

**CITY OF DOVER PLANNING COMMISSION
AGENDA**

**Monday, October 16, 2017– 7:00 P.M.
City Hall, City Council Chambers
15 Loockerman Plaza, Dover, Delaware**

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

ADOPTION OF MINUTES OF REGULAR MEETING of September 18, 2017

COMMUNICATIONS & REPORTS

- 1) The Annual Meeting of the Planning Commission typically held in July including the election of Chairman and Vice Chairman will be scheduled for a future meeting upon completion of the appointment process for Commission members.
- 2) Reminder: The next Planning Commission regular meeting is scheduled for MONDAY, November 20, 2017 at 7:00pm in the City Council Chambers.
- 3) Notice: The Planning Commission Quarterly Workshop scheduled in November 2017 has been canceled.
- 4) Update on City Council Actions
- 5) Update from Planning Office

OPENING REMARKS CONCERNING APPLICATIONS

OLD BUSINESS

- 1) Requests for Extensions of Planning Commission Approval: None
- 2) Revisions to Applications:
 - A. S-17-19 Bay Road Office Park Master Plan: Revised Plan – Update on Plan Revisions to a Site Development Master Plan conditionally approved by the Planning Commission on July 17, 2017. The Revised Plan for the construction of Bay Road Office Park is now proposed to consist of three buildings and a stormwater management facility in three phases. The buildings proposed include three office buildings; the previously proposed flex/warehouse building has been replaced with a stormwater management facility. The subject properties consist of a 5.00 acre +/- parcel and a 1.46 acre +/- parcel. The properties are zoned C-4 (Highway Commercial Zone). The property is located on the southwest side of Bay Road and south of Miller Drive with access from Cowgill Street and Martin Street. The owner of record is Bay Road One, LLC. Property Address: 550 Bay Road. Tax Parcels: ED-05-077.00-01-10.01-000 and ED-05-077.00-01-11.00-000. Council District 2.

NEW BUSINESS

- 1) HI-17-03 Sign Permit #17-1484: Wall Sign at 115 West Loockerman Street– Appeal of the Historic District Commission’s Review of the Architectural Review Certification for Sign Permit application #17-1484 pertaining to the installation of an internally lit wall sign at Puffster Smoke Vape Lounge. The property is zoned C-2 (Central Commercial Zone) and is subject to the H (Historic District Zone). The property is located on the north side of West Loockerman Street between South Governors Avenue and South Bradford Street. The owners of record are Samuel G. and Nicole M. Chick. Property Address: 115 West Loockerman Street. Tax Parcel: ED-05-077.09-02-07.00-000. *This application was referred by the City Planner to Historic District Commission for their meeting on September 21, 2017.*

NEW APPLICATIONS

- 1) MI-17-07 Request for Street Name Change: Krisko Circle to Energy Lane– Review for Recommendation of a Request for a Street Name Change for the remaining segment of Krisko Circle which runs in a west-east direction from Stover Boulevard just east of Bay Road. The new street name proposed is Energy Lane. The request was filed in accordance with *Dover Code of Ordinances*, Chapter 98, Article II, Section 98-45 Street name change procedure which also references Appendix A: *Land Subdivision Regulations*, Article VI, Section A. Streets. *The name change procedure requires review and comments by the Development Advisory Committee (DAC) and review by the Planning Commission prior to public hearing and consideration by the City Council.*
- 2) S-17-25 Development of 219-229 Beiser Boulevard: Lots 2A and 3 at Enterprise Business Park – Public Hearing and Review of a Site Development Plan outlining four phases of construction for parking lot areas and two (2) 19,304 S.F. two-story office building along with the associated site improvements on two separate parcels adjoining one another. The properties are zoned IPM (Industrial Park Manufacturing Zone). The adjoining properties are located on the northwest side of Beiser Boulevard and are part of the Enterprise Business Park, a planned industrial park. The owner of record is Del-Homes Catalog Group, LLC. Property Addresses: Lot 2A is addressed as 219 Beiser Boulevard and Lot 3 is addressed as 229 Beiser Boulevard. Lot 2A Tax Parcel: ED05-076.11-01-46.00-000. Lot 3 Tax Parcel: ED05-076.15-01-03.08-000. Council District 1. *The project location was previously the subject of Minor Subdivision Plan SB-12-02 recorded in December 2012 creating the two lots; and also Site Plan S-07-23 Office Buildings at Enterprise Business Park which has expired.*
- 3) US-17-01 Capital Station Development Unified Comprehensive Sign Plan – Public Hearing and Review of a Unified Comprehensive Sign Plan for Capital Station, a shopping center including five (5) future buildings and a series of freestanding signs and wall signs to identify the complex and its tenants. The property consists of 9.34 acres and is located on the west side of DuPont Highway, north of Division Street, and south of Maple Parkway. The property is zoned SC-1 (Neighborhood Shopping Center Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone – Tier 1: Secondary Wellhead Protection Area). The owner of record is Capital Station Dover LLC. Property Address: 50 North

DuPont Highway. Tax Parcel: ED05-077.06-01-02.00-000. Council District 2. *The associated Site Plan S-17-12 Revised Capital Station Dover was granted conditional approval by the Planning Commission in June 2017.*

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.

