

**CITY OF DOVER PLANNING COMMISSION
AGENDA**

**Monday, December 16, 2019 – 6:00 P.M.
City Hall, City Council Chambers
15 Loockerman Plaza, Dover, Delaware**

PLEDGE OF ALLEGIANCE
ROLL CALL

APPROVAL OF AGENDA

ADOPTION OF MINUTES OF MEETING of November 18, 2019

COMMUNICATIONS & REPORTS

- 1) Reminder: The next Planning Commission regular meeting is scheduled for TUESDAY, January 21, 2020 at 7:00 PM in the City Council Chambers.
- 2) Schedule of Deadlines and Meetings for 2020
- 3) Update on City Council Actions
- 4) Department of Planning & Inspections Updates

OPENING REMARKS CONCERNING MEETING PROCEDURES

OLD BUSINESS

- 1) Request for Extensions of Planning Commission Approval: None

NEW APPLICATIONS

- 1) S-19-25 Eden Hill Farm TND: Residential District – Revised Implementation Plan (Phase 2 Area, Clubhouses, and Unit Types) – Public Hearing and Review of Revised Implementation Plan for the Residential District component of the Traditional Neighborhood Design project known as Eden Hill Farm TND. The Revised Plan for the Residential District proposes to revise Phase 2 areas; to extinguish lots 339-346 to create a new clubhouse and active recreation space; to create two (2) clubhouses within the Active Open Space; to build five (5) apartment buildings to contain 180 dwelling units on lots 6-10, while using lot 11 as Open Space; and to change the unit types of lots along Alleys J, K, L, R, S and T (in vicinity of the eastern portions of Ann Moore Street, Ridgely Boulevard, and Little Eden Way) to achieve 665 total lots. The Residential District consists multiple parcels totaling of 109.034 acres ± of land and is zoned TND (Traditional Neighborhood Design). The project is located south of West North Street and Wemyss Road and east of the POW-MIA Parkway. The owner of record for the area of revision is Eden Hill Residential, LLC. Tax Parcels: Multiple parcels of the Residential District on map ED-05-076.04. Council District 2. *The Implementation Plan was previously reviewed as SB-06-03 Eden Hill Farm TND: Residential District Implementation Plan consisting of 665 dwelling units with the Planning Commission conditional approval granted June 19, 2006 and other subsequent approvals related to lot layout and Pattern Book revisions. Related Applications: SB-07-01, MI-08-03, MI-08-20, MI-09-03, MI-09-13, MI-10-04, MI-10-14, MI-10-20, and S-15-07.*

NEW BUSINESS

1) **2019 Comprehensive Plan** - The *City of Dover 2019 Comprehensive Plan* includes text and a Map series outlining information and policies regarding land use activities in the City of Dover. The FINAL DRAFT *2019 Comprehensive Plan* (12.3.2019) document is on file at the Department of Planning and Inspections, City Hall, 15 Loockerman Plaza, Dover and at the Dover Public Library, 35 Loockerman Plaza, Dover.

See Project website: <https://www.cityofdover.com/2019-comprehensive-plan>

- a) Project Scope and Process
- b) Preliminary Land Use Services (PLUS) Review by State agencies: Letter of November 8, 2019
- c) Review of FINAL DRAFT *2019 Comprehensive Plan*
 - i) Plan and Map Series Format
 - ii) Goals and Recommendations
 - iii) Land Development Plan Map
 - iv) Annexation Plan Maps
 - v) Implementation Plan
- d) Review of Comprehensive Plan Requests:
 - i) Request #1: 5.0-acre parcel on north side of Route 8/Forrest Avenue
 - ii) Request #2: 1436 New Burton Road
 - iii) Request #3: 1.81-acre parcel on north side of White Oak Road
 - iv) Request #4: Various properties owned by Mt. Zion AME Church in Downtown Dover
 - v) Request #5: Lands of Dover Motorsports, Inc./Dover International Speedway
 - vi) Request #6: Designation of Employment Center in vicinity of Kent County AeroPark
- e) Public Hearing on Comprehensive Plan Requests
- f) Public Hearing on Comprehensive Plan
- g) Discussion
- h) Action by Planning Commission

Note: A Public Hearing before the City of Dover City Council on the *2019 Comprehensive Plan* has been scheduled for January 13, 2020 at 7:30 P.M., in the City Council Chambers of City Hall. (Ordinance #2019-21)

ADJOURN

THE AGENDA ITEMS MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

**CITY OF DOVER PLANNING COMMISSION
NOVEMBER 18, 2019**

The Regular Meeting of the City of Dover Planning Commission was held on Monday, November 18, 2019 at 7:00 PM in the City Hall Council Chambers with Chairperson Dr. Jones presiding. Members present were Mr. Adams, Mr. Roach, Mr. Hartman, Mr. Baldwin, Mr. Tolbert, Mrs. Welsh, Ms. Maucher and Dr. Jones. Ms. Edwards was absent.

Staff members present were Mrs. Dawn Melson-Williams and Mr. Julian Swierczek. Also present were Mr. Mark Dunkle and Mr. Harold Mitchell.

APPROVAL OF AGENDA

Ms. Maucher moved to approve the agenda as submitted, seconded by Mrs. Welsh and the motion was unanimously carried 8-0 with Ms. Edwards absent.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF OCTOBER 21, 2019

Mr. Tolbert moved to approve the Planning Commission Meeting minutes of October 21, 2019, second by Mr. Baldwin and the motion was unanimously carried 8-0 with Ms. Edwards absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, December 16, 2019 in the City Council Chambers. In looking at the application that was filed and our intent to conduct the Public Hearing and formal review of the Final Draft of the Comprehensive Plan that evening, Staff is recommending a 6:00PM start time for that meeting. This is to be able to address both matters in a timely fashion and just keep the December meeting to one meeting rather than scheduling a second special meeting for the Comprehensive Plan. If there are no objections from any of the Planning Commissioners, she asks that you mark your calendars for a 6:00PM start that evening.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on October 28 and 29, 2019.

Mrs. Melson-Williams stated that Mr. Hugg is not with us this evening; he will out of the office for a couple of weeks for some medical procedures. She also noted that they participated in GIS Day last week.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Melson-Williams presented the audience information on policies and procedures for the meeting.

OLD BUSINESS

- 1) Requests for Extensions of Planning Commission Approval:
 - a. S-17-28 Multiplex at 299 College Road – Request for a One-Year Extension of the Planning Commission approval granted on November 20, 2017 for a Site

Development Plan application to permit construction of a three (3) unit multiplex residential building (multi-family dwelling) with adjoining parking spaces. The property consists of a 18,244 S.F. +/- parcel (0.42 +/- acres) and is zoned RM-2 (Medium Density Residence Zone). The property is located on the northwest side of College Road and adjacent to Conwell Street. The owner of record is Stephen E. Lumor (Enyam, LLC). Property Address: 299 College Road. Tax Parcel: ED-05-067.00-02-26.00-000. Council District 4. *Final Plan Approval was granted September 5, 2018.*

Representatives: None

Mrs. Melson-Williams stated that this is a one-year request for Extension. This appeared before the Planning Commission in November 2017. They have moved through the Check Print Review process and Final Plan Approval. They have a Final Plan Approval that dates to September 2018 and that also included a Record Plan because they had some easements and right-of-way dedication that had to be achieved along College Road. It was also a subject of a Variance Application in its timeframe of plan review. The project itself did submit and was issued a Building Permit in late 2018. They received an extension of that Building Permit after six months' time in June 2019 so they still have an active permit; however, they have not commenced construction. Under the rules in the *Zoning Ordinance*, they must seek an extension of their Planning Commission approval because while they have Final Plan Approval, they have not commenced construction. Of note, their DeIDOT Entrance Plan for an entrance onto College Road remains in effect. It was previously approved and is in effect until 2021. Likewise, their Kent Conservation District permit for site disturbance is also valid for another couple of years. They are making a request for a One-Year Extension of the Planning Commission approval which is noted in the letter that was included in the packet.

Mr. Adams questioned if there are any plans to move forward? Responding to Mr. Adams, Mrs. Melson-Williams stated that she is not sure that they gave Staff any reason why they had not commenced construction. They have certainly incurred costs at this point having paid for a permit that is still valid. They could commence activity at any time. She is not sure what is holding them up.

Mrs. Welsh moved to approve S-17-28 Multiplex at 299 College Road for a One Year Extension, seconded by Mr. Adams and the motion was carried 8-0 by voice vote with Ms. Edwards absent.

2. C-17-04 House of Pride Offices at 45 South New Street – Re-evaluation Review for a Conditional Use Permit to convert an existing one-family dwelling structure into a philanthropic use as the administrative facility (offices) for House of Pride. The application was reviewed by the Planning Commission on August 21, 2017 with approval of the use conditioned upon a one-year review among other conditions. A one-year review was completed on October 15, 2018 with continued approval subject to a six-month review. Re-evaluation review was completed on May 20, 2019 with continued approval subject to a second six-month review. The property consists of a 9,090 SF +/- parcel. The property is zoned RG-1 (General Residence Zone). The property is located on the east side of South New Street, north of Reed Street, and south of Division Street. The

owner of record is House of Pride, Inc. Property Address: 45 South New Street. Tax Parcel: ED-05-077.05-03-05.00-000. Council District: 4.

Representatives: None

Mr. Swierczek stated that this is a review of a Conditional Use Review to convert an existing one-family dwelling structure into a philanthropic use as the administrative offices for the House of Pride. The property is zoned RG-1 (General Residence Zone). The property is located on the east side of South New Street, north of Reed Street, and south of Division Street. The application was initially heard by the Planning Commission at the August 21, 2017 meeting where it received conditional approval. It has returned to the Planning Commission on several occasions. The most recent review of this was in May 2019 where the Planning Commission requested that it return after a further six-month period for another review which is why it is being presented tonight. It is noted by Planning Staff that these periodic reviews have been for the confirmation that progress is being made in meeting the conditions of approval as laid out by the Planning Commission and not an actual review for an extension of approval. The conditional approval that was originally set to expire in August 2019, but the applicant had requested a One Year Extension for approval which was granted. Staff notes that since the meeting, the applicant has been making significant progress in the plan review process. The most recent plan submitted to Staff appears to be meeting Planning Staff's satisfaction. They are waiting on confirmation of approvals from the other review agencies before they can actually achieve the ultimate Final Plan Approval.

Mrs. Welsh moved to approve C-17-04 House of Pride Offices at 45 South New Street to include the recommendations of Planning Staff to not require any further reviews based on this progress to date, seconded by Ms. Maucher and the motion was carried 8-0 by voice vote with Ms. Edwards absent.

NEW APPLICATIONS

- 1) S-19-14 Northgate Center Lot 1: Office and Retail Building at 101 Stover Boulevard (Revised) – Public Hearing and Review of a Revised Site Development Plan Application to construct a two-story 27,665 SF office and retail building together with associated site improvements. The project is Lot 1 located in the Northgate Center (previously known as the Stover Professional Campus). The subject property is 2.0 acres +/- and located at the northeast corner of Stover Boulevard and Bay Road. The property is zoned C-4 (Highway Commercial Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone). The owner of record is 605 South Bay Road, LLC. Property Address: 101 Stover Boulevard. Tax Parcel: ED-05-077.00-03-01.00-000. Council District 2. *Waiver Request: Reduction of Arterial Street Buffer. The property was part of the development of Subdivision Application SB-05-05F Stover Professional Park.*

Representatives: Mr. Mark Dunkle, Parkowski Guerke & Swayze PA; Mr. Harold Mitchell, Karins Engineering

Mr. Swierczek stated that this is a review of a Revised Site Development Plan Application to

construct a two-story 27,665 SF office and retail building together with associated site improvements. This application was originally submitted for review to the Planning Commission at the July 2019 meeting; however, the plan was withdrawn by the applicant from that meeting pending Site Plan revisions per comments made during the initial DAC Review Process. The project as presented today is located on Lot 1 located in the Northgate Center previously known as the Stover Professional Campus. The subject property is approximately 2 acres and located at the northeast corner of Stover Boulevard and Bay Road. The property is zoned C-4 (Highway Commercial Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone). It should be noted that typically the SWPOZ (Source Water Protection Overlay Zone) has more restrictive zoning and bulk regulations applied to it. Staff has noted a previous letter with a prior determination with regards to the SWPOZ (Source Water Protection Overlay Zone) as it applies to the Stover Professional Campus or currently the Northgate Complex, of which this proposal is a part of. Specifically, it notes that the land was laid out and approved according to the rules in place at the time of the subdivision. So Staff does support that the use restrictions for the SWPOZ (Source Water Protection Overlay Zone) be observed but not necessarily the bulk restrictions. The applicant has submitted elevations for the proposed building. The front of the building faces Bay Road while the back of the building faces the adjacent hotel property. The applicant has not identified any tenants as of yet for the space. The parking requirements for the C-4 (Highway Commercial Zone) is one per 300 square feet of floor area or one space per employee, whichever is greater. The number of employees has not been identified; however, getting the square footage of the building, there would be a parking requirement of at least ninety-three parking spaces and the applicant is showing ninety-four. This is within the 75% maximum lot coverage. The Site Plan shows two entrances to the site. Both entrances are from the shared drive aisle with the hotel and these are also full movement entrances. The drive aisle is located to the east of the property and connects from Stover Boulevard to the south and also through to the Blue Hen Corporate Center. The applicant has noted one waiver request with their plans in accordance with the *Zoning Ordinance*, Article 5 Section 7.33 requesting to be able to reduce the width of the required Arterial Street Buffer from thirty feet to twelve feet. Staff is recommending that the Planning Commission approve the waiver request as Staff believes that this lesser buffer would be in character with the immediate area. Staff also recognizes the fifty-six (56) foot grass area located in the right-of-way between the edge of paving of South Bay Road and front property line. Finally, requiring the full buffer would eliminate much of the capacity for the site to accommodate the parking requirements for the ninety-three (93) in the site design. There are limited options for the relocation of those twenty-eight (28) parking spaces that would have to be moved. Just as a reminder to the Planning Commission that you should act upon the waiver request as part of any motion regarding this project application or as a separate motion as necessary.

Mr. Hartman stated that on the restrictions required by the *Zoning Ordinance* for the SWPOZ (Source Water Protection Overlay Zone), what input does Planning have on that after the site is built? Since the tenants have not been selected, will the City be interested in the tenants meeting the requirements of the *Zoning Ordinance*? Responding to Mr. Hartman, Mr. Swierczek stated absolutely. As he mentioned earlier, the applicants have not yet identified any tenants for the spaces; however, whenever a tenant would propose to move in they would have to apply for a Building Permit which the Planning Office reviews. They would have to ensure that any potential tenant or use in that building would be allowed within the regulations of the SWPOZ

(Source Water Protection Overlay Zone).

Mr. Dunkle stated that they agree with all of the DAC comments and all of the recommendations of Staff. Just a tiny bit of history, they came in with a plan in the summer and got a lot of feedback. They made quite a few changes to that plan to come to this plan tonight based on Staff comments. They were all good comments and they can fit them in. They do have the Waiver Request. They are asking for a waiver on the Buffer from the highway because the right-of-way is so deep. It really doesn't add much, and it helps them with the parking. They still think they have a good Buffer and Staff is recommending it. The idea is to bring some office and retail to this area. You already have lots of people working in Stover Park with Chesapeake Utilities and Delaware Solid Waste Authority and you have people living in the apartments behind the mall so they think this is the way to go. The engineer and owners are here tonight for any questions.

Dr. Jones opened a public hearing and after seeing no one wishing to speak, closed the public hearing.

Mr. Tolbert moved to approve S-19-14 Northgate Center Lot 1: Office and Retail Building at 101 Stover Boulevard (Revised) as presented to us and that the approval include the waiver for the Arterial Street Buffer requirement because that waiver does not cause a problem in the area and is consistent with the other buffers in that area, seconded by Mrs. Welsh and the motion as carried 8-0 by roll call vote. Mr. Tolbert voting yes. Mrs. Welsh voting yes; in accordance with the DAC Comments for the project. Ms. Maucher voting yes; based on Staff recommendations. Mr. Adams voting yes. Mr. Roach voting yes; he thinks that it brings nice visual aesthetics to the area and it fulfills the need for that area in regards to the apartments and hotels and the people working there. Mr. Hartman voting yes; based on the recommendations in the DAC. Mr. Baldwin voting yes; based on the aforementioned statements. Dr. Jones voting yes; based upon recommendations of Staff. It will be a welcomed addition to that area.

NEW BUSINESS

- 1) Project for Dover's 2019 Comprehensive Plan
 - a. Release DRAFT Plan (dated 10/1/2019) is available for review. See Project website:
<https://www.cityofdover.com/2019-comprehensive-plan>

Mrs. Melson-Williams stated that as they reported to the Commission last month, the Release DRAFT version of the plan is out. You can see it on the City's webpage for the 2019 Comprehensive Plan Project. There is a link to both the text and the map series for the document.

- b. Update on Public Outreach Events for 2019 Comprehensive Plan:
 - i. Open House Event – October 23, 2019
 - ii. Visitation Event – October 24, 2019

Mrs. Melson-Williams stated that since your October meeting they have had two public outreach events regarding the plan to start to introduce the Release DRAFT and maps and all to the public. There was an Open House Event held on Wednesday, October 23, 2019 at the Library. They had a number of people stop by and see them. They actually did a presentation at that meeting to

introduce them or remind them about the project. They did receive some comments from people at that event. The very next day they held a Visitation Event on Thursday, October 24, 2019. That was an all-day opportunity for people to stop by City Hall. They had all of the maps on display and Staff was available to answer any questions. That event was not as successful as they had hoped. They did not have a lot of visitors to that. They had a number of Staff in the building stop by to see what all of the crazy colorful maps meant.

- c. Update on Next Steps
 - i. PLUS Review Comments
 - ii. Formal Review Process and Public Hearings

Mrs. Melson-Williams stated that they are in the final stretch. They received their PLUS Review comments on November 8, 2019 which was about a week and a half early. It is about an eighteen page letter. There were a number of things that they commented on which they deem as certification issues which are corrections to be made to the Plan and then a series of recommendations to either correct data or make things better in the Plan itself. They have comments that were received from the Office of State Planning, from DelDOT, from the State Housing Authority, from the various sections of DNREC, comments from DART, and comments from the State Historic Preservation Office. Staff has been working to tackle those comments at this point because they are in motion to prepare what they are calling the Final DRAFT Plan which includes all of the chapters and map series. They are working to prepare that to be ready to be issued the very beginning of December. Be prepared as that document will be coming out. With the release of a Final DRAFT Plan they move into the formal review process which means that they will be doing the formal review and the public hearings on the document at the December 16, 2019 Planning Commission meeting so she encourages all of the Commissioners to be here. It will be the opportunity to review and take action on the Final DRAFT. There are a series of individual Requests that have been received that the Commissioners will act on individually because they make certain Requests to particular properties and how they are depicted on some of the maps. Your recommendation will carry on to City Council who will conduct their formal review and public hearings in early January 2020. Ultimately, if everything runs smoothly that should put us in good stead for meeting the February 2020 deadline for certification of a new plan. If you have not had a chance to take a look at the Release DRAFT she would encourage you to go on the website and take a look at that. The Final DRAFT is not going to be substantially different. There will be minor changes here and there, but you will be able to get a sense of all of the chapters that they are dealing with as well as the map series which is like fifteen or so maps at this point. You have seen pieces of it off and on over the last two years. The document has come together well. It continues to be a significant work item for the Planning Office but they hope to move through that process and have a new plan within a few months.

Ms. Maucher questioned if the PLUS letter was available for review? Responding to Ms. Maucher, Mrs. Melson-Williams stated that it is. Staff will likely give the Commissioners a copy of it as part of the overall package. It should be posted on the Office of State Planning's webpage. They can probably upload it to their project page as well. A lot of it is corrections like them calling something the wrong thing or they needed to talk a little bit more about certain topics; that's what the content of that letter is. They felt very good at the meeting. They heard

initial comments and then the letter reflected that. They were pleased with our efforts. Nothing major or astronomically wrong with it just a few things to make it better.

Ms. Maucher questioned if they would be sending out a redline version of the Plan to reflect the changes? Responding to Ms. Maucher, Mrs. Melson-Williams stated that it will not be a redline version; it will be issued as a Final DRAFT of the document. You will receive a paper hard copy of it this time. They will certainly try to get it to the Commissioners before the regular packet day if they can.

Mr. Tolbert questioned if this was a five-year document? Responding to Mr. Tolbert, Mrs. Melson-Williams stated that technically it is a ten-year plan. It is now a ten-year plan under the State Code. They do encourage a review at the five-year timeframe. If there are any significant changes that have occurred in the City that would cause a different direction or vision or portions of the Plan, you can certainly put forth revisions at that time. The Plan also sets forth a yearly Comprehensive Plan amendment process so if there for some reason development or annexation potential drastically changed in an area, there is an opportunity to revisit the Plan at any point during that ten-year time frame.

Mr. Roach thanked Staff for all of their hard work on this Plan and he is glad that it is coming to an end so that everyone can relax.

Meeting adjourned at 7:42 PM.

Sincerely,

**Kristen Mullaney
Secretary**

CITY OF DOVER APPLICATIONS TO PLANNING COMMISSION FOR CONDITIONAL USE, SITE PLANS, SUBDIVISION, & REZONING 12.4.2019 FINAL

Schedule of APPLICATION DEADLINES, DEVELOPMENT ADVISORY COMMITTEE meeting dates, PLANNING COMMISSION meeting dates, and CITY COUNCIL PUBLIC HEARING dates for 2020 filing deadlines. A Pre-Application Meeting must be conducted with Planning Staff prior to filing of an Application. Application filing deadline is by 4:00 P.M. on designated dates.

	January	February	March	April	May	June	July	August	September	October	November	December
Application Deadline	1/3/20	2/7/20	3/6/20	4/3/20	5/1/20	6/5/20	7/2/20	8/7/20	9/4/20	10/2/20	11/6/20	12/4/20 Rezoning 11/25/20
CITY COUNCIL Rezoning Ordinance First Reading	1/27/20	2/24/20	3/23/20	4/27/20	5/11/20	6/22/20	7/27/20	8/24/20	9/28/20	10/26/20	11/23/20	12/14/20
D.A.C. MEETING (STAFF ONLY)	1/29/20	2/26/20	4/1/20	4/29/20	5/27/20	7/1/20	7/29/20	9/2/20	9/30/20	10/28/20	12/2/20	12/30/20
D.A.C. MEETING (APPLICANT)	2/5/20	3/4/20	4/8/20	5/6/20	6/3/20	7/8/20	8/5/20	9/9/20	10/7/20	11/4/20	12/9/20	1/6/2021
PLANNING COMMISSION Public Hearings, Rezoning Recommendations	2/18/20	3/16/20	4/20/20	5/18/20	6/15/20	7/20/20	8/17/20	9/21/20	10/19/20	11/16/20	12/21/20	1/19/2021
CITY COUNCIL Action on Rezoning: Consideration of PC Recommendation and Public Hearing/Final Reading – Rezoning Ordinance	3/9/20	4/13/20	5/11/20	6/8/20	7/13/20	8/10/20	9/14/20	10/12/20	11/9/20	12/14/20	1/11/2021	2/8/2021

***Planning Staff will advise applicant as to the Committee Meetings schedule if applicable to the Application submission.

For Information Contact:

City of Dover Department of Planning & Inspections, City Hall, 15 Loockerman Plaza P.O. Box 475, Dover DE 19903
(302)736-7196 Phone (302)736-4217 Fax www.cityofdover.com



DATA SHEET FOR Revised IMPLEMENTATION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF December 4, 2019

PLANNING COMMISSION MEETING of December 16, 2019

Project: Eden Hill Farm – Traditional Neighborhood Design: Residential District Revised Implementation Plan (Phase 2 Area, Clubhouses, and Unit Types), S-19-25

Associated Plans:

Eden Hill Farm TND, Z-05-03

Residential District Implementation Plan, SB-06-03

Residential District Administrative Subdivision Plan: Record Plan and Construction Plans, SB-07-01

Eden Hill Farm TND: Residential District - Lot Revisions to Townhouses, MI-08-03

Eden Hill Farm TND: Residential District - Lot 1 Revision (Condominium Lot to Duplex Lots), MI-08-20

Eden Hill Farm TND: Residential District – Duplex Lot setbacks, MI-09-03

Eden Hill Farm TND: Residential District - Lots 4 and 5 Revisions (Condominium Lots to Townhouse Lots), MI-09-13

Eden Hill Farm TND: Residential District - Revisions to Lots 2F, 2G, and 2H (Minor Lot Line Adjustment Plan), MI-10-04

Eden Hill Farm TND: Residential District - Townhouse Styles for Phase 2 and Pattern Book Revisions for Duplex Lots, MI-10-14

Eden Hill Farm TND: Residential District - Phase 2 Lot Revisions, MI-10-20

Eden Hill Farm –TND: Residential District - Revised Implementation Plan, S-15-07

Eden Hill Farm TND: Residential District – Revised Active Recreation Plan S-15-10

Eden Hill Farm TND: Residential District – Architecture Concept, MI-18-10
(Consultation Discussion only)

Eden Hill Farm TND: Residential District – Revised Pattern Book: Senior Living Residential & Townhouse Options, MI-19-10 (Not Approved)

Plan Type: Traditional Neighborhood Design Implementation Plan

Location: South of West North Street and Wemyss Road and east POW-MIA Parkway (southeast of the intersection of West North Street and Saulsbury Road)

Tax Parcel: Multiple Parcels on Map ED-05-076.04

Area of TND: 272.04 acres +/-

Area of Residential District: 109.2049 acres +/-

Zoning: TND (Traditional Neighborhood Design Zone)

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C MEETING DATE: December 4, 2019

City of
Dover
Planning
Office

APPLICATION: Eden Hill Farm Traditional Neighborhood Design: Residential District - Revised Implementation Plan (Phase 2 Area, Clubhouses, and Unit Types)

FILE#: S-19-25 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn E. Melson-Williams, AICP PHONE#: 736-7010

PLAN REVIEW

This submission is for Review a Revised Implementation Plan for the Residential District component of the Traditional Neighborhood Design project known as Eden Hill Farm TND. The Revised Plan for the Residential District proposes to revise Phase 2 areas; to extinguish lots 339-346 to create a new clubhouse and active recreation space; to create two (2) clubhouses within the Active Open Space; to build five (5) apartment buildings to contain 180 dwelling units on lots 6-10, while using lot 11 as Open Space; and to change the unit types of lots along Alleys J, K, L, R, S and T (in vicinity of the eastern portions of Ann Moore Street, Ridgely Boulevard, and Little Eden Way) to achieve 665 total lots. The Residential District consists multiple parcels totaling of 109.034 acres ± of land and is zoned TND (Traditional Neighborhood Design). The project is located south of West North Street and Wemyss Road and east of the POW-MIA Parkway. The owner of record for the area of revision is Eden Hill Residential, LLC. Tax Parcels: Multiple parcels of the Residential District on map ED-05-076.04. Council District 2.

Previous Applications

The Implementation Plan was previously reviewed as SB-06-03 Eden Hill Farm TND: Residential District Implementation Plan consisting of 665 dwelling units with the Planning Commission conditional approval granted June 19, 2006 and other subsequent approvals related to lot layout and Pattern Book revisions from 2008-2012. There are a number of Related Applications for the Residential District of the Eden Hill Farm TND; see listings included in this Report.

In 2015, a REVISED Implementation Plan for the Residential District of the Eden Hill Farm Traditional Neighborhood Design (S-15-07) proposed of a total of 742 dwelling units (single family detached units, duplexes, townhouses, and multi-family units), the redesign of open space areas, and the street layout. While receiving Planning Commission conditional approval the Plan was not finalized.

Most recently, the Planning Commission reviewed Application MI-19-01, a series of Amendments to Revise the Pattern Book (Comprehensive Design Standards Manual) pertaining to the Eden Hill Farm TND Residential District. The proposed Pattern Book Amendments were to establish standards for a Senior Living Residential Village of one-story single-family detached

units and revisions for the Townhouse Options relating to architectural styles and lot format. However, this application was not successful.

*The following report provides background on the Traditional Neighborhood Design process to date for the Eden Hill Farm TND and as specifically related to the Residential District. The Report then focuses on a review of the Revised Implementation Plan submission of November 2019 for the Residential District. (*Plan Review of Revised Plan dated 10/28/2019).*

Traditional Neighborhood Design Zone Process

The *Zoning Ordinance*, Article 3, Section 28 outlines the requirements for the Traditional Neighborhood Design Zone (TND) including the development criteria and procedure. The first step of the Traditional Neighborhood Design Zone is an application for rezoning to TND which includes review of a Master Plan. The subject property Eden Hill Farm has achieved the zoning classification of TND (Traditional Neighborhood Design) and approval of the General Overall Master Plan. Next reviews of the Implementation Plans for each District of the TND for compliance with the approved General Overall Master Plan occur. Then is review of Administrative Site Plans for individual building development or Subdivision Plans for recordation of lots. For the Residential District, there is an Implementation Plan in plan, and it has been previously amended.

TND (Traditional Neighborhood Design Zone)

The types of permitted uses with the Traditional Neighborhood Design Zone are outlined in Article 3 §28.5. Listed below are the uses which are allowed in the Residential District:

Zoning Ordinance, Article 3

28.51 Uses allowed in all areas of the TND:

28.511 All residential uses, accessory uses, and conditional uses currently permitted in the residential zones of the City identified in Article 3, Sections 1, 2, 3, 4, 5, 6, 7 and 9. Proposed conditional uses shall be identified in the application to the Planning Commission.

28.512 Accessory dwelling units in conjunction with detached single-family houses. A maximum of one accessory dwelling unit shall be permitted in conjunction with a detached single-family house.

28.513 Open space.

28.514 Civic uses including, but not necessarily limited to:

- a) Government buildings;
- b) Education buildings;
- c) Libraries;
- d) Meeting halls;
- e) Museums;
- f) Recreational facilities;
- g) Places of Worship;
- h) Other cultural, civic or social use as designated on the approved Implementation Plan.

The types of residential uses allowed include single (one) family detached dwellings, duplexes, multiplex buildings, townhouses, multiple dwellings, and apartments (garden, mid-rise, and high-rise apartments). The *Zoning Ordinance* defines each of these terms.

Eden Hill Farm TND: Previous Application Reviews and Plan Approvals

The following provides a summary of the project review process to date for the Eden Hill Farm TND: Residential District.

