OF DEVELOPABLE PORTION OF SITE = 1.61 ACRES (MIN. REQUIRED ACTIVE RECREATION AREA)

PROPOSED ACTIVE RECREATION AREA:

- INTERIOR BUILDING = 5,000 SF - RECREATION / FITNESS ROOMS (500 SF / FLOOR OR 2,500 SF PER BLDG.)
- EXTERIOR = 67,771 SF - PAVED WALKING TRAIL, SPORTS COURTS, PICNIC AREAS, FITNESS ACTIVITY STATIONS
- TOTAL ACTIVE RECREATION AREA = 72,771 SQ. FT. (1.67 ACRES)



MULTI-SPORT COURT (BASKETBALL, TENNIS, PICKLEBALL)



OUTDOOR FITNESS STATIONS



PICNIC PAVILLION



SAND VOLLEYBALL COURT



COVERED BICYCLE RACK



ADA COMPLIANT PICNIC TABLE

PENNONI ASSOCIATES INC.
Christiana Executive Campus
121 Continental Drive, Suite 207
Newark, DE 19713-4310
T 302.655.4451 F 302.654.2895

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

COLLEGE ROAD APARTMENTS

RAILROAD AVENUE & GROVE STREET,
CITY OF DOVER, KENT COUNTY, DELAWARE

ACTIVE RECREATION PLAN

PATEL COLLEGE PROPERTIES, LLC & PATEL EXCESS COLLEGE ROAD, LLC
1640 POWDERHORN DRIVE
NEWTOWN, PENNSYLVANIA 18940

BY	REVISIONS	NO.	DATE

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PROJECT	PLAWX19001
DATE	2023-01-23
DRAWING SCALE	1"= 40'
DRAWN BY	ALS
APPROVED BY	GBR

CS1002

SHEET 10 OF 10

u:\Accounts\PLAW\Active\19001 - rbu student housing\DESIGN_SHEETS\CS1002.dwg PLOTTED: 12/2/2023 12:56 PM BY: Andrew Shields PLOTSTYLE: Pennoni WCS.stb PROJECT STATUS: —

PETITION TO AMEND ZONING DISTRICT
Public Hearing Before the Planning Commission
April 17, 2023

Applicant/Equitable Owner:	Leander Lakes III, LLC
Owner:	Jireh Christian Center Inc.
Address:	2161 Forrest Avenue, Dover DE
Location:	South side of Forrest Avenue west of Dover High Drive
Tax Parcel:	ED-05-075.00-01-05.00-000
Overall Parcel Size:	11.9973 acres+/-
Present Use:	Existing Place of Assembly (Church Building), parking lots, and open lawn areas
Comprehensive Plan Designation:	Residential Medium Density
Present Zoning:	R-10 (One Family Residence Zone) and COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	RM-2 (Medium Density Residence Zone) and COZ-1 (Corridor Overlay Zone)
Request:	To amend the zoning of the parcel at 2161 Forrest Avenue from R-10 & COZ-1 to RM-2 & COZ-1. The proposed use is multi-family residential.
File Number:	Z-23-01
Ordinance Number:	2023-04

I. APPLICATION SUMMARY:

This Rezoning Application is for a parcel of land consisting of 11.9973+/- acres. The property is zoned R-10 (One-Family Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning for the property is R-10 (One Family Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side Forrest Avenue west of Dover High Drive. The owner of record is Jireh Christian Center Inc. The equitable owner is Leander Lakes III, LLC. Property Address: 2161 Forrest Avenue. Tax Parcel: ED-05-075.00-01-05.00-000. Council District 1. Ordinance #2023-04.

Existing Property:

At 2161 Forrest Avenue, there is an existing church building on the subject property known as Density Christian Church. The building was constructed prior to the property becoming part of the City. The subject parcel of 11.9973+/- acres has frontage on Forrest Avenue and then runs in a southernly direction to the northwest side of Isabelle Isle, a named drive aisle within the adjacent existing Leander Lakes Apartment complex. The property has a tree-lined entrance drive from Forrest Avenue which leads to the parking lots flanking the church. From this drive aisle, there is a limited access connection to Bliss Bayou (named drive aisle) near Buildings 9 and 10 of the Leander Lakes Apartment complex. A portion of this entrance drive aisle is located on the adjacent Leander Lakes property within an existing access easement

Previous Applications:

The property was annexed into the City in early 2007 along with several other properties on the west side of the City following the annexation of the Carey Farm for the site of the new Dover High School (AX-06-09). At the time of annexation, the property was zoned to R-10 (One Family Residence Zone) and COZ-1 (Corridor Overlay Zone). A few years later about 30 acres of the property was subdivided from the church tract and rezoned to RM-2 and COZ-1 before being developed as the Leander Lakes Apartment Complex (Z-09-01). The Destiny Christian Church at one time proposed a building addition with Administrative Site Plan S-19-04, but the project did not commence.

Surrounding Land Uses

The surrounding parcels are zoned residential. Located to the north across Forrest Avenue (Route 8) are a series of lots with single family homes which are outside City limits and under the jurisdiction of Kent County. The property is surrounded on two sides (east and southeast) by existing Leander Lakes I Apartment complex (on two parcels) which is zoned RM-2. This adjacent multi-family development of 240 apartment units is known as Leander Lakes (S-12-18) was constructed beginning in 2012. The property immediately adjacent to the west is the 25-acres of land proposed for the future Leander Lakes III Apartment complex of 200 units (S-23-04) which is proposed to be subdivided from the tract to the west which is the future site of the Calvary Baptist Church (C-19-06) at 2285 Forrest Avenue.

II. COMPRENSIVE PLAN COMPLIANCE REVIEW

In the *2019 Comprehensive Plan*, the Land Development Plan (Map 12-1) recommends that this property be used for Residential Land Uses as Residential Medium Density. The assumptions, goals and polices for Residential Land Uses Areas are listed in the *2019 Comprehensive Plan* excerpts presented below (pages 12-2 and 12-3):

Assumptions: Residential Land Uses

1. With the high cost of housing, it is essential to the economic well-being of the community to provide for a range of housing opportunities for all income levels and age groups.

2. A more efficient and effective interior circulation pattern within residential areas will provide improved traffic circulation, school bus access, service delivery access, emergency response services access, and alternative access points. These elements can help foster a greater sense of community among residents while providing them with greater convenience.

3. A more efficient and effective residential development pattern can be achieved by encouraging the development of land closer to existing neighborhoods, making the delivery of police, fire, ambulance, sanitation, school transportation, sewer, water, and electric services easier and less expensive.

4. Proper separation of incompatible land uses through physical distance and buffering creates stronger neighborhoods.

Goals: Residential Land Uses

To develop and maintain an adequate supply of housing of varying type, size, and densities that are aesthetically pleasing and located within neighborhoods designed or redesigned to promote convenience, conservation, and access to the greater community, but which are properly buffered through distance and landscaping from incompatible land uses.

Policies: Residential Land Uses

- Allow flexibility in housing styles and types while regulating gross density within residential developments.

- Require linkage streets and sidewalks between adjoining residential subdivisions and street right-of way stubs to adjoining vacant developable land.

- Encourage the separation of residential areas from incompatible uses through buffering distances and the use of transitional zoning categories.

- Encourage high density residential development in infill areas that are near essential services, public transit, and employment opportunities.

- Permit limited compatible neighborhood commercial uses that support surrounding residences within residential areas.

The following is an excerpt from the *2019 Comprehensive Plan* regarding Residential Medium Density land uses (pages 12-4 and 12-5):

Recommendation for Residential Medium Density

Residential Medium Density land uses involve a maximum gross density of eight (8) dwelling units per acre. This type of development may include single family houses on smaller lots, duplexes, townhouses, and some apartments. Some Manufactured Home Park developments would also be considered Residential Medium Density. Medium density residential uses are permitted in the following zoning districts: R-8 (One Family Residence Zone), R-7 (One Family Residence Zone), RM-1 (Medium Density Residence Zone), RM-2 (Medium Density Residence Zone) planned to reflect the historic patterns and mix of land uses common to Dover's early development, RG-1 (General Residence Zone), RG-2 (General Residence Zone), RG-3 (Group Housing Zone), RGO (General Residence and Office Zone), and MH (Manufactured Housing Zone).

The Land Development Plan recommends that Residential Medium Density uses be permitted near existing and planned service and employment centers and in locations well supported by transportation infrastructure and mass transit services. Areas identified as Medium Density Residential can be looked at as potential receiving areas under a transfer of development rights program. Areas in the northern portion of the city are appropriate for Residential Medium Density development.

West Side Neighborhood: Residential Medium Density

Residential Medium Density development on the West Side tends to be located to the periphery of the area where both existing development, ongoing development and vacant lands are found. These areas are buffered by older residential areas and public/institutional uses but could be impacted by traffic and circulation concerns driven by commercial activities along the two major roadways, Route 8/Forest Avenue and McKee/Scarborough Road.

Existing mix of housing types such as in the Village of Westover Planned Neighborhood Design (PND) and Village of Cannon Mill Planned Neighborhood Design (PND) are nearing the end of construction in those developments. A newer development, Chestnut Grove Farms has started construction and will build a variety of single-family detached homes, duplexes, and townhouses.

The Rezoning Request to RM-2 (Medium Density Residence Zone) is consistent with the Land Use Classification of Residential Medium Density. Table 12-1: Land Use and Zoning Matrix (from the *2019 Comprehensive Plan*) specifies that the following zones are compatible with this Land Use classification. See the excerpt from Table 12-1 given below. It is noted that the Residential Medium Density Land Use Category identifies several zoning districts that allow for a mix of residential unit types.

Residential Medium Density	R-10 (One Family Residence) R-8 (One Family Residence) R-7 (One Family Residence) RM-1 (Medium Density Residence) RM-2 (Medium Density Residence) RG-1 (General Residence) RG-2 (General Residence) RG-3 (Group Housing) RGO (General Residence and Office) MH (Manufactured Housing) C-1 (Neighborhood Commercial)

III. ZONING REVIEW

Request for RM-2 (Medium Density Residence Zone) Zoning

The following description of the RM-2 zoning district is provided from Article 3 §7 of the *Zoning Ordinanc*e.

Article 3 Section 7. - [Medium density residence] RM-2 zone.

7.1 *Uses permitted.* In an RM-2 zone, 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 purposes, except the following:

(a) Any use permitted in one-family residence zones;

(b) One-family lot-line dwellings, not to exceed one such dwelling per lot;

(c) Duplex dwellings;

(d) Multiplex dwellings;

(e) Townhouses;

(f) Roominghouses accommodating not more than five roomers.

(g) Garden apartments.

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

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

7.4 *Maximum density.* The gross residential density in an RM-2 zone shall not exceed eight dwelling units per acre.

7.5 *[Signs.]* Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.
(Ord. of 2-12-2001)

COZ-1 (Corridor Overlay Zone)

The purpose and requirements of the COZ-1 (Corridor Overlay Zone) are given in Article 3 §27 of the *Zoning Ordinance*. The COZ-1 regulations include the following:

Article 3 Section 27. – Corridor overlay zone 1 (COZ-1).

27.1 *Purpose*. The corridor overlay zone (COZ) is established for the following reasons:
(a) To promote superior urban corridor development and the highest quality built environment;
(b) To foster coordination and linkage among corridor properties and with adjacent lands;
(c) To preserve the functionality and efficiency of the roadway for traffic movement; and
(d) To achieve a visually balanced streetscape environment which is friendly to the pedestrian and motorist alike.

27.2 *Superior urban design*. For the purposes of this ordinance the term "superior urban design" shall meet the following criteria:
(a) Superior urban design places a strict and primary importance on the pedestrian. The concept should lend itself to interconnectivity while presenting building structures as aspects of the street, not simply islands existing in the "sea of roads". The design should encourage fewer car-trips, as well as promote automobile trips on an interconnected local street system rather than trips that utilize the arterials. In demonstrating superior urban design, an applicant must show that the plan presented exceeds the requirements of the zoning ordinance in at least two of the following areas:
(i) Transportation amenities for bicycles, pedestrians and transit that exceed those required by the zoning ordinance;
(ii) Architectural features including, but not limited to: LEED-certified buildings; unique architecture not replicated in other locations; use of architectural elements such as entry porticos, porte-cocheres, colonnades, cornices, porch columns and balusters, band courses, coins, water tables and other trim that enhances visual quality and function of the structure; and use of the highest-quality construction materials.
(iii) Landscaping that exceeds the requirements of this section, including robust use of trees, shrubbery, and flowering plants to screen parked cars; water gardens and ponds; arboretums; tree preservation measures;
(iv) Public spaces and art including, but not limited to, sculpture, memorials, murals, public court yards and pocket parks, and fountains;
(v) Green technologies for stormwater management, as well as green energy technologies such as geothermal heating and cooling and solar energy supplies.

(b) The city planner shall develop policy guidance on how the concept of superior urban design will be evaluated.

27.3 *Zone boundaries*. The COZ encompasses the lands adjacent to the following roadways as outlined on the City of Dover Zoning Map as set forth in article 2, section 2 of this ordinance:

(a) Delaware Route 8 (Forrest and Division Streets) from the railroad tracks in a westerly direction to the city limit line.

(b) McKee/Saulsbury Road (County Road 156) from the intersection at Dennys Road (County Road 100) in a southerly direction to the terminal intersection with West North Street (County Road 73).

27.4 *Permitted uses*. Land use shall be governed by those provisions of this ordinance related to the specific zoning district designations of each property as depicted on the zoning map.

27.5 *Site development plan approval*. Site development plan approval in accordance with article 10, section 2 shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change in use. When the zoning district regulations specify that a particular use requires conditional use approval in accordance with article 10, section 1, the provisions of that article shall apply. Site development plans and conditional use site plans for properties within the COZ shall reflect compliance with the development guidelines of this article, in addition to all other applicable codes and regulations.

27.6 *Development guidelines*.

27.61 *Setbacks:*
a. *Front yards*.