Posted Agenda: October 6, 2017

**CITY OF DOVER PLANNING COMMISSION
SEPTEMBER 18, 2017**

The Regular Meeting of the City of Dover Planning Commission was held on Monday, September 18, 2017 at 7:00 PM in the City Hall Council Chambers with Chairman Mr. Tolbert presiding. Members present were Mr. Holden, Mr. Roach, Ms. Edwards, Mr. Holt, Mr. Baldwin, Dr. Jones, Mrs. Welsh, Ms. Maucher and Mr. Tolbert.

Staff members present were Mr. Dave Hugg, Mrs. Dawn Melson-Williams, Mr. Eddie Diaz and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Mr. Holt moved to approve the agenda as submitted, seconded by Mrs. Welsh and the motion was unanimously carried 9-0.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF AUGUST 21, 2017

Mr. Baldwin moved to approve the Planning Commission Meeting minutes of August 21, 2017, seconded by Mr. Holt and the motion was unanimously carried 9-0.

APPROVAL OF THE PLANNING COMMISSION QUARTERLY WORKSHOP MEETING MINUTES OF AUGUST 23, 2017

Mrs. Welsh moved to approve the Planning Commission Quarterly Workshop Meeting minutes of August 23, 2017, seconded by Mr. Holt and the motion was unanimously carried 8-0 with Ms. Maucher abstaining from the vote since she did not attend the meeting.

COMMUNICATIONS & REPORTS

Mr. Hugg stated the Annual Meeting of the Planning Commission which would normally be held in July that would have included the election of the Chairman and Vice Chairman will be rescheduled for a future meeting upon completion of the appointment process. We are still waiting for Council's action he believes.

Mr. Hugg stated that the next Planning Commission regular meeting is scheduled for Monday, October 16, 2017 at 7:00pm in the City Council Chambers.

Mr. Hugg provided an update on the regular City Council and various Committee meetings held on August 28 & 29, 2017 and September 11 & 12, 2017.

Mr. Hugg stated that a lot of the items that the Planning Office has been working on are on the agenda for tonight's meeting. He does want to indicate to the Commission that they continue the Ordinance review process. They just sent the City Clerk's Office a proposed Ordinance to deal with adult day cares which is an area that was not covered at all in our Ordinance and turned out to be a lot more complicated than they initially thought it might be. We are taking another look at the Ordinance revisions relating to manufactured home communities in response to some concerns that were raised about a couple of the provisions from last year. They have a first draft of a Vacant Building Ordinance. This is kind of a rewrite of that Ordinance to both toughen it

some and maybe include some additional incentives on the other hand so that it's a little more effective than it seems to be presently.

Mr. Hugg stated that there is an upcoming IPA Planning course. It's Planning 207: *The Housing Demographic Realignment: Solving the Millennial Puzzle in Delaware* to be held on September 29, 2017 from 9AM to Noon at the Paradee Center. If any Commissioners want to attend please contact Planning Staff in order to get registered.

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: None
- 2) MI-17-06 Updated DRAFT Preliminary Land Use Services (PLUS) Memorandum of Understanding – Action on Planning Commission Recommendation for Updated Memorandum of Understanding (MOU) for Preliminary Land Use Service (PLUS). The Draft MOU document was presented and discussed at the Planning Commission Quarterly Workshop on August 23, 2017.

Representatives: None

Mrs. Melson-Williams stated that the Planning Commission probably remembers this from the Quarterly Workshop. They had a presentation about the Preliminary Land Use Services (PLUS) process and the current Memorandum of Understanding (MOU) that the City has in place. At this point, they are looking to update that MOU and that was discussed at the Quarterly Workshop on August 23, 2017 but as that is not a formal meeting we do need to in this public meeting tonight have the findings of the Planning Commission in regard to that MOU. What they included in the packet for that application is actually the action form that was forwarded to the City Council's Legislative, Finance and Administration Committee which gives the background of the MOU and the PLUS process that involves the Office of State Planning Coordination. It does give some history of the PLUS review activities in Dover since 2004. They also included the Draft Updated MOU for the PLUS process in the packet. There are some minor changes to the MOU from the one that is currently in place. Most significantly, it will exempt projects within the Garrison Oak Technical Park from PLUS Review unless they involve construction of buildings that total or exceed 75,000 SF in size. The MOU basically establishes the process for PLUS for all residential projects that contain 125 or more dwelling units or non-residential plans involving 75,000 SF or greater. There also is a requirement for PLUS Review if a property is located in the particular location and that is east of State Route 1 and north of South Little Creek Road. Projects in that area are required to go through PLUS. There is some other guidance given for the rezoning process. The PLUS Review process as noted in the MOU does not supersede or get the applicant out of our local process called the Development Advisory Committee. Also included in the packet was the discussion from the Quarterly Workshop Meeting which is the Draft Meeting Minutes that were adopted earlier this evening which include more detail of the discussion.

Tonight, the Planning Commission needs to take action in regards to the Draft MOU for the PLUS Review process.

Dr Jones moved to approve MI-17-06 Updated DRAFT Preliminary Land Use Services (PLUS) Memorandum of Understanding, seconded by Mrs. Welsh and the motion was unanimously carried 9-0 by roll call vote. Mr. Holden voting yes; due to the discussion at the Planning Commission Workshop and it seems to be a sensible modification of the existing MOU. Mr. Roach voting yes. Ms. Edwards voting yes; based on the reasons previously stated. Mr. Holt voting yes; the discussion at the Quarterly Workshop explained a lot. Mr. Baldwin voting yes; based on the previous statements. Dr. Jones voting yes; for the previous reasons stated and her understanding as a result of the workshop is that it seems like it is going to be a seamless process and one that is beneficial to all parties. Mrs. Welsh voting yes; based on discussion at the Quarterly Workshop. Ms. Maucher voting yes; based on her review of the documents provided in the packet. Mr. Tolbert voting yes; he is in favor of anything that will facilitate the process that the applicants have to go through in getting their jobs done in Dover.