Date	Application Number	Plan Type	Action	Description
June 20, 2005	Z-05-03	Rezoning Application	Planning Commission recommendation of approval for rezoning to TND	Rezoning to TND including acceptance of the General Overall Master Plan and the Master Comprehensive Development Standards Manual (Pattern Book) with its Addendum of 6/9/05 for the project in accordance with the conditions of approval outlined in the Development Advisory Committee (DAC) comments
July 22, 2005	Z-05-03	Rezoning Application	City Council approval of rezoning to TND	Property rezoned to TND with General Overall Master Plan and Pattern Book
June 19, 2006	SB-06-03	Implementation Plan – Residential District	DAC May-June 2006; Planning Commission approval	Implementation Plan and Pattern Book Amendments
2007	SB-07-01	Administrative Subdivision Plan	Staff & Agency Review	Residential District – Record Plan and Construction Plan Set
September 10, 2007	SB-07-01	Record Plan – Residential District	Staff approval 9/6/07; Record Plan recorded	Record Plan: Sheets 1-6 with parcels and street layout
December 10, 2007	SB-07-01	Final Construction Plans	Staff & Agency Approval	Final Construction Plan set and Final Comprehensive Development Standards Manual (Pattern Book)
July 29, 2008	MI-08-03	Record Plan Revisions in Phase 1; Construction Plan revisions; Pattern Book Addendum on Townhouse Lots	Planning Commission approval 4/21/2008 and 5/19/2008	Established a series of lot widths for townhouse units (20 ft, 22 ft, 24 ft, and 25 ft) (Addendum III) Included review of architecture for the initial townhouse units Revisions to lots in Phase 1 - Record Plan recorded; Revised Final Construction Plan sheets
February 5, 2009	MI-08-20	Record Plan – Revisions to Lot 1: Condo into Duplex Lots	Staff approval and Record Plan recorded	Record Plan: Sheet 1 and Administrative Site Plan
March 16, 2009	MI-09-03	Pattern Book Revisions on Duplex Lots	Planning Commission approval 3/16/2009	Reduced Duplex Building Restriction Line (setback) to 15 feet Pattern Book sheet (page 40) to be revised (Addendum IV)
October 26, 2009	MI-09-13	Record Plan Revisions to Lots 4 and 5: Condo into Townhouse Lots, Construction Plan revisions	Staff and Agency Review and approval; Record Plan recorded	Record Plan recorded; Revised Final Construction Plan sheets

Date	Application Number	Plan Type	Action	Description
March 3, 2010	MI-10-04	Record Plan Revisions to Lots 2F, 2G, and 2H	Staff Review and Approval	Minor Lot Line Adjustment Plan affecting three lots; Record Plan recorded
November 15, 2010	MI-10-14	Pattern Book Implementation for Townhouses and Revisions for Duplex Lots	Planning Commission approval with conditions on 11/15/2010	Request to continue use of Phase 1 Townhouse Architecture Styles into Phase 2; Series of Pattern Book Revisions for Duplex Lots (Addendum V)
December 10, 2010	MI-10-20	Phase 2 Lot Revisions	Staff and Agency Review of Record Plan and associated Site Plan revisions; Comments issued	Minor Lot Line Adjustment Plan to reconfigure single units to duplex units and revise townhouse lots from 25 ft. width to 20 ft. width. Also revisions to Site Plan for infrastructure construction.
February 22, 2011	MI-10-20 Interpretation	Phase 2 – Townhouse Setbacks	Planning Commission consideration of Pattern Book Guidelines; PC action 2/22/2011	Action to establish required side yard setbacks for townhouses in Phase 2 area when more than two groupings of building occur. Requirement to complete a final version of the Pattern Book.
			Record Plan of Phase 2 area recorded 3/1/2012	Record Plan of Phase 2 recorded and updates to Construction Plans of Landscape Plans and Utilities Plans.
May 18, 2015	S-15-07	Implementation Plan – Residential District	DAC April-May 2015; Planning Commission approval with conditions 5/18/2015 Check Print Review in 2017 No Final Plan	Revised Implementation Plan – Sheet Submission of Concept Plan: Increase in dwelling unit count; Change in mix of unit types; Revised open space design; and Revisions to street layout
August 2015	S-15-10	Revised Active Recreation Area Plan – Residential District	Planning Commission approval with conditions 8/17/2015 Check Print Review in 2017 No Final Plan	Revised Active Recreation Area and Open Space Plan to create large area with clubhouse building and amenities Associated with S-15-07
June 2018 July 2018 November 2018	MI-18-10	Consideration of Architecture Concept for Residential District	Planning Commission consideration on 6/18/2019, 7/16/2018, 11/19/2018	Request to consider an Architecture Concepts for townhouse units and for single family dwellings as 55+; discussion of concept and PC notation of required application and submission processes
January 2019	MI-19-01	Revisions to Pattern Book	Planning Commission did not approve	Revision of Pattern Book to establish Senior Living Residential Village (55+ as SFD units) and revisions to Townhouse Options: architectural style and lot format.

<i>Current Submission 2019</i>	<i>S-19-25</i>	<i>Implementation Plan – Residential District</i>	<i>DAC Nov-Dec 2019; Planning Commission review pending</i>	<i>Revised Implementation Plan – Sheet Submission of Concept Plan: Revise Phase 2 areas; extinguish lots to create new clubhouse area; create 2 Clubhouses in Active Open Space; build 5 Apartment Buildings of 180 units; change of unit types in select area</i>
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RESIDENTIAL DISTRICT SUMMARY

The Implementation Plan reviewed as SB-06-03 Eden Hill Farm TND: Residential District Implementation Plan consisted of 665 dwelling units. The Plan Set for the *Residential District* depicted the development and the associated elements such as the subdivision entrance access, public street and alley network and street section design, pedestrian network, building sites, parking areas, stormwater management, Active Recreation Area (parks and Community Center building), open space and landscaping. As approved the development offered several housing types including single family detached units in three styles: courtyard lots, carriage house lots, and cottage lots; duplex units; townhouse units in four lot widths; and condominium units in two types: 12-unit buildings and 24-unit buildings. The lot sizes were developed on a module system which would allow for the mixing of unit types within a given street block. This Implementation Plan for the *Residential District* received Planning Commission approval on June 19, 2006 and Final Plan approvals on September 10, 2007 (Record Plan) and December 10, 2007 (Construction Plan). During 2008-2012, several revisions to the *Residential District* were made affecting the Record Plan relating to lot revisions in the Phase 1 area including approvals for the subdivision of five condominium lots into duplex and townhouse lots. The Record Plan (as revised and recorded in 2012) shows the *Residential District* consisting of a total of 651 residential units. (See Attachment Record Plan sheet exhibit.)

A *Residential District* REVISED Implementation Plan S-15-07 which focused on revisions to create areas of multi-family (apartment) unit development was granted conditional approval by the Planning Commission on May 18, 2015 for a Revised Plan consisting of 742 residential units (single family detached units, duplexes, townhouses, and multi-family units), the redesign open space areas, a community center, and revised street layout. This Revised Implementation Plan and its Revised Active Recreation Area Plan was not finalized.

Comprehensive Development Standards Manual (Pattern Book)

As part of the Traditional Neighborhood Design process, the Implementation Comprehensive Development Standards Manual (Pattern Book) consists of a written and graphic description of the owner/developer’s proposed approach to each of the items listed in *Zoning Ordinance*, Article 3 §28.84. The purpose of the Pattern Book is to set the standards and guidelines for the design, construction, and maintenance of the land and buildings in the *Residential District*. Any development within the *Residential District* must comply with the Pattern Book.

The Pattern Book sets the guidelines for development within the Traditional Neighborhood Design project acting as a portion of the code requirements for development. The Pattern Book is intended to present the ‘general character’ of the project with the images in the Pattern Book giving examples of the precedents to aspire to and concepts and guidelines of the new buildings

to be constructed. The Pattern Book describes the architectural precedents for each housing type in Section A: Introduction. Then the Pattern Book in Section C: Community Patterns: Residential describes the concepts for each housing type. These pages establish the standards for the building restriction lines and porch restriction lines thus creating the buildable area on each lot; garage placement options of detached and attached garages with alley access, etc. (Note: The original Master Plan Pattern Book includes pages describing neighborhood areas; the areas have since been revised due to changes in the *Residential District* layout and street network layout completed at the time of the Implementation Plan. The full text of the Pattern Book describing these areas was not updated during the plan review process.) The Pattern Book in Section D: Architectural Patterns (pages 63-71) describes the various design elements for the Residential District, specifically elements including Windows & Doors, Dormers & Bay Windows, Porches, Materials, and Accessory Structures. For each specific element, the Required, Encouraged, and Prohibited elements are given.

The Pattern Book describes the concepts for each residential unit type. These pages establish the standards for the building restriction lines, and porch restriction lines thus creating the buildable area on each lot; garage placement options of detached and attached garages with alley access, etc.

The approved Final Pattern Book for the *Eden Hill Farm Residential District* consists of the Eden Hill Farm Pattern Book 1st Edition 5/6/2005 with Addendum I of 6/9/2005 and Addendum II of 5/5/2006; and by reference the Townhouse Lot Revisions of March 7, 2008 (Addendum III: townhouse unit lot widths), Revised page 40 (Addendum IV: Duplex Building Restriction Line revisions) of May 21, 2009, the Duplex Lot Revisions as approved by the Planning Commission on November 15, 2010 (Addendum V), and Interpretation of Setbacks for Townhouse units by Planning Commission on February 22, 2011. After consideration of multiple revisions to the Pattern Book, the Planning Commission prescribed the requirement that a version of the Final Pattern Book for the *Residential District* be prepared (this has not been completed to date). The REVISED Implementation Plan S-15-07/S-15-10 Applicant was working to complete and fully update a Final Version of the Pattern Book for the Residential District as part of its Check Print Review process; however, it was never finalized. The complete Eden Hill Farm: Pattern Book and Addendums submitted to date are on file at the Department of Planning and Inspections.

Construction Activity in Residential District

In Phase 1 of the *Residential District*, a total of 83 Building Permits have been issued and dwellings completed. The predominate house type constructed has been townhouse units on 20 foot wide lots. The townhouse units currently built are a three story unit with attached (included) garage and a two story unit with a detached garage. In Phase 1, the townhouse units have been constructed in groups: one set of three units, 10 sets of six units, and 2 sets of seven units. Three sets of duplex units have been constructed. A portion of the street network has been completed and dedicated to the City of Dover. These streets include Lloyd Street, Wemyss Road, and portions of South Greenberry Lane, Ruth Way, Ann Moore Street, and Ridgely Boulevard.

REVISED Implementation Plan 2019 for Residential District, S-19-25 (Revision – Concept Plan dated 10/28/2019):

This application is for the Review of a Revised Implementation Plan of the Residential District component of the Traditional Neighborhood Design project known as Eden Hill Farm. This proposed plan is presented in three plan sheets of the Residential District (Plan Review of Revised Plan dated October 28, 2019).

The overall plan for the Revised Residential District depicts the development areas for specific types of residential units and the associated elements such as the street network, on-street parking areas, stormwater management (pond locations), Clubhouse locations, open space areas, and a series of smaller park areas. The Residential District area continues to be proposed to be connected to the existing nearby road network as previously identified with the key entry points from Wemyss Road and Banning Street and connections to the POW-MIA Parkway.

The following are revisions to the Plan layout with the Residential District proposed by this 2019 Revised Implementation Plan.

- **Revise Phase 2 Area:** A change in the land area proposed for Phase 2 revises it to consist of the land area (lots) previously indicated as Phase 2 and Phase 3 in addition to sixteen (16) adjacent lots to the east. It includes a Clubhouse area. It will consist of approximately 38 acres; however, construction activity will be limited to a disturbance area of 20 acres related to sequencing of the Sediment & Stormwater Management Plan.
- **Consolidation of Lots for South Clubhouse:** The Revised Plan proposes to extinguish a series of single-family detached house lots (Lots 339-346) and consolidate the lots for a new Clubhouse location. This is located at the intersection of Nickerjack Way, Skipton Boulevard, and Ruth Way. It is adjacent to a planned open space area named Elberta Park and across Ruth Way from a stormwater management pond. The Clubhouse has a parking lot area and space for active recreation.
- **Create Two Clubhouses:** In the existing Active Open Space area between Ann Moore Street and Ridgely Boulevard, two Clubhouses are proposed instead of one Community Center Building in the northern portion of the community. This lot of over 10,000 SF is planned to contain two clubhouses in a mirrored layout each with a parking lot and a shared outdoor seating and active recreation.
- **Revise Dwelling Unit Count:** An overall dwelling unit count was established at 665 units for the Residential District of the Eden Hill Farm TND in 2005-2006. However, with previous revisions to the plan the current number of units (as planned/platted) is 651 units. There was a previous Revised Implementation Plan that was approved to increase the unit to 742 units; however, it was not finalized. This 2019 Revised Implementation Plan returns the plan to a total of 665 units through the revisions to unit types and lot reconfigurations.
- **Change in Mix of Unit Types (Number and Location):** The Residential District offers a variety of unit types: single family detached units, duplexes, townhouses, and multi-

family units (labeled as condominiums in original plan). This Revised Plan proposes changes to the number and location of the various residential unit types. The proposed plan reduces the number of single-family detached dwellings and townhouses while increasing the number of duplexes and multi-family units. See the chart below for the tallies of the various unit types. The chart summarizes the mix of unit types for the Residential District as approved and as currently proposed in the submitted Concept for the Revised Implementation Plan (of 10/28/2019).

Unit Type	Approved 2007 Record Plan		Revised Record Plans (thru 2012)		2019 Concept for Revised Implementation Plan (10/28/2019): Built and Proposed		
	Count	Percentage	Count	Percentage	Built	Proposed	Percentage
Single Family Detached (Courtyard, Cottage, and Carriage house Lots)	105	15.8%	101	15.5%	0	97	14.5%
Duplex	184	27.7%	198	30.4%	6	230	35.4%
Townhouse	160	24%	220	33.8%	77	75	22.8%
Condominium	216	32.5%	132	20.3%	---	---	---
Multi-Family Units	---	---	---	---	0	180	27%
TOTAL	665		651		83 Built	582 Proposed	Total of 665

While the street and alley network remains the same, the subdivision of the blocks into lots for different types of units has been proposed. The location changes from the 2019 Revised Plan (10/28/2019) for the types of units are listed below:

- Locations of Condominium units in northeastern area of the site are proposed to be Multi-family units (Apartments) on Lots 6-10. The previous 132 units to become 180 units in total. Each building has ground level parking with 36 units above. (Note: Previous Lot 11 becomes open space.)
- Changes to the unit types of lots along Alleys J, K, L, R, S and T (in vicinity of the eastern portions of Ann Moore Street, Ridgely Boulevard, and Little Eden Way).
 - 18 Townhouse units on north side of Ridgely Boulevard are proposed to be 12 Duplexes
 - 8 Townhouse units on the west side of Banning Street between Ann Moore Street and Ridgely Boulevard are proposed to be 6 Duplexes
 - 36 Townhouse units in the blocks bounded by Ridgely Boulevard, Wynkoop Way, Little Eden Way and Alley L are proposed to be 24 Duplexes

Revised Implementation Comprehensive Development Standards Manual

With this submission, a Revised Implementation Comprehensive Development Standards Manual (Pattern Book) was not resubmitted. The Implementation Comprehensive Development Standards Manual consists of a written and graphic description of the owner/developer's proposed approach to each of the items listed in *Zoning Ordinance*, Article 3 §28.84. The purpose of the Pattern Book is to set the standards and guidelines for the design, construction, and maintenance of the land and buildings specifically in the *Residential District*. Any development within the *Residential District* must comply with the Pattern Book.

LANDSCAPE PLAN

The Revised Implementation Plan is required to meet the provisions of the *Zoning Ordinance* for Landscape Guidelines and Tree Planting and Preservation (Article 5 §11 and 15) at a minimum. The Residential District area does not include existing woodland areas. The area subject to the Tree Density requirements equals 109.2049 acres. Therefore, the project will require a minimum of 1,585 trees to meet the Tree Density requirements. The current Construction Plan (SB-07-01) shows new tree plantings as a mix of deciduous, evergreen, and ornamental trees. The trees are proposed as street trees, within park and open spaces area, and as part of individual residential lots. A Revised Landscape Plan was not submitted. The Landscape Plan will need to be updated related to the revised lot layouts, Clubhouses, and open space area designs. The Pattern Book also describes planting requirements for certain lot types.

OPEN SPACE AND RECREATION AREAS

The overall Eden Hill Farm TND exceeds the minimum of 25% open space by creating a community walking trail area, parks, and greens throughout the site and large open space/potential park area in the southwest portion of the site (west side of the POW-MIA Parkway). The existing historic house of Eden Hill Farm and its tree allees (entrance drives) are preserved within a large public open space area.

Focusing on the Residential District area, based on the currently approved number of residential dwelling units at 665 units, this subdivision was to provide 4.1 acres +/- (182,875 S.F.) of open space designed to function as active recreation space. The key components of this active recreation area were originally approved as a Community Center building with pool, the larger park area known as Signers Park, a walking trail system, and over 2.2 acres of land in a series of 'pocket parks' throughout the community.

This 2019 Revised Plan appears to retain the key elements of the Open Space/Recreation Plan and also increases the amount of land reserved as open space. The most significant changes are that the Community Center site is to become two Clubhouse Buildings and an additional Clubhouse building is to be added in the southern portion of the site.

The *Zoning Ordinance* requires an Open Space and Active Recreation Plan for all residential developments, projects and plans that come before the Planning Commission (Dover Code of Ordinances, Appendix B, Article 5 §10). As changes are proposed to the Open Space and Active Recreation, a Revised Plan detailing the layout, design, and amenities of the Open Space areas must be submitted for review.

Traditional Neighborhood Design: Next Steps

Following Planning Commission review of the Revised Implementation Plan for the *Residential District* the next step is finalization of the Construction Plans for Implementation and a revised Final Plat Subdivision Plans for area which received Implementation Plan approval. The detailed plans for the Clubhouse buildings/areas can be submitted through the Administrative Site Plan review process.

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

CITY AND STATE CODE REQUIREMENTS:

- 1) The Revised Implementation Plan (Construction Plan Set and Record Plat) and Comprehensive Design Standards Manual (Pattern Book) will need to be amended to reflect any changes recommended or approvals by the Planning Commission.
- 2) The Comprehensive Design Standards Manual (Pattern Book) is recommended to be updated to reflect the various approvals by the Planning Commission including the previously approved revisions.
 - a) The approved amendments from 2005-2012 are listed below:
 - i) Addendums I and II consist of text revisions throughout the Pattern Book.
 - ii) The document "Townhouse Lot Revisions" included the various lot widths approved for the townhouse units (Addendum III).
 - iii) A revised page 40 presents the duplex setback options for the lot and setback (building and porch) dimensions (Addendum IV).
 - iv) Duplex Lot Revisions and Interpretation of Townhouse Setbacks (Addendum V)
 - b) The Pattern Book pages related to Condominium units must be revised and updated to discuss the requirements and design concepts for Multi-family units.
 - c) The Comprehensive Design Standards Manual (Pattern Book) is required to be amended to reflect any changes recommended and approvals by the Planning Commission for this current 2019 submission.
- 3) The Landscape Plan will need to be updated related to the revised lot layouts and open space area designs.
- 4) A Revised Open Space and Active Recreation Plan detailing the layout, design, and amenities of the Open Space areas focusing on the Clubhouse areas must be submitted for review. This can be achieved through the Administrative Site Plan review process.
- 5) A Record Plat for the Revised Lot and Street layout must be reviewed to include property boundary information, any proposed lot changes, data column, certifications, notes, cross access easements, easements for infrastructure or utilities, etc. This set of Sheets 1-3 is a good start on the Record Plat.
- 6) The site and building design of the Multi-family Units (Apartment Buildings) may require a more detailed review in order to confirm compliance with the *Zoning Ordinance* and

Building Code and Fire Code provisions. This can be achieved through the Administrative Site Plan review process focusing on that specific area of development.

- 7) Other the proposed connections to the nearby public street system must be constructed in a timely manner i.e. Ridgely Boulevard to the POW-MIA Parkway and the continuation of Banning Street. Currently, the *Residential District* has 83 units complete. The *Land Subdivision Regulations* require two connections to public streets for subdivisions of 150 units.
- 8) The developer must coordinate with DelDOT regarding the design of the intersections of Ridgely Boulevard and Horsey Boulevard with the POW-MIA Parkway. Entrance Plan approval are required.
- 9) Provide information on any agreements established regarding responsibilities for construction, dedication, maintenance, etc. for areas with the TND project such as streets, circulation aisles, walking paths, open spaces, landscaping, stormwater management, etc.
- 10) The Recreational component of the Revised Implementation Plan is required to be reviewed. If the revisions are deemed to be significant then review by the Parks, Recreation and Community Enhancement Committee and by the Planning Commission may be required.
 - a) Submission of more detailed information for the layout and design of amenities in the Clubhouse areas is required for review through at least the Administrative Site Plan Review Process.
 - b) The applicant should be aware of the requirements for construction phasing of the recreation area as associated with the development of the residential units.

Article 5 §10.6 Construction Phasing. The recreation and open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that one hundred (100) percent of the recreation and open space areas shall be completed prior to issuing building permits for the final twenty (20) percent of the dwelling units proposed. Building permits shall not be issued for dwelling units unless the requirements of this section are met.
 - c) There shall be provisions which ensure that the common open space land including the active recreation areas shall continue as such and be properly managed and maintained. These provisions shall be in a form acceptable to the City of Dover. The developer shall either retain ownership and responsibility for maintenance of such open land; or provide for and establish one (1) or more organizations for the ownership and maintenance of all common open space i.e. a Homeowners Association. The organization shall be responsible for maintenance, insurance and taxes on common open space and recreation facilities.
- 11) Sheet 1:
 - a) Relabel the West Dover Connector as the POW-MIA Parkway. West Dover Connector can be noted as a former reference name for clarity.
 - b) It is noted that Townhouse Lots 91-95 currently have Building Permits filed for review for construction.
 - c) Identify the extent of the existing street rights-of-way that have been accepted for dedication by the City of Dover (in Phase 1 area).

- d) Clarify street labeling that says “City Maintained” as these are proposed to be City maintained once constructed and accepted for dedication.
- e) Add missing Alley labels and names in Alley Street Names table for Alley W, X, and AA.
- f) Revise Lot #s: Please keep the lot #s in a block as previously labeled for individual lots and just eliminate unused Lot #s if the number of lots in a row is reduced.
- g) General Notes #2: Clarify that the existing built lots in Phase 1 area are not proposed for revision.
- h) General Notes #27: Repeats Notes #26, please delete #27 or update with the action taken on this specific Revised Plan.
- i) In the Tax Parcel Impacted list identify “Action”: new use (Apartment, Open Space), change in lot type, lot elimination, or lot consolidation.
- j) Add data column with legal data required of plats: owner, zoning, size, etc.
- k) Notes should reference the Comprehensive Design Standards Manual (Pattern Book).

12) Sheet 2 and Sheet 3:

- a) Update similar items as identified for correction on Sheet 1.
- b) Clarify the following about the Apartment Buildings: number of stories/height including ground level parking, building access, separation distance between building and parking, parking areas associated with Fire Department Connection locations, Dumpsters for Building Lot 10.
- c) A number of handicapped accessible ramps are missing at terminations of sidewalks at streets/alley and a front of Clubhouse buildings.
- d) Note that building units displayed on the lots are examples only as other building and garage formats may comply with the setbacks of each lot based on its housing type. Compliance will be reviewed at time of Building Permit application.
- e) This plan provides some of the required parking spaces for the apartment units as on-street parking. The rate of 2.25 parking spaces per dwelling unit of the Code is not achieved by off-street parking for the apartments. The off-street parking rate should be a design standard identified in the Pattern Book.
- f) Locations of bicycle parking must be identified for the Clubhouses and Apartment Buildings.
- g) Identified the location of the overall walking trail system for the Residential District with the buffer area adjacent to the railroad and along the POW-MIA Parkway.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

- 1) Several proposed revisions shown in the 2019 Revised Implementation Plan (Plan of 10/28/19) for the Residential District are to be evaluated for compliance with the intent of the Eden Hill Master Plan. The Staff recommendation on each is listed below:
 - a) Revise Phase 2 Area: Staff recognizes the expanded land area proposed for Phase 2 as it consists of the previous Phase 2, Phase 3, sixteen (16) adjacent lots, and a new Clubhouse area. The developer is reminded that construction activity will be limited to a disturbance area of 20 acres as related to sequencing of the Sediment &

Stormwater Management Plan.

- b) Consolidation of Lots for South Clubhouse: Staff recommends approval of the consolidate of single-family lots for a new Clubhouse location to serve the southern portion of the community. The Clubhouse has a parking lot area and space for active recreation; however, a more detailed plan of the building/site amenities will be required.
 - c) Create Two Clubhouses: Staff recommends approval of the concept to create two Clubhouses buildings at the site of the previous Community Center Building location in the northern portion of the community. The developer is encouraged to elevate the opportunities for shared space and amenities at the location. The site has identified parking and active recreations areas; however, a more detailed plan on the buildings/site amenities will be required.
 - d) Revise Dwelling Unit Count: Staff is supportive of returning to the overall dwelling unit count of 665 units as originally established for the Residential District of the Eden Hill Farm TND. Eden Hill Farm TND is an area of infill development near the central core of the City's urbanized area with access to utility and multi-modal transportation infrastructure.
 - e) Change in Mix of Unit Types (Number and Location): Staff recognizes the change in the mix of unit types that is proposed. The specific unit type changes proposed in this 2019 Revised Plan to continue the previously established balance and percentage of unit types in the Residential District. Even with the increase in the number of duplexes and multi-family (apartment) units the overall development contains a variety of housing types and lot sizes.
- 2) The following are a series of key concepts emphasized for the development of Residential Units. Most of these concepts are further detailed in the Pattern Book (and approved addendums). Planning Staff offers these as reminder of the general character and intent of the Traditional Neighborhood Design.
- a. Staff recommends that all lots with access to an alley be required to take vehicular access only from the alley no matter the unit type. This access pattern was clearly established in the intent of the Traditional Neighborhood Design concept and the Residential District Implementation Plan.
 - b. Staff recommends utilizing variation in the number of units grouped together within a street block such as groupings of two, three, or four units or up to a maximum of six units for townhouse groupings.
 - c. Corner lots are considered to have two street front facades and are important visual elements. The building design should take advantage of the corner opportunity for design elements (architecture, detailing, and materials) to highlight the corner or end of building.
 - d. Staff recommends the increased use of porches or enhanced covered entries for main entrances on the front elevations and/or side elevations of the residential units. All lots have a designated porch restriction line that allows this element to

- be closer to the street than the other portions of the building. Porches are key elements of the precedents for the District and encourage interaction.
- e. Staff encourages variation in the house architectural style and design, color, materials, and detailing to detail to create the variations seem in the traditional residential areas of the City and to avoid uniformity of design.
 - f. The multiple unit buildings and multi-family buildings should read as “one grand house.” The selection of elevations, exterior finishes, door placement of front and side entries, etc. play a role in how a combination of units is viewed.
 - g. Staff supports the methods for garage placement on properties which places the garage in a secondary position where front access to the lot is required by the lot and street layout.
- 3) A Final Version of the Pattern Book does not exist for the Residential District. Staff is recommending the requirement of the development of a final edition of the Pattern Book for the Residential District as approved and amended to date. Currently, Staff must complete compliance review by accessing multiple documents each with its own amendments. It is very complex and will become even more so as the development progresses, involves other builders, etc. Staff can make recommendations on the contents of a final edition document (i.e. specific pages from the Master Plan Pattern Book and the associated addendums) for the Residential District.
- a. As a Revised Comprehensive Standards Manual (Pattern Book) for the Residential District was not received with this submission, Planning Staff reserves the right for future review, comment and assessment of the necessary review process for such document.

ADVISORY COMMENTS TO THE APPLICANT:

- 1) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 2) If Planning Commission approval is granted to the proposed Revised Implementation Plan concept, the Implementation Plan (Construction Set), Record Plan, and Pattern Book must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. These documents must be submitted for review by applicable Departments and agencies as part of the Administrative Review/Check Print Review process.
- 3) In the event, that major changes and revisions to the Revised Implementation Plan occur in the finalization of the plan or associated Pattern Book contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other commissions making recommendations in regards to the plan.
- 4) The applicant/developer shall be aware that prior to any ground disturbing activities or

start of construction activities on the site the appropriate plan approvals, site inspections, Pre-Construction meetings, and permits are required.

- 5) Additional coordination as related to construction activities will be necessary to minimize the effect on the adjacent property owners and the existing roadways. During construction of streets, the developer shall coordinate the required street light placement and electric utility routing and equipment with the City of Dover Electric Department and in accordance with the Pattern Book.
- 6) Staff notes that a Memorandum of Understanding (MOU) has been developed in other districts to address topics such as responsibilities for construction, dedication, and maintenance of specific components of the Eden Hill Farm TND. A similar Memorandum of Understanding (MOU) should be developed for this District as well if necessary.
- 7) The applicant shall be aware that Revised Implementation Plan approval does not represent a Building Permit, Sign Permits and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover.
- 8) The construction of each dwelling unit/building will be reviewed by Staff for compliance with the approved Pattern Book (Final Version) through the Building Permit process.

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
DECEMBER 2, 2019

CITY OF DOVER
Electric &
Public Works
Departments

APPLICATION: Eden Hill Farm TND: Residential District- Revised Implementation Plan

FILE #: S-19-25

REVIEWING AGENCY: City of Dover Electric and Public Works Departments

CONTACT PERSON: Paul Waddell - Electric
Jason A. Lyon, P.E. – Public Works

CONTACT PHONE #: Electric - 302-736-7070 Public Works – 302-736-7025

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 water, sewer, and storm sewer lines.
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.

WATER / WASTEWATER / STORMWATER / SANITATION / STREETS / GROUNDS

1. Our office has no objections to the proposed revisions to the implementation plan.
2. The proposed subdivision plan for this Residential District will need to be submitted to and approved by the Department of Public Works.

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: <http://www.cityofdover.com/departments/electric/documents/>.

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 subdivision 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 Public Works specifications and requirements.
 - c. The site contractor shall contact the City of Dover Public Works Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Public Works 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.
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 subdivision 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.

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 subdivision 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 Public Works 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, including cleanouts.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer laterals (other than for single-family dwellings) showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.
8. Sanitary sewer laterals shall be connected directly to the main, not manholes, unless impracticable, as determined by the Department of Public Works.
9. Per the Water / Wastewater Handbook, only one service connection shall be made to each building. If impracticable, a waiver request may be submitted for review.

STORMWATER

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

STREETS

1. Final subdivision plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.

SANITATION / GROUNDS

1. None

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. Trees shall be installed at least ten feet (10') away from all underground infrastructure.
3. The final subdivision plan must be submitted in the following compatible digital formats:
 - a. AutoCAD 2004 (.dwg format).

- b. Adobe Reader (.pdf format).

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None.

WATER

1. The City of Dover water system is available to this subdivision. 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 Public Works directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the subdivision.
4. Water impact fees may be required for this proposed subdivision plan.

WASTEWATER

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

STORMWATER / GROUNDS / STREETS

1. None.

SANITATION

1. Every person occupying a residence or duplex and every owner of an apartment shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers.

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.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 11/27/19

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APPLICATION: Eden Hill Farm TND Residential District Revised Implementation Plan Phase 2 Area, Clubhouses, and Unit Types

FILE #: S-19-25 **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 apartments, clubhouse (assembly), and residential duplexes.
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.
(2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3)

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.
(2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.2)
4. Perimeter access shall be 75% for the apartments and 50% for the clubhouses unless the clubhouses are sprinklered which would then require 25% and clearly shown on the plans.

Perimeter Access minimum width shall be 15 feet 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.
(2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3)

5. Fire lanes shall cover 35% 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. (2015 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.

(2015 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.

(2015 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.

(2015 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.

(2015 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

Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2015 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.

14. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.
15. Gated Areas: Fire Department access shall be provided to the property through the use of a system or device approved by the Fire Marshal. The system or device required shall be located in an area accessible to the fire department and approved by the Fire Marshal. All gates shall be either automatic or manual.

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

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

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

Please contact this office to discuss options available to comply with this requirement.
(2015 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.6)

16. 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.

(2015 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)

The owner is responsible if the hydrant is private.

17. 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.
(2015 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)
The owner is responsible if the hydrant is private.