	Residential	Nonresidential
	Min. Max.	Min. Max.
McKee/Saulsbury	60' to 80'	40' to 50' *
Route 8—Artis Drive to Mifflin Road	60' to 80'	None
Route 8—Mifflin Road to Saulsbury Road	40' to 60'	40' to 60' *
Route 8—Saulsbury Road to R.R. line	20' to 30'	20' to 30'
Subdivision streets	(Setback provisions of article 4 shall apply)	

* When the applicant can demonstrate to the satisfaction of the planning commission through the site plan review process that the proposal involves a superior urban design, the maximum setback may be increased to no more than 90 feet from the property line on Route 8 from Mifflin Road to Saulsbury Road and on McKee and Saulsbury Roads.

27.62 *Building placement*. Buildings shall be situated on the property so as to maximize the use of the frontage along the roadway and shall have the longest side of the building arranged parallel and square to the roadway. When the applicant can demonstrate to the satisfaction of the planning commission that, due to specific constraints related to lot configuration, alternative building placements may be permitted.

27.63 *Parking*.

(a) *Location*. Parking shall not be permitted to be situated within the front yard, nor between the right-of-way line and the building, except in the following instances:

(i) Automobile service stations;

(ii) Properties in a shopping center (SC) zoning district, in which case, parking may be permitted between the building and the roadway, provided that such parking [shall] be limited to five rows of single parking spaces between the road and the storefront;

(iii) When the applicant can demonstrate to the satisfaction of the planning commission through the site plan review process that the design presented involves a superior urban design, parking may be permitted between the building and the street, provided that such parking within this area shall be adequately landscaped and screened from the roadway.

(b) *Required number of spaces*. See specific district requirements in article 4.

(c) *Layout*.

(i) Parking lots shall be arranged in such a manner so that not more than 20 parking spaces in a row shall be permitted without a landscaped island. No more than six rows of 20 spaces shall be provided without provision for a landscaped median. Parking islands shall be a minimum of ten feet wide and planting medians shall be no less than eight feet wide.

(ii) There shall be a landscaped buffer area of at least 12 feet in width between the building and parking lot and drive areas. The buffer area shall include provisions for a sidewalk of at least six feet and no greater than eight feet in width. The buffer area and sidewalk shall be grade separated from the parking lot by concrete curbing of at least six inches in height.

(d) *Landscaping*. Design shall be simple and easy to maintain and shall consist of a combination of hardy canopy trees, low evergreen shrubs and turf grass, and shall be designed in accordance with landscape guidelines set forth in article 5, section 15 of this ordinance and as follows:

(i) *Interior landscaping*. A minimum of five percent of the interior area of a parking lot shall be reserved for landscape purposes. This provision shall include the landscaping of all required parking islands and medians. Shade trees shall be incorporated within the landscaped islands whenever and wherever practicable.

(ii) *Parking lot screening adjacent to public right-of-way*. Low profile screening shall be required when parking spaces would result in vehicles facing onto the roadway. Screening may consist of a low wall, evergreen hedge with a minimum height of two feet at the time of planting, planted three feet apart on center, and a maximum height of three feet at maturity, or earth berm. Should a low wall be used, such wall shall be accompanied by evergreen shrub plantings on the roadway side of the wall and spaced ten feet apart on center.

(iii) *Reserved*.

27.64 *Site access*.

(a) *Entrance width and radii*. Site entrances shall have a minimum width of 24 feet. Entrances involving a median divider shall be at least 35 feet in width. Entrance radii shall be a minimum of 15 feet and a maximum of 25 feet.

(b) *Number of entrances and curb cut spacing*. One curb cut shall be permitted for each street which abuts a site. For sites with street frontage in excess of 300 linear feet, one additional curb cut may be permitted. For sites with street frontage in excess of 600 linear feet, two additional curb cuts may be permitted.

Multiple curb cuts on a property shall have a minimum spacing distance in accordance with the following schedule:

Speed Limit	Maximum Spacing (Ft.)
25	105
30	125
35	150
40	185
45	230
50	275

(c) [*Shared access*.] Shared access shall be provided, whenever possible, for entrances to adjoining uses, including residential driveways.

(d) [*Cross access*.] Cross access shall be provided among abutting uses of similar use categories, whenever possible, to provide linkage between properties as an alternative to re-entering the corridor to access both existing and future neighboring properties.

(e) *Entrance locations for adjoining properties*. Commercial site entrances shall be no closer than 25 feet to an adjoining property which is zoned residential and no closer than ten feet to an adjoining property which is in a nonresidential zoning category.

27.65 [*Signs*.] Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.

27.66 *Building height*.

(a) Buildings shall be limited in overall height to 35 feet and shall not exceed two stories.

27.67 *Open space and landscaping*.

(a) *Lot coverage.* Each lot shall have a minimum of 25 percent of the lot area dedicated to be landscaped open space. A lesser amount of landscaped open space may be permitted when it can be demonstrated to the satisfaction of the planning commission, through the site plan review process, that, due to lot configuration and existing built conditions, the required minimum is impractical.

(b) *Frontage*. Each lot shall have a landscaped open space of at least 25 feet in width, measured from the back of curb along the entire frontage of the lot, except at points of site access. Trees shall be provided along the frontage perimeter at a minimum rate of one tree for each 50 linear feet of frontage.

(c) *Side and rear yards*. A minimum of 15 feet of landscaped open space shall be provided along all side and rear lot lines when abutting a residential use and a minimum of five feet when abutting a nonresidential use. Tree plantings shall be provided along all non-frontage perimeters at a minimum rate of one tree for each 75 linear feet.

(d) *Stormwater detention ponds*. Detention ponds may be counted toward the minimum 25 percent open space area, provided that such ponds are designed to emulate natural features by incorporating irregular outline, gradual slopes (no greater than 1:4), and appropriate landscape plantings.

(e) *Landscaping*. Landscaped open spaces shall be designed in accordance with the provisions of this section, as well as the landscaping guidelines as set forth in article 5, section 9 of this ordinance.

(f) *Screening*. The following items shall be located so as to minimize visibility from the roadway, adjacent properties and other public areas, and shall be screened from public view:

(1) Service bays;
(2) Loading docks and platforms;
(3) Rooftop utilities;
(4) Satellite dishes;
(5) Dumpsters;
(6) Storage areas.

(g) *Standard for tree plantings*. Trees shall be of a high canopy variety and shall be limbed to a minimum height of 12 feet above grade at maturity.

(h) *Standards for shrubbery*. Shrubbery shall be of a low evergreen variety and shall be limited to use as foundation plantings and for screening purposes.

(i) *Standards for ground cover*. Ground cover shall be limited to turf and ornamental grasses and ornamental evergreen ground cover plantings within required landscape areas.

27.68 *Lot configuration*. All lots within the corridor overlay district created after the enactment of this section shall conform to the following:

(a) Minimum lot area [shall be] 10,000 square feet. Service stations [shall have a minimum lot area of] 20,000 square feet.

(b) Minimum lot depth shall be 100 feet. In the C-3 (service commercial) district, the minimum lot depth shall be 150 feet.

(c) Minimum road frontage shall be at least 100 feet. In the C-3 (service commercial) district, the minimum road frontage shall be 150 feet.

27.69 *Architectural review*. The side of any building which faces the corridor (or corridors) shall be referred to as the "corridor elevation." Buildings in the COZ-1 shall be designed to front on the corridor, and the corridor elevation shall contain architectural elements traditionally associated with the front of a building. Blank walls without functioning windows are prohibited along the corridor. Windows must be incorporated into the overall design concept of the corridor elevation. Providing one or several small windows on a large corridor elevation shall not constitute compliance with this ordinance.

A "functioning window" shall be defined as a window which lets light into the interior of the structure, and is integrated and related to the interior layout of the space. In addition to functioning windows, the corridor elevation shall have the following elements:

(a) A primary entrance door or doors (except for loading doors).
(b) A primary entrance feature, such as a porch, portico, awning, entrance walk, or other similar feature.

In addition, the corridor elevation shall have one of the following elements:

(a) Landscaping integrated into the building design concept.
(b) Architectural or urban design elements which link adjacent structures together, such as plazas, walkways, colonnades, or similar features.
(c) Architectural relief, such as vertical and horizontal offsets in exterior wall elevations, band courses, lintels and sill courses, cornices, and the like, to create shadow lines.

The applicant shall submit 12 copies of the corridor elevation at the time of application. The city planner or his/her designee shall determine whether compliance with the provisions of this ordinance has been achieved.

27.7 *Properties located on a corner lot with two frontages within the Corridor Overlay Zone*. When a property is located on the corner of two corridors within the Corridor Overlay Zone, only one of the two corridors shall be subject to the requirements of Section 27.61 Setbacks and Section 27.63 Parking, Subsection (a) Location. The frontage of the property on which the identifiable front of the building is located shall be the frontage that is subject to the requirements of Section 27.61 And Section 27.63, Subsection (a). In designing the site, in order to qualify for the relief under this subsection, the applicant must demonstrate to the satisfaction of the planning commission that the design incorporates the principles of superior urban design as defined in Section 27.2.

IV. RECOMMENDATION OF THE PLANNING STAFF:

This Request is to rezone lands from R-10 (One Family Residence Zone) to RM-2 (Medium Density Residence Zone). While both zones are residential in nature, the R-10 zone only allows single family detached dwelling units. The RM-2 zone consists of a great variety of housing types including one-family residences (detached dwellings and duplex units), apartments and multiplex dwellings (more than 2 dwelling units in same building). Both zones allow for consideration of a series of uses through a Conditional Use review process for uses like places of worship, schools, and other institutional activities.

Staff recommends that the Rezoning be granted to RM-2 (Medium Density Residence Zone) while retaining the COZ-1 (Corridor Overlay Zone) as requested for the approximate 12-acre parcel, as the proposed zoning is consistent with the *Comprehensive Plan* for the Residential Medium Density land use classification. The RM-2 allows for different housing types but limits the density to 8 dwelling units per acre. The property also is directly adjacent to other residential areas also zoned RM-2 and developed with apartment units or proposed for development as apartment units. The RM-2 zone would also allow for the place of worship use to continue if desired.

The Forrest Avenue/Route 8 corridor is a main east-west roadway that approaches the city from the west. This area is generally the western boundary of the city and this point of transition from rural areas has been generally developed for residential uses and the institutional uses of several places of public assembly (churches) and the Dover High School campus. There is existing infrastructure for water, sanitary sewer, and electric services that can be extended to serve development and the police, fire, and emergency medical services service the area.

Staff also recommends that the property remain subject to the COZ-1 (Corridor Overlay Zone) due to its frontage on Forrest Avenue. The purposes of the COZ-1 are to promote superior urban corridor development; to foster coordination and linkage among corridor properties; to preserve functionality and efficiency of the roadway for traffic movement; and to achieve a visually balanced streetscape environment friendly to the pedestrian and motorist. (*Zoning Ordinance*, Article 3 §27). The design and landscaping requirements of the COZ-1 can enhance the appearance along the corridor.

This Rezoning Request does not grant approval of a specific use for the property but makes its land use subject to a listing of uses permitted and potential conditional uses as allowed in the RM-2 zoning district. Staff notes that any potential development for the subject rezoning area would have to be in line with the zoning classification and would similarly have to follow all development design guidelines of the *Zoning Ordinance.* Were the Application for Rezoning to be recommended by the Planning Commission and subsequently approved by the City Council, the applicant would still have to submit Site Development Plans and/or Subdivision Plans and Permits for review for any new use of the site to be established.

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

V. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

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

> Article 10 § 5.36 *Report of the planning commission.* Regarding each application for a zoning map amendment, the planning commission shall provide a report to the city council stating a recommended action with regards to the proposed amendment, along with the commission's evaluation of the following factors:
>
> (A) Whether the uses permitted by the proposed change would be compatible with the existing uses and zones in the area concerned;
>
> (B) Whether adequate public services and infrastructure exist or can be created or expanded to serve the needs of any additional demand as a result of such change; and
>
> (C) Whether the proposed change is in accordance with the city's current comprehensive plan.

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

VI. ADVISORY COMMENTS TO THE APPLICANT:

1) The applicant shall be aware that approval of any Rezoning application does not represent Site Development Plan or Subdivision Plan approval. Following any decision made by City Council in regard to this Rezoning, then an application for a Site Plan, Subdivision Plan, and/or appropriate Building Permits must be submitted to the Planning Department prior to the establishment of a use, development activity, or any construction activity on the site. The applicant should contact the Planning Staff to determine the appropriate review process for any proposed projects.

2) The applicant shall be aware that approval of any Rezoning application does not represent a Building Permit, Demolition Permit, Sign Permit, or other construction activity permit approval. A separate application submission is required before issuance of permits by the City of Dover.

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MARCH 29, 2023

APPLICATION: **Lands of Jireh Christian Center Inc. at 2161 Forrest Avenue**

FILE #: **Z-23-01**

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

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

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

CONTACT 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 rezoning of tax parcel ED-05-075.00-01-05.00-000. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook and the Specifications, Standards & Procedures for Public Works Construction. Impact fees may be applied to this property.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MARCH 29, 2023

APPLICATION:	**Lands of Jireh Christian Center Inc. at 2161 Forrest Ave**
FILE #:	**Z-23-01**
REVIEWING AGENCY:	**City of Dover Electric Department**
CONTACT PERSON:	**Shawn Burgett, Engineering Services & System Ops Superintendent**
CONTACT PHONE #:	**302-674-7568**
CONTACT EMAIL #:	**sburgett@dover.de.us**

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

Our office has no objection to the rezoning of: ED-05-075.00-01-05.00-000, Council District 1.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None.

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

Z-23-01

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 03/29/23

CITY OF DOVER FIRE MARSHAL

APPLICATION: Lands of Jireh Christian Center Inc at 2161 Forrest Ave

FILE #: Z-23-01 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Fire Marshal PHONE #: (302) 736-4457

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

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

CITY AND STATE CODE REQUIREMENTS:

1. Proposal is a rezoning classification. This office has no objections.

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

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

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

   Commercial, industrial and office buildings, height, the numbers shall measure a minimum of 12 inches in height, *location generally*, numbers shall be placed either in the center of the building or on the

street end of the building so as to be visible from either the public or private street or from the parking lot,

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

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

*Arabic numerals, a*ll numbers used shall be Arabic numerals,

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

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

DELDOT

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APPLICATION: Lands of Jireh Christian Center Inc. at 2161 Forrest Ave.