NEW APPLICATIONS

- 1) MI-17-02 Text Amendments: Zoning Ordinance, Article 5 and Article 6 – Public Hearing and Review for Recommendation to City Council on a series of Text Amendments to the Appendix B: *Zoning Ordinance, Article 5 – Supplementary Regulations and Article 6 – Off-Street Parking, Driveways and Loading Facilities*. The proposed Ordinance updates various sections in order to enhance the flexibility of the code in several areas, including dumpster requirements, screening and buffer requirements (Arterial Street Buffer and Opaque Barrier), tree planting requirements, and curbing requirements. The proposed Ordinance also adds requirements for recycling to Article 5, Section 6 and rewrites Article 5, Section 18 – Sidewalk requirements to address pedestrian, bicycle and multi-modal access requirements and to allow the City to require multi-use paths instead of frontage sidewalks under specific circumstances. Ordinance #2017-12.

- A copy of the Proposed Ordinance #2017-12 is available on the City's website www.cityofdover.com under the Government Heading: Ordinances, Resolutions & Tributes. <https://www.cityofdover.com/ordinances-and-resolutions>

The Legislative, Finance, and Administration Committee reviewed the proposed Text Amendments on August 15, 2017 and First Reading was completed before City Council on August 28, 2017. The Public Hearing and Final Reading before City Council is scheduled for October 9, 2017.

Representatives: None

Mr. Hugg stated that Staff has been working on a variety of improvements to our Ordinances. Some were recommended to them by local businesses and property owners, engineers and developers. A number were on a list that the Planning Staff had been putting together from time to time and waiting for the right moment. They determined as a group that they would take this in bit sized portions. What is before the Commission tonight is Phase 1 of what will be a number of Ordinance changes and amendments including the ones that he mentioned that Staff is currently working on. He thinks that it is important to make note that the intent of all of these

updates is to clarify the language, to make the process cleaner, to respond to what seem to be “hot button items” from some members of the development community and just to make the Ordinance more contemporary. The Commissioners have a number of documents in their packets tonight. One being a Petition to Amend Zoning Text (Report) which kind of follows through where the amendments are by section. They also have the form showing which lines and revisions of the Ordinance that Staff is recommending changing including Staff Amendment #1. As part of our process of reviewing these Ordinances, they ask the DAC members and other agencies to look at what they are proposing. The Public Works Department raised some questions about utilities and tree planting and things of that nature. You will see in the matrix in red and blue, some Staff changes that they are proposing to make the Ordinance even better from that standpoint. They also have the actual Ordinance with all of the strikeouts and add-ins so you can track where various changes have been made. If there are any technical questions, he will have Mr. Diaz respond to them since he has written most of these changes. He would urge the Planning Commission to act favorably on this first set of clarifications and revisions.

Mr. Diaz stated that the areas that are proposed to be updated deal with certain buffering and screening requirements; trash requirements to include in the *Zoning Ordinance* requirements for recycling; updates to the way that tree planting requirements are calculated so that there is a specific area of the property that the tree planting requirements are based on; a rewrite of the section dealing with sidewalks that now deals with multi-use paths as well; a small update to the building architectural guidelines to deal with visible HVAC and utility connections; and some changes to the parking and driveway provisions in Article 6 including the reassignment of the waiver for curbing from the Planning Commission to the City Planner. Foremost all of the proposed changes is of course listed in the DAC Report.

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

Mrs. Welsh asked for clarification of Section 18.3, Sub-Paragraph A; it has to do with sidewalks. The Commission seems to get a lot of questions on a lot of requests for the elimination of sidewalk. The sentence reads “where frontage sidewalk exists but does not meet the standards of Chapter 98, Article IV, sidewalks shall be re-laid to meet the standards.” Is that the applicant that would be responsible for and have the financial responsibility of that? Responding to Mrs. Welsh, Mr. Hugg stated that is correct.

Mrs. Welsh stated that further down in Paragraph C, it talks about the sidewalk being designed to provide reasonable travel times and to disincentivize taking shortcuts. Can that be more specific? She is only asking that because you put in a lot of sidewalks and people will still cut across every place that there is not a sidewalk. Responding to Mrs. Welsh, Mr. Diaz stated that the Planning Commission does have an opportunity to propose an amendment to the text at this meeting. They already have Staff Amendment #1 so there could be a Planning Commissioners Amendment #1. He doesn’t know what better language would be off of the top of his head.

Mrs. Welsh stated that she is not really sure that there is a better way to say that herself. She wants to know how that is determined to be set up so that this intent disincentivizes them taking

shortcuts. Responding to Mrs. Welsh, Mr. Hugg stated that the intent here is that in part of the development process, one of the things that they would look at as staff and one of the things that they would look at as the Planning Commission is if have we adequately short of figured out where people are going to probably want to go as opposed to building a nice sidewalk that takes you nowhere. He worked for the University of Delaware and at one point they were redesigning the sidewalks on the central campus (the old mall). They decided to wait about one year to see where everybody walked and then they paved all of the dirt paths. That was probably the more effective way to plan sidewalks. The intent here is to avoid sidewalks that kind of go in straight lines when really people's mode of intended travel is going to be in some other direction.