18. Fire Alarm System required per occupancy code requirements (apartments, clubhouses TBD).

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)

19. Sprinkler system required (apartments, clubhouses TBD). System is to be monitored by an approved Fire Alarm System.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(City of Dover Code of Ordinances 46-162)

20. Fire Department Connection is to be a 5-inch storz connection on a 30-degree elbow located within 50 feet of main entrance. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.
21. 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)
22. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.
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. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)
24. 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. (2015 Delaware State Fire Prevention Regulations 702, Chapter 4, 2)

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)

25. 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)

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

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

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

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

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

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

Arabic numerals, all numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.

(City of Dover Code of Ordinances, 98-344)

27. 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.
(2015 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

28. 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.
29. 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. (2015 Delaware State Fire Prevention Regulations 705, Chapter I, 15)

30. Buildings over 25,000 Sq. Ft are to have radio performance testing done by Delaware State Communications prior to Final CO. This must be scheduled in advance with Delaware State Communications.
31. Project to be completed per approved Site Plan.
32. Full building and fire plan review is required.
33. Separate building permits/plans submission will be required for each building and/or tenant fit out. If the permit submission is for a "shell" a Certificate of Occupancy will not be issued. Separate plans and permits submissions will be required for each "tenant fit out" at which time a Certificate of Occupancy will be issued upon compliance/completion of each "tenant fit out".

Each "shell" will require a fire permit for sprinkler and fire alarm if applicable. Those systems (for the "shell") must be accepted into service prior to any "tenant fit out" fire permits being issued.
34. Construction or renovations cannot be started until building plans are approved.
35. Fire alarm systems, fire suppression systems, hoods, exhaust ducts, and hood suppression systems require a fire permit from the Fire Marshal's Office. This work cannot be started until the permit is approved.
36. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please clarify the phases correctly
2. All residential proposals are duplex units and apartments
3. Please confirm that perimeter access requirements are properly provided as outlined in item # 4 listed above
4. Please confirm that fire lane requirements are properly provided as outlined in item # 5 listed above
5. Please confirm that parking is at least 15' from the exterior wall of the apartments as outlined in item # 6 listed above
6. Please confirm that there is an 18' secondary fire lane at the rear of the apartments as outlined in item # 11 listed above
7. Fire hydrant locations need to be confirmed by this office
8. Additional information needed on clubhouses to determine if a sprinkler and fire alarm are required
9. Please confirm that the fire department connections are at the main entrances on the front side of the apartments as outlined in item # 20 listed above
10. Please confirm item # 21 listed above is in compliance
11. Please confirm that fire hydrants are located within 300; of the FDC's as outlined in item # 22 listed above

12. Is parking proposed under the apartments? If so, is it under ground or above ground. If above ground this may now be a 4 story building with additional requirements.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)

2015 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)

2013 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)

2013 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

2015 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
D.A.C. MEETING DATE: November 27, 2019



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APPLICATION: Eden Hill Farm

FILE#: S-19-25

REVIEWING AGENCY: DeIDOT

CONTACT PERSON: Joshua Schwartz

PHONE#: 302-760-2768

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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:

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. The parcel will be required to obtain a minimum of a Letter of No Objection for the Site/Record Plan from DeIDOT for the proposed development.
2. The developer and the engineer shall submit a pre-submittal meeting request through the PDCA to begin the plan review process.



KENT CONSERVATION DISTRICT

800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
November 2019**

APPLICATION: *Eden Hill Farm TND – Revised Implementation Plan*

FILE #: *S-19-25*

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *Jared C. Adkins, P.E.*

PHONE #: *(302) 608-5370*

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 our office 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 our office. Construction inspection fees based on developed area and stormwater facility maintenance inspection fees based on the number of stormwater facilities are due prior to the start of construction.
2. The following notes must appear on the record plan:
 - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
 - 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 Kent Conservation District has no objection to revising the implementation plan, however the proposed changes will require the phasing and sequence of construction shown on the approved Sediment & Stormwater plan to be revised and updated prior to any further construction.
2. A letter of no objection to recordation will be provided once the revised Sediment and Stormwater Management plan has been reviewed and approved by our agency.



DATA SHEET FOR Revised IMPLEMENTATION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF December 4, 2019

PLANNING COMMISSION MEETING of December 16, 2019

Project: Eden Hill Farm – Traditional Neighborhood Design: Residential District Revised Implementation Plan (Phase 2 Area, Clubhouses, and Unit Types), S-19-25

Associated Plans:

Eden Hill Farm TND, Z-05-03

Residential District Implementation Plan, SB-06-03

Residential District Administrative Subdivision Plan: Record Plan and Construction Plans, SB-07-01

Eden Hill Farm TND: Residential District - Lot Revisions to Townhouses, MI-08-03

Eden Hill Farm TND: Residential District - Lot 1 Revision (Condominium Lot to Duplex Lots), MI-08-20

Eden Hill Farm TND: Residential District – Duplex Lot setbacks, MI-09-03

Eden Hill Farm TND: Residential District - Lots 4 and 5 Revisions (Condominium Lots to Townhouse Lots), MI-09-13

Eden Hill Farm TND: Residential District - Revisions to Lots 2F, 2G, and 2H (Minor Lot Line Adjustment Plan), MI-10-04

Eden Hill Farm TND: Residential District - Townhouse Styles for Phase 2 and Pattern Book Revisions for Duplex Lots, MI-10-14

Eden Hill Farm TND: Residential District - Phase 2 Lot Revisions, MI-10-20

Eden Hill Farm –TND: Residential District - Revised Implementation Plan, S-15-07

Eden Hill Farm TND: Residential District – Revised Active Recreation Plan S-15-10

Eden Hill Farm TND: Residential District – Architecture Concept, MI-18-10
(Consultation Discussion only)

Eden Hill Farm TND: Residential District – Revised Pattern Book: Senior Living Residential & Townhouse Options, MI-19-10 (Not Approved)

Plan Type: Traditional Neighborhood Design Implementation Plan

Location: South of West North Street and Wemyss Road and east POW-MIA Parkway (southeast of the intersection of West North Street and Saulsbury Road)

Tax Parcel: Multiple Parcels on Map ED-05-076.04

Area of TND: 272.04 acres +/-

Area of Residential District: 109.2049 acres +/-

Zoning: TND (Traditional Neighborhood Design Zone)

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C MEETING DATE: December 4, 2019

City of
Dover
Planning
Office

APPLICATION: Eden Hill Farm Traditional Neighborhood Design: Residential District - Revised Implementation Plan (Phase 2 Area, Clubhouses, and Unit Types)

FILE#: S-19-25 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn E. Melson-Williams, AICP PHONE#: 736-7010

PLAN REVIEW

This submission is for Review a Revised Implementation Plan for the Residential District component of the Traditional Neighborhood Design project known as Eden Hill Farm TND. The Revised Plan for the Residential District proposes to revise Phase 2 areas; to extinguish lots 339-346 to create a new clubhouse and active recreation space; to create two (2) clubhouses within the Active Open Space; to build five (5) apartment buildings to contain 180 dwelling units on lots 6-10, while using lot 11 as Open Space; and to change the unit types of lots along Alleys J, K, L, R, S and T (in vicinity of the eastern portions of Ann Moore Street, Ridgely Boulevard, and Little Eden Way) to achieve 665 total lots. The Residential District consists multiple parcels totaling of 109.034 acres ± of land and is zoned TND (Traditional Neighborhood Design). The project is located south of West North Street and Wemyss Road and east of the POW-MIA Parkway. The owner of record for the area of revision is Eden Hill Residential, LLC. Tax Parcels: Multiple parcels of the Residential District on map ED-05-076.04. Council District 2.

Previous Applications

The Implementation Plan was previously reviewed as SB-06-03 Eden Hill Farm TND: Residential District Implementation Plan consisting of 665 dwelling units with the Planning Commission conditional approval granted June 19, 2006 and other subsequent approvals related to lot layout and Pattern Book revisions from 2008-2012. There are a number of Related Applications for the Residential District of the Eden Hill Farm TND; see listings included in this Report.

In 2015, a REVISED Implementation Plan for the Residential District of the Eden Hill Farm Traditional Neighborhood Design (S-15-07) proposed of a total of 742 dwelling units (single family detached units, duplexes, townhouses, and multi-family units), the redesign of open space areas, and the street layout. While receiving Planning Commission conditional approval the Plan was not finalized.

Most recently, the Planning Commission reviewed Application MI-19-01, a series of Amendments to Revise the Pattern Book (Comprehensive Design Standards Manual) pertaining to the Eden Hill Farm TND Residential District. The proposed Pattern Book Amendments were to establish standards for a Senior Living Residential Village of one-story single-family detached

units and revisions for the Townhouse Options relating to architectural styles and lot format. However, this application was not successful.

*The following report provides background on the Traditional Neighborhood Design process to date for the Eden Hill Farm TND and as specifically related to the Residential District. The Report then focuses on a review of the Revised Implementation Plan submission of November 2019 for the Residential District. (*Plan Review of Revised Plan dated 10/28/2019).*

Traditional Neighborhood Design Zone Process

The *Zoning Ordinance*, Article 3, Section 28 outlines the requirements for the Traditional Neighborhood Design Zone (TND) including the development criteria and procedure. The first step of the Traditional Neighborhood Design Zone is an application for rezoning to TND which includes review of a Master Plan. The subject property Eden Hill Farm has achieved the zoning classification of TND (Traditional Neighborhood Design) and approval of the General Overall Master Plan. Next reviews of the Implementation Plans for each District of the TND for compliance with the approved General Overall Master Plan occur. Then is review of Administrative Site Plans for individual building development or Subdivision Plans for recordation of lots. For the Residential District, there is an Implementation Plan in plan, and it has been previously amended.

TND (Traditional Neighborhood Design Zone)

The types of permitted uses with the Traditional Neighborhood Design Zone are outlined in Article 3 §28.5. Listed below are the uses which are allowed in the Residential District:

Zoning Ordinance, Article 3

28.51 Uses allowed in all areas of the TND:

28.511 All residential uses, accessory uses, and conditional uses currently permitted in the residential zones of the City identified in Article 3, Sections 1, 2, 3, 4, 5, 6, 7 and 9. Proposed conditional uses shall be identified in the application to the Planning Commission.

28.512 Accessory dwelling units in conjunction with detached single-family houses. A maximum of one accessory dwelling unit shall be permitted in conjunction with a detached single-family house.

28.513 Open space.

28.514 Civic uses including, but not necessarily limited to:

- a) Government buildings;
- b) Education buildings;
- c) Libraries;
- d) Meeting halls;
- e) Museums;
- f) Recreational facilities;
- g) Places of Worship;
- h) Other cultural, civic or social use as designated on the approved Implementation Plan.

The types of residential uses allowed include single (one) family detached dwellings, duplexes, multiplex buildings, townhouses, multiple dwellings, and apartments (garden, mid-rise, and high-rise apartments). The *Zoning Ordinance* defines each of these terms.

Eden Hill Farm TND: Previous Application Reviews and Plan Approvals

The following provides a summary of the project review process to date for the Eden Hill Farm TND: Residential District.

Date	Application Number	Plan Type	Action	Description
June 20, 2005	Z-05-03	Rezoning Application	Planning Commission recommendation of approval for rezoning to TND	Rezoning to TND including acceptance of the General Overall Master Plan and the Master Comprehensive Development Standards Manual (Pattern Book) with its Addendum of 6/9/05 for the project in accordance with the conditions of approval outlined in the Development Advisory Committee (DAC) comments
July 22, 2005	Z-05-03	Rezoning Application	City Council approval of rezoning to TND	Property rezoned to TND with General Overall Master Plan and Pattern Book
June 19, 2006	SB-06-03	Implementation Plan – Residential District	DAC May-June 2006; Planning Commission approval	Implementation Plan and Pattern Book Amendments
2007	SB-07-01	Administrative Subdivision Plan	Staff & Agency Review	Residential District – Record Plan and Construction Plan Set
September 10, 2007	SB-07-01	Record Plan – Residential District	Staff approval 9/6/07; Record Plan recorded	Record Plan: Sheets 1-6 with parcels and street layout
December 10, 2007	SB-07-01	Final Construction Plans	Staff & Agency Approval	Final Construction Plan set and Final Comprehensive Development Standards Manual (Pattern Book)
July 29, 2008	MI-08-03	Record Plan Revisions in Phase 1; Construction Plan revisions; Pattern Book Addendum on Townhouse Lots	Planning Commission approval 4/21/2008 and 5/19/2008	Established a series of lot widths for townhouse units (20 ft, 22 ft, 24 ft, and 25 ft) (Addendum III) Included review of architecture for the initial townhouse units Revisions to lots in Phase 1 - Record Plan recorded; Revised Final Construction Plan sheets
February 5, 2009	MI-08-20	Record Plan – Revisions to Lot 1: Condo into Duplex Lots	Staff approval and Record Plan recorded	Record Plan: Sheet 1 and Administrative Site Plan
March 16, 2009	MI-09-03	Pattern Book Revisions on Duplex Lots	Planning Commission approval 3/16/2009	Reduced Duplex Building Restriction Line (setback) to 15 feet Pattern Book sheet (page 40) to be revised (Addendum IV)
October 26, 2009	MI-09-13	Record Plan Revisions to Lots 4 and 5: Condo into Townhouse Lots, Construction Plan revisions	Staff and Agency Review and approval; Record Plan recorded	Record Plan recorded; Revised Final Construction Plan sheets

Date	Application Number	Plan Type	Action	Description
March 3, 2010	MI-10-04	Record Plan Revisions to Lots 2F, 2G, and 2H	Staff Review and Approval	Minor Lot Line Adjustment Plan affecting three lots; Record Plan recorded
November 15, 2010	MI-10-14	Pattern Book Implementation for Townhouses and Revisions for Duplex Lots	Planning Commission approval with conditions on 11/15/2010	Request to continue use of Phase 1 Townhouse Architecture Styles into Phase 2; Series of Pattern Book Revisions for Duplex Lots (Addendum V)
December 10, 2010	MI-10-20	Phase 2 Lot Revisions	Staff and Agency Review of Record Plan and associated Site Plan revisions; Comments issued	Minor Lot Line Adjustment Plan to reconfigure single units to duplex units and revise townhouse lots from 25 ft. width to 20 ft. width. Also revisions to Site Plan for infrastructure construction.
February 22, 2011	MI-10-20 Interpretation	Phase 2 – Townhouse Setbacks	Planning Commission consideration of Pattern Book Guidelines; PC action 2/22/2011	Action to establish required side yard setbacks for townhouses in Phase 2 area when more than two groupings of building occur. Requirement to complete a final version of the Pattern Book.
			Record Plan of Phase 2 area recorded 3/1/2012	Record Plan of Phase 2 recorded and updates to Construction Plans of Landscape Plans and Utilities Plans.
May 18, 2015	S-15-07	Implementation Plan – Residential District	DAC April-May 2015; Planning Commission approval with conditions 5/18/2015 Check Print Review in 2017 No Final Plan	Revised Implementation Plan – Sheet Submission of Concept Plan: Increase in dwelling unit count; Change in mix of unit types; Revised open space design; and Revisions to street layout
August 2015	S-15-10	Revised Active Recreation Area Plan – Residential District	Planning Commission approval with conditions 8/17/2015 Check Print Review in 2017 No Final Plan	Revised Active Recreation Area and Open Space Plan to create large area with clubhouse building and amenities Associated with S-15-07
June 2018 July 2018 November 2018	MI-18-10	Consideration of Architecture Concept for Residential District	Planning Commission consideration on 6/18/2019, 7/16/2018, 11/19/2018	Request to consider an Architecture Concepts for townhouse units and for single family dwellings as 55+; discussion of concept and PC notation of required application and submission processes
January 2019	MI-19-01	Revisions to Pattern Book	Planning Commission did not approve	Revision of Pattern Book to establish Senior Living Residential Village (55+ as SFD units) and revisions to Townhouse Options: architectural style and lot format.

<i>Current Submission 2019</i>	<i>S-19-25</i>	<i>Implementation Plan – Residential District</i>	<i>DAC Nov-Dec 2019; Planning Commission review pending</i>	<i>Revised Implementation Plan – Sheet Submission of Concept Plan: Revise Phase 2 areas; extinguish lots to create new clubhouse area; create 2 Clubhouses in Active Open Space; build 5 Apartment Buildings of 180 units; change of unit types in select area</i>
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RESIDENTIAL DISTRICT SUMMARY

The Implementation Plan reviewed as SB-06-03 Eden Hill Farm TND: Residential District Implementation Plan consisted of 665 dwelling units. The Plan Set for the *Residential District* depicted the development and the associated elements such as the subdivision entrance access, public street and alley network and street section design, pedestrian network, building sites, parking areas, stormwater management, Active Recreation Area (parks and Community Center building), open space and landscaping. As approved the development offered several housing types including single family detached units in three styles: courtyard lots, carriage house lots, and cottage lots; duplex units; townhouse units in four lot widths; and condominium units in two types: 12-unit buildings and 24-unit buildings. The lot sizes were developed on a module system which would allow for the mixing of unit types within a given street block. This Implementation Plan for the *Residential District* received Planning Commission approval on June 19, 2006 and Final Plan approvals on September 10, 2007 (Record Plan) and December 10, 2007 (Construction Plan). During 2008-2012, several revisions to the *Residential District* were made affecting the Record Plan relating to lot revisions in the Phase 1 area including approvals for the subdivision of five condominium lots into duplex and townhouse lots. The Record Plan (as revised and recorded in 2012) shows the *Residential District* consisting of a total of 651 residential units. (See Attachment Record Plan sheet exhibit.)

A *Residential District* REVISED Implementation Plan S-15-07 which focused on revisions to create areas of multi-family (apartment) unit development was granted conditional approval by the Planning Commission on May 18, 2015 for a Revised Plan consisting of 742 residential units (single family detached units, duplexes, townhouses, and multi-family units), the redesign open space areas, a community center, and revised street layout. This Revised Implementation Plan and its Revised Active Recreation Area Plan was not finalized.

Comprehensive Development Standards Manual (Pattern Book)

As part of the Traditional Neighborhood Design process, the Implementation Comprehensive Development Standards Manual (Pattern Book) consists of a written and graphic description of the owner/developer’s proposed approach to each of the items listed in *Zoning Ordinance*, Article 3 §28.84. The purpose of the Pattern Book is to set the standards and guidelines for the design, construction, and maintenance of the land and buildings in the *Residential District*. Any development within the *Residential District* must comply with the Pattern Book.

The Pattern Book sets the guidelines for development within the Traditional Neighborhood Design project acting as a portion of the code requirements for development. The Pattern Book is intended to present the ‘general character’ of the project with the images in the Pattern Book giving examples of the precedents to aspire to and concepts and guidelines of the new buildings

to be constructed. The Pattern Book describes the architectural precedents for each housing type in Section A: Introduction. Then the Pattern Book in Section C: Community Patterns: Residential describes the concepts for each housing type. These pages establish the standards for the building restriction lines and porch restriction lines thus creating the buildable area on each lot; garage placement options of detached and attached garages with alley access, etc. (Note: The original Master Plan Pattern Book includes pages describing neighborhood areas; the areas have since been revised due to changes in the *Residential District* layout and street network layout completed at the time of the Implementation Plan. The full text of the Pattern Book describing these areas was not updated during the plan review process.) The Pattern Book in Section D: Architectural Patterns (pages 63-71) describes the various design elements for the Residential District, specifically elements including Windows & Doors, Dormers & Bay Windows, Porches, Materials, and Accessory Structures. For each specific element, the Required, Encouraged, and Prohibited elements are given.

The Pattern Book describes the concepts for each residential unit type. These pages establish the standards for the building restriction lines, and porch restriction lines thus creating the buildable area on each lot; garage placement options of detached and attached garages with alley access, etc.

The approved Final Pattern Book for the *Eden Hill Farm Residential District* consists of the Eden Hill Farm Pattern Book 1st Edition 5/6/2005 with Addendum I of 6/9/2005 and Addendum II of 5/5/2006; and by reference the Townhouse Lot Revisions of March 7, 2008 (Addendum III: townhouse unit lot widths), Revised page 40 (Addendum IV: Duplex Building Restriction Line revisions) of May 21, 2009, the Duplex Lot Revisions as approved by the Planning Commission on November 15, 2010 (Addendum V), and Interpretation of Setbacks for Townhouse units by Planning Commission on February 22, 2011. After consideration of multiple revisions to the Pattern Book, the Planning Commission prescribed the requirement that a version of the Final Pattern Book for the *Residential District* be prepared (this has not been completed to date). The REVISED Implementation Plan S-15-07/S-15-10 Applicant was working to complete and fully update a Final Version of the Pattern Book for the Residential District as part of its Check Print Review process; however, it was never finalized. The complete Eden Hill Farm: Pattern Book and Addendums submitted to date are on file at the Department of Planning and Inspections.

Construction Activity in Residential District

In Phase 1 of the *Residential District*, a total of 83 Building Permits have been issued and dwellings completed. The predominate house type constructed has been townhouse units on 20 foot wide lots. The townhouse units currently built are a three story unit with attached (included) garage and a two story unit with a detached garage. In Phase 1, the townhouse units have been constructed in groups: one set of three units, 10 sets of six units, and 2 sets of seven units. Three sets of duplex units have been constructed. A portion of the street network has been completed and dedicated to the City of Dover. These streets include Lloyd Street, Wemyss Road, and portions of South Greenberry Lane, Ruth Way, Ann Moore Street, and Ridgely Boulevard.

REVISED Implementation Plan 2019 for Residential District, S-19-25 (Revision – Concept Plan dated 10/28/2019):

This application is for the Review of a Revised Implementation Plan of the Residential District component of the Traditional Neighborhood Design project known as Eden Hill Farm. This proposed plan is presented in three plan sheets of the Residential District (Plan Review of Revised Plan dated October 28, 2019).

The overall plan for the Revised Residential District depicts the development areas for specific types of residential units and the associated elements such as the street network, on-street parking areas, stormwater management (pond locations), Clubhouse locations, open space areas, and a series of smaller park areas. The Residential District area continues to be proposed to be connected to the existing nearby road network as previously identified with the key entry points from Wemyss Road and Banning Street and connections to the POW-MIA Parkway.

The following are revisions to the Plan layout with the Residential District proposed by this 2019 Revised Implementation Plan.

- **Revise Phase 2 Area:** A change in the land area proposed for Phase 2 revises it to consist of the land area (lots) previously indicated as Phase 2 and Phase 3 in addition to sixteen (16) adjacent lots to the east. It includes a Clubhouse area. It will consist of approximately 38 acres; however, construction activity will be limited to a disturbance area of 20 acres related to sequencing of the Sediment & Stormwater Management Plan.
- **Consolidation of Lots for South Clubhouse:** The Revised Plan proposes to extinguish a series of single-family detached house lots (Lots 339-346) and consolidate the lots for a new Clubhouse location. This is located at the intersection of Nickerjack Way, Skipton Boulevard, and Ruth Way. It is adjacent to a planned open space area named Elberta Park and across Ruth Way from a stormwater management pond. The Clubhouse has a parking lot area and space for active recreation.
- **Create Two Clubhouses:** In the existing Active Open Space area between Ann Moore Street and Ridgely Boulevard, two Clubhouses are proposed instead of one Community Center Building in the northern portion of the community. This lot of over 10,000 SF is planned to contain two clubhouses in a mirrored layout each with a parking lot and a shared outdoor seating and active recreation.
- **Revise Dwelling Unit Count:** An overall dwelling unit count was established at 665 units for the Residential District of the Eden Hill Farm TND in 2005-2006. However, with previous revisions to the plan the current number of units (as planned/platted) is 651 units. There was a previous Revised Implementation Plan that was approved to increase the unit to 742 units; however, it was not finalized. This 2019 Revised Implementation Plan returns the plan to a total of 665 units through the revisions to unit types and lot reconfigurations.
- **Change in Mix of Unit Types (Number and Location):** The Residential District offers a variety of unit types: single family detached units, duplexes, townhouses, and multi-

family units (labeled as condominiums in original plan). This Revised Plan proposes changes to the number and location of the various residential unit types. The proposed plan reduces the number of single-family detached dwellings and townhouses while increasing the number of duplexes and multi-family units. See the chart below for the tallies of the various unit types. The chart summarizes the mix of unit types for the Residential District as approved and as currently proposed in the submitted Concept for the Revised Implementation Plan (of 10/28/2019).

Unit Type	Approved 2007 Record Plan		Revised Record Plans (thru 2012)		2019 Concept for Revised Implementation Plan (10/28/2019): Built and Proposed		
	Count	Percentage	Count	Percentage	Built	Proposed	Percentage
Single Family Detached (Courtyard, Cottage, and Carriage house Lots)	105	15.8%	101	15.5%	0	97	14.5%
Duplex	184	27.7%	198	30.4%	6	230	35.4%
Townhouse	160	24%	220	33.8%	77	75	22.8%
Condominium	216	32.5%	132	20.3%	---	---	---
Multi-Family Units	---	---	---	---	0	180	27%
TOTAL	665		651		83 Built	582 Proposed	Total of 665

While the street and alley network remains the same, the subdivision of the blocks into lots for different types of units has been proposed. The location changes from the 2019 Revised Plan (10/28/2019) for the types of units are listed below:

- Locations of Condominium units in northeastern area of the site are proposed to be Multi-family units (Apartments) on Lots 6-10. The previous 132 units to become 180 units in total. Each building has ground level parking with 36 units above. (Note: Previous Lot 11 becomes open space.)
- Changes to the unit types of lots along Alleys J, K, L, R, S and T (in vicinity of the eastern portions of Ann Moore Street, Ridgely Boulevard, and Little Eden Way).
 - 18 Townhouse units on north side of Ridgely Boulevard are proposed to be 12 Duplexes
 - 8 Townhouse units on the west side of Banning Street between Ann Moore Street and Ridgely Boulevard are proposed to be 6 Duplexes
 - 36 Townhouse units in the blocks bounded by Ridgely Boulevard, Wynkoop Way, Little Eden Way and Alley L are proposed to be 24 Duplexes

Revised Implementation Comprehensive Development Standards Manual

With this submission, a Revised Implementation Comprehensive Development Standards Manual (Pattern Book) was not resubmitted. The Implementation Comprehensive Development Standards Manual consists of a written and graphic description of the owner/developer's proposed approach to each of the items listed in *Zoning Ordinance*, Article 3 §28.84. The purpose of the Pattern Book is to set the standards and guidelines for the design, construction, and maintenance of the land and buildings specifically in the *Residential District*. Any development within the *Residential District* must comply with the Pattern Book.

LANDSCAPE PLAN

The Revised Implementation Plan is required to meet the provisions of the *Zoning Ordinance* for Landscape Guidelines and Tree Planting and Preservation (Article 5 §11 and 15) at a minimum. The Residential District area does not include existing woodland areas. The area subject to the Tree Density requirements equals 109.2049 acres. Therefore, the project will require a minimum of 1,585 trees to meet the Tree Density requirements. The current Construction Plan (SB-07-01) shows new tree plantings as a mix of deciduous, evergreen, and ornamental trees. The trees are proposed as street trees, within park and open spaces area, and as part of individual residential lots. A Revised Landscape Plan was not submitted. The Landscape Plan will need to be updated related to the revised lot layouts, Clubhouses, and open space area designs. The Pattern Book also describes planting requirements for certain lot types.

OPEN SPACE AND RECREATION AREAS

The overall Eden Hill Farm TND exceeds the minimum of 25% open space by creating a community walking trail area, parks, and greens throughout the site and large open space/potential park area in the southwest portion of the site (west side of the POW-MIA Parkway). The existing historic house of Eden Hill Farm and its tree allees (entrance drives) are preserved within a large public open space area.

Focusing on the Residential District area, based on the currently approved number of residential dwelling units at 665 units, this subdivision was to provide 4.1 acres +/- (182,875 S.F.) of open space designed to function as active recreation space. The key components of this active recreation area were originally approved as a Community Center building with pool, the larger park area known as Signers Park, a walking trail system, and over 2.2 acres of land in a series of 'pocket parks' throughout the community.

This 2019 Revised Plan appears to retain the key elements of the Open Space/Recreation Plan and also increases the amount of land reserved as open space. The most significant changes are that the Community Center site is to become two Clubhouse Buildings and an additional Clubhouse building is to be added in the southern portion of the site.

The *Zoning Ordinance* requires an Open Space and Active Recreation Plan for all residential developments, projects and plans that come before the Planning Commission (Dover Code of Ordinances, Appendix B, Article 5 §10). As changes are proposed to the Open Space and Active Recreation, a Revised Plan detailing the layout, design, and amenities of the Open Space areas must be submitted for review.

Traditional Neighborhood Design: Next Steps

Following Planning Commission review of the Revised Implementation Plan for the *Residential District* the next step is finalization of the Construction Plans for Implementation and a revised Final Plat Subdivision Plans for area which received Implementation Plan approval. The detailed plans for the Clubhouse buildings/areas can be submitted through the Administrative Site Plan review process.

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

CITY AND STATE CODE REQUIREMENTS:

- 1) The Revised Implementation Plan (Construction Plan Set and Record Plat) and Comprehensive Design Standards Manual (Pattern Book) will need to be amended to reflect any changes recommended or approvals by the Planning Commission.
- 2) The Comprehensive Design Standards Manual (Pattern Book) is recommended to be updated to reflect the various approvals by the Planning Commission including the previously approved revisions.
 - a) The approved amendments from 2005-2012 are listed below:
 - i) Addendums I and II consist of text revisions throughout the Pattern Book.
 - ii) The document "Townhouse Lot Revisions" included the various lot widths approved for the townhouse units (Addendum III).
 - iii) A revised page 40 presents the duplex setback options for the lot and setback (building and porch) dimensions (Addendum IV).
 - iv) Duplex Lot Revisions and Interpretation of Townhouse Setbacks (Addendum V)
 - b) The Pattern Book pages related to Condominium units must be revised and updated to discuss the requirements and design concepts for Multi-family units.
 - c) The Comprehensive Design Standards Manual (Pattern Book) is required to be amended to reflect any changes recommended and approvals by the Planning Commission for this current 2019 submission.
- 3) The Landscape Plan will need to be updated related to the revised lot layouts and open space area designs.
- 4) A Revised Open Space and Active Recreation Plan detailing the layout, design, and amenities of the Open Space areas focusing on the Clubhouse areas must be submitted for review. This can be achieved through the Administrative Site Plan review process.
- 5) A Record Plat for the Revised Lot and Street layout must be reviewed to include property boundary information, any proposed lot changes, data column, certifications, notes, cross access easements, easements for infrastructure or utilities, etc. This set of Sheets 1-3 is a good start on the Record Plat.
- 6) The site and building design of the Multi-family Units (Apartment Buildings) may require a more detailed review in order to confirm compliance with the *Zoning Ordinance* and

Building Code and Fire Code provisions. This can be achieved through the Administrative Site Plan review process focusing on that specific area of development.

- 7) Other the proposed connections to the nearby public street system must be constructed in a timely manner i.e. Ridgely Boulevard to the POW-MIA Parkway and the continuation of Banning Street. Currently, the *Residential District* has 83 units complete. The *Land Subdivision Regulations* require two connections to public streets for subdivisions of 150 units.
- 8) The developer must coordinate with DelDOT regarding the design of the intersections of Ridgely Boulevard and Horsey Boulevard with the POW-MIA Parkway. Entrance Plan approval are required.
- 9) Provide information on any agreements established regarding responsibilities for construction, dedication, maintenance, etc. for areas with the TND project such as streets, circulation aisles, walking paths, open spaces, landscaping, stormwater management, etc.
- 10) The Recreational component of the Revised Implementation Plan is required to be reviewed. If the revisions are deemed to be significant then review by the Parks, Recreation and Community Enhancement Committee and by the Planning Commission may be required.
 - a) Submission of more detailed information for the layout and design of amenities in the Clubhouse areas is required for review through at least the Administrative Site Plan Review Process.
 - b) The applicant should be aware of the requirements for construction phasing of the recreation area as associated with the development of the residential units.