FILE#: Z-23-01 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Joshua Johnson PHONE#: 302-760-2221

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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. DelDOT has no objection to rezoning.

KENT CONSERVATION DISTRICT

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
APRIL 2023

APPLICATION: Lands of Jireh Christian Center Inc. at 2161 Forrest Avenue

FILE #: Z-23-01

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Kate Owens

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

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

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

Kent Conservation District has no objection to the proposed rezoning of the above referenced site.

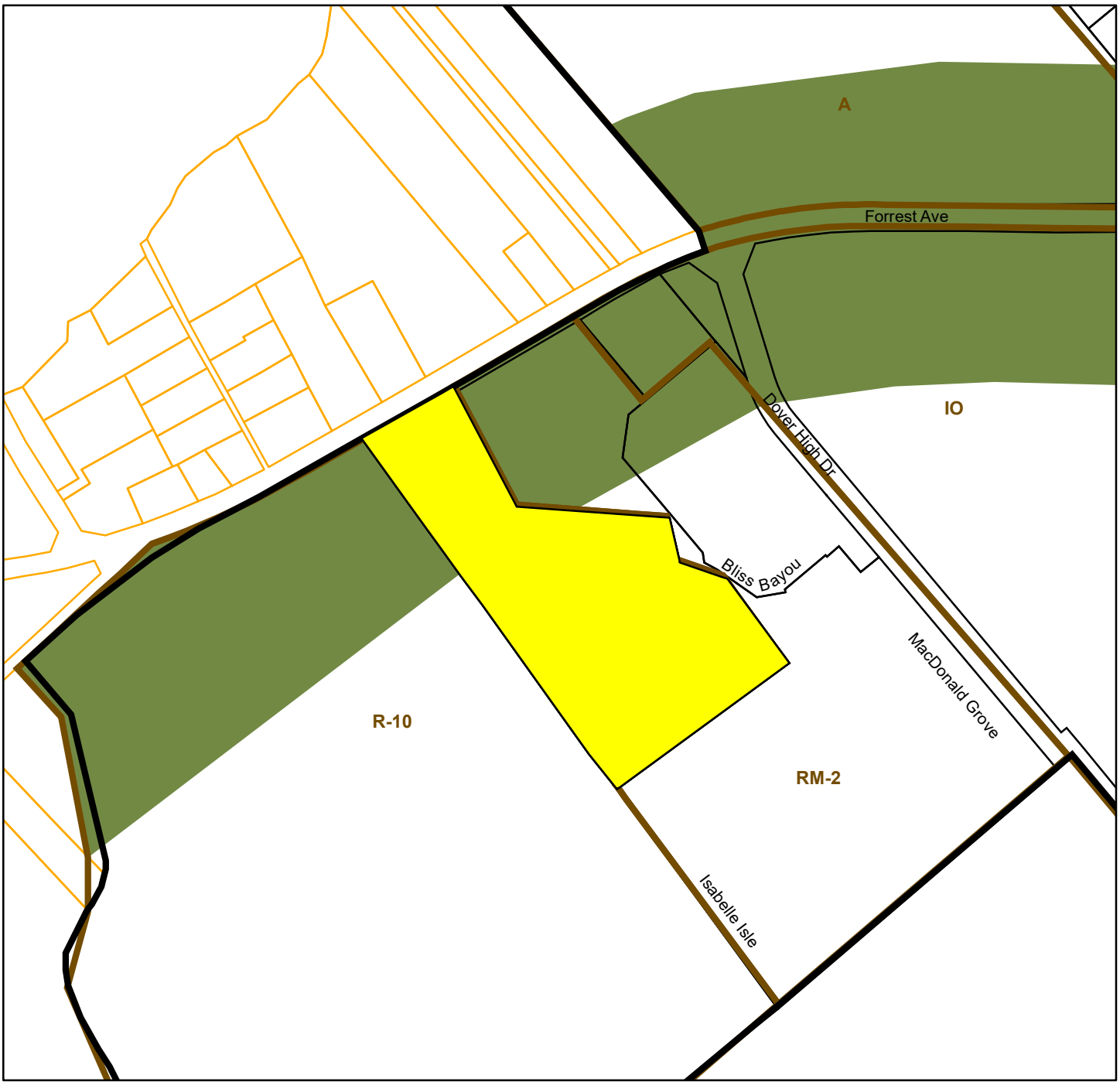
ADVISORY COMMENTS TO THE APPLICANT:

Soil disturbance (e.g. clearing, grading, excavations, tree clearing, or stoning) equal to or greater than 5,000 square feet requires a Sediment and Stormwater Management Plan to be submitted and approved by the Kent Conversation District prior to the commencement of disturbance.

City of Dover

Department of Planning & Inspections

Application No.: Z-23-01



Tile:	Lands of Jireh Christian Center Inc.
Ordinance #:	2023-04
Address:	2161 Forrest Avenue
Parcel IDs:	ED-05-075.00-01-05.00-000
Existing Zoning:	R-10 (One-Family Residence Zone) COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	RM-2 (Medium Density Residence Zone) COZ-1 (Corridor Overlay Zone)
Owner:	Jireh Christian Center Inc.
Date:	3/17/2023

Legend

- Dover Boundary
- Subject Property
- Zoning
- Dover Parcels
- Corridor Overlay Zone

0 250 500 1,000 Feet

N W E S

LEGAL DESCRIPTION
OF THE LANDS OF
JIREH CHRISTIAN CENTER, INC
TO BE CONVEYED TO
LEANDER LAKES APARTMENTS, LLC
CITY OF DOVER
KENT COUNTY DELAWARE
TAX ID 2-05-07500-01-0500

February 16, 2023

All those certain tracts, pieces or parcels of land lying and being situated in the East Dover Hundred of Kent County Delaware; and being located on the southeasterly side of Forrest Avenue (DE Route 8) and being more particularly described with the bearings hereon referenced to The Delaware State Grid, NAD 83, as follows, to wit:

BEGINNING at an iron pipe found along the southeasterly right of way of Forrest Avenue (60’ wide) at the northwesterly corner of the lands of Jireh Christian Center, Inc. (see deed Y40/48), the lands herein described, as shown on a plat recorded among the land records of Kent County in plot book 109, page 24 thence with the southeasterly right of way of Forrest Avenue

1. North 59°45'28" East a distance of 296.60 feet to a point at the northeasterly corner of the lands of Jireh Christian Center, Inc., thence continuing with the southeasterly right of way of Forrest Avenue

2. South 28°09'10" East a distance of 10.00 feet to a concrete monument found at the northwesterly corner of the lands of Leander Lakes Apartments, LLC (see deed 9413/315 & plat 134/75), approximately 40 feet from centerline of Forrest Avenue, thence continuing, with the lands of Leander Lakes Apartments, LLC. and the southwesterly side of a 100 feet wide ingress and egress easement for Jireh Christian Center, Inc, (see plat 125/13),

3. South 28°09'10" East a distance of 363.68 feet to a concrete monument found, thence continuing with the lands of Leander Lakes Apartments, LLC, the following 5 courses and distances

4. South 85°51'29" East a distance of 430.76 feet to an iron rod with cap found, thence

5. South 12°44'14" East a distance of 129.53 feet to an iron rod with cap found, thence

6. South 71°22'42" East a distance of 141.54 feet to a point, thence

7. South 36°15'36" East a distance of 292.98 feet to a concrete monument found, thence

8. South 53°44'24" West a distance of 600.02 feet to a concrete monument found along the northerly line of the lands of Calvary Baptist Church of Dover Delaware, Inc. at a westerly corner of the lands of Leander Lakes Apartments, LLC, thence leaving the lands of Leander Lakes Apartments, LLC and with the lands of Calvary Baptist Church of Dover Delaware, Inc.

9. North 36°15'36" West a distance of 1,207.75 feet to THE POINT OF BEGINNING as shown on a plat entitled “Boundary and Location Survey of the Lands of Jireh Christian Center” dated February 15, 2023

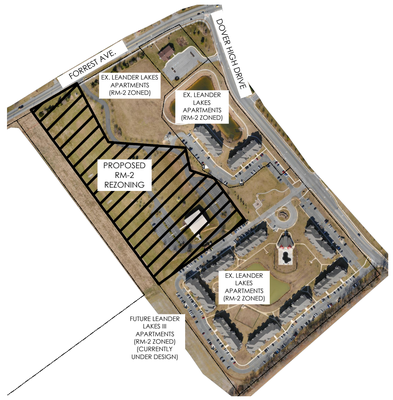
and prepared by Solutions Integrated Planning Engineering & Management, LLC. attached hereto and made a part hereof.

CONTAINING: 11.9973 Acres of land more or less

SUBJECT to a 100 feet wide ingress and egress easement for Jireh Christian Center, Inc across the lands of Leander Lakes Apartments, LLC and a 30 feet wide ingress and egress for Leander Lakes Apartments, LLC, across the lands of Jireh Christian Center, Inc as shown on the aforementioned boundary and location survey and on plat 125/13

LEGEND

SIGN	
CONCRETE MONUMENT FOUND	CMF
IRON PIPE FOUND	IPF
IRON ROD & CAP FOUND	IRCF
UNMARKED POINT	
STORM PIPE	
MAILBOX	
RIP RAP	
DECIDUOUS TREE	
CONIFEROUS TREE	
SHRUB	
SANITARY MANHOLE	
EASEMENT HATCH	
PAVEMENT	
SIDEWALK	
LIGHT POLE	
FIRE HYDRANT	
WATER VALVE	WV
WATER METER	



AERIAL EXHIBIT

SCALE: 1" = 400'

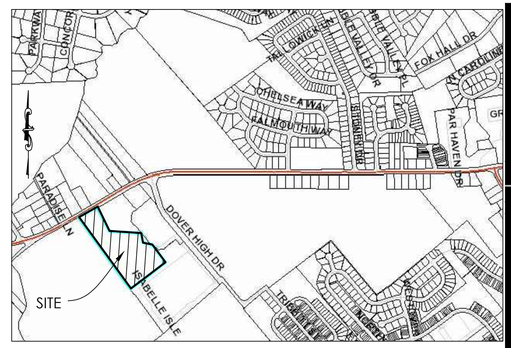
SITE DATA:

OWNER OF RECORD: JIREH CHRISTIAN CENTER, INC.
2164 FORREST AVE.
DOVER, DE 19904
CONTACT: DALE MAST

EQUITABLE OWNER: LEANDER LAKES III, LLC
218 EAST MAIN STREET
SALISBURY, MD 21801
CONTACT: BLAIR RINNIER, CCIM, CPM

ENGINEER: SOLUTIONS IPEM
303 NORTH BEDFORD STREET
GEORGETOWN, DE 19947
CONTACT: JIM ERIKSEN, PE

- TAX PARCEL ID NUMBER:
  2-05-07500-01-0500-000
- SITE AREA:
  11.9973 ACRES (+/-)
- AREA TO BE REZONED:
  11.9973 ACRES (+/-) (ENTIRE PARCEL)
- DEED REF: Y40/48
  PLAT REF: 109/24
- EXISTING ZONING:
  R-10 & COZ-1
- PROPOSED ZONING:
  RM-2 & COZ-1
- BASED UPON F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER 10005C0162H AND 10005C0164H, PANEL 162 & 164 OF 435 WITH AN EFFECTIVE DATE OF MAY 5, 2003, THIS SITE IS LOCATED WITHIN FLOOD ZONE X, AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN



VICINITY MAP

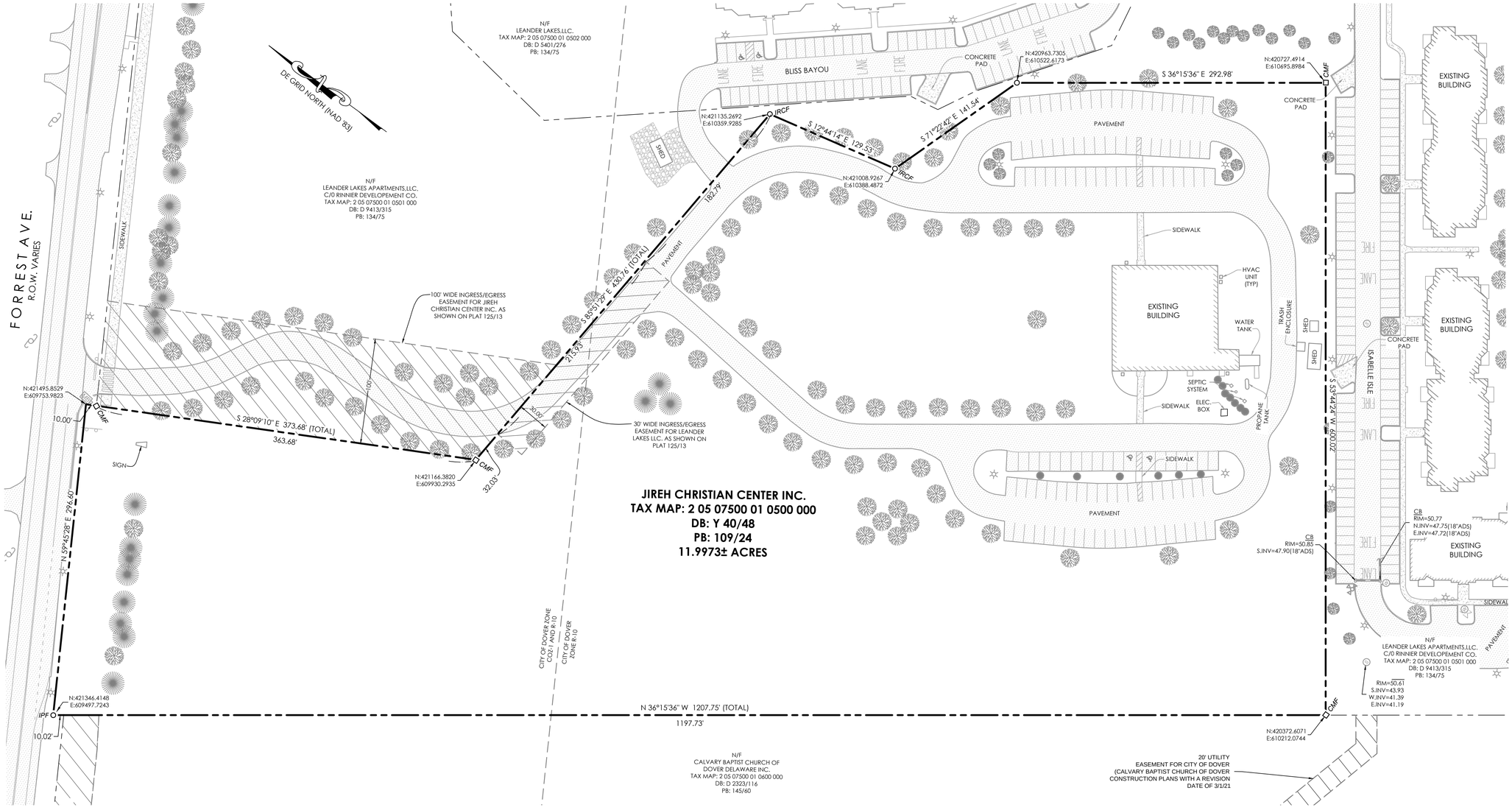
1" =1000'

solutions
Professional Engineering & Management, LLC
303 North Bedford Street
Georgetown, DE 19947
T. 302.297.9215
3003 Merritt Mill Road
Salisbury, MD 21804
T. 410.572.8833
www.solutionsipem.com Copyright © 2023