Mr. Holt questioned if all sidewalks are handicapped accessible? He knows that some of the existing sidewalks in Dover have problems. Responding to Mr. Holt, Mr. Hugg stated that the design standards for all new sidewalks which would be anything installed as part of a Development Plan have to meet the most current ADA requirements. There is also a requirement that if Building Permits are made using Federal money then the road system which includes the sidewalks and street crossing have to be to ADA Standards. He knows that the Public Works Department, as part of their annual street program also address those types of problems. Mr. Holt is correct; there are still older sidewalks in the City as in every location that are inadequate in terms of having been built in earlier times to earlier standards or they simple don't meet the standards at all. Any new sidewalks will definitely be compliant.

Mr. Holt stated that a few years ago some of them went around town in wheelchairs to see what was available and what the difficulties really were and that was an eye-opener.

Mr. Holden stated that there is a new part, Section 18.4 that talks about the potential for multi-modal paths and it provides some framework for when they would be considered but it's not real specific. He was curious for some comments from Staff on where they felt the need was for these and how that language under Section 18.4a would be utilized. He recognizes that there may be roads through the City of Dover that if developed upon, a typical five-foot-wide sidewalk probably doesn't handle the pedestrian traffic that we would like to route onto a safer pathway. His concern with the language as written is that developers want specificity and want to understand what their requirements are going to be. What are we looking to resolve by adding this in? Is there a way to make it a little more specific so people laying out a site might understand whether they want or the City is going to demand a five-foot-wide sidewalk or a ten-foot-wide sidewalk? Responding to Mr. Holden, Mr. Hugg stated that he thinks the intent here is to provide some flexibility to the Planning Staff. You probably recall that in a lot of the Site Plan reviews and other actions that the Planning Staff deals with, there are recommendations and there are suggestions that come from the Staff. Often, those suggestions are in these kinds of areas where meeting the actual standard maybe sufficient but not necessarily the best solution. He sees this as an opportunity if there is really an unusual circumstance to come back to the developer and say to them that they can build their standard sidewalk from Point A to Point B but because of these conditions the public safety is better served by using a ten-foot-wide multi-modal path instead of the standard sidewalk. He doesn't know that we the specificity in the sense of saying that this would only apply in certain places. It is a subset of the 18.3 requirements which are the first requirements that a developer would be required to meet.

Mr. Holden thinks that it benefits the process on the developer's side to understand before they even get to an initial discussion with Planning Staff how much of their site they can develop for a parking lot and a building. An additional five-foot impingement on that footprint is impactful to them. To understand when that would be applied is impactful. If there was a way to use DelDOT road classifications or the number of average daily car trips that DelDOT tracks on all of those major roads might be a threshold at which this might be required. He thinks that as often as we can provide clarity to the developer for what's going to be required of them before they ever get to an initial discussion benefits the development activity and the rate of it that we see in the City. Responding to Mr. Holden, Mr. Hugg stated that Staff would certainly agree with Mr. Holden in concept. One of the things that they are stressing and continue to stress and where an Ordinance like this becomes most effective, is to encourage developers to come in when they first got that concept in their mind or when they first get a couple of lines on a piece of paper and talk through what they are trying to do and what they would like to achieve. Very often we see a developer who has spent a great deal of money with an engineer, come in with a plan and almost from the get go there are issues and concerns that would have easily been addressed earlier in the design stage or clearly at the DAC process. He thinks that at the same degree this sentence sends a message to developers, maybe a subtle one, that they should take the opportunities to work with Staff; it will save you time and money in the end.

Dr. Jones questioned when the initial application is requested, is there a kind of introductory letter that goes along with that application or is it just the application? She is thinking that ideally an applicant should want to discuss implications of any of the regulations but if there were some type of introductory letter stating that the applicant is advised to come in for a pre-application meeting. Responding to Dr. Jones, Mr. Diaz states that we do always ask when somebody wants to come in and apply for a development application that they should come in before that to have a pre-application meeting with Staff in which they explain the process of application, the application forms and any outstanding issues with the site itself that Staff sees ideally before they have a detailed plan available. That's when they would tell the applicant that they would probably recommend a multi-use path for the site.

Mr. Hugg stated that applicants do receive a fairly complete packet of materials depending on what they are applying for. There is plenty of information already provided about the process and the opportunity for pre-application meetings.

Ms. Maucher stated that she would imagine that the character of the surrounding community would give them an inclination as to whether a sidewalk or a multi-modal path would be required. If there is a ten-foot path out there and you are going to build something, you might be inclined to think that it's going to be continued.

Mr. Holden questioned where in the City that we had such paths? He can think of along Schutte Park and the North Street extension in front of Kraft Foods and Proctor and Gamble where they have an eight or ten-foot-wide path. There is the identified Capital City Trail that was done that was identified to be a path of that sort. Are there a number of other spots? Responding to Mr. Holden, Mr. Diaz stated that there are continuous multi-use trails along North Street and Forrest Avenue. One of the ones that is planned is the Senator Bikeway. That one would actually go through the center of Downtown along Fulton Street. There is another one along Saulsbury Road.