Article 5 §10.6 Construction Phasing. The recreation and open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that one hundred (100) percent of the recreation and open space areas shall be completed prior to issuing building permits for the final twenty (20) percent of the dwelling units proposed. Building permits shall not be issued for dwelling units unless the requirements of this section are met.
 - c) There shall be provisions which ensure that the common open space land including the active recreation areas shall continue as such and be properly managed and maintained. These provisions shall be in a form acceptable to the City of Dover. The developer shall either retain ownership and responsibility for maintenance of such open land; or provide for and establish one (1) or more organizations for the ownership and maintenance of all common open space i.e. a Homeowners Association. The organization shall be responsible for maintenance, insurance and taxes on common open space and recreation facilities.
- 11) Sheet 1:
 - a) Relabel the West Dover Connector as the POW-MIA Parkway. West Dover Connector can be noted as a former reference name for clarity.
 - b) It is noted that Townhouse Lots 91-95 currently have Building Permits filed for review for construction.
 - c) Identify the extent of the existing street rights-of-way that have been accepted for dedication by the City of Dover (in Phase 1 area).

- d) Clarify street labeling that says “City Maintained” as these are proposed to be City maintained once constructed and accepted for dedication.
- e) Add missing Alley labels and names in Alley Street Names table for Alley W, X, and AA.
- f) Revise Lot #s: Please keep the lot #s in a block as previously labeled for individual lots and just eliminate unused Lot #s if the number of lots in a row is reduced.
- g) General Notes #2: Clarify that the existing built lots in Phase 1 area are not proposed for revision.
- h) General Notes #27: Repeats Notes #26, please delete #27 or update with the action taken on this specific Revised Plan.
- i) In the Tax Parcel Impacted list identify “Action”: new use (Apartment, Open Space), change in lot type, lot elimination, or lot consolidation.
- j) Add data column with legal data required of plats: owner, zoning, size, etc.
- k) Notes should reference the Comprehensive Design Standards Manual (Pattern Book).

12) Sheet 2 and Sheet 3:

- a) Update similar items as identified for correction on Sheet 1.
- b) Clarify the following about the Apartment Buildings: number of stories/height including ground level parking, building access, separation distance between building and parking, parking areas associated with Fire Department Connection locations, Dumpsters for Building Lot 10.
- c) A number of handicapped accessible ramps are missing at terminations of sidewalks at streets/alley and a front of Clubhouse buildings.
- d) Note that building units displayed on the lots are examples only as other building and garage formats may comply with the setbacks of each lot based on its housing type. Compliance will be reviewed at time of Building Permit application.
- e) This plan provides some of the required parking spaces for the apartment units as on-street parking. The rate of 2.25 parking spaces per dwelling unit of the Code is not achieved by off-street parking for the apartments. The off-street parking rate should be a design standard identified in the Pattern Book.
- f) Locations of bicycle parking must be identified for the Clubhouses and Apartment Buildings.
- g) Identified the location of the overall walking trail system for the Residential District with the buffer area adjacent to the railroad and along the POW-MIA Parkway.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

- 1) Several proposed revisions shown in the 2019 Revised Implementation Plan (Plan of 10/28/19) for the Residential District are to be evaluated for compliance with the intent of the Eden Hill Master Plan. The Staff recommendation on each is listed below:
 - a) Revise Phase 2 Area: Staff recognizes the expanded land area proposed for Phase 2 as it consists of the previous Phase 2, Phase 3, sixteen (16) adjacent lots, and a new Clubhouse area. The developer is reminded that construction activity will be limited to a disturbance area of 20 acres as related to sequencing of the Sediment &

Stormwater Management Plan.

- b) Consolidation of Lots for South Clubhouse: Staff recommends approval of the consolidate of single-family lots for a new Clubhouse location to serve the southern portion of the community. The Clubhouse has a parking lot area and space for active recreation; however, a more detailed plan of the building/site amenities will be required.
 - c) Create Two Clubhouses: Staff recommends approval of the concept to create two Clubhouses buildings at the site of the previous Community Center Building location in the northern portion of the community. The developer is encouraged to elevate the opportunities for shared space and amenities at the location. The site has identified parking and active recreations areas; however, a more detailed plan on the buildings/site amenities will be required.
 - d) Revise Dwelling Unit Count: Staff is supportive of returning to the overall dwelling unit count of 665 units as originally established for the Residential District of the Eden Hill Farm TND. Eden Hill Farm TND is an area of infill development near the central core of the City's urbanized area with access to utility and multi-modal transportation infrastructure.
 - e) Change in Mix of Unit Types (Number and Location): Staff recognizes the change in the mix of unit types that is proposed. The specific unit type changes proposed in this 2019 Revised Plan to continue the previously established balance and percentage of unit types in the Residential District. Even with the increase in the number of duplexes and multi-family (apartment) units the overall development contains a variety of housing types and lot sizes.
- 2) The following are a series of key concepts emphasized for the development of Residential Units. Most of these concepts are further detailed in the Pattern Book (and approved addendums). Planning Staff offers these as reminder of the general character and intent of the Traditional Neighborhood Design.
- a. Staff recommends that all lots with access to an alley be required to take vehicular access only from the alley no matter the unit type. This access pattern was clearly established in the intent of the Traditional Neighborhood Design concept and the Residential District Implementation Plan.
 - b. Staff recommends utilizing variation in the number of units grouped together within a street block such as groupings of two, three, or four units or up to a maximum of six units for townhouse groupings.
 - c. Corner lots are considered to have two street front facades and are important visual elements. The building design should take advantage of the corner opportunity for design elements (architecture, detailing, and materials) to highlight the corner or end of building.
 - d. Staff recommends the increased use of porches or enhanced covered entries for main entrances on the front elevations and/or side elevations of the residential units. All lots have a designated porch restriction line that allows this element to

- be closer to the street than the other portions of the building. Porches are key elements of the precedents for the District and encourage interaction.
- e. Staff encourages variation in the house architectural style and design, color, materials, and detailing to detail to create the variations seem in the traditional residential areas of the City and to avoid uniformity of design.
 - f. The multiple unit buildings and multi-family buildings should read as “one grand house.” The selection of elevations, exterior finishes, door placement of front and side entries, etc. play a role in how a combination of units is viewed.
 - g. Staff supports the methods for garage placement on properties which places the garage in a secondary position where front access to the lot is required by the lot and street layout.
- 3) A Final Version of the Pattern Book does not exist for the Residential District. Staff is recommending the requirement of the development of a final edition of the Pattern Book for the Residential District as approved and amended to date. Currently, Staff must complete compliance review by accessing multiple documents each with its own amendments. It is very complex and will become even more so as the development progresses, involves other builders, etc. Staff can make recommendations on the contents of a final edition document (i.e. specific pages from the Master Plan Pattern Book and the associated addendums) for the Residential District.
- a. As a Revised Comprehensive Standards Manual (Pattern Book) for the Residential District was not received with this submission, Planning Staff reserves the right for future review, comment and assessment of the necessary review process for such document.

ADVISORY COMMENTS TO THE APPLICANT:

- 1) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 2) If Planning Commission approval is granted to the proposed Revised Implementation Plan concept, the Implementation Plan (Construction Set), Record Plan, and Pattern Book must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. These documents must be submitted for review by applicable Departments and agencies as part of the Administrative Review/Check Print Review process.
- 3) In the event, that major changes and revisions to the Revised Implementation Plan occur in the finalization of the plan or associated Pattern Book contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other commissions making recommendations in regards to the plan.
- 4) The applicant/developer shall be aware that prior to any ground disturbing activities or

start of construction activities on the site the appropriate plan approvals, site inspections, Pre-Construction meetings, and permits are required.

- 5) Additional coordination as related to construction activities will be necessary to minimize the effect on the adjacent property owners and the existing roadways. During construction of streets, the developer shall coordinate the required street light placement and electric utility routing and equipment with the City of Dover Electric Department and in accordance with the Pattern Book.
- 6) Staff notes that a Memorandum of Understanding (MOU) has been developed in other districts to address topics such as responsibilities for construction, dedication, and maintenance of specific components of the Eden Hill Farm TND. A similar Memorandum of Understanding (MOU) should be developed for this District as well if necessary.
- 7) The applicant shall be aware that Revised Implementation Plan approval does not represent a Building Permit, Sign Permits and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover.
- 8) The construction of each dwelling unit/building will be reviewed by Staff for compliance with the approved Pattern Book (Final Version) through the Building Permit process.

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

2019 COMPREHENSIVE PLAN

The *City of Dover 2019 Comprehensive Plan* includes text and a Map series outlining information and policies regarding land use activities in the City of Dover. The FINAL DRAFT *2019 Comprehensive Plan* (12.3.2019) document is on file at the Department of Planning and Inspections, City Hall, 15 Loockerman Plaza, Dover and at the Dover Public Library, 35 Loockerman Plaza, Dover.

See Project website:

<https://www.cityofdover.com/2019-comprehensive-plan>

- A copy of the FINAL DRAFT *2019 Comprehensive Plan* (12.3.2019) is provided for your review.
- An Additional Packet of information pertaining to the 2019 Comprehensive Plan Project will be distributed to you next week. This will include:
 - Preliminary Land Use Services (PLUS) Review Letter of November 8, 2019
 - Staff Response Chart to PLUS Review
 - Information on the Requests (Chart of Requests, Request Letters, and Response Letters)
 - Proposed Ordinance #2019-21 to Adopt 2019 Comprehensive Plan



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

November 8, 2019

David S. Hugg III
City of Dover
15 Loockerman Plaza
P.O. Box 475
Dover, DE 19903

RE: PLUS review 2019-10-01; City of Dover Comprehensive Plan

Dear David:

Thank you for meeting with State agency planners on October 23, 2019 to discuss the City of Dover's comprehensive plan. State agencies have reviewed the documents submitted and offer the following comments. 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.

Certification Comments:

- The text references a number of maps that are missing from the document, notably in the transportation chapter and the housing chapter. Please include all maps that are referenced.
- Chapter 6, Historic Preservation: The DDD program is briefly mentioned. There should be more recognition of the how the DDD Rebate can be an important incentive to encourage rehabilitation of historic properties. The other incentives are a variety of tax credits, which are good, but the DDD Rebate has the potential to be a more significant dollar amount and is available shortly after completion of the project. There also should be a more explicit mention of the State Historic Preservation Tax Credit, and how this can be used to encourage historic preservation and revitalization activities.
- Chapter 10, Economic Development: Although the economic development plan does mention the Downtown Development District program in two places, it is done so in passing. The Downtown Development District Program is an important partnership for economic development and community revitalization between the State and the City of

Dover. A substantial amount of State funds are directed to redevelopment activities in Dover through the DDD Rebate. Please clarify the role that the DDD program plays in the city's economic development efforts, and define some actionable steps in the recommendations to utilize the DDD program and associated incentives to drive redevelopment activities in the Downtown.

- Chapter 11, Housing and Community Development: There is a discussion of housing incentives on page 11-7 that includes mention of the DDD program, but again the program is not clearly described. Please clarify that the DDD Rebate can result in 20% rebate of capital investment in new affordable home construction. It would also be important to note that Habitat for Humanity and NCALL have received substantial rebates on a significant number of new homes built in the downtown area. Perhaps there could be some discussion of the impact of this activity on the downtown neighborhoods? A rebate/leverage figure would be meaningful and impactful, and hopefully serve to encourage others to participate in affordable housing activities.
- Chapter 13, Growth and Annexation Plan: Map 13-2 does not provide future land uses for Category 3 annexation areas. Del.C. requires that when parcels are annexed, they must be assigned a zoning district consistent with the comprehensive plan. If the plan does not provide a future land use, a plan amendment is required to assign the future land use prior to annexation. Please revise the plan text to clarify that a plan amendment will be required prior to the annexation of any of the Category 3 areas. Some of these areas are somewhat distant from existing City services and infrastructure, which can and should be addressed in a future plan amendment.
- Page 13-3 contains an outdated reference to the "Community" area in *State Strategies*. That terminology was replaced with the "Investment Levels" starting in the 2005 update. Please amend the text to remove reference to the "Community" areas.
- Page 13-3 contains a reference to "Livable Delaware." This was Governor Minner's land use policy initiative, and it was specific to her administration. Please remove this reference.
- Page 13-9 references "State notification requirements" according to the provisions of Title 29, Chapter 92. These notification requirements were removed from Del. C. in 2004 as a part of the legislation that created the PLUS process. Please review the current version of Del. C. and amend the plan accordingly.
- Page 13-8 indicated that two areas adjacent to Dover Downs are identified as "land use to be determined." These areas do not appear to be on the map. The map or text or both must be amended so that the map and text are consistent. If no land use is indicated, then a plan amendment will be required prior to annexation. If these properties are not consistent with the *State Strategies* and/or Kent County's comprehensive plan (which they are probably not, given the location described) then further discussion with OSPC and Kent County will be necessary.

- Page 13-6 mentions a “new property west of Artis Drive” as a Category 2 annexation area. This property does not appear on the map. Please clarify where this property is located, and amend the map, text or both so that the map and text are consistent. If this property is not consistent with the *State Strategies* and/or Kent County’s comprehensive plan (which it is probably not, given the location described) then further discussion with OSPC and Kent County will be necessary.
- Chapter 14, Intergovernmental Coordination: Please provide written documentation that all adjacent jurisdictions have received the plan for review and have no objections to the plan. We will be looking for written documentation from Kent County, Camden and Wyoming at a minimum. An email correspondence will be sufficient as long as it indicates that the jurisdiction has reviewed the plan and has no objections.

Recommendations: Our office strongly recommends that the Town consider these recommendations from the various State agencies as you review your plan for final approval.

Office of State Planning Coordination – Contact: David Edgell 739-3090

The Office of State Planning Coordination would like to commend the City of Dover for a very well-done comprehensive plan draft. The document and map series are very extensive and represent a detailed vision for the future growth and development of Dover. One very noteworthy element of this version of Dover’s plan is that the effort began with a thoughtful evaluation of the progress made over the past ten years implementing the 2009 Comprehensive Plan. The findings then were used to inform the public outreach and ultimately to guide the development of the plan. In this way, the plan has a realistic vision of current progress, challenges and opportunities which ultimately drives the plans vision and goals. The detailed, and realistic, implementation chapter will ensure that the City’s efforts across departments continue to strive towards achieving the goals set out on the plan.

Please consider the following recommendations to improve the plan:

- Chapter 9, Transportation Plan: The plan makes an effort to mention the many transportation planning studies that have been completed and are in effect. It is a very good thing to acknowledge these plans and that the comprehensive plan uses them to inform the transportation chapter. However, these plans are mentioned but not fully described or explained. It is recommended that the plan add a more comprehensive summary of the existing plans and studies that are referenced throughout the chapter and in the recommendations. This will give all readers the context to understand how these plans are used to inform the transportation planning initiatives in the plan.
- Chapter 12, Land Development Plan: It is recommended that the analysis comparing the Land Development Plan to the zoning of each parcel be completed before the plan is adopted. This is important to do in case there are any “mistakes” in the Land

Development Plan that then may be corrected prior to plan adoption. Doing so now will potentially avoid the need for a plan amendment prior to the comprehensive rezoning.

- Chapter 12, Land Development Plan: The Land Development Plan Map is presented as a series of maps zoomed in to the quadrants of the City. This does make the map view larger and more readable, especially on an 8 ½ X 11 page. However, as presented it is difficult to get a full picture of central Dover. It is recommended that a new Land Development Plan map view be provided that focusses on central Dover.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- On page. 1-9, Accomplishment 8 could state that construction has begun on the Senator Bikeway between Weston Drive and Cecil Street.
- Regarding the discussion on page 5-6, the connection between jobs and housing is important, and DelDOT applauds the emphasis that more jobs will result in shorter commuting. 2017 US Census Economic Studies (On The Map) data shows that 16,360 people work in the City of Dover and commute in to the City to work, while 8,172 City residents commute out of Dover to a different place for work, and 3,771 residents both live and work in Dover. In addition to creating jobs to shorten commuting, DelDOT would suggest considering efforts to encourage people who work in Dover to also live in the City.
- The discussion of Scenic Resources on page 5-9 could be a good place to indicate that Dover is part of the Harriet Tubman Underground Railroad history of the area. This designated scenic and historic byway route for historic interests and programming exists as part of downtown Dover as a destination for this byway, i.e. the byway does not simply pass through as it is indicated in later sections of the Plan.
- DelDOT offers the following specific comments regarding the “Byways/Scenic and Historic Highways Program” paragraph on page 6-9 of the Plan:
 - The term “corridor plan” is used repeatedly and is incorrect. Please replace it with “corridor management plan.”
 - The Plan correctly observes that designated byways are promoted by “a number of State agencies,” but they are also promoted by the municipalities located along them and by the county tourism offices. Please edit the paragraph to expand the overall promotional element, making clear that it is not limited to State agencies.
 - The “Route 9 Coastal Heritage Highway” is an incorrect name for the Delaware Bayshore Byway.
 - On the Harriet Tubman Underground Railroad Byway, this byway route does pass through Dover, but downtown Dover also really part of the Tubman Byway as a

public destination. This fact could also be mentioned in the economic development chapter with regard to the marketing and promotion of byways and for complementary tourism opportunities in Dover. So, the economic development impacts of the Byway for Dover may include further opportunities for ecotourism, historic tourism, events of the area, and other historic preservation events. These things all involve the use of hotel, eating, and shopping, etc. Consider further elaboration on this point.

- On page 6-15, consider rewording Historic Preservation Goal 2, Recommendation 8, to read “Engage in promotion and implementation of corridor management efforts within the Delaware Byways Program that support historic preservation and promotion of tourism and visitation for downtown Dover.”
- Regarding the Patterns of Travel discussion on pages 9-3 and 9-4, DelDOT has four comments:
 - DelDOT appreciates the mention of how residents get to work, however they would suggest discussing this outside of the specific mode of auto travel. In addition, they would suggest emphasizing the percentages of alternative modes as well as citing the dataset as ACS 2013-2017 as the longest estimates are for five years. It finds that 11.4% of Dover residents carpool to work 1.6% use public transit, 3.5% walk and 1.2% bike.
 - Please also note the data set cited should be ACS 2013-2017 as there is no 10 year dataset ACS 2009-2017. If the comparison is between two sets then DelDOT would suggest citing ACS 2008-2012 and ACS 2013-2017 as the comparison datasets.
 - DelDOT believes there are some errors in the citation of households with vehicles. 2013-2017 CP04 Comparative Housing Characteristics finds that 12.0% of households do not own a car, 37.2% have only one vehicle available, 35.9% have two vehicles available, and 14.9% have three or more vehicles available. They would suggest review and incorporation of the table B08201 Household Size by Vehicle Available to understand car-less and car-light populations. Given these numbers, it is important to continue to emphasize planning for transit and non-motorized travel. They question the assumption that “automobiles have dominated the way people travel in Dover for decades.”
 - It is important to note that the Census ties vehicle counts to households. 4,573 City of Dover residents, or 12.3% of the City of Dover population lives in group quarters. Assuming many of these are barracks at Dover Air Force Base (on the City side, not the Dover Base Housing CDP side) and college/university residence halls, the number of cars and traveling by this may be higher among group quarters dwellers than assessed using census vehicle data.

- On pages 9-4 and 9-5, the percentage change columns in Table 9-2 and the discussion in the paragraph following that table are based on a common misunderstanding of DelDOT's Vehicle Volume Summaries. While the Summaries provide an updated volume every year for every State-maintained road segment, most of the volumes provided are factored from counts done in previous years. The factors used are developed using data from a relatively small number of permanent count stations around the state and may or may not be indicative of actual changes on the road segments to which they are applied. In drawing year-to-year comparisons it is essential to look at the Year Last Counted column in the Summaries and only use volumes that were actually counted in those years.

DelDOT recommends that Table 9-2 be de-populated to reflect only actual counts and that the paragraph be rewritten based on the remaining data. In that regard, it should be noted that the suggested explanation of special events raising the annual average volume on a road segment is not adequate. Even when a segment is counted, unless there is a permanent count station on that segment, the volume shown is based on a week-long count factored for seasonal variation.

- On page 9-6, at the end of the Truck Travel paragraph, there is a statement that "The City-owned Garrison Oak Business and Technical Center lacks near-by on-ramps or off-ramps to SR 1 despite being right next to it." Delaware Route 1 had already been planned, designed and built when the City chose to locate the Center there.
- Regarding the Public Transit section on pages 9-6 and 9-7, DelDOT offers two comments:
 - For what reasons has new development near the transit center not been forthcoming? Key nearby parcels, including some with currently limited uses, are owned by both the City of Dover and State of Delaware. DelDOT suggests a review of the recommendations of the 2011 plan for incorporation in the document.
 - Unfortunately, DART has decided that it will eliminate Route 106 due to low ridership. However, they are extending Route 105 to serve stops at Generals Green and the Dover Air Force Base Visitors Center previously served only by Route 106, and the 105.
- Regarding the Pedestrian and Bikeways section on pages 9-9 and 9-10, DelDOT offers two comments:
 - DelDOT suggests renaming the section "Pedestrian and Bicycle Facilities" from "Pedestrian and Bikeways" to refer to facilities instead of a combination of users and facilities.

- Referring to the last full paragraph on page 9-9, DelDOT suggests referring to “multi use paths or sidewalks” along US Route 13 as DelDOT is currently in constructing sidewalks along US 13 in locations where development is not imminent. DelDOT also requires developers with major redevelopment projects to construct shared use paths.
- Pertaining to the Aviation discussion on page 9-11, Henderson Airport is no longer a public use airport but would fall in the category “reserved for private use.”
- A map of the functional classification system described on pages 9-12 and 9-13 would be helpful.
- Map 9-1, mentioned on page 9-15, is missing and should be added.
- Other transportation-related maps that seem to be missing and should, perhaps, be added include a map of the Harriet Tubman Byway, and maps of the completed and prioritized projects discussed on pages 9-17 through 9-19.
- On page 9-16, in the Transportation Improvement District section, there is a statement that the Facilities Boundary of the US Route 13/Bay Road Corridor Transportation Improvement District “should be changed so that Walker Road and Governors Avenue are no longer the preferred alternate route from the northernmost part of the TID to the southernmost part.” The designation of the Facilities Boundary is not particularly related to the designation of “preferred alternate routes” and DelDOT does not know what the City means by that term. DelDOT is willing to revisit the Facilities Boundary but it is apparent that discussions with current City staff are needed in this regard.
- In the list of Completed Projects on page 9-17, DelDOT suggests stating that “key segments” of the Senator Bikeway and the Capital City Trail have been completed, to reflect that other segments are in development.
- Regarding the list of Prioritized Projects on pages 9-17 through 9-19, the listed projects vary in their positions in DelDOT’s Project Prioritization Process. Some projects are not in DelDOT’s Capital Program (Garrison Oak Connector, Kings Highway/Route 13 Intersection Improvements, Route 8/Hazletville Road Connector) but are in the MPO Long Range Plan. The remaining projects are in the DelDOT Capital Transportation Plan (CTP), and therefore the Transportation Improvement Program (TIP) of the Dover/Kent County MPO. Many have slightly different names. The US 13 Sidewalks and the Senator Bikeway (possibly a component of “Sidewalks in the Walk Zone of Dover High School”) projects are being achieved using the Statewide Bike and Pedestrian Program line in the CTP. DelDOT suggests clarifying these projects’ prioritization by the MPO and DelDOT, and for projects in the CTP stating an estimated completion date.
- On page 9-19, in the paragraph on the US 13 Service Roads project, there is a reference to the Corridor Capacity Preservation Program. This program is limited to four specific

roads, which do not include the section of US Route 13 being discussed in that paragraph. The reference should be removed.

- On Page 9-21, the last bullet point under Recommendation 4 reads “Ensure vital pedestrian and bicycle amenities such as seating, street lighting, street crossings, and bicycle parking are addressed in the plan.” Consider changing “addressed” to “included.”
- In Chapter 9 (Transportation Plan), Chapter 12 (Land Development Plan) and Chapter 15 (Implementation Plan), there is much discussion of non-motorized transportation and continuing to support bicycle and pedestrian improvements. However, the discussion focuses on having DelDOT provides the infrastructure adjacent to roadways. The goals are to continue a good network of bike lanes and separated shared use paths and to provide for pedestrian safety. DelDOT recommends that the City expand the Plans goals to include provisions for bike parking areas or bike racks as part of the site plan review for new development and re-development efforts.
- At the top of page 10-6, in the discussion of Commercial Corridors and Centers, Delaware Route 8 in West Dover is described as “pedestrian oriented.” That may be an overstatement. The corridor is pedestrian accessible but most uses there are reached primarily by automobile.
- Consider adding a recommendation in Chapter 15 to “Explore current ordinances and site plans to better incorporate non-motorized elements into land use plans”. DelDOT can build and provide the bicycle and pedestrian improvements, but those improvements should assist and complement the City’s land uses and ordinances as described in the Plan.

The Department of Natural Resources and Environmental Control – Contact: Michael Tholstrup 739-9071
Recommendations for Plan Update

Overall Comments

- The document is well written. DNREC reviewers believe the Plan adequately addresses stormwater management, water quality and pollution prevention.
- DNREC reviewers congratulate the authors for including the City’s accomplishments since 2008.
- Instead of chapter numbering, consider page numbering for the entire plan.
- Hyperlink the table of contents.

Chapter 1: Introduction

- Table 1-1, Natural Resources and Environmental Protection Accomplishment #6- should refer to the State of Delaware as providing the trail in the Fork Branch Nature Preserve.

Chapter 5: Natural Resources and Environmental Protection

- Page 5-2, Woodlands – DNREC reviewers support the City of Dover’s Zoning Ordinance, Article 5, Section 16.
- Page 5-2, Natural Resources and Environmental Protection plan, Soil Classifications: The City of Dover’s Comprehensive Plan appears to be referencing the 1971 USDA Soil Survey of Kent County, Delaware; however, it should reference the soils information found in the updated NRCS soil survey layers. The updated soils information can be retrieved from the web soil survey here:
<http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>
- Page 5-2, Wetlands – DNREC reviewers support the City of Dover’s Zoning Ordinance, Article 5, Section 11.
- Page 5-3, Hydrology: Please change “Little River Watershed” to “Leipsic River Watershed”
- Page 5-6, Water Quality and Total Maximum Daily Loads – DNREC reviewers support the City of Dover’s Water Quality and TMDLs section of the comprehensive plan that aims to improve water quality and reduce TMDLs throughout the St. Jones and Little Creek watersheds.
- Page 5-7, Water Quality and Total Maximum Daily Loads, Table 5-1: Please change “Little Creek” to “Leipsic River.”
- Page 5-7, Change “Division of Soil and Water Conservation” to Division of Watershed Stewardship.
- Chapter 5-8, “Water Quality and Total Maximum Daily Loads,” 2nd paragraph regarding the pollution control strategy (PCS). Please change “Little Creek watershed” to “Leipsic River watershed.” A PCS has not been developed for the Leipsic River watershed.
- Chapter 5-9, DNREC reviewers appreciate the City of Dover’s support for the Fork Branch Nature Preserve.
- Chapter 5-11, Planning for Climate Change Recommendations:
 - The City of Dover is encouraged to reduce greenhouse gas emissions. Many strategies to do so can also save the City money, improve public health, and support economic development efforts. Incorporating electric vehicles into the City’s fleet would reduce tailpipe emissions and save money. Providing electric vehicle charging stations incentivizes electric vehicle drivers to work, visit, and play in downtown areas. Funding is available for local governments, businesses, and citizens for both vehicles and charging stations through the Delaware Clean Vehicle Rebate Program (www.de.gov/cleantransportation)
 - DNREC reviewers recommend the City expand and make safer their bicycle and pedestrian network to help reduce the emissions of carbon pollution that are the root cause of climate change. Expansion of alternative transportation opportunities will help limit the impact of vehicular travel and facilitate the transition from vehicular travel to other more environmentally friendly modes.

- Incorporating energy efficiency measures in building design and redevelopment can help cut energy costs and makes homes and work spaces more comfortable for occupants. DNREC provides grants through the Energy Efficiency Investment Fund (EEIF) to help commercial and industrial customers replace aging, inefficient equipment and systems with energy efficient alternatives (www.de.gov/eefif).
- DNREC administers a free Weatherization Assistance Program to help establish comfortable, energy-saving homes. The program, run through the Division of Climate, Coastal, & Energy, helps homeowners and renters cut their energy bills by weatherproofing and improving the energy efficiency of their homes. The need for weatherization of homes could be mentioned in the draft plan and we encourage the City to help inform residents of this program. More information about the program can be found here: www.de.gov/wap.
- DNREC staff are always available to assist and would be happy to meet with City staff to discuss climate change vulnerabilities, energy efficiency, and greenhouse gas reduction strategies.
- Chapter 5-15, “Natural Resources and Environmental Protection, Recommendations:” DNREC reviewers strongly recommend the following “actionable strategies” be included as “proposals for ordinance” in the City of Dover’s revised Comprehensive plan. DNREC encourages the City to:
 - Increase upland buffer widths from all wetlands or waterbodies (including ditches) to 100 feet.
 - Specify that calculations for surface imperviousness (for both commercial and residential development) include all constructed forms of surface imperviousness - including all paved surfaces (roads, parking lots, and sidewalks), rooftops, and open-water storm water management structures.
 - Exclude structural best management practices such as community wastewater treatment areas, open-water storm water treatment structures, and natural areas containing regulated wetlands from consideration as open space.
 - Exclude or limit development on hydric soils.
 - Use “green-technology” storm water management in lieu of “open-water” storm water management ponds whenever practicable.
- Chapter 5-15, Natural Resources and Environmental Protection Goals:
 - Goal 1- Recommendation 1: Consider including future flood risk in the development review process, using tools that incorporate sea level rise inundation. DNREC developed specific guidance for flood avoidance in future sea level rise scenarios. These resources are non-regulatory and utilized by State agencies, but can assist in municipal planning efforts (www.de.gov/floodavoidance).
 - Goal 4- Recommendation 8: Energy efficiency and building design standards can each be used to improve environmental impacts; The City should consider a greenhouse gas inventory assessment to identify sources other than transportation which can be addressed in the local building/energy codes.
 - Reducing impervious cover by incorporating and/or incentivizing green infrastructure techniques into development and redevelopment can have multiple benefits to the City, including MS4 requirements and reduced wastewater

treatment costs (when stormwater is redirected). This can be accomplished at the individual site and community scales. For more information on the benefits of green infrastructure, please visit de.gov/greeninfrastructure.

General Recommendations:

- Plan goals should include discussion of proactive measures to avoid impacts from future sea level rise inundation and storm surge.
- DNREC reviewers are supportive of the City working toward enacting a storm water utility which will help in regulating and financing storm water management projects in the future.
- Map 5-3, Lands Under Preservation- depicting the Fork Branch Nature Preserve should be updated to include property that has been acquired as Preserve within a potential annexation area. For more information, please contact Jennifer Holmes with the DNREC Division of Parks and Recreation, Office of Nature Preserves: (302)739-9239 or Jennifer.Holmes@delaware.gov.
- DNREC reviewers would like to see actionable goals that implement best management practices outlined in the *2012 St. Jones Pollution Control Strategy* (as noted in the Plan) to improve and restore fish habitats throughout these watersheds, especially that of Silver Lake. The City of Dover is encouraged to explore feasible short term solutions/ technologies that will improve water quality within the St. Jones and Little Creek watersheds while the long-term best management practice strategies take effect.