Seal

Date

NO.	DATE	REVISIONS DESCRIPTION



JIREH CHRISTIAN CENTER INC.
TAX MAP: 2 05 07500 01 0500 000
DB: Y 40/48
PB: 109/24
11.9973± ACRES

SITE PLAN

SCALE: 1" = 50'

REZONING EXHIBIT
for the lands of
JIREH CHRISTIAN CENTER INC.
EAST DOVER HUNDRED
DOVER, KENT COUNTY, DELAWARE

Date:	03-02-2023
Job Number:	G23013
Scale:	1" =50'
Drawn By:	RAM
Designed By:	SWF
Approved By:	JRE

Sheet No.: 1

File Name: G23013-TOPO.DWG

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF April 5, 2023

PLANNING COMMISSION MEETING April 17, 2023

Plan Title:	Byler's Warehouse at 651 Garrison Oak Drive Garrison Oak Business & Technology Center – Lot 2 S-23-09
Plan Type:	Site Development Plan
Applicants/ Equitable Owner:	Byler's Store Inc.
.	
Location:	West side of east intersection of Garrison Oak Drive and White Oak Road
Address:	651 Garrison Oak Drive
Tax Parcel:	LC-05-068.00-02-02.00-000
Site Area:	Lot 2: 14.714 acres +/-
Zoning:	IPM-2 (Industrial Park/Manufacturing Technology Center) SWPOZ (Source Water Protection Overlay Zone): Tier 2 Primary Wellhead Protection Area
Present Use:	Vacant
Proposed Use:	Warehouse & Bakery
Sanitary Facilities:	City of Dover
Water Supply:	City of Dover
Waivers Requested:	Partial Elimination of Upright Curbing Reduction of Parking Requirement
For Consideration:	Performance Standards Review Application

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: April 5, 2023

APPLICATION: Byler's Warehouse at 651 Garrison Oak Drive, Lot 2 Garrison Oak Business & Technology Center

FILE #: S-23-09 REVIEWING AGENCY: City of Dover Planning Office

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

I. PLAN SUMMARY

This is a Site Development Plan to permit construction a 37,107 SF Warehouse & Bakery with associated site improvements. The site is located at Lot 2 of the Garrison Oak Business & Technology Center. The property is zoned IPM-2 (Industrial Park Manufacturing Zone – Business and Technology Center) and subject to the SWPOZ (Source Water Protection Overlay Zone: Tier 2 Primary Wellhead Protection Area). The property of 14.714 acres is located adjacent to the east intersection of Garrison Oak Drive and White Oak Road. The owner of record is the City of Dover; and the equitable owner is Byler's Store Inc. Property Address: 651 Garrison Oak Drive. Tax Parcel: LC-05-068.00-02-02.00-000. Council District 3.

Garrison Oak Business & Technology Center (Garrison Oak Technical Park)

The Subdivision Plan to layout the lots, street network, and other infrastructure was reviewed as the Garrison Oak Technical Park (Application SB-09-06) to establish fifteen (15) individual lots and residual open space from two parcels totaling 381.84 acres +/- on a tract known as Garrison Oak. The Planning Commission reviewed and granted conditional approval of this proposed Subdivision Plan for the Technical Park in January 2010 and September 2010 with the Record Plan recorded in May 2012. Construction of infrastructure and the road network of Garrison Oak Drive then commenced.

Within the Garrison Oak Business & Technology Center (previously known as the Garrison Oak Technical Park), several lots have already been developed through the Site Development Plan review process. Application S-10-01 completed the subdivision of Lot #15 and its development as the Dover Sun Park. A Site Development Master Plan application (S-12-03) and Performance Standards Review Application (MI-12-21) along with an Administrative Site Plan (S-12-17 Phase 1) approved in September 2013 was for Calpine's development of Lot #7 as the Garrison Energy Center. Site Plan S-13-20 outlined the development of Lot #12 for the Uzin Utz Manufacturing N.A.; this dry mortar plant facility consisting of an office building, warehouse, and production building opened for operation in 2015. Site Plan S-16-24 was for the development of Advantech as office with the light manufacturing facility on Lot #13.

Preliminary Land Use Services Review (PLUS)
The Garrison Oak Technical Park Subdivision Plan application was reviewed on November 25, 2009 by the Preliminary Land Use Services as required by the City of Dover's Memorandum of Understanding (MOU). This MOU requires certain types of applications (i.e. non-residential developments of over 75,000 square feet) or specific project locations complete the PLUS Review process prior to application submission. For this specific development of GOBTC Lot 2, PLUS Review is not required due to size of the currently proposed facility.

II. PROJECT DESCRIPTION

The Site Development Plan proposes the construction of a Warehouse and Bakery for Byler's Store Inc. as a 37,107 SF building. The warehouse portion of the building includes a series of truck dock bays. A parking lot is proposed on the south side of the building. The northeast portion of the property includes areas of lawn and tree plantings. Additional trees are proposed as a screening along the north property line. And the western portion of the site is partially impacted by the floodplain and will focus on stormwater management areas and additional tree plantings. The building's placement and design take into consideration future expansion of the building and development of the property. The southern half of the site is left undeveloped by this plan. The site will be subject to a Performance Standards Review Application to ensure the proposed uses comply with Zoning Regulations.

Surrounding Properties
With its location within the Garrison Oak Business & Technology Center, this property is adjacent to other undeveloped lots in the Park that are also zoned IPM-2. On its neighboring lot (Lot #3) to the north is a City of Dover Water Tower. The adjacent property to the west is an open space area with drainage systems leading to the Little River/Tax Ditch; the area is zoned ROS (Recreational and Open Space Zone) and includes floodplain areas and tree plantings. Across Garrison Oak Drive to the east, Lot #1 and Lot #4 remain undeveloped. To the south across White Oak Road is agricultural land zoned RM-2 (Medium Density Residence Zone) and other single family detached housing further east zoned R-20 (One Family Residence Zone).

III. ZONING REVIEW

IPM-2 (Industrial Park Manufacturing Zone – Business & Technology Center)
The IPM-2 (Industrial Park Manufacturing Zone – Business and Technology Center) was recently the subject of a series of Text Amendments approved by the City Council on January 9, 2023. These Text Amendments to the IPM-2 Zone added a purpose section, clarified the definition of manufacturing uses, and added additional permitted uses and conditional uses. (Ordinance #2022-21, Application MI-22-05).

The application is a Site Plan for the proposed construction of a warehouse and bakery building. The IPM-2 zoning district allows certain types of manufacturing including baking and also the use as warehousing. The associated offices are allowed as incidental to the primary use. See *Zoning Ordinance,* Article 3 §20A.1.

SWPOZ – Source Water Protection Overlay Zone, Tier 2: Primary Wellhead Protection 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. This entire site is subject to the Tier 2: Primary Wellhead Protection Area.

The following uses listed below are prohibited throughout the SWPOZ, including in the Tier 2 area. The proposed uses as a warehouse and bakery would be allowed.

Zoning Ordinance Article 3 Section 29

29.51 *Uses prohibited:*

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

Tier 2- Primary Wellhead Protection Area Lands are additionally subject to specific rules for protection of potable water supply well fields. Specific requirements are for areas immediately surrounding the actual wellhead location; there is not a wellhead on or within 500 feet of this property. There are provisions related to management of stormwater runoff and its discharge requiring use of sheet flow through grassland areas and certain construction features of stormwater management facilities. This will be reviewed as part of the Stormwater Management Plan by the Kent Conservation District.

IV. PARKING SUMMARY

The parking requirement in the IPM-2 zoning district is one space per 800 S.F. of floor area or one space per employee of the largest shift. The floor area of 37,107 S.F. for the total facility would require a minimum of forty-seven (47) parking spaces. The plan shows a parking lot of twenty-four (24) parking spaces.

Waiver Request: Reduction of Parking Requirement (Number of Parking Spaces)

The *Zoning Ordinance,* Article 6 Section 3.9 allows the Planning Commission to consider adjustments to parking requirements. The Planning Commission in granting a parking reduction can require that an area of open space be designated where parking could be constructed. The applicant's written request Letter outline a request to reduce the parking to 24 parking spaces due to expected operational needs of the facility. See attached.

Loading Spaces

The requirement for loading spaces in the IPM-2 zone is based on building square footage of the specific uses; however, the maximum number of required loading spaces for building up to 150,000 square feet is three loading spaces. The rate for manufacturing and warehouse uses is one berth for 5,000 SF to 10,000 SF and one berth for each addition 10,000 SF or fraction thereof. The warehouse would require four (4) loading spaces based on building area. This plan shows a loading dock with three truck dock bays and a single bay loading space on the south side of the building to satisfy this requirement.

Bicycle Parking

The site is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Based on the number of parking spaces, two bicycle parking spaces are required.

V. BUILDING ARCHITECTURE

The Byler's Warehouse facility is a building with a tall one story section as warehousing and a two-story section including the bakery and office area. It is predominately clad in a vertical metal siding panel system including area of insulated metal panels. The two story section with multiple window sets is clad in split face masonry block with accent bands and then horizontal metal siding for the upper floor. The east elevation including a color pattern to the vertical metal wall panels. The building has low sloping roofs in at least three pitches.

The facility must comply with the maximum height limitations of the IPM-2 zoning district. For this zoning district, the maximum height is limited to distance of the element from the nearest property line. The tallest portion of the building is estimated at 38 feet 6 inches (eave) with highest parapet wall at 43 feet. The building is located over 80 feet from the north side property line. As shown, it is in compliance for height in the IPM-2 zone. Also the building is well within the buildable area established by the front yard setback of 60 feet and side yard and rear yard setbacks of 40 feet.

VI. SITE CONSIDERATIONS

Access

The site has one access/egress point to Garrison Oak Drive via an entrance drive aisle located centrally along its frontage. This entrance drive continues west into the site and the development of the building is proposed on the north side.

Lighting

The lighting internal to the site is shown along the entrance drive and in proximity of the parking lot and the loading areas.

Dumpster

For industrial and warehousing uses, two Dumpsters are required for 80,000 SF of gross floor area and one for each additional 40,000 SF or fraction thereof. For this project with a building of 37,107 S.F. the requirement is for two Dumpsters. The plan locates a Dumpster area with enclosure at the southeast corner of the building.

Sidewalk

Sidewalk is required along all City street frontages and within the site in accordance with *Zoning Ordinance,* Article 5 §18. As part of the Garrison Oak Technical Park subdivision, sidewalk was constructed along the frontage of Lot #2 with Garrison Oak Drive in accordance with the subdivision plan for the Park. There is also a multi-use path along the White Oak Road frontage of the property. In addition, sidewalks are shown connecting from the street frontage sidewalk into the site and for pedestrian access from parking areas to building entrances.

Curbing

Waiver Requested: Partial Elimination of Curbing

The *Zoning Ordinance,* Article 6 §3.6(b) requires upright curbing for all parking areas and access drives. The plan does not include curbing for portions of the parking lot and along the fire lane on the east side of the building. A written waiver request for the elimination of curbing in these areas was submitted to the Planning Office for consideration by the City Planner citing the reasons for the request related to drainage related to stormwater management.

VII. 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. Select areas on the west and along the southern area of this tract of land includes a Flood Hazard Area. The Flood Hazard Area remains as the natural area and is to include additional tree plantings and stormwater management facilities.

Portions of the subject property are within the Special Flood Hazard Area (100-year floodplain/ 1% chance of annual of flooding). This property is found on the FEMA FIRM Panel of Kent County Delaware Map Number 10001C0186J effective date July 7, 2014. A Letter of Map Revision, LOMR #17-03-0901P effective June 4, 2018 identifies the site areas within the 100-year floodplain (Zone AE). These flood plain areas are depicted in the plain set. The LOMR to refine the floodplain location was completed as part of the development activities for the overall Garrison Oak Technical Park where there were drainage improvements to the nearby Little River/White Oak Tax Ditch system located within the flood plain area.

VIII. TREE PLANTING AND LANDSCAPE PLAN

The tree planting requirement is based on the development area with one (1) tree required per 3000 SF of development area. For this project Lot #2 since only a portion of the property is currently proposed for development, it identifies a Development Area consisting of 8.161 acres (355,494 SF). A total of 119 trees are required. The Landscape Plan shows a concept for total of 119 trees. Groups of new trees are proposed along the frontage of the site to the north of the entrance drive and along the western property line. Additionally, a line of Green Arborvitae trees is proposed along the northern property line. The construction of Garrison Oak Drive included the planting of street trees; it appears two of the street trees will be displaced by the site entrance placement.

IX. PERFORMANCE STANDARDS REVIEW

Uses in the IPM-2 (Industrial Park Manufacturing zone – Technology Center) are subject to the performance standards summarized in *Zoning Ordinance,* Article 5 §8.1 and as more specifically outlined in Article 5 §8.5.