Those are the ones that immediately occur to him.

Mrs. Melson-Williams stated that additionally there are segments along the Bay Road Corridor and there are starts of segments of multi-use paths in the Route 13 Corridor as well. We believe that we are seeing DelDOT move to a multi-use path in that Corridor where feasible. There are opportunities beginning north of Division Street for multi-use paths which are prescribed by the other regulatory agency as part of the process for entrance plan approval with DelDOT.

Mr. Holden stated that the challenge that he sees as it is written now is that an applicant that is coming to Planning Commission for approval doesn't know until they get here whether the Commission is going to require that or not. If he is correct in reading it, if it's a Site Plan that has to come to the Commission per Article 10 that they make that call. He thinks that is a detriment for the sake that any "unknown" in a development plan that a developer or designer can't really nail down up-front adds questions and questions push developers to seek areas that have greater certainty. He thinks that the Ordinance overall makes a lot of sense but he thinks that the section needs to be clarified so that you can have a really good understanding by reading it if it's going to be required or not. Whether that's by specific road designations, by type of road designations using DelDOT's criteria, or by traffic count would be a great way to do that. That would be a way that could be amended as traffic increases which kind of follows the intent of the language written under Part a now.

Mr. Holden moved to recommend approval to City Council for MI-17-02 Text Amendments: Zoning Ordinance, Article 5 and Article 6, contingent upon clarification of when a multi-use path will be required to make clear per the language in what cases that it would be an expected component of a project, seconded by Mr. Holt.

Mrs. Melson-Williams questioned if the motion was to adopt the Ordinance #2017-12 in First Reading format and does that also include the series of items addressed in Staff Amendment #1? Responding to Mrs. Melson-Williams, Mr. Holden stated yes.

The motion was amended to include the adoption of Ordinance 2017-12 in First Reading format and to include the series of items addressed in Staff Amendment #1 and the motion was carried 9-0 by roll call vote. Mr. Holden voting yes; for the reasons previously stated. Mr. Roach voting yes; he thinks that clearing up any confusion to the builders or contractors prior to getting here will be beneficial to all. Ms. Edwards voting yes; based on all reasons previously stated. Mr. Holt voting yes; for all of the reasons previously discussed. Mr. Baldwin voting yes. Dr. Jones voting yes; but would add that she is confident that Staff will tweak it to make it work. Mrs. Welsh voting yes; based on tonight's discussion. Ms. Maucher voting yes; for reasons previously discussed and she is pleased to see cleanup of regulations for clarity and a better understanding. She is happy to have no more curb waivers. Mr. Tolbert voting yes; for obvious reasons. Like the clarity of our amendments and the way that they are worded. This discussion tonight shows how important it can be and how important clarity is and he feels confident that Staff can write the Ordinance to make them as clear as possible.

Meeting adjourned at 7:45 PM.

Sincerely,

**Kristen Mullaney
Secretary**

October 4, 2017

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

RE: **550 Bay Road**
Master Plan Revisions

Dear Ms. Melson-Williams:

Per discussions with you on September 27 we are submitting at attached revised "Master Plan" for the 550 Bay Road project. We understand that you will be providing this revised plan to members of the Planning Commission for informational purposes.

The following are the primary items of change on the revised Master Plan:

1. **Building 4/Phase 4 has been eliminated.** The initial Master Plan presented to the Planning Commission included a 15,000 SF building at the rear of the project, on parcel T.P. ED-05-077.00-01-11.00. This building was designated as Phase 4 of construction. During the design process soils on the site were found to be poorly draining and insufficient for infiltration. The revised stormwater design requires construction of a wet stormwater pond at the rear of the site, where Building 4 was formerly located.
2. **A cross-access connection with the parcel to the south has been included.** At the requirement of DelDOT, a cross-access connection has been placed between the parking lot of Building 1 and the parcel to the south that is currently in design for future development.

Other minor design changes, such as drainage revisions and parking lot adjustments have also occurred, but do not impact the overall design of the site.