Chapter 7 - Public Utilities and Infrastructure

- Page 7-1, Water Utility: There is concern for over-pumping of the Columbia aquifer. A 2018 report by the Delaware Geological Survey (DGS) studied the City of Dover's Long Point Road Wellfield (LPRW) and numerous irrigation systems which pump water from the shallow Columbia aquifer. The researchers identified two main concerns caused by over pumping (1) increase risk for saltwater intrusion into the aquifer from saline tidal creeks and marshes and, (2) induce extra drawdown that could reduce the rate at which groundwater flows horizontally through an aquifer and decrease well yields. The report, prepared by DGS, can be accessed here: <https://www.dgs.udel.edu/publications/ofr52-results-groundwater-flow-simulations-east-dover-area-delaware>.
- Page 7-8, "The Stormwater Utility was brought before City Council in 2020 for further review and implementation". Was the stormwater utility brought before council in 2019 instead of 2020?

Chapter 8 – Community Services and Facilities Plan

- DNREC reviewers appreciate the support for land preservation in Chapter 8 of the draft Comprehensive Plan. As the City of Dover plans to annex more land to the south and to the north, there may be additional opportunities for land preservation of natural areas within the City limits specifically, Fork Branch Natural Area and St. Jones River Natural Area. DNREC looks forward to continuing to work collaboratively with the City as they plan for future endeavors.

Chapter 10: Economic Development – concerning Brownfields and Redevelopment

- Page 10-19, Areas for Economic Development Planning Activities - The City of Dover has dozens of remediation sites that may qualify as Brownfield sites. Brownfields are real property the redevelopment, reuse, or expansion of which may be hindered as a result of a reasonably-held belief that they may be environmentally contaminated (*7 Del.C. §9103(3)*). Productive use of these idle properties provides "new" areas for economic development, primarily in former industrial/urban areas with existing utilities, roads and other infrastructure. DNREC encourages the development of Brownfields and offers assistance and may be able to provide grant funding when investigating and remediating Brownfield sites.

DNREC maintains a list of Brownfield sites available for redevelopment in Delaware - *The Delaware Brownfields Marketplace* - is an interactive database that contains a list of potential Brownfield sites throughout Delaware. The inventory is designed to make it easier for buyers and developers to locate potential Brownfield properties. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and helps to create jobs for Delaware citizens, while preserving Delaware's precious green space and natural resources. This database can be accessed by visiting <http://apps.dnrec.state.de.us/BFExt/BFExtMain.aspx>

For information on the Brownfields Program or to determine if any sites in your municipality are currently enrolled in the Brownfields Development Program or to add new sites, please contact Melissa Leckie (Melissa.Leckie@delaware.gov) or Jill Williams-Hall (Jill.Hall@delaware.gov) in the Site Investigation and Restoration Section at (302) 395-2600 or visit: <http://www.dnrec.delaware.gov/dwhs/SIRB/Pages/Brownfields.aspx>.

General Recommendations:

- Consider including language in the Comprehensive Plan concerning the Marketplace and work with property owners to take advantage of the program by adding any known contaminated sites to the Delaware Brownfields Marketplace.

Chapter 15 - Implementation Plan

- Use action words to articulate goals. Goals should be specific, measurable, attainable, relevant and time-based (SMART). Developing SMART goals with actionable words would make tracking progress and accomplishments easier for the City.
- Page 15-2: Natural Resources and Environment:
 - “Support native tree planting and landscaping programs....” Planting efforts, in the City, could be improved with a list of recommended species for plantings or species to avoid (ie. problematic or invasive). For plant recommendations, please contact Bill McAvoy, Division of Fish and Wildlife, (302)735-8668 or William.McAvoy@delaware.gov
 - “Share the FEMA floodplain maps....” Please state how this information will be shared.
- Page 15-3: Natural Resources and Environment:

- “Continue to utilize the knowledge and expertise of the Silver Lake Commission”. Additional water quality enhancements could be made to the Lake including expanding buffers, resident goose control, and lake management improvements. The City is encouraged to work with DNREC on public education/outreach and participation/engagement measures for water quality related activities identified in Dover’s Municipal Separate Storm Water System (MS4) Program.

State Historic Preservation Office – Contact: Carlton Hall 302-736-7400

- The City of Dover has strong support for historic preservation in their Comprehensive Plan Update. Dover has been a Certified Local Government since 2015 and has two historic districts listed in the National Register of Historic Places. Historic Preservation is included in the plan in Chapter 6. As noted in the document, the City’s efforts to prepare this chapter were supported in part by a federal Historic Preservation Fund grant managed by our office. SHPO provided the City with comments on a previous draft of the chapter, and thank their staff for addressing those comments.
- Overall, the historic preservation chapter fulfills its purpose by providing an overview of the City’s history, its historic known resources, the City’s processes for considering those resources in development reviews, and programs and amenities that relate to historic preservation. The Goals and Recommendations are appropriate, and complement Delaware’s statewide Historic Preservation Plan 2018-2022 entitled Partners in Preservation: Planning for the Future.
- The Delaware SHPO would like to see historic preservation more clearly cross-referenced in other aspects of the Comprehensive Plan; e.g., SHPO would like to hear more details about how the City plans to preserve existing housing stock. The City should build on their preservation efforts, regarding the Certified Local Government (CLG) Program. The CLG program strengthens preservation efforts by providing technical and financial assistance, while encouraging preservation programs and practices. Plans should refer back to the historic preservation section.
- If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

State Housing Authority – Contact: Jonathan Adkins-Taswell 739-4263

- Overall DSHA support the Housing Strategies described in the plan and agree that the city should “Evaluate and update Codes to encourage compact and diverse development throughout the City”. The plan actually makes a strong case for future partnering strategies. DSHA supports the partnership with the Diamond State Community Land Trust and explore opportunities to utilize the land trust model to expand homeownership. DSHA also strongly support the City’s plan to “Allow accessory dwelling units within one family residence zones” to promote more housing options and a more diverse housing type.

- Over the last few years, there has been a proliferation of Criminal Activity Nuisance Ordinances (CANO) throughout Delaware. However, depending how they are written and implemented, these ordinances can have the effect of subjecting tenants to eviction for a broad range of offenses and presents several fair housing concerns.

DSHA understands that the City of Dover adopted a “Safe Communities Initiative” type of ordinance in 2013. There are legitimate concerns about nuisance properties and the problems they create for the neighborhood and community. Unfortunately, the ordinance in place in Dover does raise some concerns, especially in light of recent court decisions related to fair housing. DSHA strongly suggest moving the action to “*Amend provisions in the Safe Communities Initiative that may be a violation to fair housing.*” into the short term implementation (2019-2021).

As a result, while the City of Dover finalizes its Comprehensive Plan, DSHA strongly recommend that the City of Dover revisit Ordinance #2013-04 as an action into the short term implementation (2019-2021).

If you have questions or would like more information on the above recommendations, please feel free to call me at (302) 739-0245 ext. 245 or via e-mail at Jonathan@destatehousing.com

Delaware Area Rapid Transit (DART) – Contact: Jared Kauffman 576-6062

- Page 9-6 and 9-7: The route 106 is being removed in the Dec 2019 service change.
- Page 9-22: Encouraging pedestrian and bicycle friendly design gets at a more holistic design of the site than simply putting in sidewalk or a bike path, which in itself not encourage their use, especially if they’re meandering and include stressful road crossings.

Department of Agriculture – Contact: Scott Blaier 698-4532

Page 12-21: Agricultural Land Uses

- The Department appreciates the discussion of agriculture, the State’s Agricultural Lands Preservation Program, and general support of agriculture.
- Bullet item number 3 under “Assumptions: Agricultural Land Uses” correctly points out potential land use compatibility issues between agriculture and developing areas, and proposes proper buffering as one solution. If the City does not already have such a buffering requirement in its code, the Department suggests the city be proactive and adopted such a requirement. A good working example can be found in Sussex County’s Code §99-16(D) (link below).

<https://ecode360.com/8882675>

- MAP 5-3 “Lands Under Preservation” does not show parcels 2-05-07500-01-0200 and 2-05-07500-01-0100, which are within the City and form part of its western boundary, as permanently preserved agricultural easements. These are shade as dark blue on the map’s legend.
- Map 13-1 “Potential Annexation Areas shows Bobola Voshell’s Cove District 2-00-06600-02-4500 as a potential annexation area. It should be noted that although this parcel is not permanently preserved through the State’s Agricultural Lands Preservation Program, the landowners have not requested the property be removed from the program. It will remain in the program until at least 6/12/2022, after which it can be renewed for successive 5 year extensions indefinitely thereafter.

Approval Procedures:

- Once all edits, changes and corrections have been made to the Plan, please submit the completed document (text and maps) to our office for review. **Your PLUS response letter should accompany this submission.** Also include documentation about the public review process. In addition, please include documentation that the plan has been sent to other jurisdictions for review and comment, and include any comments received and your response to them. Substantial changes to this draft could warrant another PLUS review.
- Our office will require a maximum of 20 working days to complete this review.
 - If our review determines that the revisions have adequately addressed all certification items (if applicable), we will forward you a letter to this effect.
 - If there are outstanding items we will document them in a letter, and ask the town to resubmit the plan once the items are addressed. Once all items are addressed, we will send you the letter as described above.
- Once you receive our letter stating that all certification items (if applicable) have been addressed, the Planning Commission and Council should adopt the plan pending State certification. We strongly recommend that your Council adopt the plan by ordinance. The ordinance should be written so that the plan will go into effect upon receipt of the certification letter from the Governor.
- Send our office a copy of the adopted plan along with the ordinance (or other documentation) that formally adopts your plan. We will forward these materials to the Governor for his consideration.
- At his discretion, the Governor will issue a certification letter to your Town.
- Once you receive your certification letter, please forward two (2) bound paper copies and one electronic copy of your plan to our office for our records.

PLUS review 2019-10-01

Page 16 of 16

Thank you for the opportunity to review this Comprehensive Plan. If you have any questions, please contact me at 302-739-3090.

Sincerely,



Constance C. Holland, AICP

Director, Office of State Planning Coordination

PLUS Comments 11.8.2019

Certification	Comments	Chapter & Page #	Response
Yes	The text references a number of maps that are missing from the document, notably in the transportation chapter and the housing chapter. Please include all maps that are referenced.	Map Series; Various Chapters	These maps have been added and are referenced in the text. There are 32 maps in the map series set. Chapter 9 - Transportation has 4 maps and Chapter 11 - Housing has map 11-1 Low and Moderate Income Areas map.
Yes	Chapter 6, Historic Preservation: The DDD program is briefly mentioned. There should be more recognition of the how the DDD Rebate can be an important incentive to encourage rehabilitation of historic properties. The other incentives are a variety of tax credits, which are good, but the DDD Rebate has the potential to be a more significant dollar amount and is available shortly after completion of the project. There also should be a more explicit mention of the State Historic Preservation Tax Credit, and how this can be used to encourage historic preservation and revitalization activities.	Chapter 6; 6-10 & 6-11	Text added focusing on the DDD Program and State Historic Preservation Tax Credit and how it can encourage rehab of historic properties. DDD is also described in Chapter 10 and 11.
Yes	Chapter 10, Economic Development: Although the economic development plan does mention the Downtown Development District program in two places, it is done so in passing. The Downtown Development District Program is an important partnership for economic development and community revitalization between the State and the City of Dover. A substantial amount of State funds are directed to redevelopment activities in Dover through the DDD Rebate. Please clarify the role that the DDD program plays in the city's economic development efforts, and define some actionable steps in the recommendations to utilize the DDD program and associated incentives to drive redevelopment activities in the Downtown.	Chapter 10; 10-15 & 10-16; 10-23 & 10-24	Expansion of the role DDD program plays in the City's economic development has been added to page 10-15 & 10-16. See also Goal 2 and Goal 3 and associated Recommendations with Action Items.

PLUS Comments 11.8.2019

Certification	Comments	Chapter & Page #	Response
Yes	Chapter 11, Housing and Community Development: There is a discussion of housing incentives on page 11-7 that includes mention of the DDD program, but again the program is not clearly described. Please clarify that the DDD Rebate can result in 20% rebate of capital investment in new affordable home construction. It would also be important to note that Habitat for Humanity and NCALL have received substantial rebates on a significant number of new homes built in the downtown area. Perhaps there could be some discussion of the impact of this activity on the downtown neighborhoods? A rebate/leverage figure would be meaningful and impactful, and hopefully serve to encourage others to participate in affordable housing activities.	Chapter 11; 11-7	Information regarding the rebate offered by the DDD program and the rebates received Habitat for Humanity and NCALL have been added to page 11-7.
Yes	Chapter 13, Growth and Annexation Plan: Map 13-2 does not provide future land uses for Category 3 annexation areas. Del.C. requires that when parcels are annexed, they must be assigned a zoning district consistent with the comprehensive plan. If the plan does not provide a future land use, a plan amendment is required to assign the future land use prior to annexation. Please revise the plan text to clarify that a plan amendment will be required prior to the annexation of any of the Category 3 areas. Some of these areas are somewhat distant from existing City services and infrastructure, which can and should be addressed in a future plan amendment.	Chapter 13; 13-8 & 15-12	The text notes that land uses were not identified for Category 3 and Areas of Concern. This would be considered through a Comprehensive Plan Amendment Process.
Yes	Page 13-3 contains an outdated reference to the "Community" area in State Strategies. That terminology was replaced with the "Investment Levels" starting in the 2005 update. Please amend the text to remove reference to the "Community" areas.	13-3	This has been updated to remove any mention of "Community" areas and replace with "Investment Levels" on page 13-3.
Yes	Page 13-3 contains a reference to "Livable Delaware." This was Governor Minner's land use policy initiative, and it was specific to her administration. Please remove this reference.	13-3	This has been removed from page 13-3.

PLUS Comments 11.8.2019

Certification	Comments	Chapter & Page #	Response
Yes	Page 13-9 references "State notification requirements" according to the provisions of Title 29, Chapter 92. These notification requirements were removed from Del. C. in 2004 as a part of the legislation that created the PLUS process. Please review the current version of Del. C. and amend the plan accordingly.	13-10	This has been revised to reflect the correct language in Chapter 1 of Title 22 of the Delaware Code on page 13-10.
Yes	Page 13-8 indicated that two areas adjacent to Dover Downs are identified as "land use to be determined." These areas do not appear to be on the map. The map or text or both must be amended so that the map and text are consistent. If no land use is indicated, then a plan amendment will be required prior to annexation. If these properties are not consistent with the State Strategies and/or Kent County's comprehensive plan (which they are probably not, given the location described) then further discussion with OSPC and Kent County will be necessary.	13-8	The text has been amended to clarify that the parcels identified are adjacent to Dover International Speedway and are to the east of State Route 1. Their potential land use is classified as their existing uses.
Yes	Page 13-6 mentions a "new property west of Artis Drive" as a Category 2 annexation area. This property does not appear on the map. Please clarify where this property is located, and amend the map, text or both so that the map and text are consistent. If this property is not consistent with the State Strategies and/or Kent County's comprehensive plan (which it is probably not, given the location described) then further discussion with OSPC and Kent County will be necessary.	13-6	This has been removed from the text and is not shown on maps 13-1 & 13-2.
Yes	Chapter 14, Intergovernmental Coordination: Please provide written documentation that all adjacent jurisdictions have received the plan for review and have no objections to the plan. We will be looking for written documentation from Kent County, Camden and Wyoming at a minimum. An email correspondence will be sufficient as long as it indicates that the jurisdiction has reviewed the plan and has no objections.	Chapter 14	The release draft dated October 1, 2019 was sent with request for comment to adjacent jurisdictions on October 9, 2019. The Final draft will be distributed to the adjacent jurisdictions along with a cover letter seeking documentation of no objection. Adjacent Jurisdictions - Kent County, Camden, Wyoming, Little Creek & Cheswold.

PLUS Comments 11.8.2019

Certification	Comments	Chapter & Page #	Response
	<p>Chapter 9, Transportation Plan: The plan makes an effort to mention the many transportation planning studies that have been completed and are in effect. It is a very good thing to acknowledge these plans and that the comprehensive plan uses them to inform the transportation chapter. However, these plans are mentioned but not fully described or explained. It is recommended that the plan add a more comprehensive summary of the existing plans and studies that are referenced throughout the chapter and in the recommendations. This will give all readers the context to understand how these plans are used to inform the transportation planning initiatives in the plan.</p>	<p>Pending as an Appendix</p>	<p>A list of studies and existing plans referenced throughout the entire Comprehensive Plan document are being compiled and will be added as an appendix.</p>
	<p>Chapter 12, Land Development Plan: It is recommended that the analysis comparing the Land Development Plan to the zoning of each parcel be completed before the plan is adopted. This is important to do in case there are any "mistakes" in the Land Development Plan that then may be corrected prior to plan adoption. Doing so now will potentially avoid the need for a plan amendment prior to the comprehensive rezoning.</p>	<p>Chapter 12</p>	<p>Planning Staff is beginning this evaluation to compare the Land Development Plan and the City's existing zoning map.</p>
	<p>Chapter 12, Land Development Plan: The Land Development Plan Map is presented as a series of maps zoomed in to the quadrants of the City. This does make the map view larger and more readable, especially on an 8 ½ X 11 page. However, as presented it is difficult to get a full picture of central Dover. It is recommended that a new Land Development Plan map view be provided that focusses on central Dover.</p>	<p>Map 12-1F & Map 2-2F</p>	<p>The full Land Development Plan map series (and existing Land Use map series, Map 2-2) are presented as map 12-1 City View then Maps 12-1A-F for quadrants of the City and a map focused on the Downtown area.</p>
	<p>On page. 1-9, Accomplishment 8 could state that construction has begun on the Senator Bikeway between Weston Drive and Cecil Street.</p>	<p>1-9</p>	<p>This has been updated at the top of page 1-9.</p>

PLUS Comments 11.8.2019

Certification	Comments	Chapter & Page #	Response
	<p>Regarding the discussion on page 5-6, the connection between jobs and housing is important, and DeIDOT applauds the emphasis that more jobs will result in shorter commuting. 2017 US Census Economic Studies (On The Map) data shows that 16,360 people work in the City of Dover and commute in to the City to work, while 8,172 City residents commute out of Dover to a different place for work, and 3,771 residents both live and work in Dover. In addition to creating jobs to shorten commuting, DeIDOT would suggest considering efforts to encourage people who work in Dover to also live in the City.</p>	<p>5-6</p>	<p>The text on page 5-6 was revised to address this comment. Goal 3, Recommendation 9 on page 10-24 also mentions ways to encourage people to live and work in the City.</p>
	<p>The discussion of Scenic Resources on page 5-9 could be a good place to indicate that Dover is part of the Harriet Tubman Underground Railroad history of the area. This designated scenic and historic byway route for historic interests and programming exists as part of downtown Dover as a destination for this byway, i.e. the byway does not simply pass through as it is indicated in later sections of the Plan.</p>	<p>5-9</p>	<p>A reference to the Byway is provided. The HTUR Byway is also discussed on pages 6-9, 9-13 and Map 9-3 Byways & Trails was added.</p>

PLUS Comments 11.8.2019

Certification	Comments	Chapter & Page #	Response
	<p>DelDOT offers the following specific comments regarding the "Byways/Scenic and Historic Highways Program" paragraph on page 6-9 of the Plan:</p> <ul style="list-style-type: none"> o The term "corridor plan" is used repeatedly and is incorrect. Please replace it with "corridor management plan." o The Plan correctly observes that designated byways are promoted by "a number of State agencies," but they are also promoted by the municipalities located along them and by the county tourism offices. Please edit the paragraph to expand the overall promotional element, making clear that it is not limited to State agencies. o The "Route 9 Coastal Heritage Highway" is an incorrect name for the Delaware Bayshore Byway. o On the Harriet Tubman Underground Railroad Byway, this byway route does pass through Dover, but downtown Dover also really part of the Tubman Byway as a public destination. This fact could also be mentioned in the economic development chapter with regard to the marketing and promotion of byways and for complementary tourism opportunities in Dover. So, the economic development impacts of the Byway for Dover may include further opportunities for ecotourism, historic tourism, events of the area, and other historic preservation events. These things all involve the use of hotel, eating, and shopping, etc. Consider further elaboration on this point. 	6-9	The corrections to terminology and Byway names were made. In addition, Map 9-3 was added to show Byways & Trails in the City and surrounding vicinity.
	<p>On page 6-15, consider rewording Historic Preservation Goal 2, Recommendation 8, to read "Engage in promotion and implementation of corridor management efforts within the Delaware Byways Program that support historic preservation and promotion of tourism and visitation for downtown Dover."</p>	6-15	Suggested rewording completed.

PLUS Comments 11.8.2019

Certification	Comments	Chapter & Page #	Response
	<p>Regarding the Patterns of Travel discussion on pages 9-3 and 9-4, DeIDOT has four comments:</p> <ul style="list-style-type: none"> o DeIDOT appreciates the mention of how residents get to work, however they would suggest discussing this outside of the specific mode of auto travel. In addition, they would suggest emphasizing the percentages of alternative modes as well as citing the dataset as ACS 2013-2017 as the longest estimates are for five years. It finds that 11.4% of Dover residents carpool to work 1.6% use public transit, 3.5% walk and 1.2% bike. o Please also note the data set cited should be ACS 2013-2017 as there is no 10 year dataset ACS 2009-2017. If the comparison is between two sets then DeIDOT would suggest citing ACS 2008-2012 and ACS 2013-2017 as the comparison datasets. o DeIDOT believes there are some errors in the citation of households with vehicles. 2013-2017 CP04 Comparative Housing Characteristics finds that 12.0% of households do not own a car, 37.2% have only one vehicle available, 35.9% have two vehicles available, and 14.9% have three or more vehicles available. <p>They would suggest review and incorporation of the table B08201 Household Size by Vehicle Available to understand car-less and car-light populations. Given these numbers, it is important to continue to emphasize planning for transit and non-motorized travel. They question the assumption that "automobiles have dominated the way people travel in Dover for decades."</p> <ul style="list-style-type: none"> o It is important to note that the Census ties vehicle counts to households. 4,573 City of Dover residents, or 12.3% of the City of Dover population lives in group quarters. Assuming many of these are barracks at Dover Air Force Base (on the City side, not the Dover Base Housing CDP side) and college/university residence halls, the number of cars and traveling by this may be higher among group quarters dwellers than assessed using census vehicle data. 	9-3 & 9-4	<p>These changes have been made to pages 9-3 and 9-4 in the section on Patterns of Travel. Additionally, the table and text related to AADT was deleted after discussion with DeIDOT to reduce confusion.</p>

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Certification	Comments	Chapter & Page #	Response
	<p>On pages 9-4 and 9-5, the percentage change columns in Table 9-2 and the discussion in the paragraph following that table are based on a common misunderstanding of DeIDOT's Vehicle Volume Summaries. While the Summaries provide an updated volume every year for every State-maintained road segment, most of the volumes provided are factored from counts done in previous years. The factors used are developed using data from a relatively small number of permanent count stations around the state and may or may not be indicative of actual changes on the road segments to which they are applied. In drawing year-to-year comparisons it is essential to look at the Year Last Counted column in the Summaries and only use volumes that were actually counted in those years. DeIDOT recommends that Table 9-2 be de-populated to reflect only actual counts and that the paragraph be rewritten based on the remaining data. In that regard, it should be noted that the suggested explanation of special events raising the annual average volume on a road segment is not adequate. Even when a segment is counted, unless there is a permanent count station on that segment, the volume shown is based on a week-long count factored for seasonal variation.</p>	<p>9-4 & 9-5</p>	<p>Table 9-2 has been removed and the portion of text referring to the Annual Average Daily Traffic (AADT) on page 9-4. Subsequent tables have been renumbered.</p>
	<p>On page 9-6, at the end of the Truck Travel paragraph, there is a statement that "The City-owned Garrison Oak Business and Technical Center lacks near-by on-ramps or off-ramps to SR 1 despite being right next to it." Delaware Route 1 had already been planned, designed and built when the City chose to locate the Center there.</p>	<p>9-6</p>	<p>This has been revised to state "The City-developed Garrison Oak Business and Technical Center, which was developed after the construction of State Route 1, lacks nearby on-ramps or offramps to SR 1 despite being right next to it" and is now on page 9-5.</p>

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Certification	Comments	Chapter & Page #	Response
	<p>Regarding the Public Transit section on pages 9-6 and 9-7, DelDOT offers two comments:</p> <ul style="list-style-type: none"> o For what reasons has new development near the transit center not been forthcoming? Key nearby parcels, including some with currently limited uses, are owned by both the City of Dover and State of Delaware. DelDOT suggests a review of the recommendations of the 2011 plan for incorporation in the document. o Unfortunately, DART has decided that it will eliminate Route 106 due to low ridership. However, they are extending Route 105 to serve stops at Generals Green and the Dover Air Force Base Visitors Center previously served only by Route 106, and the 105. 	9-5, 9-6 & 9-7	<p>The City has reviewed the 2011 Plan and makes mention of it on page 9-5. Page 9-6 has been revised to remove specific route information in favor of a more general statement about DART services.</p>
	<p>Regarding the Pedestrian and Bikeways section on pages 9-9 and 9-10, DelDOT offers two comments:</p> <ul style="list-style-type: none"> o DelDOT suggests renaming the section "Pedestrian and Bicycle Facilities" from "Pedestrian and Bikeways" to refer to facilities instead of a combination of users and facilities. o Referring to the last full paragraph on page 9-9, DelDOT suggests referring to "multi use paths or sidewalks" along US Route 13 as DelDOT is currently in constructing sidewalks along US 13 in locations where development is not imminent. DelDOT also requires developers with major redevelopment projects to construct shared use paths. 	9-9 & 9-10	<p>The section name has been updated to "Pedestrian and Bicycle Facilities" on page 9-8. Mention of multi-use paths or sidewalks has been added to page 9-8.</p>
	<p>Pertaining to the Aviation discussion on page 9-11, Henderson Airport is no longer a public use airport but would fall in the category "reserved for private use."</p>	10-Sep	<p>There is no longer a mention of the Henderson Airport on page 9-10.</p>
	<p>A map of the functional classification system described on pages 9-12 and 9-13 would be helpful.</p>	9-11 through 9-13	<p>This has been achieved with the addition of Map 9-2 labeled Street Functional Classifications. These are city classifications.</p>
	<p>Map 9-1, mentioned on page 9-15, is missing and should be added.</p>	9-14	<p>This map is now Map 9-4 Transportation: Low Levels of Service Areas and is mentioned on page 9-14.</p>

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	Other transportation-related maps that seem to be missing and should, perhaps, be added include a map of the Harriet Tubman Byway, and maps of the completed and prioritized projects discussed on pages 9-17 through 9-19.	9-17 through 9-19	Additional maps have been added including Map 9-1: State & City Maintained Streets and Map 9-3 showing Byways & Trails. A specific map of the completed projects and prioritized projects was not added due to potential confusion in presenting the location or project type.
	On page 9-16, in the Transportation Improvement District section, there is a statement that the Facilities Boundary of the US Route 13/Bay Road Corridor Transportation Improvement District "should be changed so that Walker Road and Governors Avenue are no longer the preferred alternate route from the northernmost part of the TID to the southernmost part." The designation of the Facilities Boundary is not particularly related to the designation of "preferred alternate routes" and DelDOT does not know what the City means by that term. DelDOT is willing to revisit the Facilities Boundary but it is apparent that discussions with current City staff are needed in this regard.	9-14 & 9-15	This portion of the text has been edited for clarity after communication with DelDOT and now appears towards the top of page 9-15.
	In the list of Completed Projects on page 9-17, DelDOT suggests stating that "key segments" of the Senator Bikeway and the Capital City Trail have been completed, to reflect that other segments are in development.	9-16	This has been edited to include "key segments" on page 9-16.

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Certification	Comments	Chapter & Page #	Response
	<p>Regarding the list of Prioritized Projects on pages 9-17 through 9-19, the listed projects vary in their positions in DelDOT's Project Prioritization Process. Some projects are not in DelDOT's Capital Program (Garrison Oak Connector, Kings Highway/Route 13 Intersection Improvements, Route 8/Hazletville Road Connector) but are in the MPO Long Range Plan. The remaining projects are in the DelDOT Capital Transportation Plan (CTP), and therefore the Transportation Improvement Program (TIP) of the Dover/Kent County MPO. Many have slightly different names. The US 13 Sidewalks and the Senator Bikeway (possibly a component of "Sidewalks in the Walk Zone of Dover High School") projects are being achieved using the Statewide Bike and Pedestrian Program line in the CTP. DelDOT suggests clarifying these projects' prioritization by the MPO and DelDOT, and for projects in the CTP stating an estimated completion date.</p>	9-16 through 9-19	<p>Comment is acknowledged. This Prioritization List is developed by City Staff and City Council each Fall. It is provided to the Secretary of Transportation and the Dover/Kent County MPO each year to inform them of the City's interest in the projects as those agencies develop the CTP, TIP and other transportation project efforts.</p>
	<p>On page 9-19, in the paragraph on the US 13 Service Roads project, there is a reference to the Corridor Capacity Preservation Program. This program is limited to four specific roads, which do not include the section of US Route 13 being discussed in that paragraph. The reference should be removed.</p>	9-18	<p>The reference to the Corridor Capacity Preservation Program has been removed on page 9-18.</p>
	<p>On Page 9-21, the last bullet point under Recommendation 4 reads "Ensure vital pedestrian and bicycle amenities such as seating, street lighting, street crossings, and bicycle parking are addressed in the plan." Consider changing "addressed" to "included."</p>	9-21	<p>This has been revised to change the word "addressed" to "included" towards the top of page 9-21.</p>
	<p>In Chapter 9 (Transportation Plan), Chapter 12 (Land Development Plan) and Chapter 15 (Implementation Plan), there is much discussion of non-motorized transportation and continuing to support bicycle and pedestrian improvements. However, the discussion focuses on having DelDOT provides the infrastructure adjacent to roadways. The goals are to continue a good network of bike lanes and separated shared use paths and to provide for pedestrian safety. DelDOT recommends that the City expand the Plans goals to include provisions for bike parking areas or bike racks as part of the site plan review for new development and re-development efforts.</p>	Chapter 9	<p>This had been included in Chapter 9, Goal 3, Recommendation 4 on page 9-21. Comment acknowledged.</p>

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Certification	Comments	Chapter & Page #	Response
	At the top of page 10-6, in the discussion of Commercial Corridors and Centers, Delaware Route 8 in West Dover is described as "pedestrian oriented." That may be an overstatement. The corridor is pedestrian accessible but most uses there are reached primarily by automobile.	10-6	Wording changed to "pedestrian accessible" on page 10-6 for the Route 8 Corridor has seen a number of bicycle/pedestrian facility improvements (HAWK signal, sidewalk & pathway improvements).
	Consider adding a recommendation in Chapter 15 to "Explore current ordinances and site plans to better incorporate non-motorized elements into land use plans". DeDOT can build and provide the bicycle and pedestrian improvements, but those improvements should assist and complement the City's land uses and ordinances as described in the Plan.	Chapter 15; 15-6	This recommendation has been added to page 15-6 as a Code Amendment proposed as a Short Term Implementation task item.
	Table 1-1, Natural Resources and Environmental Protection Accomplishment #6- should refer to the State of Delaware as providing the trail in the Fork Branch Nature Preserve.	Chapter 1, Table 1-1; 1-7	Information updated to include action by state regarding Nature Preserve on page 1-7.
	Page 5-2, Woodlands - DNREC reviewers support the City of Dover's Zoning Ordinance, Article 5, Section 16.	5-2	Comment acknowledged.
	Page 5-2, Natural Resources and Environmental Protection plan, Soil Classifications: The City of Dover's Comprehensive Plan appears to be referencing the 1971 USDA Soil Survey of Kent County, Delaware; however, it should reference the soils information found in the updated NRCS soil survey layers. The updated soils information can be retrieved from the web soil survey here: https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm	5-2	This section on soil classifications has been refined to be more generalized and to provide a weblink to the NRCS soil survey.
	Page 5-2, Wetlands -DNREC reviewers support the City of Dover' s Zoning Ordinance, Article 5, Section 11.	5-2	Comment acknowledged.
	Page 5-3, Hydrology: Please change "Little River Watershed" to "Leipsic River Watershed"	5-3	This watershed name has been changed 5-3.
	Page 5-6, Water Quality and Total Maximum Daily Loads - DNREC reviewers support the City of Dover's Water Quality and TMDLs section of the comprehensive plan that aims to improve water quality and reduce TMDLs throughout the St. Jones and Little Creek watersheds.	5-6	Comment acknowledged.