> *Article 5 §8.1 Dangerous and objectionable elements.* No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall

> below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

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

- Fire and explosion hazards (activities with and storage of)
- Radioactivity or electromagnetic disturbance
- Noise (sound pressure level)
- Vibration
- Smoke
- Odors (Odorous gases or odorous matter)
- Fly ash, dust, fumes, vapors, gases, and other forms of air pollution
- Glare (from lighting or high temperature processes)
- Liquid or solid wastes
- Traffic congestion (Level of Service E)

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

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

VIII. CITY AND STATE CODE REQUIREMENTS:

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

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

2) Upright curbing must be provided around all parking areas and circulation drives unless a waiver is granted by the City Planner. A waiver request was submitted to the Planning Office for consideration.

3) The Planning Commission will consider the Waiver Request for reduction in the parking requirement.

3) Sheet RP-1:
   a) In title block list name as garrison Oak Business and Technology Center.
   b) Update General Note Item #4 to correct project.
   c) Signature blocks for City Engineer and City Manager are not required.

4) Sheet RP-2:
   a) List action taken on the Waiver Requests.
   b) Site Data Column:
      i) Check listing of developer/applicant so plan document list Byler's Store Inc. and Bylers Properties L.P.
      ii) Update Floodplain note as property is impacted by 100-year flood event. And list LOMR numbers.
   c) Update plan drawing as related to pending easement for Electric pole.
   d) Identify location of bicycle parking.
   e) Ensure accessible ramps are provided from handicapped spaces onto sidewalk system.

5) Consider the establishment of designated meadow areas in the southern areas of the property to assist in general maintenance needs for the extensive open areas. The southern portion of the site can be identified as meadow area.

6) Sheet LP-1 Landscape Plan:
   a) List SWPOZ in Item 6 Existing Zoning.
   b) Update required trees calculation in the Landscape Plant Schedule for the development area of this site.
   c) Check tally of Eastern Red Cedar trees and Green Giant Arborvitae as listed in chart and labeled on plan.
   d) Show the two trees being removal for the entrance construction as per Sheet EX-1.

7) Sheet FP-1: Update Notes and Keyed Notes as the Knox Box is obtained through the City's Fire Marshal.

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

9) The proposed sign location shown on this plan sheet are for informational purposes only and approval of this plan does not grant approval to this signage. Additional review is required to evaluate compliance with the Sign Regulations of the *Zoning Ordinance*; this freestanding monument style sign is limited in height and size based on the type of road the property fronts.

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

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

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

1) Recommendation on Waiver Requests:
    a. Waiver Request for Elimination of Upright Curbing: Planning Staff grants approval of the elimination of upright curbing for select areas of the drive aisle, the parking lot and east fire lane due to the approaches for stormwater management (sheet flow) at the site.
    b. Waiver Request -Reduction of Parking Requirement: Planning Staff recommends approval of the Waiver Request for the reduction in Parking Requirements based on the expected operations of the building. A majority of the building floor area is warehouse space where the number of employees is limited and will not generate parking needs. If additional parking is determined to be necessary based on operational changes, there is space available on the property for construction.

2) Consideration of Performance Standards Review Application: Planning Staff has reviewed the Performance Standards Review Letter. It sufficiently demonstrates the intent to comply with the restrictions as provided in *Zoning Ordinance,* Article 5 Section 8.1 and 8.2. The intended use of the building as a warehouse or distribution activities is not likely to cause these objectionable elements.

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

ADVISORY COMMENTS TO THE APPLICANT:

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

2) 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 regards to the plan.

3) 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).

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

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

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

7) 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.

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

9) 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.

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: MARCH 29, 2023

Revised April 5, 2023

APPLICATION: **Byler's Warehouse at 651 Garrison Oak Drive**

FILE #: **S-23-09**

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

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

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

CONTACT 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.

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. Submerged pipe inlets to ponds may only be permitted if they are so designed that the permanent pool elevation of the storm water management area doesn't surcharge back into the City of Dover's storm drain structures and system.
4. The City of Dover Department of Public Works specifications require all culverts to be designed for the 25-year storm frequency and all storm sewers to be designed for the 10-year storm frequency. The Manning's equation shall be utilized in design as applicable. Storm sewers are required to provide a minimum full flow velocity of 2 fps. Provide the calculations for each proposed pipe segment that, at a minimum, include: upstream and downstream inverts, upstream and downstream ground elevations, and ground cover provided; pipe slope, length, material, n value, and diameter; design flow, depth and velocity; and full flow and velocity.
5. The City of Dover Department of Public Works specifications require that all inlets (catch basins) be designed for the 10-year storm frequency (25-year storm frequency for sump conditions) and that the spread of water shall not exceed eight feet (8') from the flow line of the curb. The design must also meet the requirement that the hydraulic grade line may be no higher than one foot (1') below the top of the inlet. Provide the calculations for each proposed catch basin utilizing flows determined by each catch basin's contributory drainage area, for the appropriate storm frequency. Spread, depth of flow and hydraulic grade line data for each inlet must also be included. Any carryover should also be noted and included at appropriate downstream catch basins as applicable.
6. Provide all stormwater management calculations and erosion and sedimentation control plan as required by Article 5, Section 11.2 and 11.2 of the City of Dover Zoning Ordinance. Ensure that individual lot grading, house locations with finished floor

elevations, and driveway locations and grades are provided on the plans in order to verify the adequacy of the design. The provided information should also show adequate conveyance of runoff from each lot.

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 pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that effective May 1, 2022, water mains can now be constructed using 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) water meter for the proposed building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically, this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Water services shall be either type K copper or SDR-9.
8. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. This project will require a double check valve assembly to be installed downstream of the water meter in the building.
9. All water infrastructure on the property will be owned and maintained by the property owner.

WASTEWATER

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

GENERAL

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

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

WASTEWATER

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

GENERAL

1. 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: MAR 29, 2023

APPLICATION: **Byler's Warehouse at 651 Garrison Oak Drive**

FILE #: **S-23-09**

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. 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.

S-23-09

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 03/29/23

CITY OF DOVER FIRE MARSHAL

APPLICATION: Bylers Warehouse at 651 Garrison Oak Dr

FILE #: S-23-09 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Fire Marshal 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. Proposed occupancy classification is warehouse and manufacturing (storage and industrial).

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

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

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

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

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

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

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

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

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

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

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

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

7. All Fire Lanes shall be marked as follows:

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

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

9. Fire lane signs shall be located as follows:

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

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

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

11. 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

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

13. 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)

14. 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.

15. 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.

16. 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

17. 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)

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

This chapter shall apply to all buildings, structures, marine vessels, premises, and conditions which are modified by more than 50% after the effective date of these Regulations. The 50% figure shall be calculated utilizing the gross square footage of the building, structure, marine vessel, premises and conditions as to arrive at the correct application.
Any proposal that is presented to the Office of the State Fire Marshal for review and approval for a building rehabilitation as defined in the 101 Life Safety Code, for less than 50% of the gross square footage of a non-sprinklered building, may not have another such project for the same building submitted for review and approval any sooner than three (3) years after the date of the final inspection unless sprinkler projection is provided throughout the entire building.
In all buildings exceeding 10,000 square feet of aggregate, gross floor area.
In all buildings in excess of 40 feet in height or more than four (4) stories in height.
In all buildings or areas thereof used for the storage, fabricating, assembling, manufacturing, processing, display or sale of combustible goods, wares, merchandise, products, or materials when more than two (2) stories or 25 feet in height.
In all basement areas exceeding 2,500 square feet floor area.
In residential occupancies when of: Type V (0,0,0) or Type III (2,0,0) construction and exceeding two (2) stories or 25 feet in height. Type V (1,1,1) and Type III (2,1,1) or
Type IV (2,H,H) construction exceeding three (3) stories or 3In all residential apartment buildings storage areas except individual unit closets that are located within individual residential living units.
In all buildings used as health care occupancies as defined in the Life Safety Code, NFPA 101, as adopted and/or modified by these Regulations. In all buildings or areas classified as "high hazard" under the Life Safety Code, NFPA 101, or "extra hazard" under the Standard for the Installation of Sprinkler Systems, NFPA 13, as adopted and/or modified by these Regulations.

All buildings used as dormitories, in whole or in part, to house students at a public or private school or public or private institution of higher education. (16 **Del.C.** Ch. 88) This applies to all such dormitories regardless if new or existing.
(2015 State of Delaware fire Prevention Regulations, 702, Chapter 4)

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

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

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

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

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

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

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

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

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

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

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

20. 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)

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

22. 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.

23. 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)

24. 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)

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

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

    *Multiple-family dwellings, measurements, t*he number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses.

Individual buildings with street addresses shall have numbers measuring six inches, *location, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll numbers used shall be Arabic numerals.

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

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

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

*Arabic numerals, a*ll numbers used shall be Arabic numerals,

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

26. 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

27. 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

28. 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.

29. Project to be completed per approved Site Plan.

30. Full building and fire plan review is required.

31. 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.

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

33. 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.

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

35. 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. I have been in contact with Dave Heatwole in reference to this project. The comments are for the currently proposed project. Future requirements were provided regarding future expansion.
2. Please ensure that you are in compliance with item # 3 listed above
3. Please confirm that the fire lane is 24' wide
4. Please confirm that there is 10' between the parking and the building as outlined in item # 6 listed above
5. Please confirm that the FDC is within 50' of the main entrance as outlined on item # 19 listed above
6. Please ensure that the FDC has clear access as outlined in item # 20 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

DELDOT

==========

APPLICATION: Byler's Warehouse at 651 Garrison Oak Drive

FILE#: S-23-09 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Joshua Johnson PHONE#: 302-760-2221

==========

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

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

CITY & STATE CODE REQUIREMENTS:

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. The developer should schedule a coordination meeting to discuss the development with DelDOT Subdivisions. As part of coordination meeting information, developer shall include traffic generation numbers for comparison with DelDOT Note 1 on the approved Record Plan.

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
APRIL 2023

APPLICATION: Byler's Warehouse at 651 Garrison Oak Drive

FILE #: S-23-09

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Kate Owens

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

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

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by 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. 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 regional stormwater facility manages the 10-year (Cv) and 100-year (Fv) storm events for parcels within the Garrison Oak Business & Technology Center. The 1-year (RPv) storm event volume is required to be managed for the proposed improvements on the site.
2. A soils investigation in the proposed Stormwater facility areas is required to determine impacts of the seasonal high groundwater level and soils for any Best Management Practice (BMP) design.
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.

March 2, 2023

City of Dover
Planning Department
P.O. Box 475
Dover, DE 19903-0475

Attn: Dawn Melson-Williams, AICP

RE: Bylers Store
Preliminary Site Plan – Cover Letter
Tax Map No: 4-05-06800-02-0200
651 Garrison Oak Dr
Lot 2 of the Garrison Oak Technical Park Subdivision

Dear Ms. Melson-Williams:

On behalf of our client, Bylers Store Inc., we submit this Site Plan Application package to you for review and consideration at the April 17, 2023, Planning Commission meeting. I write to provide background for the site design.

Pre-Application Meeting

A pre-application meeting was done via a Microsoft Teams meeting on February 24, 2023. Lyndon Byler, Dawn Melson-Williams, and Dave Heatwole attended the meeting; where it was determined that a parking waiver to reduce the number of parking spaces would be submitted with the Site Plan application. We included waiver request for reduced parking in the submittal package.

We also are requesting a waiver to omit curbing in portions of the parking lot. We want to omit the curbing along the fire lane on the eastern side of the building. When the warehouse is expanded, the fire lane will need to be relocated. Any curbing or associated drain system would need to be removed. By leaveing the curb in place, it will allow stormwater to filter through a swale before entering a closed drainage system.

The second area we request a waiver to omit the curbing is on the left side of the drive aisle about midway into the site. Similar to the above, we see this as a future expansion area, and omitting the curbing provides us with a greater degree of design flexibility in the future phase as well as allow the stormwater to be filtered in a swale before entering the closed drainage system.

Existing Power Line – Potential Easement Considerations

At the pre-application meeting you mentioned the large utility pole near the entrance. In my followup research and correspondence with Shawn Burgett, the City does not have a maintenance easement on the property to maintain the utility pole. Due to the swale, the best staging area for utility maintenance on the pole is likely on Lot 2.

Kent Conservation District

We have had discussions with KCD regarding the stormwater requirements for the site. We understand the quantity management for the site was incorporated in the land subdivision and road construction work that the City completed. We understand that the development is required to meet the water quality requirements in the stormwater regulations and meet the requirements of a detailed sediment and stormwater management plan.

Loading Spaces

The truck dock contains five loading spaces, four in the truck dock and one beside the truck dock at grade. The developer has done extensive research regarding loading spaces needed for the use is satified that the five loading spaces are adequate for the facility.

Please call me if you have any questions or concerns at (302) 841-7901.



Dave Heatwole, PE | Principal
SITEWORKS ENGINEERING

Z:\PROJECTS\Bylers Store\22-278 - Garrison Oak BP - Lot 2\Record Documents\City of Dover\230302- Preliminary Site Plan\2.0 - Bylers Store Cover Letter.docx

SITEWORKS
ENGINEERING

March 2, 2023

City of Dover
Planning Department
P.O. Box 475
Dover, DE 19903-0475

Attn: Dawn Melson-Williams, AICP

RE: Byler's Store (Garrison Oak Technical Park Lot 2)
Preliminary Site Plan – Parking Waiver
Tax Map No: 4-05-06800-02-0200
651 Garrison Oak Dr

Dear Ms. Melson-Williams:

On behalf of our client, Byler's Store Inc.; we request a waiver from the parking required under Appendix B, Article IV Section 4.16 of the City code from one space for every 800 sf of building to one space for every 1,600 sf of building. Per code, 47 parking spaces are required. The 24 spaces we proposed are more than double the spaces our client said are needed to operate the facility at capacity. The warehouse will not be open to the public.

The reduction in required parking spaces will reduce impervious areas and have the environmental benefits of additional groundwater recharge and less stormwater runoff for the site as it lies withing the a Tier II Source Water Protection Overlay District.

Please call me if you have any questions or concerns at (302) 841-7901.