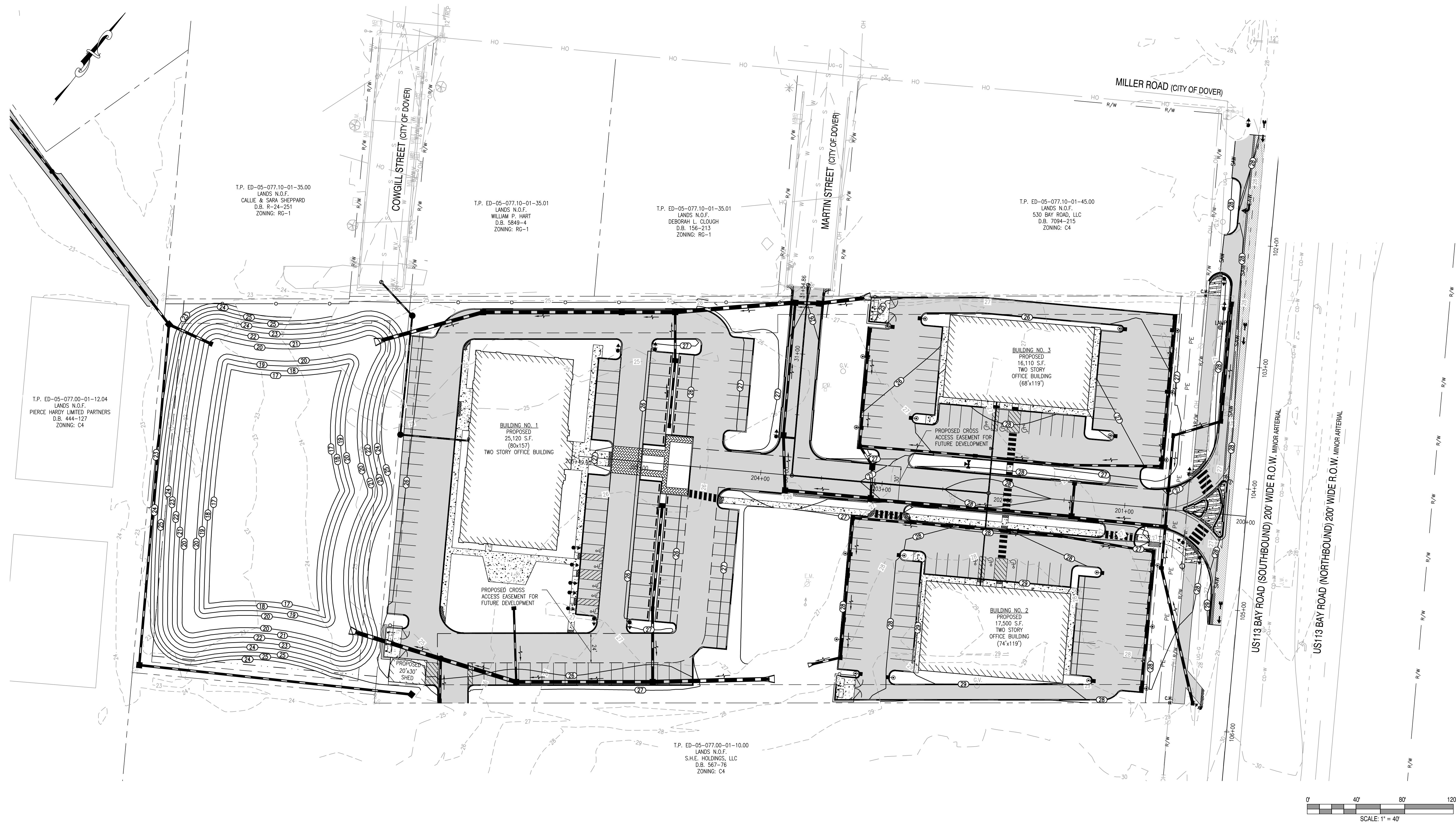
Please feel free to call me at (302)734-9188 after you have had a chance to review this submission so we can discuss any questions you may have.

Sincerely,
CENTURY ENGINEERING, INC.



Alex Schmidt, P.E.
Associate Vice President

Enclosures
cc. file



PHASING BREAKDOWN

PHASE 1	PROPOSED TWO STORY 25,120 S.F. OFFICE BUILDING, PROPOSED ONE STORY 600 S.F. ACCESSORY STRUCTURE, PROPOSED PARKING LOT, ACCESS ROAD AND ENTRANCE, SHARED USE PATH, BAY ROAD WIDENING AND STORMWATER MANAGEMENT.
PHASE 2	PROPOSED TWO STORY 17,374 S.F. OFFICE BUILDING, PROPOSED PARKING LOT AND STORMWATER MANAGEMENT.
PHASE 3	PROPOSED TWO STORY 16,184 S.F. OFFICE BUILDING, PROPOSED PARKING LOT AND STORMWATER MANAGEMENT.

This drawing is the property of Century Engineering and is prepared for the exclusive use of its clients at the location indicated. No other use is authorized or intended.

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REVISIONS	
8/14/17	REVISED PER CITY OF DOVER COMMENTS

ADDENDUM	
DESCRIPTION	DATE

MASTER PLAN
FOR
BAY ROAD OFFICE PARK - PHASE 1
T.P. ED-05-077.00-01-10.01, 550 BAY ROAD &
T.P. ED-05-077.00-01-11.00, COWGILL STREET
CITY OF DOVER, KENT COUNTY, DELAWARE

SHEET TITLE

PHASING PLAN -
FULL BUILDOUT

CITY OF DOVER
SUBMISSION
MAY 30, 2017

DRAWN	CHK'D/DESIGNER
DLD	AES
SCALE	SHEET NO.
1" = 40'	M105
PROJECT NO.	
175009.01	



ARCHITECTURAL REVIEW REPORT

Referral by City Planner to Historic District Commission Meeting of September 21, 2017

Appeal of Historic District Commission Action to the Planning Commission for Meeting of October 16, 2017

Permit: Sign Permit #17-1484
Wall Sign

Location: 115 West Loockerman Street
Located on the north side of West Loockerman Street between
South Governors Avenue and South Bradford Street

Tax Parcel: ED-05-077.09-02-07.00-000

File Number: HI-17-03

Action by Historic District Commission:

Upon Referral of the Sign Permit by the City Planner to the Historic District Commission, the Historic District Commission discussed the request to internally illuminate the wall sign. Two motions failed (motions defeated) as the result of tie votes (2-2) of the members present; the decision of the City Planner stands (that Architectural Review Certification is not issued for an internally illuminated wall sign).