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Certification	Comments	Chapter & Page #	Response
	Page 5-7, Water Quality and Total Maximum Daily Loads, Table 5-1: Please change "Little Creek" to "Leipsic River."	5-6 & 5-7	This has been changed on page 5-7 from "Little Creek" to "Leipsic River." There is potential confusion about watershed areas and their names among text and data sources used for mapping.
	Page 5-7, Change "Division of Soil and Water Conservation" to Division of Watershed Stewardship.	5-7	This name has been updated on page 5-7 from "Division of Soil and Water Conservation" to "Division of Watershed Stewardship."
	Chapter 5-8, "Water Quality and Total Maximum Daily Loads," 2nd paragraph regarding the pollution control strategy (PCS). Please change "Little Creek watershed" to "Leipsic River watershed." A PCS has not been developed for the Leipsic River watershed.	5-8	This has been updated on page 5-8 to change "Little Creek watershed" to "Leipsic River watershed" and to clarify that a PCS for the Leipsic River does not yet exist.
	Chapter 5-9, DNREC reviewers appreciate the City of Dover's support for the Fork Branch Nature Preserve.	5-9	Comment acknowledged.
	The City of Dover is encouraged to reduce greenhouse gas emissions. Many strategies to do so can also save the City money, improve public health, and support economic development efforts. Incorporating electric vehicles into the City's fleet would reduce tailpipe emissions and save money. Providing electric vehicle charging stations incentivizes electric vehicle drivers to work, visit, and play in downtown areas. Funding is available for local governments, businesses, and citizens for both vehicles and charging stations through the Delaware Clean Vehicle Rebate Program (www.de.gov /clean transportation)	5-6	Mentioned on page 5-6 and further explained in Chapters 9 - Transportation & 7 - Utilities.
	DNREC reviewers recommend the City expand and make safer their bicycle and pedestrian network to help reduce the emissions of carbon pollution that are the root cause of climate change. Expansion of alternative transportation opportunities will help limit the impact of vehicular travel and facilitate the transition from vehicular travel to other more environmentally friendly modes.	5-11	Comment acknowledged. Bicycle and pedestrian networks and alternative transportation also discussed in Chapter 9 - Transportation.

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Certification	Comments	Chapter & Page #	Response
	Incorporating energy efficiency measures in building design and redevelopment can help cut energy costs and makes homes and work spaces more comfortable for occupants. DNREC provides grants through the Energy Efficiency Investment Fund (EEIF) to help commercial and industrial customers replace aging, inefficient equipment and systems with energy efficient alternatives (www.de.gov/eeif).	5-14	Comment acknowledged.
	DNREC administers a free Weatherization Assistance Program to help establish comfortable, energy-saving homes. The program, run through the Division of Climate, Coastal, & Energy, helps homeowners and renters cut their energy bills by weatherproofing and improving the energy efficiency of their homes. The need for weatherization of homes could be mentioned in the draft plan and we encourage the City to help inform residents of this program. More information about the program can be found here: www.de.gov/wap .	5-14	Comment acknowledged.
	DNREC staff are always available to assist and would be happy to meet with City staff to discuss climate change vulnerabilities, energy efficiency, and greenhouse gas reduction strategies.	5-11	Comment acknowledged.
	Chapter 5-15, "Natural Resources and Environmental Protection, Recommendations:" DNREC reviewers strongly recommend the following "actionable strategies" be included as "proposals for ordinance" in the City of Dover's revised Comprehensive plan.	5-15	These suggestions are very detailed potential strategies that can be evaluated when ordinances are being studied and developed or outreach/education efforts are being organized.
	Increase upland buffer widths from all wetlands or waterbodies (including ditches) to 100 feet.	5-15	
	Specify that calculations for surface imperviousness (for both commercial and residential development) include all constructed forms of surface imperviousness - including all paved surfaces (roads, parking lots, and sidewalks), rooftops, and open-water storm water management structures.	5-15	
	Exclude structural best management practices such as community wastewater treatment areas, open-water storm water treatment structures, and natural areas containing regulated wetlands from consideration as open space.	5-15	
	Exclude or limit development on hydric soils.	5-15	

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Certification	Comments	Chapter & Page #	Response
	Use "green-technology" storm water management in lieu of "open-water" storm water management ponds whenever practicable.	5-15	organized.
	Goal 1- Recommendation 1: Consider including future flood risk in the development review process, using tools that incorporate sea level rise inundation. DNREC developed specific guidance for flood avoidance in future sea level rise scenarios. These resources are non-regulatory and utilized by State agencies, but can assist in municipal planning efforts (www.de.gov /flood avoid ance).	5-15	
	Goal 4- Recommendation 8: Energy efficiency and building design standards can each be used to improve environmental impacts; The City should consider a greenhouse gas inventory assessment to identify sources other than transportation which can be addressed in the local building/energy codes.	5-17	
	Reducing impervious cover by incorporating and/or incentivizing green infrastructure techniques into development and redevelopment can have multiple benefits to the City, including MS4 requirements and reduced wastewater treatment costs (when stormwater is redirected). This can be accomplished at the individual site and community scales. For more information on the benefits of green infrastructure, please visit de.gov /greeninfrastru ctue.	5-17	The City will take this into consideration.
	Plan goals should include discussion of proactive measures to avoid impacts from future sea level rise inundation and storm surge.	General	The City will take this into consideration.
	DNREC reviewers are supportive of the City working toward enacting a storm water utility which will help in regulating and financing storm water management projects in the future.	General	Comment acknowledged.
	Map 5-3, Lands Under Preservation- depicting the Fork Branch Nature Preserve should be updated to include property that has been acquired as Preserve within a potential annexation area. For more information, please contact Jennifer Holmes with the DNREC Division of Parks and Recreation, Office of Nature Preserves: (302)739-9239 or Jennifer.Holmes@delaware.gov .	General, Map 5-3	Map 5-3 updated to include additions to Nature Preserve area (east of railroad corridor).

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Certification	Comments	Chapter & Page #	Response
	<p>DNREC reviewers would like to see actionable goals that implement best management practices outlined in the 2012 St. Jones Pollution Control Strategy (as noted in the Plan) to improve and restore fish habitats throughout these watersheds, especially that of Silver Lake. The City of Dover is encouraged to explore feasible short term solutions/ technologies that will improve water quality within the St. Jones and Little Creek watersheds while the long-term best management practice strategies take effect.</p>	5-16	<p>Comment acknowledged. Chapter 5, Goal 2: Improve Watershed Quality focuses on this topic in general. Details of specific implementation activities can consider best management practices.</p>
	<p>Page 7-1, Water Utility: There is concern for over-pumping of the Columbia aquifer. A 2018 report by the Delaware Geological Survey (DGS) studied the City of Dover's Long Point Road Wellfield (LPRW) and numerous irrigation systems which pump water from the shallow Columbia aquifer. The researchers identified two main concerns caused by over pumping (1) increase risk for saltwater intrusion into the aquifer from saline tidal creeks and marshes and, (2) induce extra drawdown that could reduce the rate at which groundwater flows horizontally through an aquifer and decrease well yields. The report, prepared by DGS, can be accessed here: https://www.dgs.udel.edu/publications/ofr52-results-groundwater-flow-simulations-east-dover-area-delaware.</p>	7-9	<p>This has been added to page 7-9 in the water system section focused on "Planning for Utilities."</p>
	<p>Page 7-8, "The Stormwater Utility was brought before City Council in 2020 for further review and implementation". Was the stormwater utility brought before council in 2019 instead of 2020?</p>	7-8	<p>This has been revised and no longer mentions the 2020 date, but instead simply states that review and action by City Council is ongoing. Page 7-8.</p>
	<p>DNREC reviewers appreciate the support for land preservation in Chapter 8 of the draft Comprehensive Plan. As the City of Dover plans to annex more land to the south and to the north, there may be additional opportunities for land preservation of natural areas within the City limits specifically, Fork Branch Natural Area and St. Jones River Natural Area. DNREC looks forward to continuing to work collaboratively with the City as they plan for future endeavors.</p>	Chapter 8	<p>Comment acknowledged.</p>

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Certification	Comments	Chapter & Page #	Response
	<p>Page 10-19, Areas for Economic Development Planning Activities -The City of Dover has dozens of remediation sites that may qualify as Brownfield sites. Brownfields are real property the redevelopment, reuse, or expansion of which may be hindered as a result of a reasonably-held belief that they may be environmentally contaminated (7 Del.C. §9103(3)). Productive use of these idle properties provides "new" areas for economic development, primarily in former industrial/urban areas with existing utilities, roads and other infrastructure. DNREC encourages the development of Brownfields and offers assistance and may be able to provide grant funding when investigating and remediating Brownfield sites. DNREC maintains a list of Brownfield sites available for redevelopment in Delaware - The Delaware Brownfields Marketplace - is an interactive database that contains a list of potential Brownfield sites throughout Delaware. The inventory is designed to make it easier for buyers and developers to locate potential Brownfield properties. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and helps to create jobs for Delaware citizens, while preserving Delaware's precious green space and natural resources. This database can be accessed by visiting http://apps.dnrec.state.de.us/BFExt/BFxtMain.aspx For information on the Brownfields Program or to determine if any sites in your municipality are currently enrolled in the Brownfields Development Program or to add new sites, please contact Melissa Leckie (Melissa.Leckie@delaware.gov) or Jill Williams-Hall (Jill.Hall@delaware.gov) in the Site Investigation and Restoration Section at (302) 395-2600 or visit: http://www.dnrec.delaware.gov/dwhs/</p>	10-5	A discussion of brownfields has been added to page 10-5 in the section of industrial, Commercial Technology and Institutional Areas.
	<p>Consider including language in the Comprehensive Plan concerning the Marketplace and work with property owners to take advantage of the program by adding any known contaminated sites to the Delaware Brownfields Marketplace.</p>	Chapter 10	Chapter 10 - Economic Development discusses a variety of approaches.

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Certification	Comments	Chapter & Page #	Response
	Use action words to articulate goals. Goals should be specific, measurable, attainable, relevant and time-based (SMART). Developing SMART goals with actionable words would make tracking progress and accomplishments easier for the City.	Chapter 15	The format of the Goals and Recommendation section of the Comp Plan present a general statement as a goal then a series of recommendations as components. For each Recommendation there are a series of "Action" items/tasks. It is these "Action" items that will be tracked for progress and accomplishments. The tasks in Chapter 15 - Implementation Plan are pulled from the Goals section of Chapters 5 through 11.
	"Support native tree planting and landscaping programs " Planting efforts, in the City, could be improved with a list of recommended species for plantings or species to avoid (i.e.. problematic or invasive). For plant recommendations, please contact Bill McAvoy, Division of Fish and Wildlife, (302)735-8668 or Will ia m.McAvoy@deJaware.gov	15-2	Comment acknowledged. Thank you for the data/reference source.
	"Share the FEMA floodplain maps...." Please state how this information will be shared.	15-2	The specific method "to share" the information will be designed as part of outreach efforts; a number of suggestions is provided.
	"Continue to utilize the knowledge and expertise of the Silver Lake Commission". Additional water quality enhancements could be made to the Lake including expanding buffers, resident goose control, and lake management improvements. The City is encouraged to work with DNREC on public education/outreach and participation/engagement measures for water quality related activities identified in Dover's Municipal Separate Storm Water System (MS4) Program.	15-3	Comment acknowledged.

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Certification	Comments	Chapter & Page #	Response
	<p>The Delaware SHPO would like to see historic preservation more clearly cross- referenced in other aspects of the Comprehensive Plan; e.g., SHPO would like to hear more details about how the City plans to preserve existing housing stock. The City should build on their preservation efforts, regarding the Certified Local Government (CLG) Program. The CLG program strengthens preservation efforts by providing technical and financial assistance, while encouraging preservation programs and practices. Plans should refer back to the historic preservation section.</p>	<p>Chapter 6</p>	<p>Chapter 6 - Historic Preservation discusses the CLG designation. Overall all the plan Chapters have overlap in the initiatives and efforts. Preservation related activities are mentioned in Chapters 5, 9, 10 and 11.</p>
	<p>Over the last few years, there has been a proliferation of Criminal Activity Nuisance Ordinances (CANO) throughout Delaware. However, depending how they are written and implemented, these ordinances can have the effect of subjecting tenants to eviction for a broad range of offenses and presents several fair housing concerns. DSHA understands that the City of Dover adopted a "Safe Communities Initiative" type of ordinance in 2013. There are legitimate concerns about nuisance properties and the problems they create for the neighborhood and community. Unfortunately, the ordinance in place in Dover does raise some concerns, especially in light of recent court decisions related to fair housing. DSHA strongly suggest moving the action to "Amend provisions in the Safe Communities Initiative that may be a violation to fair housing. " into the short term implementation (2019-2021). As a result, while the City of Dover finalizes its Comprehensive Plan, DSHA strongly recommend that the City of Dover revisit Ordinance #2013-04 as an action into the short term implementation (2019-2021). If you have questions or would like more information on the above recommendations, please feel free to call me at (302) 739-0245 ext. 245 or via e-mail at Jonatban @destate housing.com</p>	<p>11-13 & 11-14; 15-6</p>	<p>The Safe Communities Provisions are a strategy for Livable Neighborhoods under the Housing Strategies outlined in Chapter 11 and is part of Goal 3, Recommendation 6. Review of the current provisions has been moved from the Intermediate Term Implementation to Short Term Implementation under Code Amendments on page 15-6.</p>
	<p>Page 9-6 and 9-7: The route 106 is being removed in the Dec 2019 service change.</p>	<p>9-6 & 9-7</p>	<p>Information updated. Page 9-6 references past improvements to DART Route 106 and how DART continually adjusts service in response to customer feedback.</p>

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Certification	Comments	Chapter & Page #	Response
	Page 9-22: Encouraging pedestrian and bicycle friendly design gets at a more holistic design of the site than simply putting in sidewalk or a bike path, which in itself not encourage their use, especially if they're meandering and include stressful road crossings.	9-22	This has been added as part of the second bullet point (Action Item) under Recommendation 9 on page 9-22.
	Bullet item number 3 under "Assumptions: Agricultural Land Uses" correctly points out potential land use compatibility issues between agriculture and developing areas, and proposes proper buffering as one solution. If the City does not already have such a buffering requirement in its code, the Department suggests the city be proactive and adopted such a requirement. A good working example can be found in Sussex County's Code §99-16(D) (link below). https://ecode360.com/8882675	12-21; 5-15	Comment acknowledged. Appropriate buffering can be something addressed with actions for Natural Resource and Environmental Protection, Goal 1, Recommendation 2 and Goal 5.
	MAP 5-3 "Lands Under Preservation" does not show parcels 2-05-07500-01-0200 and 2- 05-07500-01-0100, which are within the City and form part of its western boundary, as permanently preserved agricultural easements. These are shade as dark blue on the map's legend.	Map 5-3	Map 5-3 has been revised to show these two parcels as permanently preserved.
	Map 13-1 "Potential Annexation Areas shows Bobola Voshell's Cove District 2-00- 06600-02-4500 as a potential annexation area. It should be noted that although this parcel is not permanently preserved through the State's Agricultural Lands Preservation Program, the landowners have not requested the property be removed from the program. It will remain in the program until at least 6/12/2022, after which it can be renewed for successive 5 year extensions indefinitely thereafter.	Map 13-1	Comment acknowledged. This identified location is in a Category 3 Annexation Area - Areas to be considered for Long Term Annexation.

CITY OF DOVER PROPOSED ORDINANCE #2019-21

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

WHEREAS, pursuant to Title 22 - Municipalities, Chapter 7 - Planning Commission, Section 701 - Establishment; Membership, of the Delaware Code, the City of Dover established a Planning Commission; and

WHEREAS, Title 22 - Municipalities, Chapter 7 - Planning Commission, Section 702 - Comprehensive Development Plan, Paragraph (e) of the Delaware Code requires that at least every ten years, a municipality's adopted comprehensive plan shall be "revised, updated, and amended as necessary, and readopted"; and

WHEREAS, at a special meeting on December 2, 2008, the Dover Planning Commission reviewed and approved the 2008 Dover Comprehensive Plan (Final Draft dated October 31, 2008), and forwarded it, with revisions, to the City Council for adoption; and

WHEREAS, the City Council held a public hearing on the 2008 Comprehensive Plan on January 5, 2009 and then on February 9, 2009 approved Ordinance #2008-44 to adopt the Planning Commission's recommended Comprehensive Plan; and

WHEREAS, pursuant to Title 22 - Municipalities, Chapter 7 - Planning Commission, Section 702 - Comprehensive Development Plan, of the Delaware Code, the City of Dover adopted a comprehensive plan update known as the *2008 Comprehensive Plan* on February 9, 2009; and

WHEREAS, having adopted a comprehensive plan in 2009, the City desires to comply with the provisions of Title 22 - Municipalities, Chapter 7 - Planning Commission, Section 702 - Comprehensive Development Plan, Paragraph (e), of the Delaware Code by reviewing and updating the *2008 Comprehensive Plan*; and

WHEREAS, pursuant to Title 22 - Municipalities, Chapter 7 - Planning Commission, Section 702 - Comprehensive Development Plan, of the Delaware Code, the Planning Commission will conduct a public hearing on December 16, 2019 to consider the approval of the 2019 Comprehensive Plan (Final DRAFT dated December 3, 2019) and forward it along with any recommendations to the City Council for adoption; and

WHEREAS, the City Council is scheduled to hold a public hearing on the 2019 Comprehensive Plan on January 13, 2020 and then act on Ordinance #2019-21 to adopt the Planning Commission's recommended Comprehensive Plan; and

45 NOW, THEREFORE, BE IT ORDAINED THAT the Mayor and Council of the City of Dover
46 adopt The Dover Plan: 2019 Comprehensive Plan - "Planning for a Bigger Better Dover", as
47 amended, and submit the Plan to the Governor for Certification.
48

49 EFFECTIVE DATE: The *2019 Comprehensive Plan* shall become effective upon the receipt of
50 the certification by the Governor.
51

52 ADOPTED: *

53
54
55

SYNOPSIS

56 The proposed ordinance would adopt the 2019
57 Comprehensive Plan as approved and recommended
58 by the Dover Planning Commission and amended
59 by motion of the Dover City Council.
60

61
62 Actions History: December 9, 2019 – First Reading at Council

**2019 Comprehensive Plan Amendment Requests Submitted During the Public Comment Period
through December 10, 2019**

Request #	PARCELID	Application	Notes	Requested By	Staff Recommendation*
1	ED-05-075.00-01-07.00-000	Land Development Plan	Request change from Residential Medium Density to Mixed Use or Commercial for 5.0 acre parcel on north side of Route 8/Forrest Avenue	Draper Farm Properties, LLC via John Paradee Letter of 8-20-2018	Not Recommended
2	ED-05-085.00-01-07.00-000	Land Development Plan	Request change from Industrial to Commercial for parcel between POW/MIA Parkway and Railroad Corridor/New Burton Road	G. Michael Glick via Letter of 8-28-2018	Not Recommended
3	ED-05-068.11-01-02.00-000	Land Development Plan	Request change from Agricultural (zoning) to Commercial for 1.81 acre parcel on north side of White Oak Road adjacent to State Route 1. Note: LDP shows Land Use Category for parcel as Open Space, Conservation, Recreation.	Harman Brothers, LLC via William Harman Letter of 9-22-2018	Not Recommended
4A	ED-05-076.08-03-31.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 120 N. Queen Street.	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4B	ED-05-076.08-03-32.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 110 N. Queen Street.	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4C	ED-05-076.08-03-33.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 108 N. Queen Street.	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4D	ED-05-076.08-03-34.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 106 N. Queen Street.	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4E	ED-05-076.08-03-35.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 104 N. Queen Street	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4F	ED-05-076.08-03-37.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 101 N. Queen Street	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4G	ED-05-076.08-03-38.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 107 N. Queen Street	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4H	ED-05-076.08-03-48.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 118 N. New Street	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4I	ED-05-076.08-03-49.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 118 N. New Street	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4J	ED-05-076.08-03-53.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 106 N. New Street.	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4K	ED-05-076.08-03-55.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 102 N. New Street	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Alternative Recommendation
4L	ED-05-076.08-05-10.00-000	Land Development Plan	Request change from Mixed Use to Institutional/Office for 35 N. Queen Street	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Not Recommended
4M	ED-05-076.08-05-11.00-000	Land Development Plan	Request change from Mixed Use to Institutional/Office for 37 N. Queen Street	Mt. Zion AME Church via John Paradee Letter of 10-3-2018	Not Recommended
5	Multiple parcels	Land Development Plan & Plan Text	Request to preserve Commercial designation of Dover International Speedway's property(ies).	Dover Motorsports Inc. via Letter of 10-5-2018	Alternative Recommendation
6	Multiple parcels	Annexation Plan	Request to include lands north and west of the Kent County AeroPark for potential annexation. Identified for potential Employment Center development in the 2018 Kent County Comprehensive Plan.	Kent County Levy Court via Michael Petit de Mange (County Administrator) Letter of 1-25-2019	Recommended
* Notes: Requests with affirmative Staff Recommendations have been incorporated into the Comprehensive Plan and its map series. Requests with negative Staff Recommendations have not been included in the FINAL DRAFT Plan.					
Requests From Staff					
			Notes	Requested by	
A	Proof-reading Revisions		Staff requests permissions to make any necessary revisions to the plan narrative, plan maps, and Goals & Recommendations. Revisions would be limited to factual corrections, punctuation/grammar corrections, and format corrections.	Planning Staff	
B	Information Update	Chapter 9 - Transportation	Update order of Prioritized Projects (Transportation Improvements listing) as per revised of Prioritization of City of Dover State Capital Transportation Program (CTP) projects originally approved on 9/24/2019 and revised approval of 12/9/2019 by City Council.	Planning Staff (related to City Council Action)	

1) **2019 Comprehensive Plan** - The *City of Dover 2019 Comprehensive Plan* includes text and a Map series outlining information and policies regarding land use activities in the City of Dover. The FINAL DRAFT *2019 Comprehensive Plan* (12.3.2019) document is on file at the Department of Planning and Inspections, City Hall, 15 Loockerman Plaza, Dover and at the Dover Public Library, 35 Loockerman Plaza, Dover.

See Project website: <https://www.cityofdover.com/2019-comprehensive-plan>

a) Project Scope and Process

b) Preliminary Land Use Services (PLUS) Review by State agencies: Letter of November 8, 2019

c) Review of FINAL DRAFT *2019 Comprehensive Plan*

i) Plan and Map Series Format

ii) Goals and Recommendations

iii) Land Development Plan Map

iv) Annexation Plan Maps

v) Implementation Plan

d) Review of Comprehensive Plan Requests:

i) Request #1: 5.0-acre parcel on north side of Route 8/Forrest Avenue

ii) Request #2: 1436 New Burton Road

iii) Request #3: 1.81-acre parcel on north side of White Oak Road

iv) Request #4: Various properties owned by Mt. Zion AME Church in Downtown Dover

v) Request #5: Lands of Dover Motorsports, Inc./Dover International Speedway

vi) Request #6: Designation of Employment Center in vicinity of Kent County AeroPark

e) Public Hearing on Comprehensive Plan Requests

f) Public Hearing on Comprehensive Plan

g) Discussion

h) Action by Planning Commission

Note: A Public Hearing before the City of Dover City Council on the *2019 Comprehensive Plan* has been scheduled for January 13, 2020 at 7:30 P.M., in the City Council Chambers of City Hall. (Ordinance #2019-21)

Request for Changes to City of Dover 2019 Comprehensive Plan

Request #1	1
Parcel ID:	ED-05-075.00-01-07.00-000
Application Type:	Land Development Plan
Notes:	Request change from Residential Medium Density to Mixed Use or Commercial for 5.0-acre parcel on north side of Route 8/Forrest Avenue
Requested By:	Draper Farm Properties, LLC via John Paradee Letter of 8-20-2018
Staff Recommendation:	Not Recommended

#1



BAIRD
MANDALAS
BROCKSTEDT LLC

RECEIVED

AUG 27 2018

John W. Paradee, Esq.
302-677-0061
www.bmbde.com
john@bmbde.com

CITY OF DOVER
PLANNING DEPARTMENT

COPY

August 20, 2018

David S. Hugg
Planning Director
City of Dover
The Plaza
Dover, Delaware 19901

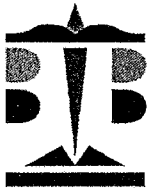
**RE: City of Dover Comprehensive Plan Recommendation for
5.0 +/- acre parcel located on Route 8 in Dover, Delaware**

Dear Mr. Hugg:

As you know, I represent Draper Farm Properties, LLC (“DFP”), the owner of a 5.0+/- acre parcel of unimproved real property on the north side of Route 8 in the City of Dover, more particularly identified as Tax Parcel #ED-05-075.00-01-07.00-000 (the “Property”). The Property is located directly across from the new Dover High School, along a major arterial roadway which serves as the western gateway into the City, in close proximity to a number of retail and commercial uses.

The Property is presently zoned R-10, and the City’s existing (2008) Comprehensive Plan recommends that the Property be developed for “Medium Density Residential” uses, which may include C-1 (Neighborhood Commercial) uses. Among the goals of the Comprehensive Plan are the creation of “neighborhood centers” and “urban centers”, which the Plan recommends “be established along major roadways and feature mixed use development.” The Comprehensive Plan also acknowledges that “Route 8, west of the railroad tracks, has become a key commercial corridor for the City”, that “jobs and commerce in the retail, wholesale, and service sectors are an important part of Dover’s economic vitality”, and that “commercial centers and corridors contribute to the City’s overall image and the positive feeling of its residents.” And finally, with regard to the Route 8 corridor in particular, the Comprehensive Plan recommends that the area “continue to develop as either commercial or professional offices.”

It is my understanding that the City is presently in the process of updating its Comprehensive Plan, and thus, now would be an appropriate time for the City to give due consideration to the Plan’s recommendations regarding potential future uses of the Property. It is also my understanding that the City may be desirous of annexing a number of parcels of land located to the west of the Property, as part of the natural growth and expansion of the City’s western boundaries. Given the continuing trend of growth and development along the Route 8 corridor at the western gateway of the City, and the Plan’s recommendations that this growth and development be planned in such a way as to create “neighborhood centers”, it would be logical

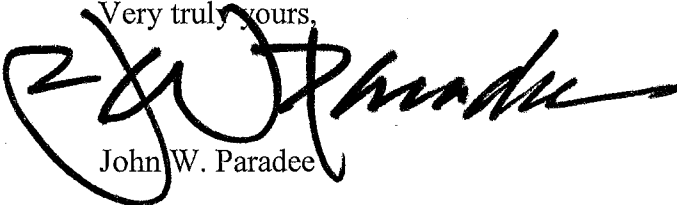


and appropriate to upgrade the Comprehensive Plan recommendation for the Property to "Mixed Use" or "Commercial", in order to allow for mixed-use development that will bring more retail and commercial business services closer to the growing number of residential neighborhoods on the west side of the City.

I therefore respectfully request, on behalf of DFP, that the City upgrade the Comprehensive Plan recommendation for the Property to "Mixed Use" or "Commercial", for all of the reasons set forth above.

Thank you for your time and consideration. If you should have any questions whatsoever, please do not hesitate to contact me.

Very truly yours,



John W. Paradee

JWP/lwr

cc: Mr. Allan Davis
Mr. Eric Good
Douglas S. Walker, Esquire

City of Dover

December 6, 2019

John W. Paradee, Esq.
Baird Mandalas Brockstedt, LLC
6 South State Street
Dover DE 19901
Email: John@bmbde.com

RE: Request for Changes to City of Dover, DE 2019 Comprehensive Plan
Request #1: 5.0-acre parcel on north side of Route 8/Forrest Avenue, Dover, DE
Tax Parcel: ED-05-075.00-01-07.00-000

Dear Mr. Paradee (on behalf of Draper Farm Properties, LLC):

Thank you for submitting your Request for Changes to the DRAFT 2019 Comprehensive Plan. Planning Staff has been working on the Comprehensive Plan Project for over a year now and has gathered input in a variety of ways to develop the Plan document and associated maps. The FINAL DRAFT Plan (issued 12.3.2019) is posted on the City of Dover's website for public view at <https://www.cityofdover.com/2019-comprehensive-plan>. The Plan consists of a text document and a map series.

Previously, a Release DRAFT Plan was issued on October 1, 2019. The FINAL DRAFT Plan was issued this first week of December 2019 and the formal review process of the Plan is beginning.

- The FINAL DRAFT Plan is scheduled for a Public Hearing before the Planning Commission on December 16, 2019 at 6:00 PM in the Council Chambers, City Hall, 15 Lookerman Plaza, Dover DE.
- Another Public Hearing and Action on the FINAL DRAFT PLAN will be scheduled before the City Council on January 13, 2019 at 7:30 PM in the Council Chambers, City Hall, 15 Lookerman Plaza, Dover DE.

You are encouraged to participate in the Public Hearing process as all Requests will be forwarded the Planning Commission and City Council for specific action.

In your Letter dated August 20, 2018, you had requested that the Land Use classification (category) for the parcel ED-05-075.00-01-07.00-000 be changed from Residential Medium Density to Commercial in the Land Development Plan (Chapter 12 and Map Series 12-1). The FINAL DRAFT will reflect the recommendation of Planning Staff regarding your Request. See Map 12-1C: Land Development Plan Map.

The Planning Staff is not recommending your Request finding that the character and existing use of the immediate area of the subject parcel is residential and there is an extensive commercial corridor further east on Route 8 to east of Mifflin Road. This section of the Route 8 corridor is a residential area and with the nearby institutional uses (high school and churches) are a transition from the rural areas west of Dover to the commercial areas and central core of Dover. The Land Use classification of Residential Medium Density allows for a series of residential zoning districts with a variety of housing types and it also allows consideration of the C-1 (Neighborhood Commercial) zone where smaller scale commercial activity is permitted. The

smaller scale commercial activity is likely more compatible fit given the traffic concerns along the overall corridor, the availability of bike and pedestrian facilities, and the adjacent residential land uses.

If you have concerns regarding the Staff recommendation on your Request, I encourage you to attend the Public Hearings or submit those concerns to the Planning Commission and City Council in writing.

The Planning Staff is available to discuss concerns and/or questions on your Request and the Comprehensive Plan review process. You may contact Staff by email at compplan@dover.de.us or by telephone at 302-736-7196.