Dave Heatwole, PE | Principal
SITEWORKS ENGINEERING

Z:\PROJECTS\Bylers Store\22-278 - Garrison Oak BP - Lot 2\Record Documents\City of Dover\230302- Preliminary Site Plan\7 - Parking Space Waiver Request.docx

March 1, 2023

City of Dover
Department of Planning and Inspections
P.O. Box 475
Dover, DE 19903-0475

Attn: Dawn Melson-Williams, AICP

RE: Performance Standard Review Application
Byler's Warehouse
Tax Map No: ED-05-06800-02-0200
651 Garrison Oak Rd.

Dear Ms. Melson-Williams:

On behalf of our client, Bylers Store, Inc.; we submit this Performance Standard Review as a supplement to the Application for Site Development Plan Approval for the Byler's Warehouse, , on Garrison Oak Road. The project involves the construction of a 37,107 SF warehouse with associated parking and site amenities.

Section 8.51 – Fire and Explosion Hazards: A sprinkler system is proposed in the warehouse in accordance with the Delaware State Fire Prevention Regulations. It will not contain explosive or hazardous materials.

Section 8.52 – Radioactivity or Electromagnetic Disturbance: Not applicable, the proposed warehouse will not contain or produce radioactive material or electromagnetic disturbances.

Section 8.53 – Noise: Not applicable, the proposed warehouse will not generate any noise beyond what is consistent with a warehousing or distribution use.

Section 8.54 – Vibration: Not applicable, the proposed warehouse will not generate any discernable vibrations.

Section 8.55 – Smoke: Not applicable, the proposed warehouse is not intended for manufacturing and will not generate smoke resulting from manufacturing processes.

Section 8.56 – Odors: Not applicable, the proposed warehouse will not generate odorouses gases or other offensive smells.

Section 8.57 – Fly Ash, Dust, Fumes, Gases, and other forms of Air Pollution: Not applicable - Manufacturing is not proposed in the warehouse. Conserquently, the project will not generate any of the aforementioned forms of air pollution.

Section 8.58 – Glare: All lighting will be downward screened to eliminate glare on adjacent properties, and it will be in accordance with the City of Dover lighting requirements.

Section 8.59 – Liquid or Solid Wastes: The warehouse will not generate manufacturing or industrial waste that will need to be hauled off-site or dischareged into the City's wastewater system. A standard sewer connection for the restrooms in the warehouse is proposed and will be constructed in accordance with the City's standards.

Section 8.60 – Traffic Congestion: Not applicable. The proposed warehouse parcel is part of an existing approved business park subdivision. The proposed warehouse space is using only a small portion of the site, and is expected to generate a relatively insignificant amount of traffic. The subdivision street connects to White Oak Road which is a DelDOT maintained roadway. However, the entrance was designed for full buildout of the subdivision. The total site trips for the subdivision have not been reached. Therefore we do not anticipate any additional improvements to the entrance or White Oak Road.

Please call me if you have any questions or concerns at (302) 542-0774.

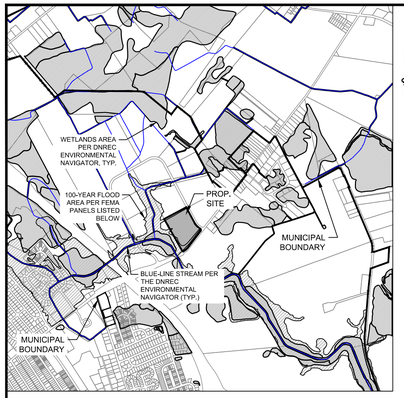


Edwin Tennefoss, PE | Principal
SITEWORKS ENGINEERING

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BYLER'S WAREHOUSE

PRELIMINARY SITE PLANS



WETLANDS/FEMA/STREAM MAP

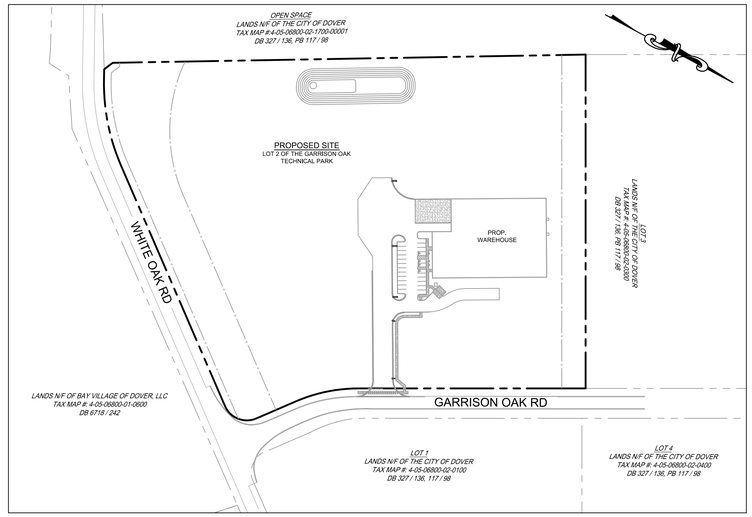
SCALE: 1" = 2000'
PANEL # 10001C0186J DATE: 7/7/2014

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE / RIGHT OF WAY		
ADJOINING PROPERTY LINE		
BUILDING RESTRICTION LINE		
EASEMENT		
CENTER LINE OF ROAD		
EDGE OF PAVING		
CURB		
DRIVEWAY		
CONTOURS		
SWALE		
LIMIT OF CONSTRUCTION		LOC LOC LOC LOC
WETLANDS LINE AND FLAG (2017 DNREC)	NW NW NW	
FLOODPLAIN		
SOILS/DESIGNATION		
SOIL BORING		
WOODS		
FENCE	X X X X	X X X X
SIDEWALK		
SHARED USE PATH		
BUILDING		
UTILITY POLE/GUY WIRE		
OVERHEAD ELECTRIC	OHE OHE OHE	
CABLE TV, PEDESTAL OR HAND HOLE		
TRAFFIC SIGN		
SINGLE & TWIN HEAD SITE LIGHT		
ELECTRICAL HAND HOLE AND TRANSFORMER		
FIBER OPTIC HAND HOLE		
WATER MAIN, FIRE HYDRANT, VALVE, SERVICE ASSEMBLY, AND METER PIT	FH W W W W	FH W W W W W
SEWER MAIN, MAHNOLE, & CLEANOUT	MH S S C.O.	MH S S C.O.
UNDERGROUND ELECTRIC	E E E E	
UNDERGROUND GAS	GAS GAS GAS	
UNDERGROUND FIBER OPTIC	FO FO FO	
TELEPHONE LINE	T T T T	
STORM WATER PIPE, MH, AND CB		
RAILROAD		

GENERAL NOTES:

1. ALL KNOWN EASEMENTS ARE SHOWN ON THE PLAN; HOWEVER, THIS SURVEY DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS OF WAY CROSSING SUBJECT PROPERTY.
2. THE ITEMS DEPICTED ON THE FINAL SITE PLAN ARE FOR ILLUSTRATIVE AND OUTLINE PURPOSES ONLY. THE GENERAL LOCATION AND DIMENSIONS OF ITEMS DEPICTED ON THE FINAL SITE PLAN MAY BE SUPERCEDED BY APPROVED / REVISED CONSTRUCTION DRAWINGS, BUILDING PERMIT DRAWINGS AND OTHER MODIFICATIONS THERETO APPROVED BY THE AUTHORITIES HAVING JURISDICTION AT THE SOLE DISCRETION OF THE DEVELOPER INCLUDING THE DEVELOPER'S SUCCESSORS AND ASSIGNS.
3. ALL LIGHTING SHALL BE DOWNWARD SCREENED TO MINIMIZE GLARE ON SURROUNDING PROPERTIES.
4. THE PROPOSED EAST CAROLINA SUPPLY WAREHOUSE SIGN AT THE ENTRANCE IS NOT APPROVED AS PART OF THIS SITE PLAN, A SEPARATE PERMIT IS REQUIRED.
5. KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE REVIEWS.
6. KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY, OR DELETE ANY EROSION OR SEDIMENT CONTROL MEASURE, AS IT DEEMS NECESSARY.
7. THE OWNER IS RESPONSIBLE FOR THE MAINTENANCE OF ALL STORMWATER FACILITIES.
8. KENT CONSERVATION DISTRICT AND/OR DNREC SEDIMENT AND STORMWATER PROGRAM MAY SEEK ENFORCEMENT ACTION AGAINST ANY OWNER DEEMED NEGLIGENT IN FULFILLING THE OPERATION AND MAINTENANCE REQUIREMENTS OF THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS



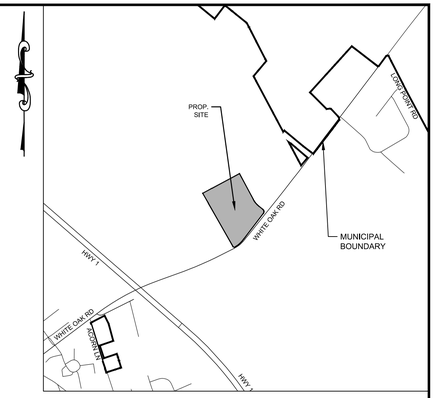
SITE OVERVIEW

SCALE: 1" = 150'

INDEX OF DRAWINGS

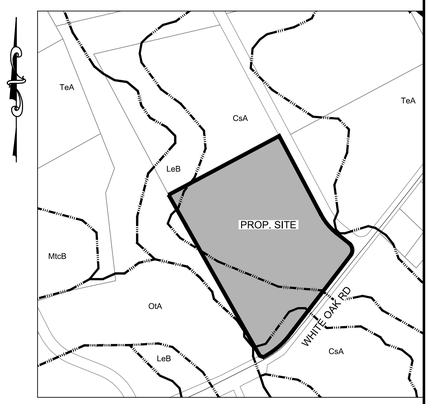
Sheet Number	Sheet Title
RP-1	COVER SHEET
RP-2	SITE PLAN
LP-1	LANDSCAPE AND LIGHTING PLAN
FP-1	FIRE PROTECTION PLAN
EX-1	EXISTING CONDITIONS AND DEMOLITION PLAN
GP-1	GRADING PLAN
UP-1	UTILITY PLAN

CALL Miss Utility of Delmarva
BEFORE YOU DIG
800-282-8555 or 811



LOCATION MAP

SCALE: 1" = 1200'



LOCATION & SOIL MAP

SCALE: 1" = 400'

SYMBOL	NAME	SOIL GROUP
CsA	CROSIADORE SILT LOAM, 0 TO 2 PERCENT	C/D
LeB	LEIPSIC SILT LOAM, 2 TO 5 PERCENT SLOPES	C
TeA	TENT SILT LOAM, 0 TO 2 PERCENT SLOPES	C/D
OtA	OTHELLO SILT LOAMS, 0 TO 2 PERCENT SLOPES	C/D
MtcB	MATTAPEX SILT LOAM, 2 TO 5 PERCENT SLOPES	C

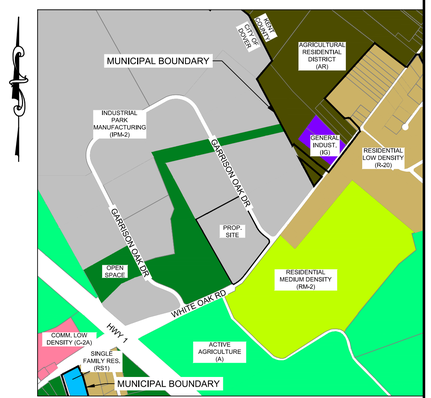
PROJECT TEAM

OWNER/DEVELOPER
BYLER'S STORE INC.
LYNDON BYLER
1368 ROSE VALLEY SCHOOL ROAD
DOVER, DE 19901
(302) 423-6675
EMAIL: lyn@bylers.com

SITE PLANER, ENGINEER, AND SURVEYOR
SITEWORKS ENGINEERING
19 COMMERCE STREET
HARRINGTON, DE 19952
(302) 841-7901
EMAIL: dave,heatwole@siteworkseng.com

KENT CONSERVATION DISTRICT
1679 S DUPONT HWY
DOVER, DE 19901
(302) 608-5370
EMAIL: jared.adkins@delaware.gov

CITY OF DOVER DEPARTMENT OF WATER / WASTEWATER
15 LOOCKERMAN PLAZA
DOVER, DE 19901
(302) 736-7025
EMAIL: jlyon@dover.de.us



ZONING

SCALE: 1" = 1000'

CITY ENGINEER CERTIFICATION

THE CATEGORY A SITE PLAN CONFORMS TO ALL APPLICABLE CITY ZONING AND SUBDIVISION ORDINANCES.

CITY ENGINEER DATE

CITY MANAGER CERTIFICATION

THE CATEGORY A SITE PLAN CONFORMS TO ALL APPLICABLE CITY ZONING AND SUBDIVISION ORDINANCES.