PROJECT INFORMATION and REVIEW

Referral of Permit:

The following application **Sign Permit #17-1484** was referred by the City Planner to the Historic District Commission regarding the issuance of the Architectural Review Certificate. Applications for certain types of construction activity within the Historic District Zone (H) are reviewed by the City Planner (or Staff as designated) for Architectural Review Certification as part of the Building Permit application review process. Staff is referring the Permit for review under the provisions of *Zoning Ordinance*, Article 10 Section 3.22(A) and (B). See below.

Section 3.22 Architectural review certification by the city planner.

- (A) An architectural review certificate for specific classes of building permits, including fences, signs, siding, window and door replacement, roofing, the addition or replacement of decorative features, minor demolition, residential additions, and other construction of a minor nature, may be issued by the city planner, after a review and determination that the proposed construction is in general accordance with the standards set forth in subsection 3.25.
- (B) The city planner may refer any permit application for demolition or construction in the historic district for consultation with commission.

Permit Proposal:

Sign Permit #17-1484 was filed on August 16, 2017 pertaining to the installation of an internally lit wall sign for Puffster Smoke Vape Lounge at 115 West Loockerman Street. The permit application is for a new wall sign to be mounted on the south elevation (front façade) wall of the building facing Loockerman Street. The Sign consists of a plastic sign panel in a metal frame (often referred to as a “box sign”). The sign is 3 feet by 15 feet for a total sign area of 45 SF. The applicant advised Staff of their intent to internally illuminate the sign; it is not indicated on the Permit submission. See Sign Permit application form and drawing attachments.

The Sign Permit #17-1484 was issued on September 9, 2017 subject to the conditions of approval for the Architectural Review Certification at the direction of the City Planner. The Permit and the Architectural Review Certification as issued does not allow for illumination of the sign.

Staff Review of Permit for Architectural Review Certification:

In reviewing the proposed project for Architectural Review Certification, Staff referenced various sections of Chapter 5: Storefronts and Signage (pages 5-5 thru 5-8) of the *Design Standards and Guidelines for the City of Dover Historic District Zone* which presents the Recommended, Not Recommended, and Inappropriate approaches to construction of various elements in the Historic District. This portion of Chapter 5 focuses on signage to be mounted on buildings in the commercial district. See Excerpt.

According to the *Design Standards and Guidelines* for the City of Dover Historic District Zone (Chapter 5), the following are some of the Recommended practices for signage:

- A sign should be consistent and compatible in terms of its size, style, materials, and location with the historic building, and should be integrated into the architectural design of the building on which it is located.
- Sign material should be compatible with the design of the building. Wood and metal signs are recommended.
- Signage should be located where it best complements the building, on blank expanses of wall, large plate glass windows, fascias, cornices, and awnings.
- Concealed incandescent lighting for signage is recommended in the Dover Historic Commercial context.

Similarly, the following is Not Recommended:

- Plastic signs are not recommended.

The following is deemed Inappropriate:

- Back-lit fluorescent signs are inappropriate.

Staff also reviewed the proposed signage for compliance with provisions of the *Zoning Ordinance*. Per the Sign Regulations (*Zoning Ordinance*, Article 5, Section 4), a building fronting on an urban minor arterial such as Loockerman Street can have two wall signs with the size limitations of 15% of the total wall area and a maximum sign area size of 64 SF. However, in the Historic District, the City Planner may opt to not grant Architectural Review Certification to a sign if it is deemed too large under the Historic District Guidelines, even if the maximum size restrictions of the base zoning are met. There are also sign illumination standards. See the following definitions from the sign provisions of the *Zoning Ordinance*.

Wall sign: Any sign, other than a projecting sign, which is attached to or painted on any wall of any building and projects from the plane of the wall less than 18 inches. A sign attached to the lower slope or face of a mansard roof, canopy, or awning shall be considered a wall sign for purposes of this ordinance. For purposes of this section only, a "wall" shall include any permanent architectural extension of a wall, including parapets, even if such extension projects beyond or above the enclosed portions of the building. Canopy, marquee, and awning signs are all types of wall signs.

Illuminated sign: A sign characterized by the use of artificial light, either projecting through its surface (s) internally or trans-illuminated; or reflecting off its surface(s).

The *Zoning Ordinance* provisions for signs in the Historic District require a Sign Permit review process but allow for the sign standards to be waived as part of the Architectural Certification Review process of the Permit if “determined to contribute to or improve the historic context of the building.” (*Zoning Ordinance*, Article 5 §4.9B)

Staff Findings from Review of Sign Permit:

Staff findings are summarized as follows for the proposed wall signage at 115 West Loockerman Street (presented in Permit #17-1484) based on review of the *Design Standards and Guidelines for the City of Dover Historic District Zone* and the *Zoning Ordinance*.