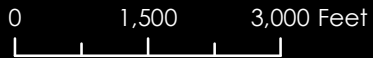
Sincerely,
On Behalf of Planning Staff, the 2019 Comprehensive Plan Project Team

A handwritten signature in black ink, appearing to read "David S. Hugg III". The signature is fluid and cursive, with a large initial "D" and "H".

David S. Hugg III,
Director of Planning, Inspections and Community Development
City of Dover

DSH/demw

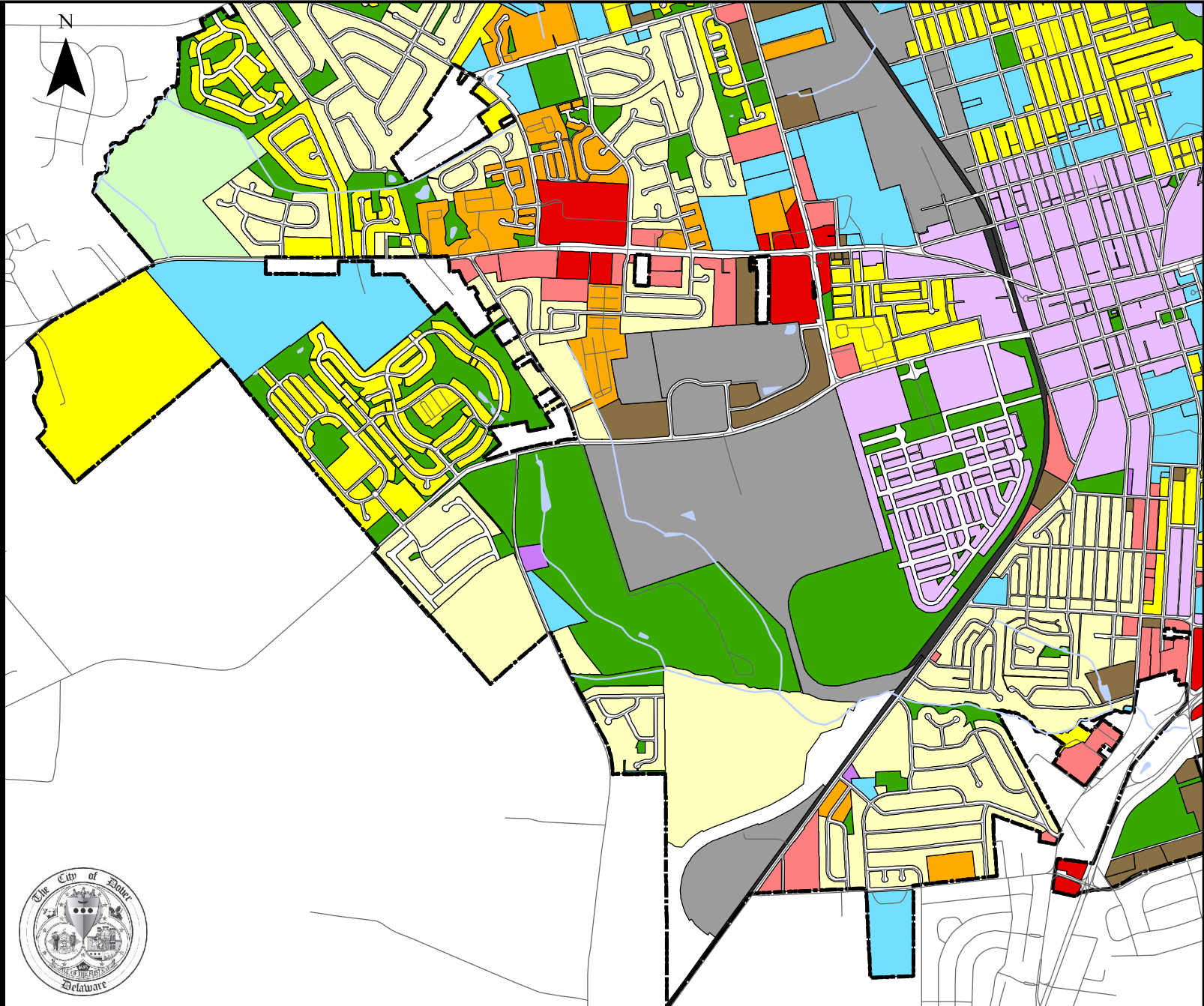
CC: Comprehensive Plan Correspondence File



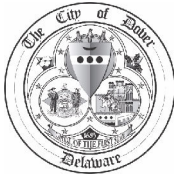
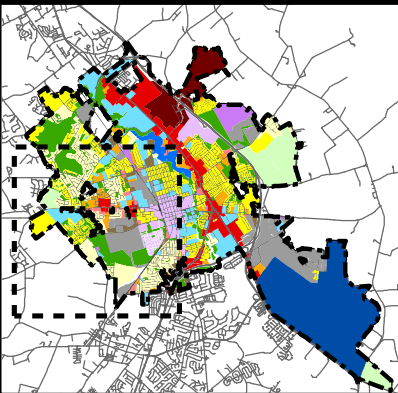
LEGEND

Land Use

- Active Agriculture
- Commercial Entertainment
- Commercial High Intensity
- Commercial Low Intensity
- DoverAFB
- Industrial
- Institutional
- Mixed Use
- Office
- Open Space, Conservation, Recreation
- Public and Private Utilities
- Residential High Density
- Residential Medium Density
- Residential Low Density
- Train Track
- Dover Boundary
- Roads
- Hydrology
- Water Bodies



0 10,000 Feet **Inset Map**



PAPER MAP DISCLAIMER:
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Request for Changes to City of Dover 2019 Comprehensive Plan

Request #2	2
Parcel ID:	ED-05-085.00-01-07.00-000
Application Type:	Land Development Plan
Notes:	Request change from Industrial to Commercial for parcel between POW/MIA Parkway and Railroad Corridor/New Burton Road
Requested By:	G. Michael Glick via Letter of 8-28-2018
Staff Recommendation:	Not Recommended

#2



RECEIVED

NOV 5 2018

CITY OF DOVER
PLANNING & INSPECTIONS

Dawn

August 28, 2018

City of Dover
15 Loockerman Plaza
Dover, DE 19901

RE: *Amendment to Comprehensive Plan*

Dear Mr. Hugg,

This letter shall serve as a formal request for an amendment to the 2018 Comprehensive Plan Proposed Land Development Plan for 1436 New Burton Road, Tax Parcel Number ED-05-085.00-01-07.00-000. Presently the Comprehensive Plan land use is listed as Industrial and we request a change to Commercial. Area wide land use and market studies have shown Commercial Land Use will provide for the cohesive development of this tract of land fitting to present and future land use by the Government Sector, Business and Personal Sector, and Medical Sector. This request is keeping with the public surveys and goals outlined by the 2008 and proposed 2018 Comprehensive Plan.

By reclassifying the Land Use to Commercial, will allow for this parcel to provide efficient land use while effectively expanding on the economic structure for the Government Sector and the Business and Personal Sector in support of the goals of the proposed 2018 Comprehensive Plan.

We appreciate your consideration regarding this matter and look forward to further discussion. If there are any questions or if you require any additional information, please let me know.

Sincerely,

G. Michael Glick

City of Dover

December 6, 2019

Mr. G. Michael Glick
Lighthouse Construction Inc.
859 Golf Links Lane, Suite 1
Magnolia DE 19962
Email: mglick@lhconstruction.com

RE: Request for Changes to City of Dover, DE 2019 Comprehensive Plan
Request #2: 1436 New Burton Road, Dover, DE
Tax Parcel: ED-05-085.00-01-07.00-000

Dear Mr. Glick:

Thank you for submitting your Request for Changes to the DRAFT 2019 Comprehensive Plan. Planning Staff has been working on the Comprehensive Plan Project for over a year now and has gathered input in a variety of ways to develop the Plan document and associated maps.

The FINAL DRAFT Plan (issued 12.3.2019) is posted on the City of Dover's website for public view at <https://www.cityofdover.com/2019-comprehensive-plan>. The Plan consists of a text document and a map series.

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- Another Public Hearing and Action on the FINAL DRAFT PLAN will be scheduled before the City Council on January 13, 2019 at 7:30 PM in the Council Chambers, City Hall, 15 Loockerman Plaza, Dover DE.

You are encouraged to participate in the Public Hearing process as all Requests will be forwarded the Planning Commission and City Council for specific action.

In your Letter dated August 28, 2018, you had requested that the Land Use classification (category) for the parcel ED-05-085.00-01-07.00-000 be changed from Industrial to Commercial in the Land Development Plan (Chapter 12 and Map Series 12-1). The FINAL DRAFT will reflect the recommendation of Planning Staff regarding your Request. See Map 12-1C: Land Development Plan Map.

The Planning Staff is not recommending your Request finding that the location of the subject parcel between the POW-MIA Parkway and the railroad corridor has transportation advantages for its development. The location is isolated from residential development limiting its potential for targeted retail or service commercial activities. This location is more appropriate for uses that can take advantage of the proximity to major roads and/or rail frontage/access. In its current zoning classification of IPM (Industrial Park Manufacturing) Zone, the opportunity exists for

Request Response Letter: Request #2: 1436 New Burton Road
December 6, 2019
Page 2 of 2

industrial type activities like manufacturing as well as for office park or other employment center type development needing road or rail access to meet the economic development goals of the Plan.

If you have concerns regarding the Staff recommendation on your Request, I encourage you to attend the Public Hearings or submit those concerns to the Planning Commission and City Council in writing.

The Planning Staff is available to discuss concerns and/or questions on your Request and the Comprehensive Plan review process. You may contact Staff by email at compplan@dover.de.us or by telephone at 302-736-7196.

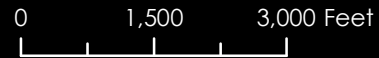
Sincerely,
On Behalf of Planning Staff, the 2019 Comprehensive Plan Project Team

A handwritten signature in black ink, appearing to read "David S. Hugg III". The signature is written in a cursive style with a large, sweeping initial "D".

David S. Hugg III,
Director of Planning, Inspections and Community Development
City of Dover

DSH/demw

CC: Comprehensive Plan Correspondence File

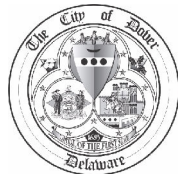
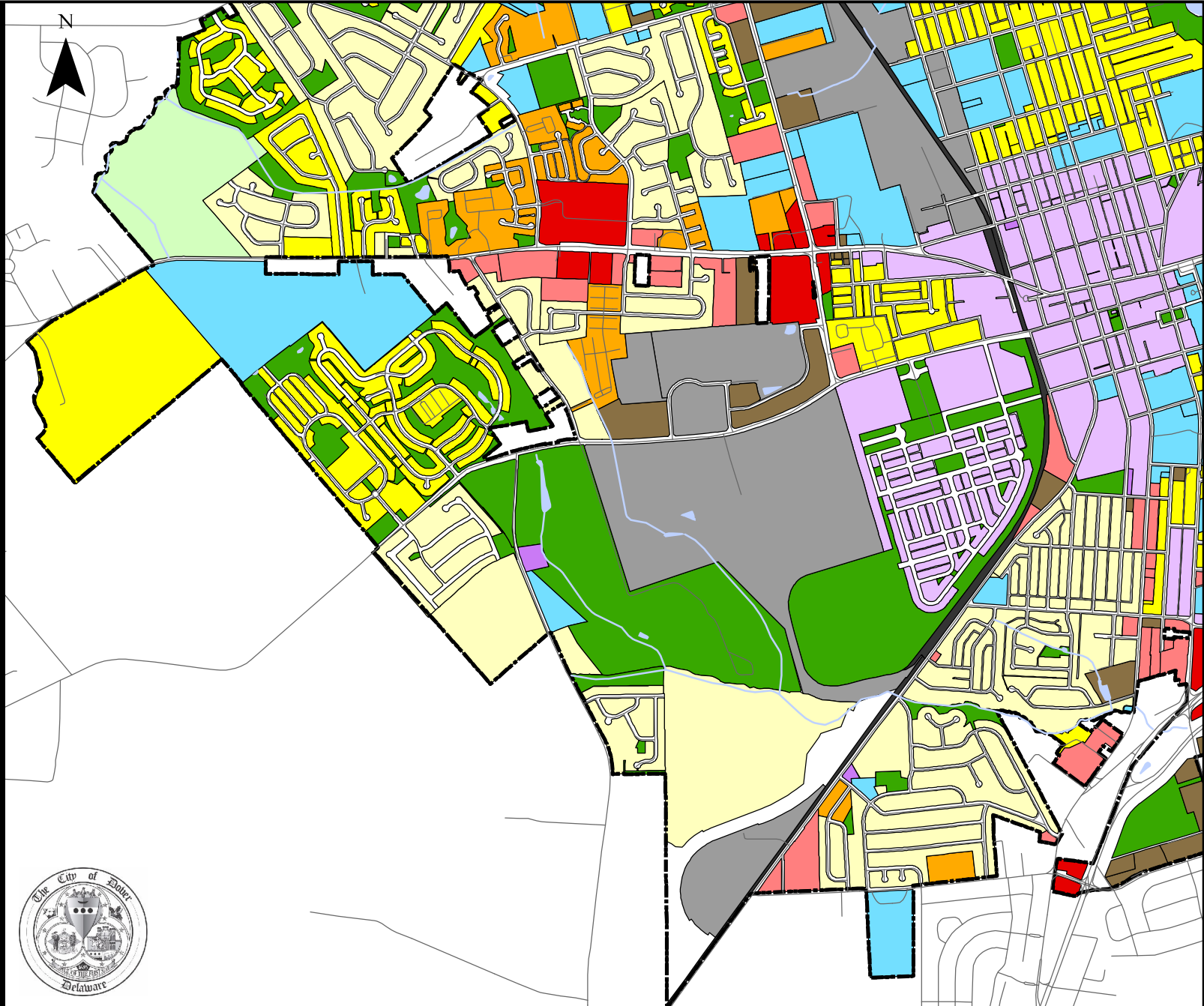
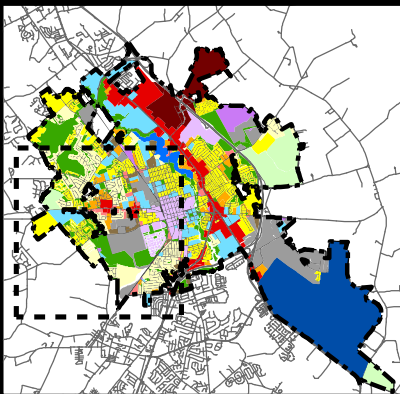


LEGEND

Land Use

- Active Agriculture
- Commercial Entertainment
- Commercial High Intensity
- Commercial Low Intensity
- DoverAFB
- Industrial
- Institutional
- Mixed Use
- Office
- Open Space, Conservation, Recreation
- Public and Private Utilities
- Residential High Density
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- Train Track
- Dover Boundary
- Roads
- Hydrology
- Water Bodies

0 10,000 Feet Inset Map



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Request for Changes to City of Dover 2019 Comprehensive Plan

Request #3	3
Parcel ID:	ED-05-068.11-01-02.00-000
Application Type:	Land Development Plan
Notes:	Request change from Agricultural (zoning) to Commercial for 1.81-acre parcel on north side of White Oak Road adjacent to State Route 1. Note: LDP shows Land Use Category for parcel as Open Space, Conservation, Recreation.
Requested By:	Harman Brothers, LLC via William Harman Letter of 9-22-2018
Staff Recommendation:	Not Recommended

DAWN

#3

Rec'd
D. Williams
9/28 @
12:45 PM

Harman Brothers, LLC
P.O. Box 94
Dover, DE 19903

September 22, 2018

City Hall
P.O. Box 475 Dover, DE 19903
ATTN: Dave Hugg

RE: 2019 Comprehensive Plan – Land Designation Tax Parcel: ED-05-068.11-01-02.00

Dear Mr. Hugg,

We have previously emailed and spoken with Dawn Melson-Williams about the Agricultural Zoning designation of our property, Tax Parcel ED05-068.11-01-02.00 along White Oak Road, and she suggested we reach out to you.

We have been the owners of the parcel since October 10, 2000 consisting of 1.81 +/- acres of land. We have reviewed the existing 2008 Comprehensive Plan and wish to change the designation of Tax Parcel ED-05-168.11-01-02.00 from Agricultural to Commercial. We own three additional parcels adjacent to this parcel whose current zoning is C2A and wish to have all of our parcels zoned the same. The parcel is directly adjacent to SR1 and we are not able to utilize it as agricultural land.

It is our intent to develop our total of four parcels in accordance with the Code of the City of Dover and rezoning of this parcel is the first step in this process.

We are aware of some of the environmental features within the property and have entered into a contract with a local engineering firm to help resolve some of these items while creating a balanced design with environmental protection. We believe we can develop our land in an environmental sound manner that will benefit the community.

We have also been in contact with Donna Mitchell regarding the floodplain issue that we spoke about back in August. The city and state are petitioning FEMA to revise the map that currently places much of our land and the land from the neighboring Bay Tree development to the west in the floodplain and negatively impacts all the landowners in the area.

I have included the Tax Map Numbers and relevant aerial map for you below. Please let us know if you have any questions or need additional information. Thank you.



Sincerely,
Harman Brothers, LLC
William Harman

cell: 917-916-3830

Four Parcels Owned by Harman Bros on White Oak Road

Tax Map Number	Acreage	Zoning
ED05-068.11-01-01.00	10.34	C2A
ED05-068.11-01-03.00	0.37	C2A
ED05-068.11-01-05.00	0.46	C2A
ED05-068.11-01-02.00	1.81	Agricultural



March 2012
Aerial Photo



November 2017

Harman Brothers, LLC.
City of Dover, Kent County, Delaware



City of Dover

December 6, 2019

Mr. William Harman
Harman Brothers, LLC
P.O. Box 94
Dover DE 19903

RE: Request for Changes to City of Dover, DE 2019 Comprehensive Plan
Request #3: 1.81-acre on north side of White Oak Road, Dover, DE
Tax Parcel: ED-05-068.11-01-02.00-000

Dear Mr. Harman:

Thank you for submitting your Request for Changes to the DRAFT 2019 Comprehensive Plan. Planning Staff has been working on the Comprehensive Plan Project for over a year now and has gathered input in a variety of ways to develop the Plan document and associated maps.

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- Another Public Hearing and Action on the FINAL DRAFT PLAN will be scheduled before the City Council on January 13, 2019 at 7:30 PM in the Council Chambers, City Hall, 15 Loockerman Plaza, Dover DE.

You are encouraged to participate in the Public Hearing process as all Requests will be forwarded the Planning Commission and City Council for specific action.

In your Letter dated September 22, 2018, you had requested that the zoning for the parcel ED-05-068.11-01-02.00-000 be changed from Agriculture to Commercial. The Comprehensive Plan does not make zoning changes. It does, however, provide Land Use classifications (category) for properties which then determines the eligible zoning for a property. Your request would be for the Land Use classification to be changed from Open Space, Conservation, & Recreation to Commercial in the Land Development Plan (Chapter 12 and Map Series 12-1). The FINAL DRAFT will reflect the recommendation of Planning Staff regarding your Request. See Map 12-1B: Land Development Plan Map.

The Planning Staff is not recommending your Request finding that the location, environmental, and natural features of the subject parcel limit development. Direct access to the parcel is limited by land elevation and the type of adjacent roadways (the elevation difference of White Oak Road and State Route 1 as a limited access highway). Environmental sensitivity concerns include the

Request Response Letter: Request #3: 1.81-acre on north side of White Oak Road

December 6, 2019

Page 2 of 2

existing woodland area, impacts of the Special Flood Hazard Area (100-year floodplain), and potential for wetlands. The Land Use category (classification) of Open Space, Conservation & Recreation is more appropriate to preserve the natural environment found here.

If you have concerns regarding the Staff recommendation on your Request, I encourage you to attend the Public Hearings or submit those concerns to the Planning Commission and City Council in writing.

The Planning Staff is available to discuss concerns and/or questions on your Request and the Comprehensive Plan review process. You may contact Staff by email at compplan@dover.de.us or by telephone at 302-736-7196.

Sincerely,

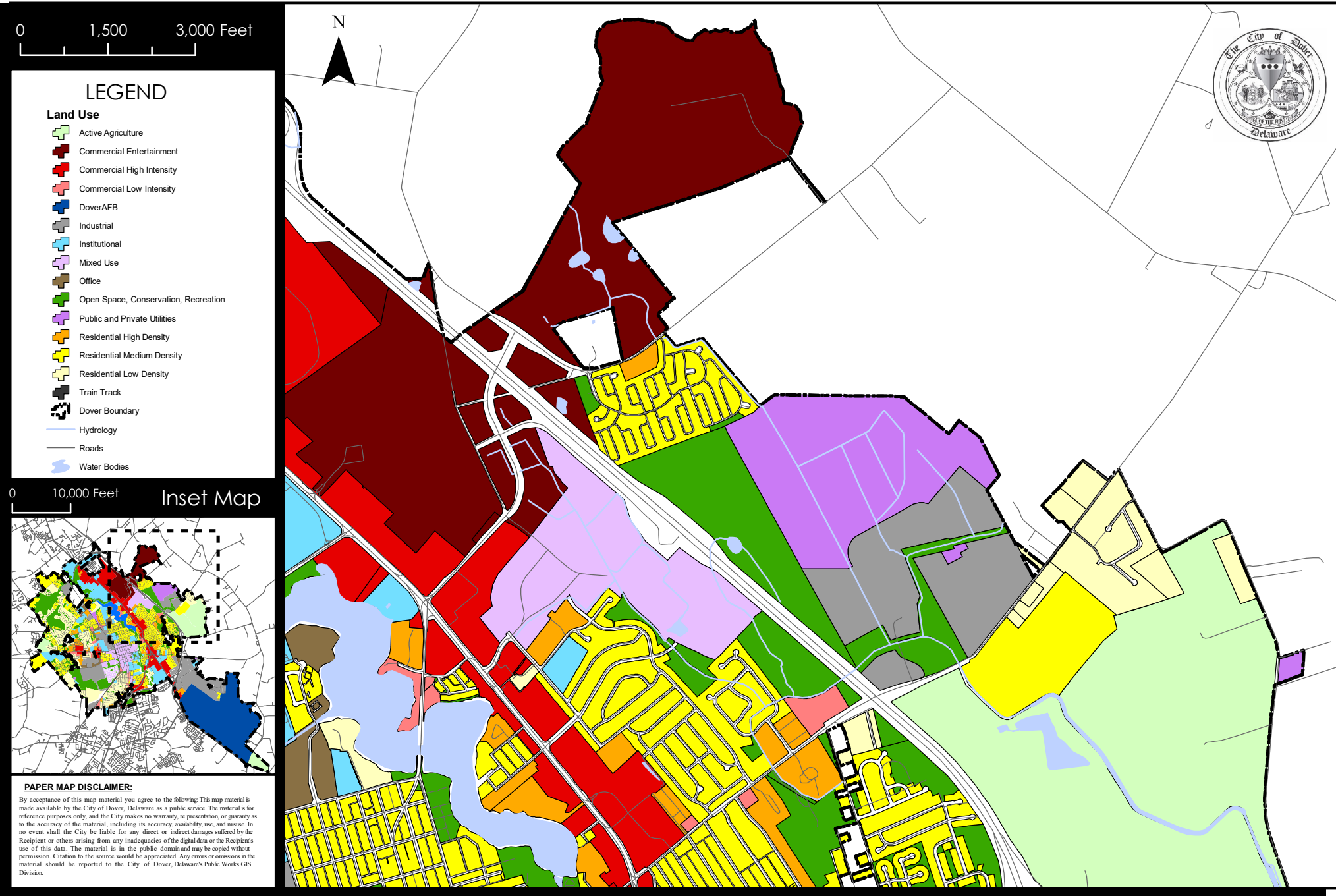
On Behalf of Planning Staff, the 2019 Comprehensive Plan Project Team

A handwritten signature in black ink, appearing to read "David S. Hugg III". The signature is written in a cursive style with a large initial "D" and "H".

David S. Hugg III,
Director of Planning, Inspections and Community Development
City of Dover

DSH/demw

CC: Comprehensive Plan Correspondence File



Request for Changes to City of Dover 2019 Comprehensive Plan

Request #4	4A through 4K
Parcel ID: Application Type: Notes:	4A ED-05-076.08-03-31.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 120 N. Queen Street.
	4B ED-05-076.08-03-32.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 110 N. Queen Street.
	4C ED-05-076.08-03-33.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 108 N. Queen Street.
	4D ED-05-076.08-03-34.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 106 N. Queen Street.
	4E ED-05-076.08-03-35.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 104 N. Queen Street
	4F ED-05-076.08-03-37.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 101 N. Queen Street
	4G ED-05-076.08-03-38.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 107 N. Queen Street
	4H ED-05-076.08-03-48.00-000 Land Development Plan

	Request change from Residential Medium Density to Institutional/Office for 118 N. New Street
	4I ED-05-076.08-03-49.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 118 N. New Street
	4J ED-05-076.08-03-53.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 106 N. New Street.
	4K ED-05-076.08-03-55.00-000 Land Development Plan Request change from Residential Medium Density to Institutional/Office for 102 N. New Street
Requested By:	Mt. Zion AME Church via John Paradee Letter of 10-3-2018
Staff Recommendation:	Alternative Recommendation

Request #4	4L and 4M
Parcel ID: Application Type: Notes:	4L ED-05-076.08-05-10.00-000 Land Development Plan Request change from Mixed Use to Institutional/Office for 35 N. Queen Street
	4M ED-05-076.08-05-11.00-000 Land Development Plan Request change from Mixed Use to Institutional/Office for 37 N. Queen Street
Requested By:	Mt. Zion AME Church via John Paradee Letter of 10-3-2018
Staff Recommendation:	Not Recommended



BAIRD
MANDALAS
BROCKSTEDT

COPY

John W. Paradee, Esq.
302-677-0061
www.bmbde.com
john@bmbde.com

October 3, 2018

David S. Hugg
Planning Director
City of Dover/The Plaza
Dover, Delaware 19901

**RE: City of Dover Comprehensive Plan Recommendation for
Properties owned by Mt. Zion AME Church in Downtown Dover**

Dear Mr. Hugg:

I represent Mt. Zion AME Church (the "Church"), the owner of thirteen (13) different parcels of real property located on or near Fulton Street in downtown Dover, many of which are presently unimproved, more particularly identified as Tax Parcels #2-05-076.08-03-31.00-00001, #2-05-076.08-03-32.00-00001, #2-05-076.08-03-33.00-00001, #2-05-076.08-03-34.00-00001, #2-05-076.08-03-35.00-00001, #2-05-076.08-03-37.00-00001, #2-05-076.08-03-38.00-00001, #2-05-076.08-03-48.00-00001, #2-05-076.08-03-49.00-00001, #2-05-076.08-03-53.00-00001, #2-05-076.08-03-55.00-00001, #2-05-076.08-05-11.00-00001, and #2-05-076.08-05-11.00-00001 (the "Properties"). The Properties are all located in the Historic District, just west of and immediately adjacent to Wesley College, in immediate proximity to a number of institutional uses. All of the Properties are presently zoned RG-1. Two of the Properties are presently improved by the building utilized for worship by the Church (Tax Parcels #37 and #38), while the balance of the Properties are presently vacant (some of which are presently utilized for parking and other uses directly associated with the Church).

The City's existing (2008) Comprehensive Plan recognizes that the Properties are located within the City's "Downtown Dover Target Area". Among the stated goals of the Comprehensive Plan for this area are (1) to "revitalize Downtown Dover as a vibrant town center integrating the hospital, the colleges & universities, the State and City governments with business (retail and professional), housing, and tourism"¹ (2) to "enhance the role of Downtown Dover as a major employment, residential, and commercial center as well as the symbolic and cultural heart of the community, and recognize its unique heritage and historic uses" by "[providing] for mixed use development allowing the greatest variation of uses"², and (3) "maintain and improve the City's position as a center of government, education, and medicine

¹ See page 7 of the City's 2008 Comprehensive Plan (Goal #2 under "Economic Development").

² See page 8 of the City's 2008 Comprehensive Plan ("Land Development Goals").



through support of existing institutions and encouraging well designed campuses that are integrated into the community and have room to expand.”³

The long-term vision of the Church for the future use and development of the Properties is to extend the vision of Bishop Richard Allen and the African Methodist Episcopal Church to minister to the spiritual, intellectual, physical, social, emotional, financial, and environmental needs of all people, by sustaining and establishing holistic ministries, programs, and support that lead to the economic stability of the Church and the perpetual growth of, and care for, individuals at every age and stage of life. The Church believes that this vision would be best served by changing the Comprehensive Plan designation for the Properties to “Institutional/Office”, thereby allowing the Church to develop the Properties for institutional uses such as additional worship space, classroom facilities, a parsonage, and/or other affiliated institutional and residential facilities which would assist the Church in serving its mission and fulfilling its vision – a religious and cultural “campus”, integrated into the Downtown Dover Target Area – all of which would be consistent with the character of the surrounding neighborhood, help revitalize Downtown Dover, and thereby advance the goals and objectives of the City’s Comprehensive Plan.

It is my understanding that the City is presently in the process of updating its Comprehensive Plan, and thus, now would be an appropriate time for the City to give due consideration to the Church’s vision regarding potential future uses of the Properties. Given the continuing trend of institutional development and revitalization of the Downtown Dover area, it would be logical and appropriate to upgrade the Comprehensive Plan recommendation for the Properties to “Institutional/Office”, in order to allow for development of institutional uses that will bring further revitalization to this part of Downtown Dover. I therefore respectfully request, on behalf of the Church, that the City upgrade the Comprehensive Plan recommendation for the Property to “Institutional/Office”, for all of the reasons set forth above.

Thank you for your time and consideration. If you should have any questions whatsoever, please do not hesitate to contact me.

Very truly yours,



John W. Paradee

JWP/lwr

cc: Rev. Dr. Erika D. Crawford, DMin., Pastor (Mt. Zion AME Church)

³ See page 8 of the City’s 2008 Comprehensive Plan (“Government and Institutional Land Uses”).

City of Dover

December 9, 2019

John W. Paradee, Esq.
 Baird Mandalas Brockstedt, LLC
 6 South State Street
 Dover, DE 19901
 Email: John@bmbde.com

RE: Request for Changes to City of Dover, DE 2019 Comprehensive Plan
 Request #4: Various Properties owned by Mt. Zion AME Church in Downtown Dover

Dear Mr. Paradee (on behalf of Mt. Zion AME Church)

Thank you for submitting your Request for Changes to the DRAFT 2019 Comprehensive Plan. Planning Staff has been working on the Comprehensive Plan Project for over a year now and has gathered input in a variety of ways to develop the Plan document and associated maps.

The FINAL DRAFT Plan (issued 12.3.2019) is posted on the City of Dover's website for public view at <https://www.cityofdover.com/2019-comprehensive-plan>. The Plan consists of a text document and a map series.

Previously, a Release DRAFT Plan was issued on October 1, 2019. The FINAL DRAFT Plan was issued this first week of December 2019 and the formal review process of the Plan is beginning.

- The FINAL DRAFT Plan will be scheduled for a Public Hearing before the Planning Commission on December 16, 2019 at 6:00 PM in the Council Chambers, City Hall, 15 Lookerman Plaza, Dover DE.
- Another Public Hearing and Action on the FINAL DRAFT PLAN will be scheduled before the City Council on January 13, 2019 at 7:30 PM in the Council Chambers, City Hall, 15 Lookerman Plaza, Dover DE.

You are encouraged to participate in the Public Hearing process as all Requests will be forwarded the Planning Commission and City Council for specific action.

