

# LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

## A G E N D A

**April 9, 2007 - 6:00 P.M. - Council Chambers - City Hall - City of Dover**  
*Public comments are welcomed on any item and will be permitted at appropriate times.  
When possible, please notify the City Clerk (736-7008 or e-mail at  
[Tmcdowell@dover.de.us](mailto:Tmcdowell@dover.de.us)) should you wish to be recognized.*

### AGENDA ADDITIONS/DELETIONS

1. Luther Village Subdivision Waiver - Street Frontage
2. Evaluation of Bids - HVAC System for Public Utilities Department
3. Adjournment by 7:00 P.M.

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## **ACTION FORM**

<b>PROCEEDING:</b> Legislative, Finance & Administration Committee	<b>AGENDA ITEM NO.:</b>
<b>DEPARTMENT OF ORIGIN:</b> Planning & Inspections	<b>DATE SUBMITTED:</b> April 4, 2007
<b>PREPARED BY:</b> Ann Marie Townshend, Director	
<b>SUBJECT:</b> Public Street Frontage Waiver – Luther Village, Phase 2	
<b>REFERENCE:</b> Dover Code, Appendix A, Land Subdivision – Article VI, Section E.5 & Article VIIA	
<b>RELATED PROJECT:</b> N/A	
<b>APPROVALS:</b> N/A	
<b>EXHIBITS:</b>	
<b>EXPENDITURE REQUIRED:</b> N/A <b>AMOUNT BUDGETED:</b> N/A	
<b>FUNDING SOURCE (Dept./Page in CIP &amp; Budget):</b> N/A	
<b>TIMETABLE:</b> N/A	
<b>RECOMMENDED ACTION:</b> The City Council shall determine whether or not to approve the waiver of the requirement that the parcel have frontage on a public street. The Planning Commission recommended approval of the waivers at its meeting on March 19, 2007.	

### **BACKGROUND AND ANALYSIS**

The requirement that a parcel have frontage on a public street is found in the *Land Subdivision Regulations*, Article VI §E.5. The provisions for waivers are also found in the *Land Subdivision Regulations* in Article VIIA.

A. Variance and Waiver.

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

On March 19, 2007, as part of the approval of Phase 2 of Luther Village, the Planning Commission voted in favor of recommending the waiver from required street frontage. The City Council has the final approval in regard to this subdivision waiver.




Similar waiver requests were granted for the Luther Village PND: Phase 1 Site Plan & Minor Subdivision application to allow to the Phase 1 building to exist on a smaller parcel area in order to meet grant funding requirements. On April 23, 2003, the Planning Commission recommended approval of the waiver requests from the requirement that a lot have public road frontage and the building setback distances from property lines to allow for minor subdivision of the Phase 1 building area. City Council approval was also achieved for these waivers for Phase 1 of the project.

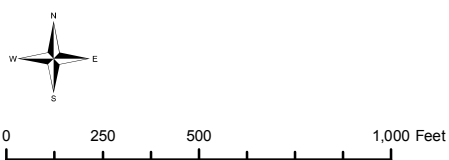
Department of Planning & Inspections



Plan Title: Luther Village: Planned Neighborhood Design Senior Citizen Housing Option  
Plan Type: Site Plan  
Tax Parcel: ED-05-077.06-02-090.00-000  
Site Area: 33.5ac  
Owner: Martin Luther Foundation of Dover  
Zoning: R-8, R-10 and RM-1  
Date: 3-5-07

**Legend**

-  Dover Parcels
-  Dover Boundary
-  Zoning



## **ACTION FORM**

<b>PROCEEDING:</b> Legislative, Finance, & Administration Committee	<b>AGENDA ITEM NO.:</b> 4/9/2007-2
<b>DEPARTMENT OF ORIGIN:</b> Public Utilities Department	<b>DATE SUBMITTED:</b> 03-30-07
<b>PREPARED BY:</b> Ronald H. Lunt, Public Utilities Manager	
<b>SUBJECT:</b> Evaluation of Bids - HVAC System for Public Utilities Department	
<b>REFERENCE:</b> Bid Number 07-0042DPU	
<b>RELATED PROJECT:</b> N/A	
<b>APPROVALS:</b> City Manager and Finance Director	
<b>EXHIBITS:</b> N/A	
<b>EXPENDITURE REQUIRED:</b> \$53,116 <b>AMOUNT BUDGETED:</b> Estimated at \$48,000	
<b>FUNDING SOURCE (Dept./Page in CIP &amp; Budget):</b> The unexpected expense of replacing the HVAC system was included in the Mid-Year Review; the difference between the estimated cost and the actual bid, \$5,116, will be transferred from account number 487-8200-562-60-46 – Radio Read and Metering Cabinets.	
<b>TIMETABLE:</b>	
<b>RECOMMENDED ACTION:</b> Award Bid Number 07-0042DPU to All-Phase Heating and Cooling, LLC, in the amount of \$53,116.	

### **BACKGROUND AND ANALYSIS**

Due to the dilapidated condition of the current, non-functional HVAC system in the Public Utilities Department, it has become necessary to have the system replaced. The HVAC system is the original system that was installed when the building was erected in 1985.

Bids were advertised according to City Policy by City's Purchasing Agent. Two (2) bids were received; however, the bid received from Applied Services, Inc. was rejected due to an incomplete bid package. Staff is recommending awarding the bid to the successful bidder, All-Phase Heating and Cooling, LLC, in the amount of \$53,116.