CITY MANAGER DATE

ENGINEERS CERTIFICATION

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

DAVID M. HEATWOLE, P.E. (DE LICENSE NO. #17760) DATE
19 COMMERCE STREET
HARRINGTON, DE 19952

OWNER'S CERTIFICATION

IT IS HEREBY CERTIFIED THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

BYLER'S STORE INC. DATE
1368 ROSE VALLEY SCHOOL RD.
DOVER, DE 19901

SITEWORKS ENGINEERING
PO BOX 2 | 19 COMMERCE ST, HARRINGTON, DE 19952 Phone: (302) 841-7901

COVER SHEET

BYLER'S WAREHOUSE
TAX PARCEL NO. 4-05-06800-02-0200 (LOT 2 OF THE GARRISON OAK TECHNICAL PARK)
LITTLE CREEK HUNDRED, CITY OF DOVER, DELAWARE

ISSUE / REVISION BLOCK

3/2/23 - CITY OF DOVER

SCALE	PROJECT #	DRAWN BY
AS NOTED	22-278	DMH

DRAWING NUMBER

RP-1

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Z:\PROJECTS\Bylers Store\22-278 - Garrison Oak BP - Lot 2\Design\Plot\22-278 - Record Plan Cover Sheet.dwg PLOTTED: 3/2/2023 1:58 PM, BY: Dave Heatwole PLOTSTYLE: _SiteWorks-ENG.ctb

BOUNDARY CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CORD DIST.	CORD BEARING
C1	134.57'	330.00'	023°21'53"	133.64'	S39° 42' 38"E
C2	78.54'	50.00'	089°59'56"	70.71'	S06° 23' 35"E
C3	185.53'	433.26'	024°32'09"	184.12'	S50° 52' 29"W

BOUNDARY LINE TABLE		
LINE #	BEARING & DISTANCE	LENGTH
L1	S63°08'32"W	20.34'
L2	N65°34'36"W	22.35'

EASEMENT CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CORD DIST.	CORD BEARING
C4	179.11'	418.26'	024°32'06"	177.74'	S50° 52' 29"W
C5	288.72'	342.50'	048°17'59"	280.25'	N62° 45' 23"E
C6	38.77'	50.00'	044°25'56"	37.81'	S29° 10' 46"E

EASEMENT LINE TABLE		
LINE #	BEARING & DISTANCE	LENGTH
L3	S51°23'35"E	45.00'
L4	S38°36'25"W	585.71'
L5	S63°08'32"W	13.14'
L6	N65°34'36"W	22.35'
L7	S63°08'33"W	7.77'
L8	N29°01'48"W	136.82'
L9	N38°36'25"E	490.40'

PAVEMENT LEGEND

HEAVY DUTY PAVEMENT SECTION

STANDARD DUTY PAVEMENT SECTION

SITE DATA:

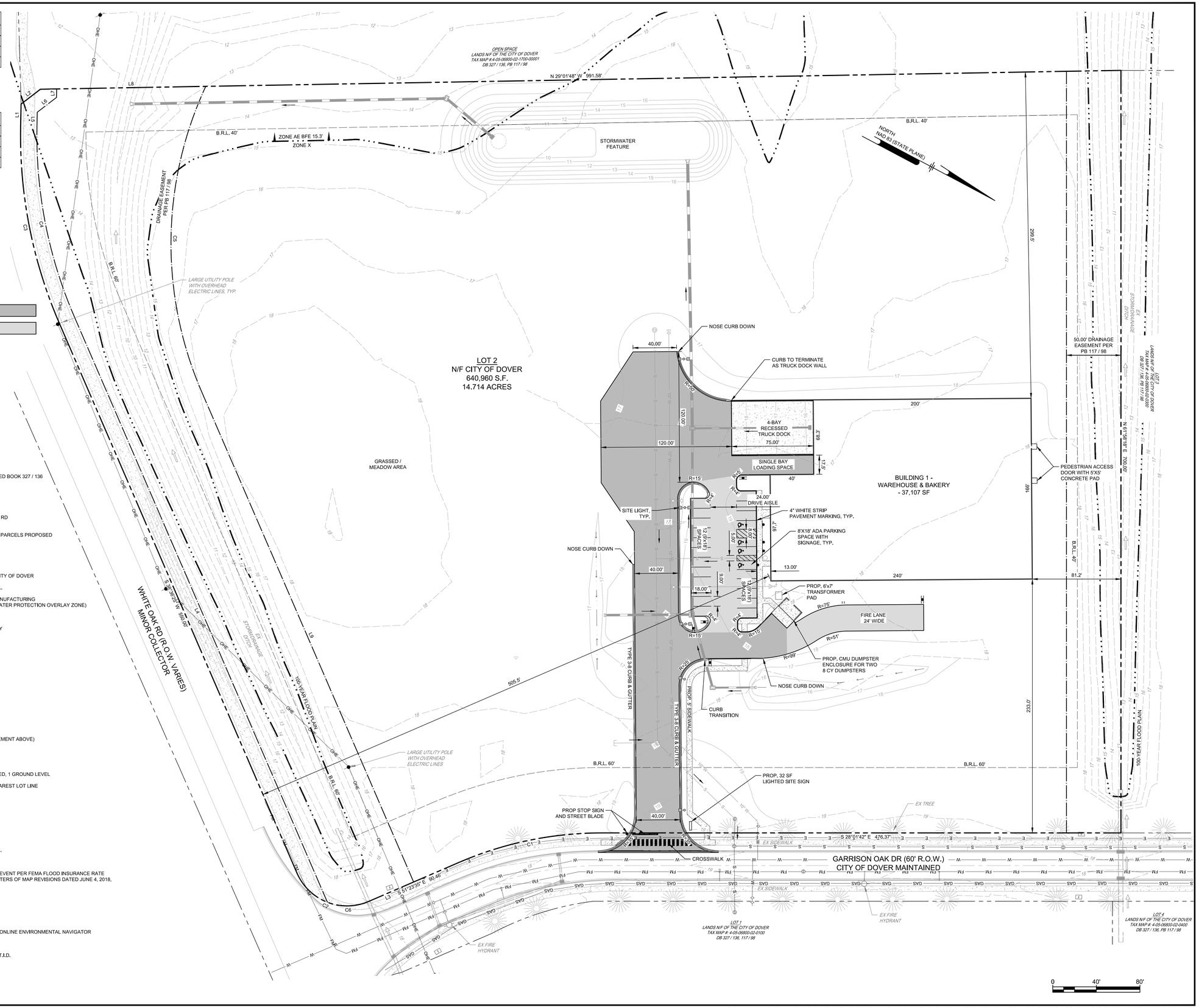
1. MAP NUMBER: 4-05-06800-02-0200-00001
   PROPERTY REFERENCE: PLOT BOOK 117 / 98 AND DEED BOOK 327 / 136
2. PROPERTY OWNER & ADDRESS: CITY OF DOVER, PO BOX 475, DOVER, DE 19903
3. DEVELOPER: BYLERS PROPERTIES, L.P., 1368 ROSE VALLEY SCHOOL RD, DOVER, DE 19904
4. TOTAL LOTS / PARCELS: 1 EXISTING, NO ADDITIONAL PARCELS PROPOSED
5. SITE AREA AND ACREAGE: 640,962 SF, 14.714 AC
6. PROPERTY ADDRESS: 651 GARRISON OAK DR, DOVER, DE 19901
7. HUNDRED/MUNICIPALITY: LITTLE CREEK HUNDRED / CITY OF DOVER
8. THE CITY OF DOVER RESPONSIBLE FOR LAND DEVELOPMENT APPROVAL.
9. EXISTING ZONING: IPM2 - INDUSTRIAL PARK MANUFACTURING; SWPOZ - TIER 2 (SOURCE WATER PROTECTION OVERLAY ZONE)
10. PRESENT USE: VACANT
11. PROPOSED USE: WAREHOUSING AND BAKERY
12. AREA REGULATIONS:

	IPM-2	PROPOSED
MIN. LOT AREA	2.5 AC	14.714 AC
LOT WIDTH (FT)	100 FT	771.9 FT
LOT DEPTH (FT)	100 FT	700 FT
FRONT YARD (FT)	60 FT	60 FT
SIDE YARD (FT)	40 FT	40 FT
REAR YARD (FT)	40 FT	40 FT
SIDE OR REAR YARD ADJ. RESIDENTIAL	100 FT	100 FT
FLOOR AREA RATIO	0.5	0.06

13. REQUIRED PARKING / LOADING:
    1 / 800 SF OF FLOOR AREA: 37,107 SF / 800 = 47 SPACES
    1 / EMPLOYEE (LARGEST SHIFT IF GREATER THAN PARKING REQUIREMENT ABOVE)
    NUMBER OF EMPLOYEES: 7 - 10
    REQUIRED PARKING SPACES: 47 SPACES
    PROVIDED SPACES: 24 (WAIVER REQUESTED)
    PROPOSED LOADING: 5 TRUCK DOCKS, 4 RECESSED, 1 GROUND LEVEL
14. MAXIMUM HEIGHT ALLOWED: EQUAL TO DISTANCE TO NEAREST LOT LINE
    DISTANCE TO NEAREST LOT LINE: 81.3-FEET
    PROPOSED HEIGHT: 39'-11" FEET TO ROOF PEAK
15. LOT COVERAGE CHART (65% ALLOWABLE)

EXISTING	PROPOSED
0.0 AC (0.0%)	1.978 AC (13.4%)

16. WATER, SEWER, & ELECTRIC SUPPLIER: CITY OF DOVER
17. GAS SERVICE PROVIDER: CHESAPEAKE UTILITIES, INC.
18. SANITATION: PRIVATE HAULER
19. FEMA FLOOD MAP: THE SITE IS NOT IMPACTED BY THE 100-YEAR FLOOD EVENT PER FEMA FLOOD INSURANCE RATE MAP NUMBER 10001C0186J DATED JULY 7, 2014 AND AMENDED BY LETTERS OF MAP REVISIONS DATED JUNE 4, 2018, AND JANUARY 29, 2019,
20. 2020 STATE INVESTMENT AREA: LEVEL 2 & 3
21. LATITUDE AND LONGITUDE STATE PLANE COORDINATES:
    LATITUDE: N 39° 10' 51"
    LONGITUDE: W 75° 29' 49"
22. WETLAND & WATERS OF THE U.S.: 0.0 ACRES PER THE DNREC ONLINE ENVIRONMENTAL NAVIGATOR
23. PROPOSED DISCHARGE LOCATION: LITTLE RIVER
24. PROXIMITY TO T.I.D.: NOT WITHIN AN IDENTIFIED T.I.D.
25. LIMIT OF DISTURBANCE: 7.5 ACRES
26. SURVEY DATUM: NAD 83 / NAVD 88
27. WATERSHED: LITTLE CREEK



SITEWORKS ENGINEERING
PO BOX 212 | 19 COMMERCE ST, HARRINGTON, DE 19952 Phone: (302) 841-7901

SITE PLAN

BYLER'S WAREHOUSE
TAX PARCEL NO. 4-05-06800-02-0200 (LOT 2 OF THE GARRISON OAK TECHNICAL PARK)
LITTLE CREEK HUNDRED, CITY OF DOVER, DELAWARE

ISSUE / REVISION BLOCK
3/2/23 - CITY OF DOVER

SCALE	PROJECT #	DRAWN BY
1" = 40'	22-278	DMH

DRAWING NUMBER

RP-2

PLOTTED: 3/2/2023 7:07 PM, BY: Dave Hasbrook PLOTSTYLE: _SiteWorks-ENG.ctb
Z:\PROJECTS\Bylers Store\22-278 - Garrison Oak BP - Lot 2\Design\Plan\22-278 - Record Plan.dwg

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SITE DATA:

1. PROPERTY OWNER & ADDRESS: CITY OF DOVER, PO BOX 475, DOVER, DE 19903
2. DEVELOPER: BYLER'S STORE INC., 1368 ROSE VALLEY SCHOOL RD., DOVER, DE 19901, (302) 423-6675
3. DESIGN PROFESSIONAL CONTACT INFO: SITEWORKS ENGINEERING, LLC, PO BOX 2, HARRINGTON, DE 19952, (302) 841-7901
4. SITE AREA AND ACREAGE: PARCEL 4-05-06800-02-0200: 14.714 ACRES
5. PROPERTY ADDRESS: 651 GARRISON OAK DR, DOVER, DE 19901
6. EXISTING ZONING: IPM-2 - INDUSTRIAL PARK MANUFACTURING ZONE (BUSINESS AND TECHNOLOGY CENTER)
7. PRESENT USE: VACANT
8. NO EXISTING WETLANDS PER THE DNREC ONLINE ENVIRONMENTAL NAVIGATOR
9. NO EXISTING WOODLANDS ON THE SITE

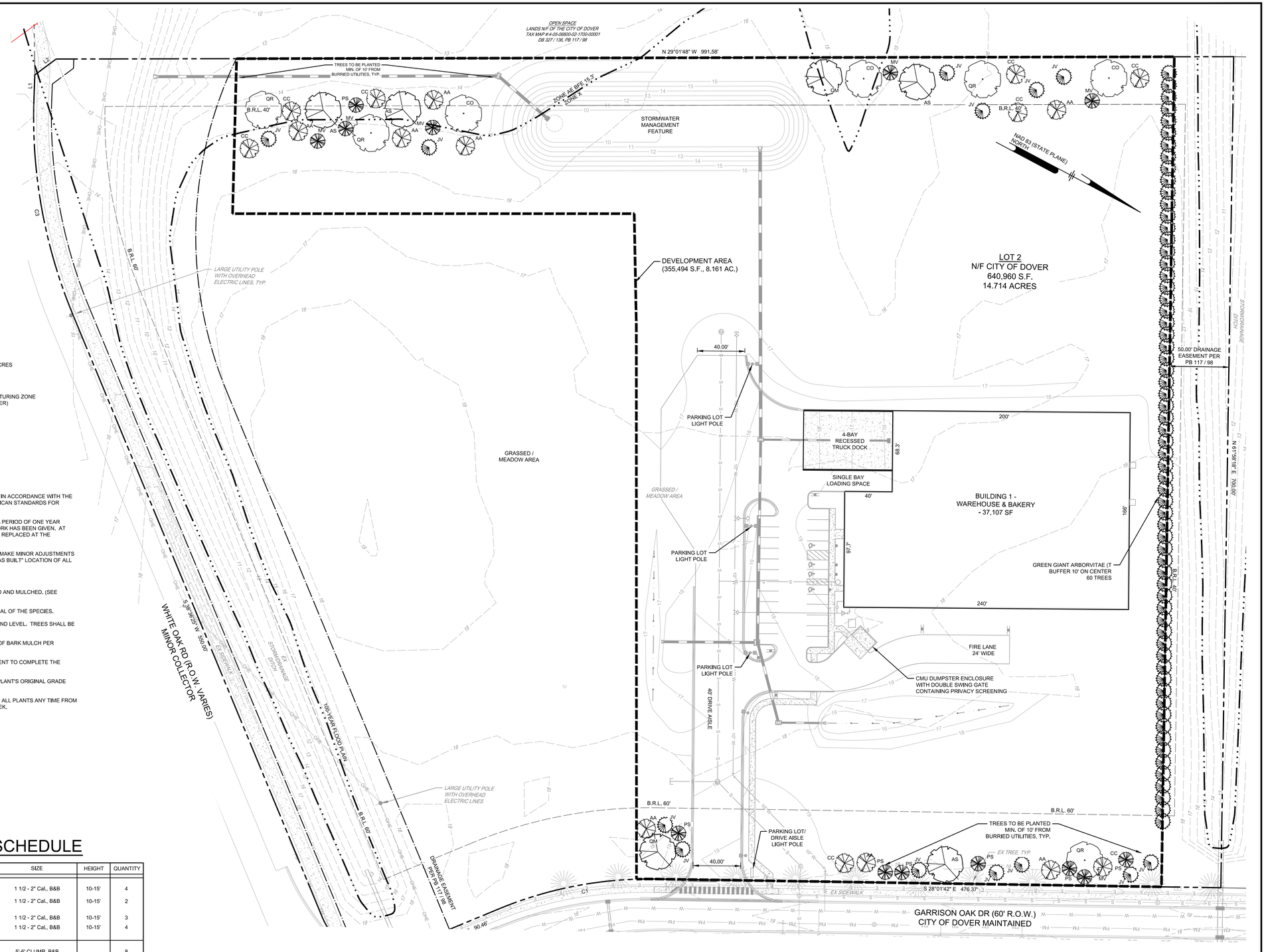
LANDSCAPING NOTES

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. CONTRACTOR SHALL BE REQUIRED TO GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR AFTER INSTALLATION IS COMPLETE AND FINAL ACCEPTANCE OF PHASE I SITE WORK HAS BEEN GIVEN. AT THE END OF ONE YEAR ALL PLANT MATERIAL WHICH IS DEAD OR DYING SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE AS ORIGINALLY SPECIFIED.
3. 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.
4. NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER.
5. ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN.)
6. EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
7. ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 12'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE STAKING DETAIL SHOWN.
8. THE FULL EXTENT OF ALL PLANTING BEDS SHALL RECEIVE 4" OF TOPSOIL AND 3" 0F BARK MULCH PER SPECIFICATIONS.
9. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THIS DRAWING AND AS SPECIFIED.
10. ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANT'S ORIGINAL GRADE BEFORE DIGGING.
11. THE CONTRACTOR IS EXPECTED TO MAINTAIN PLANTINGS, INCLUDING WATERING ALL PLANTS ANY TIME FROM APRIL TO DECEMBER WHEN NATURAL RAINFALL IS LESS THAN ONE INCH PER WEEK.