In your Letter October 3, 2018 you had requested that the Land Use classifications (category) for a number of parcels owned by Mt. Zion AME Church be changed from RG-1 zoning to Institutional/Office. The following is a listing of the involved properties:

Request #	Parcel ID	Application	Notes
4A	ED-05-076.08-03-31.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 120 N. Queen Street
4B	ED-05-076.08-03-32.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 110 N. Queen Street
4C	ED-05-076.08-03-33.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 108 N. Queen Street

Request Response Letter: Request #4: Various Properties owned by Mt. Zion AME Church in Downtown Dover

December 9, 2019

Page 2 of 3

4D	ED-05-076.08-03-34.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 106 N. Queen Street
4E	ED-05-076.08-03-35.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 104 N. Queen Street
4F	ED-05-076.08-03-37.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 101 N. Queen Street
4G	ED-05-076.08-03-38.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 107 N. Queen Street
4H	ED-05-076.08-03-48.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 118 N. New Street
4I	ED-05-076.08-03-49.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 118 N. New Street
4J	ED-05-076.08-03-53.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 106 N. New Street.
4K	ED-05-076.08-03-55.00-000	Land Development Plan	Request change from Residential Medium Density to Institutional/Office for 102 N. New Street
4L	ED-05-076.08-05-10.00-000	Land Development Plan	Request change from Mixed Use to Institutional/Office for 35 N. Queen Street
4M	ED-05-076.08-05-11.00-000	Land Development Plan	Request change from Mixed Use to Institutional/Office for 37 N. Queen Street

Your Request would be for the Land Use classification of the properties to be changed to Institutional in the Land Development Plan (Chapter 12 and Map Series 12-1). The FINAL DRAFT will reflect the recommendation of Planning Staff regarding your Request. The Planning Staff is not recommending approval of your Request but instead has made an Alternative Recommendation. See Map 12-1F: Land Development Plan Map.

While we are sympathetic to the desires of the church as set forth in your letter, the Planning Staff does not support making changes to scattered parcels within this larger neighborhood. The Land Development Plan from Comprehensive Plan reflects the designation of three complete blocks including these parcels and those owned by others as Mixed Use. This Land Use Classification allows for Institutional and Office uses, as desired by Mt. Zion AME Church, as well a variety of residential and commercial activities better meeting the opportunities for revitalization, renewal and redevelopment of this portion of the City.

If you have concerns regarding the Staff recommendation on your Request, I encourage you to attend the Public Hearings or submit those concerns to the Planning Commission and City Council in writing.

Request Response Letter: Request #4: Various Properties owned by Mt. Zion AME Church in Downtown
Dover
December 9, 2019
Page 3 of 3

The Planning Staff is available to discuss concerns and/or questions on your Request. You may contact Staff by email at compplan@dover.de.us or by telephone at 302-736-7196.

Sincerely,
On Behalf of Planning Staff, the 2019 Comprehensive Plan Project Team

A handwritten signature in black ink, appearing to read "David S. Hugg III". The signature is fluid and cursive, with a large initial "D" and "H".

David S. Hugg III,
Director of Planning, Inspections and Community Development
City of Dover

DSH/demw

CC: Comprehensive Plan Correspondence File

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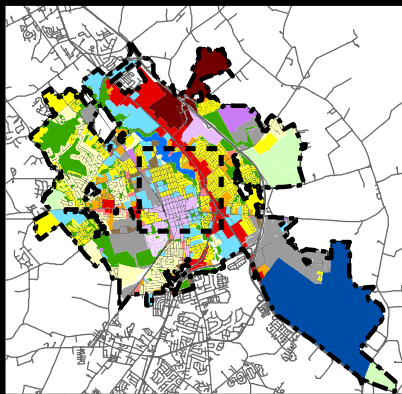
LEGEND

Land Use

- Active Agriculture
- Commercial Entertainment
- Commercial High Intensity
- Commercial Low Intensity
- DoverAFB
- Industrial
- Institutional
- Mixed Use
- Office
- Open Space, Conservation, Recreation
- Public and Private Utilities
- Residential High Density
- Residential Medium Density
- Residential Low Density
- Train Track
- Dover Boundary
- Roads
- Hydrology
- Water Bodies

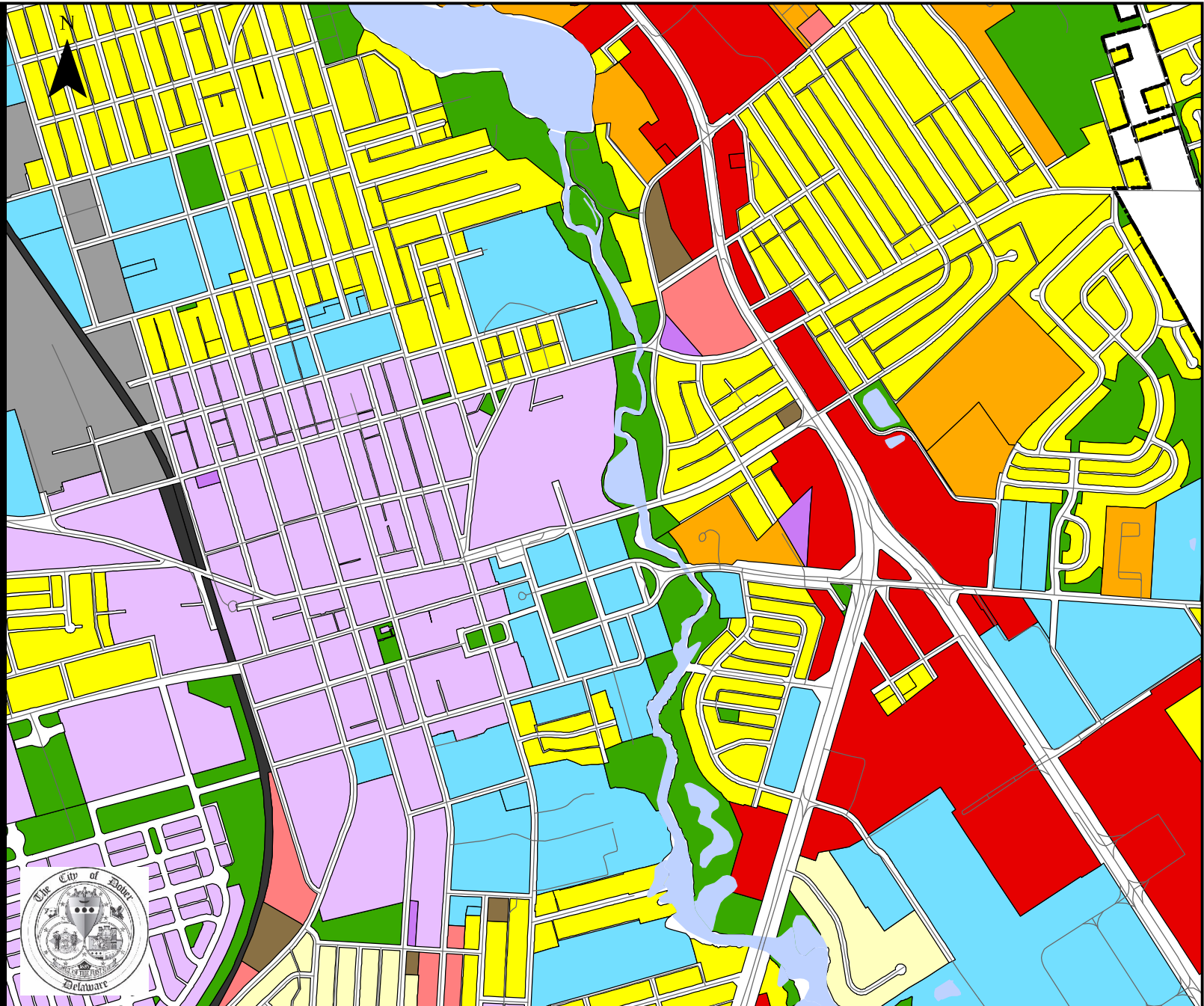
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Inset Map



PAPER MAP DISCLAIMER:

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Request for Changes to City of Dover 2019 Comprehensive Plan

Request #5	5
Parcel ID:	Multiple parcels
Application Type:	Land Development Plan & Plan Text
Notes:	Request to preserve Commercial designation of Dover International Speedway's property(ies).
Requested By:	Dover Motorsports Inc. via Letter of 10-5-2018
Staff Recommendation:	Alternative Recommendation



RECEIVED

OCT 12 2018

CITY OF DOVER
PLANNING & INSPECTIONS

DAVO
file w/
comments

October 5, 2018

Mr. David S. Hugg, III, Director
City of Dover
Department of Planning & Inspections
City Hall
15 Loockerman Plaza
Dover, DE 19901

RE: COMPREHENSIVE PLAN UPDATE, 2019

Dear Dave:

Thank you for meeting with Gregg Moore, Mike Tatoian and myself regarding our concerns with the 2019 Comprehensive Plan Update for the City of Dover. As a matter of background and as you may be aware, prior to your joining the City staff, Dover International Speedway expended considerable resources to annex all of our lands into the City of Dover for the purposes of consolidation of zoning and municipal control. Firefly, LLC requested this be done as part of their long-term commitment to Dover. These annexations were, and continue to be, of great benefit to the City.

We feel it's extremely important to preserve the commercial designation of Dover International Speedway's property. The Firefly Music Festival and NASCAR provide significant economic impact to the region, and they do so by making significant investments in the events themselves and on the property through construction activities. Without the assurance and confidence that commercial designations will remain intact, it may be difficult for Dover International and Firefly to make future investments and attract other "Firefly"-like events and activities.

You had requested that we provide language that could be included in the 2019 Comprehensive Plan that would identify our unique use. The references you provided from the current Comprehensive Plan seem more than adequate and it's difficult to imagine any enhancements.

It is our hope that City planners will make every effort to preserve the commercial designation of the Speedway and its properties to ensure this economic engine continues to prosper.

Thanks again.

Respectfully,

Denis McGlynn
President & CEO

City of Dover

December 9, 2019

Denis McGlynn
President and CEO
Dover Motorsports Inc.
P.O. Box 843
Dover, DE 19903
Email: dmglynn@doverdowns.com

RE: Request for Changes to City of Dover, DE 2019 Comprehensive Plan
Request #5: Lands of Dover Motorsports, Inc./Dover International Speedway

Dear Mr. McGlynn:

Thank you for submitting your Request for Changes to the DRAFT 2019 Comprehensive Plan. Planning Staff has been working on the Comprehensive Plan Project for over a year now and has gathered input in a variety of ways to develop the Plan document and associated maps.

The FINAL DRAFT Plan (issued 12.3.2019) is posted on the City of Dover's website for public view at <https://www.cityofdover.com/2019-comprehensive-plan>. The Plan consists of a text document and a map series.

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- Another Public Hearing and Action on the FINAL DRAFT PLAN will be scheduled before the City Council on January 13, 2019 at 7:30 PM in the Council Chambers, City Hall, 15 Lookerman Plaza, Dover DE.

You are encouraged to participate in the Public Hearing process as all Requests will be forwarded the Planning Commission and City Council for specific action.

In your letter dated October 5, 2018, you had requested that the Commercial Land Use classifications (category) for parcels owned by Dover Motorsports, Inc./Dover International Speedway be preserved as Commercial in the Land Development Plan (Chapter 12 and Map Series 12-1). The FINAL DRAFT will reflect the recommendation of Planning Staff regarding your Request. See Map 12-1B: Land Development Plan Map.

The Planning Staff appreciates your letter regarding the commercial designation of the properties of Dover International Speedway. The Planning Staff has worked diligently to craft a Land Use Classification, "Commercial Entertainment," that recognizes the unique nature of the Dover International Speedway properties. This designation focuses on "entertainment, indoor and outdoor recreation, sports, gaming, and similar uses where retail activities are secondary or ancillary to the primary purpose." (Please see Chapter 12, pages 12-11 through 12-13 of the Final DRAFT of the Comprehensive Plan).

Request Response Letter: Request #5: Lands of Dover Motorsports, Inc./Dover International Speedway
December 9, 2019
Page 2 of 2

If you have concerns regarding the Staff recommendation on your Request, I encourage you to attend the Public Hearings or submit those concerns to the Planning Commission and City Council in writing.

The Planning Staff is available to discuss concerns and/or questions on your Request. You may contact Staff by email at compplan@dover.de.us or by telephone at 302-736-7196.

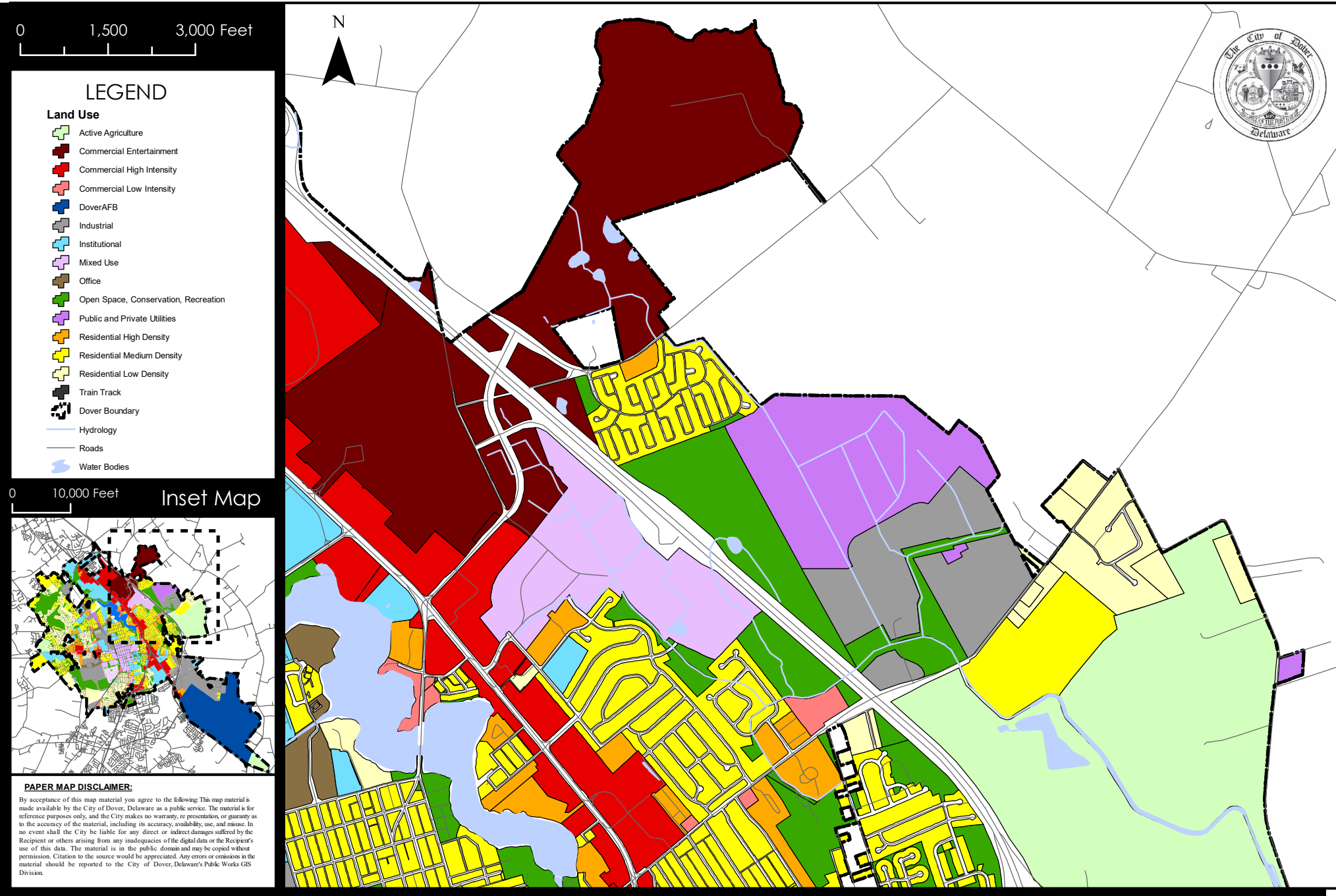
Sincerely,
On Behalf of Planning Staff, the 2019 Comprehensive Plan Project Team

A handwritten signature in black ink, appearing to read "David S. Hugg III". The signature is written in a cursive style with a large initial "D" and "H".

David S. Hugg III,
Director of Planning, Inspections and Community Development
City of Dover

DSH/demw

CC: Comprehensive Plan Correspondence File



Request for Changes to City of Dover 2019 Comprehensive Plan

Request #6	6
Parcel ID:	Multiple parcels
Application Type:	Annexation Plan
Notes:	Request to include lands north and west of the Kent County AeroPark for potential annexation. Identified for potential Employment Center development in the 2018 Kent County Comprehensive Plan.
Requested By:	Kent County Levy Court via Michael Petit de Mange (County Administrator) Letter of 1-25-2019
Staff Recommendation:	Recommended



Michael J. Petit de Mange, AICP
County Administrator

Kent County
Administrative Complex
555 Bay Road
Dover, Delaware 19901
(Handicapped Accessible)
(302) 744-2305
FAX: (302) 736-2279

Office of the Administrator

January 25, 2019

Mayor Robin R. Christiansen
Dover City Hall - 15 Loockerman Plaza
P.O. Box 475
Dover, Delaware 19903

SUBJECT: City of Dover Annexation Plan

Dear Mayor Christiansen:

You will recall that in the mid-1980's Kent County Levy Court developed the Kent County AeroPark along the northerly side of Horsepond Road adjoining the perimeter of Dover Air Force Base and the Civil Air Terminal. Prior to developing this property it was essential for the County to seek annexation into the City of Dover for the provision of critical City Services including water, sanitary sewer, and electricity along with public safety, trash collection, and street maintenance services. The successful development of the AeroPark and resulting business activity was made possible through annexation which has been a great benefit to Central Delaware.

The idea of expanding the Civil Air Terminal and the adjoining business park complex has garnered a great deal of interest over the years, and most recently has been the subject of numerous studies, significant site analyses, and planning activities. The recently adopted and certified 2018 Kent County Comprehensive Plan identifies the land area north and west of the AeroPark for potential Employment Center Development (see Map 2-A attached). The County Plan recommends that Master Plans be developed for such Employment Center Areas in advance of any land use changes.

With growing interest in potential expansion of this area from economic development experts, transportation officials, and civic leaders in our region, and in accordance with your request of January 22, 2019 for a letter to this effect, I am writing to request that the City consider an amendment to the current Annexation Areas Map component of its Comprehensive Plan to identify lands north and west of the AeroPark for potential annexation to accommodate business park expansion.

"Serving Kent County With Pride"

Letter to Mayor Christiansen

RE: Annexation Areas

January 25, 2019

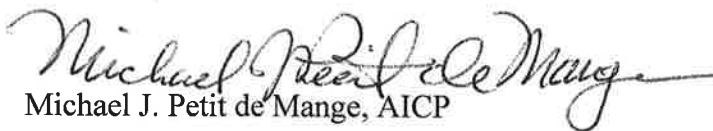
Page 2

As you are aware, under Delaware Law, annexations can only be considered if they are consistent with the official Annexation Areas Map element of the adopted Municipal Comprehensive Plan. With that in mind, and in taking a longer range view of the economic development potential of an expanded Civil Air Terminal, on behalf of Kent County Leadership, I respectfully submit this request.

This request is made with the understanding that while the Annexation Areas Map identifies priority areas for potential annexation, it does not have the effect of initiating or completing the annexation process for such areas. It is also understood that annexations in Dover are typically done by a referendum ballot initiative, and that affected property owners have a right to vote in the ballot initiative process. Regardless of the outcome of an annexation initiative, affected landowners retain control of their land in accordance with applicable zoning and land use regulations.

Should you have any questions or wish to discuss any aspect of this correspondence, please contact me. Thank you for your consideration of this request and for your service in the public interest.

Sincerely,


Michael J. Petit de Mange, AICP
County Administrator

Cc: Mr. David Hugg – City of Dover Planning Director
Levy Court Commissioners

“Serving Kent County With Pride”

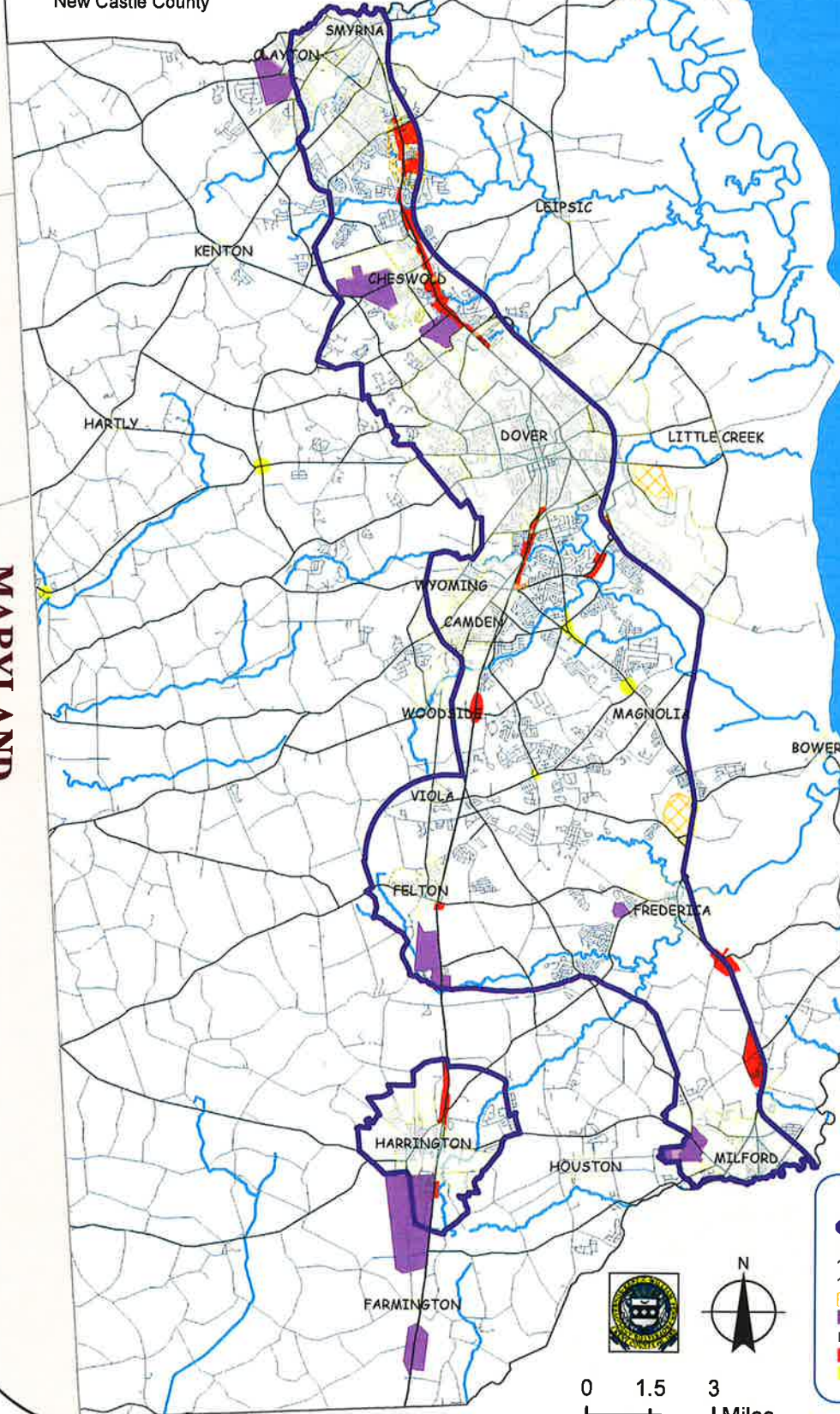
Economic Development Areas

New Castle County

NEW JERSEY

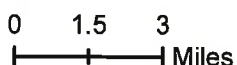
MARYLAND

Sussex County



Legend

- Growth Zone Overlay
- Municipal Boundaries
- Major Roads
- Local Roads
- Potential Employment Centers
- Potential Industrial Areas
- Potential Commercial Areas**
- Highway Commercial
- Neighborhood Commercial



City of Dover

December 9, 2019

Michael J. Petit de Mange, AICP
County Administrator
Kent County Levy Court
555 Bay Road
Dover, DE 19901
Email: Michael.PetitDeMange@co.kent.de.us

RE: Request for Changes to City of Dover, DE 2019 Comprehensive Plan
Request #6: Lands to the North and West of the Kent County AeroPark

Dear Mr. Petit de Mange:

Thank you for submitting your Request for Changes to the DRAFT 2019 Comprehensive Plan. Planning Staff has been working on the Comprehensive Plan Project for over a year now and has gathered input in a variety of ways to develop the Plan document and associated maps.

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- Another Public Hearing and Action on the FINAL DRAFT PLAN will be scheduled before the City Council on January 13, 2019 at 7:30 PM in the Council Chambers, City Hall, 15 Loockerman Plaza, Dover DE.

You are encouraged to participate in the Public Hearing process as all Requests will be forwarded the Planning Commission and City Council for specific action.

In your Letter dated January 25, 2019, you had requested that the 2019 Comprehensive Plan for the City include an amendment to the current Annexation Areas Map to identify lands north and west of the Kent County AeroPark for potential annexation as part of the expansion of the facility and development of a future Employment Center as outlined in the County's most current Comprehensive Plan. The FINAL DRAFT will reflect the recommendation of Planning Staff regarding your Request. See Map 13-1 Potential Annexation Areas and 13-2: Potential Land Uses for Annexation Areas.

The Planning Staff concurs with your request that the Dover Comprehensive Plan recognize the County's support for creation of an "Employment Center" incorporating future expansion of the Kent County AeroPark/Civil Air Terminal. We have included consideration of such expansion and the future annexation of lands north and west of the AeroPark into the City of Dover.

Request Response Letter: Request #6: Lands to the North and West of Kent County AeroPark

December 9, 2019

Page 2 of 2

Chapter 10 – Economic Development Plan and Chapter 13 – Growth and Annexation Plan of the Plan discuss these matters in detail.

If you have concerns regarding the Staff recommendation on your Request, I encourage you to attend the Public Hearings or submit those concerns to the Planning Commission and City Council in writing.

The Planning Staff is available to discuss concerns and/or questions on your Request. You may contact Staff by email at compplan@dover.de.us or by telephone at 302-736-7196.

Sincerely,

On Behalf of Planning Staff, the 2019 Comprehensive Plan Project Team

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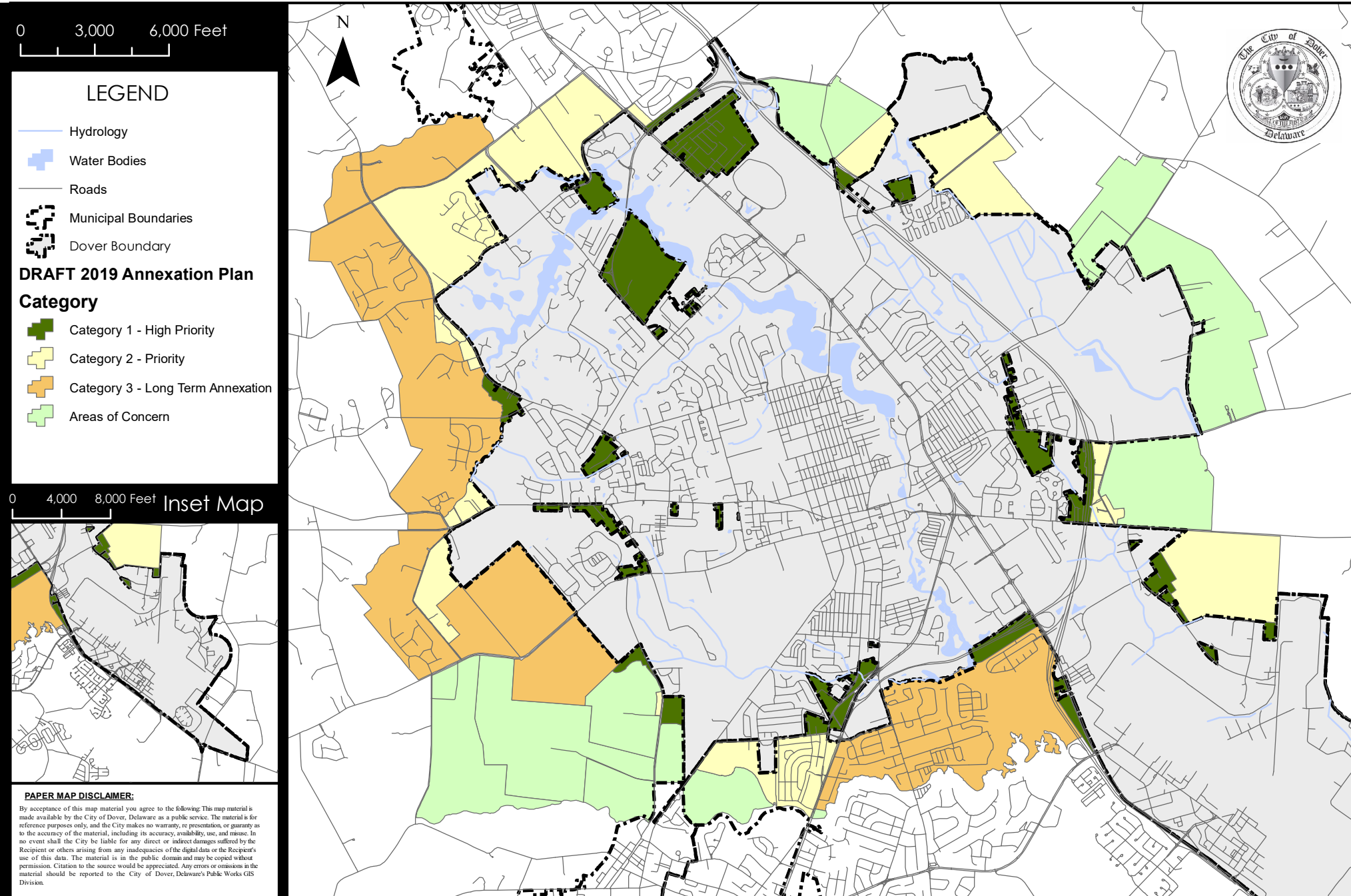
David S. Hugg III,
Director of Planning, Inspections and Community Development
City of Dover

DSH/demw

CC: Comprehensive Plan Correspondence File

Map 13-1: Potential Annexation Areas

Date Updated: 12/01/2019



0 3,000 6,000 Feet

LEGEND

- Roads
- Hydrology
- Water Bodies
- DRAFT 2019 Annexation Areas Land Use**
- Agriculture
- Commercial Entertainment
- Commercial High Intensity
- Commercial Low Intensity
- Industrial
- Mixed Use
- Office and Office Park
- Open Space
- Residential Low Density
- Residential Medium Density
- Right-Of-Way
- Dover Boundary
- Municipal Boundaries

0 4,000 8,000 Feet Inset Map



PAPER MAP DISCLAIMER:

By acceptance of this map material you agree to the following: This map material is made available by the City of Dover, Delaware as a public service. The material is for reference purposes only, and the City makes no warranty, representation, or guaranty as to the accuracy of the material, including its accuracy, availability, use, and misuse. In no event shall the City be liable for any direct or indirect damages suffered by the Recipient or others arising from any inadequacies of the digital data or the Recipient's use of this data. The material is in the public domain and may be copied without permission. Citation to the source would be appreciated. Any errors or omissions in the material should be reported to the City of Dover, Delaware's Public Works GIS Division.