LANDSCAPE PLANT SCHEDULE

SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	QUANTITY
		LARGE TREES				
	AS	Acer saccharum 'Green Mountain'	SUGAR MAPLE	1 1/2 - 2" Cal., B&B	10-15'	4
	QM	Quercus phellos	WILLOW OAK	1 1/2 - 2" Cal., B&B	10-15'	2
	CO	Celtis Occidentalis	COMMON HACKBERRY	1 1/2 - 2" Cal., B&B	10-15'	3
	QR	Quercus Rubra	NORTHERN RED OAK	1 1/2 - 2" Cal., B&B	10-15'	4
		MEDIUM TREES				
	AA	Amelanchier arborea	SERVICEBERRY	5'-6' CLUMP, B&B		8
	CC	Cercis canadensis	EASTERN REDBUD	6'-8', MULTI-STEM, B&B		8
		EVERGREEN TREES				
	MV	Magnolia virginiana	SWEETBAY MAGNOLIA	4-5' Ht., B&B		6
	PS	Pinus strobus	EASTERN WHITE PINE	4-5' Ht., B&B		7
	JV	Juniperus virginiana	EASTERN RED CEDAR	4-5' Ht., B&B		12
	TP	Thuja plicata	GREEN GIANT ARBORVITAE	4-5' Ht., B&B		65
REQUIRED TREES (1 / 3000 SF), DEVELOPMENT AREA = 119,752 / 3000 = 40 TREES					TOTAL	119

NOTE: ALL TREES SHALL HAVE A ONE YEAR REPLACEMENT GUARANTEE



LANDSCAPE ARCHITECT'S STATEMENT

I, TIMOTHY M. METZNER, HEREBY STATE THAT I AM A REGISTERED LANDSCAPE ARCHITECT 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 ARCHITECTURAL PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE _____ DATE _____

REGISTERED LANDSCAPE ARCHITECT: TIMOTHY M. METZNER
DAVIS, BOWEN & FRIEDEL, INC.
1 PARK AVENUE
MILFORD, DELAWARE 19963

SITEWORKS ENGINEERING
PO BOX 2 | 19 COMMERCE ST, HARRINGTON, DE 19952 Phone: (302) 841-7901

LANDSCAPE AND LIGHTING PLAN

BYLER'S WAREHOUSE

TAX PARCEL NO. 4-05-06800-02-0200 (LOT 2 OF THE GARRISON OAK TECHNICAL PARK)

LITTLE CREEK HUNDRED, CITY OF DOVER, DELAWARE

ISSUE / REVISION BLOCK

3/2/23 - CITY OF DOVER

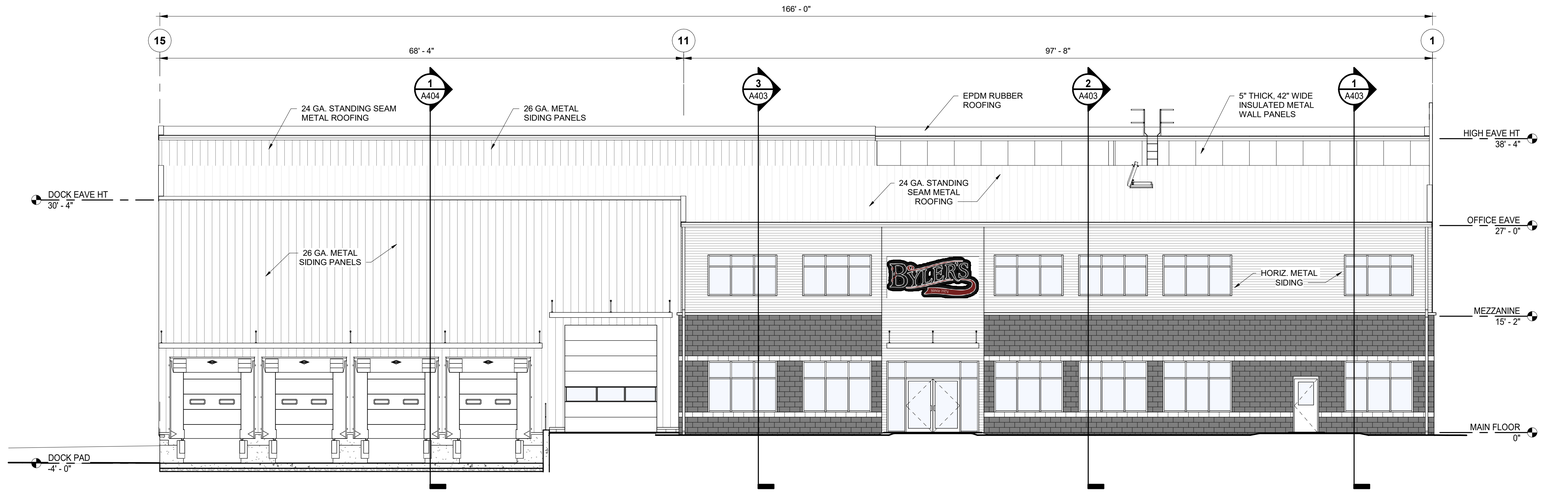
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1" = 40'	22-278	DMH

DRAWING NUMBER

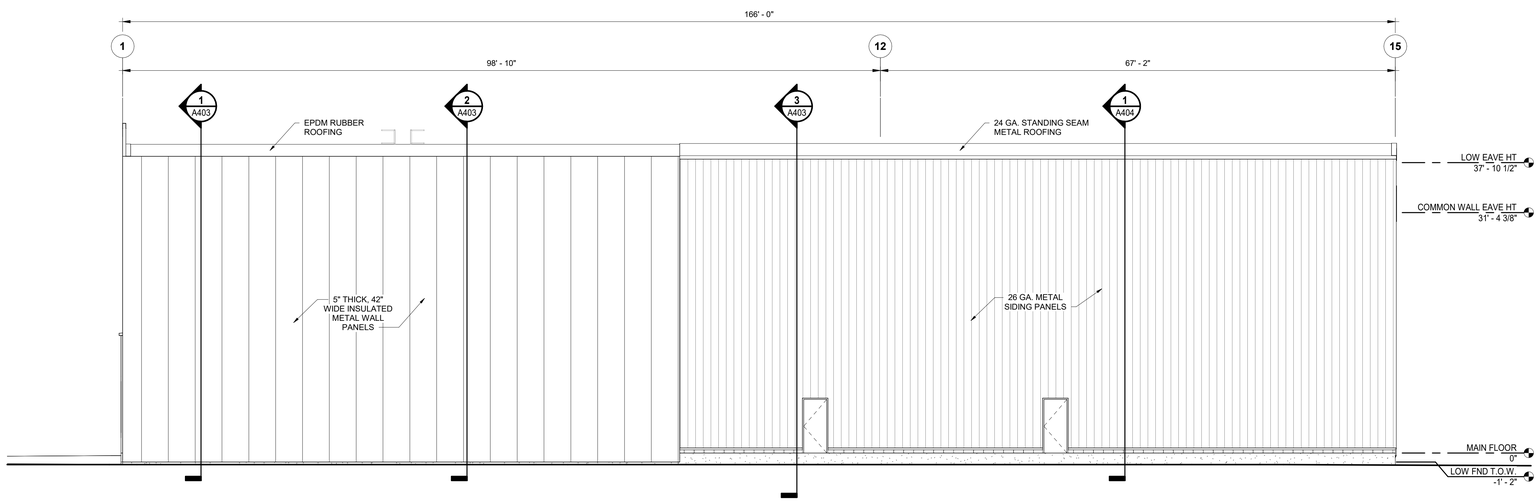
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Z:\PROJECTS\Bylers Store\22-278 - Garrison Oak SP - Lot 2\Design\Plot\22-278 - Landscape Plan.dwg PLOTTED: 3/2/2023 7:07 PM, BY: Dave Hostwick PLOTSTYLE: _SiteWorks-BW3.ctb

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1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

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1704 White Water Road Lancaster, PA 17603
717-435-9970

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CONTRACTOR:

Scenic Ridge Construction
2558 STEELTON ROAD
LANCASTER, PA 17601
TEL: 717.768.7522
FAX: 717.768.8522
www.scenicridge.com

NEW BUILDING FOR:

BYLER'S STORE, INC.

LOT 2 - 1499 WHITE OAK ROAD
DOVER, DE 19901
KENT COUNTY

ISSUE: SCHEMATIC
ISSUE DATE: 3.2.2023

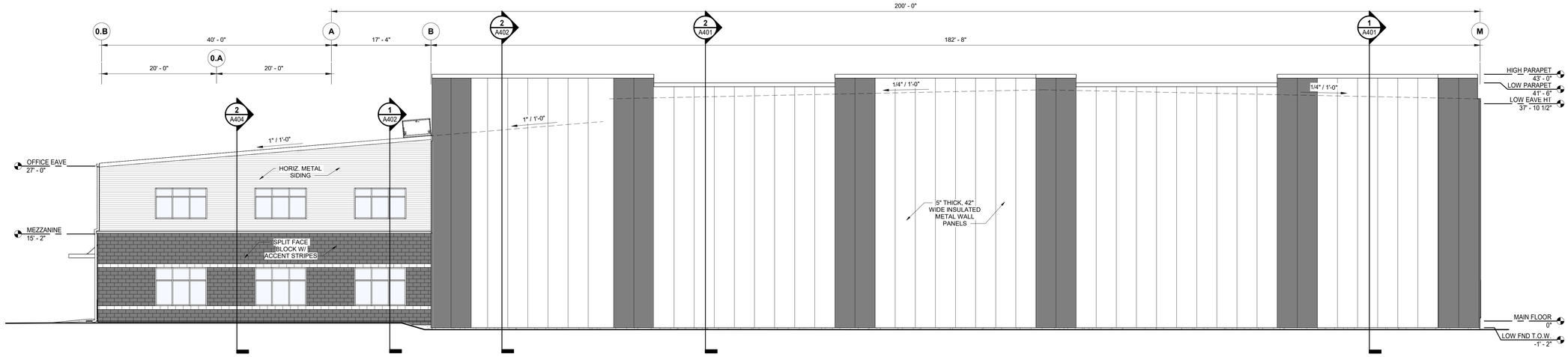
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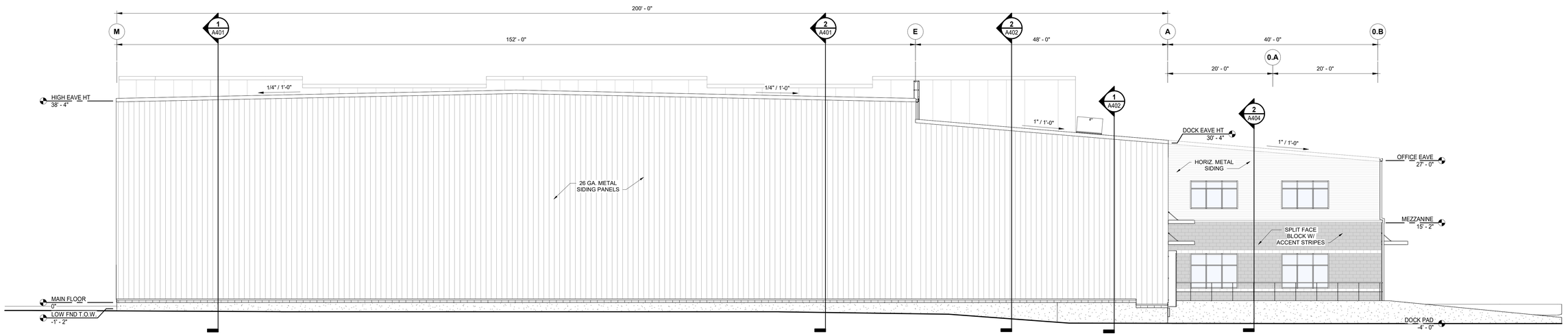
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DRAWN BY: DJD
REV BY:
SHEET NUMBER: ELEVATIONS

A201

REVISION
-



1 **EAST ELEVATION**
SCALE: 1/8" = 1'-0"



2 **WEST ELEVATION**
SCALE: 1/8" = 1'-0"

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REV	DESCRIPTION	DATE

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DWG NUMBER: 22297
SCALE: 1/8" = 1'-0"
DRAWN BY: DJD
REV BY:
SHEET NUMBER: ELEVATIONS

A202

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