1. Sign Format: The proposed sign would be classified as a wall sign by the Sign Regulations of the *Zoning Ordinance*. However, the added dimension of the metal frame which holds the sign panel and that would encase any internal lighting system creates a sign style that is referred to as a “cabinet” or “box” sign.
 - The box sign format may not be an appropriate form for new signage within the Historic District under the *Design Standards & Guidelines*.
 - Staff recognizes that there are existing box signs on buildings (or on pent roof elements of buildings) within the adjacent blocks of Loockerman Street, most of which were likely installed prior to the establishment of the Historic District regulations in the 1992-93. This style of signage became prevalent in the mid-to-late twentieth century and its use continues for many commercial business locations with the “panel” being replaced/refaced as the business changes.
2. Sign Location: The proposed sign location complies with the *Design Standards & Guidelines* as it does not obscure visible decorative architectural features/elements of the building. The sign placement is in a wide blank wall area between awning covered storefront display windows and the second floor windows. This area of the front facade is often referred to as the “sign band” or “sign board” area.
3. Sign Size: The sign size (sign area of 45 SF) complies with the sign regulations of the *Zoning Ordinance* based on the type of road and the use characteristics of the surrounding area. The wall sign is proportional to the wall area where placed.
4. Sign Materials: The proposed sign materials are listed as plastic and metal. The plastic sign panel appears similar to a painted sign panel; however, the panel is not flat or surface-mounted to the wall. The panel is encased by a metal frame creating a box whereby internal illumination of the sign panel can occur from behind the panel. The *Design Standards & Guidelines* recommend removal of such existing “back-lit fluorescent signs” and lists in the installation of new “back-lit fluorescent signs” as Inappropriate.

5. Sign Illumination: The *Design Standards & Guidelines* recommended approach to lighting of a sign is through external illumination (listed as concealed incandescent lighting). This is typically achieved through the use of light fixtures mounted over, above or near the sign so that the light cast by the bulb illuminates the sign panel or sign surface. Staff recognizes the advancement is types of light sources/bulbs that are available beyond incandescent such as halogen, LED, etc. which may provide the light. The *Zoning Ordinance* includes limits on the illumination level and the shielding of the luminaries (bulb).
- A number of businesses on the Loockerman Street corridor have utilized this method of external illumination of signage through installation of multiple light fixtures or a series of fixtures (such as gooseneck lamps) over a wall sign (sign panel or individual lettering). Recessed lighting located within soffits or pent roofs have also been utilized.

Staff Issued Advisory Comments and Recommendations:

1. Staff finds that internal illumination of the wall sign as inappropriate for this location in the Historic District. It is recommended that illumination of the wall sign be achieved by the installation of a series of light fixtures (2-4 fixtures) mounted over the sign to cast light on the sign. The selection of light fixture style must fit the architectural characteristics of the building. It is recommended that the light fixtures be black or bronze in finish.
2. The Sign Permit Application and subsequent sign installation and operation is subject to the conditions of approval as established by the Architectural Review Certification process. The applicant may be required to provide additional or updated permit submission documents in order to confirm compliance with the conditions of approval.
3. The applicant shall be aware that issuance of a Sign Permit is required prior to the installation of any replacement signage; prior to the installation of certain types of additional signage; and as related to any revisions to the existing signage authorized under Sign Permit #17-1484 (as issued on September 7, 2017).

Historic District Commission Action

The Historic District Commission at their meeting of September 21, 2017 considered the proposal for the installation of an internally lit wall sign in order to take action in regards to the Architectural Review Certification for the Sign Permit #17-1484, to determine if it is appropriate for the sign to be lit. The Applicant was present at the meeting.

- See Meeting Minutes of September 21, 2017.
- Two motions failed (motions defeated) as the result of tie votes (2-2) of the members present. The first motion was to not recommend the back lighting of the sign; it failed. The second motion was to allow the lighting of the sign; it failed.
- Therefore, the decision of the City Planner stands that Architectural Review Certification is not issued for an internally illuminated wall sign.
- Staff noted that the decision of the Historic District Commission could be appealed to the Planning Commission. The Applicant verbally indicated his wish to seek such appeal.

Appeal to the Planning Commission

The *Zoning Ordinance* allows for decisions of the Historic District Commission to be appealed to the Planning Commission (*Zoning Ordinance*, Article 10 Section 3.2 Architectural Review Certification). The Planning Commission is to determine if the proposal for the internal illumination of the Wall Sign at 115 West Loockerman Street should be granted Architectural Review Certification based on the following standards:

Article 10

3.25 *Architectural review standards.*

(A) An architectural review certificate may be issued if it is found that the architectural style, general design, height, bulk and setbacks, arrangement, location and materials and structures affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district as set forth in the historic district design guidelines and standards adopted by the planning commission and as set forth in the United States Secretary of the Interior's Standards for Rehabilitation.

The “historic district design guidelines” referenced in the *Zoning Ordinance* are the document entitled *Design Standards and Guidelines for the City of Dover Historic District Zone*.

Attachments:

- Letter of Notice to Applicant dated August 23, 2017
- Sign Permit #17-1484: Application form and permit drawing
- Sign Permit #17-1484: Permit document as issued September 9, 2017

- Excerpt on Signs from *Design Standards & Guidelines for the City of Dover Historic District Zone*

- Excerpt of Historic District Commission Meeting Minutes of September 21, 2017

City of Dover

August 23, 2017

Mr. Samuel Chick
Puffster Smoke Vape Lounge
115 West Loockerman Street
Dover DE 19904
Via Email: Samuel.g.chick@gmail.com

RE: Referral of Sign Permit #17-1484 to Historic District Commission
Signage for Puffster Smoke Vape Lounge at 115 West Loockerman Street, Dover DE

Dear Mr. Chick:

This letter is to inform you that Sign Permit application #17-1484 has been referred to the City of Dover Historic District Commission for consultation. Sign Permit #17-1484 was filed on August 16, 2017, for a proposed cabinet wall sign at Puffster Smoke Vape Lounge, 115 West Loockerman Street, Dover, Delaware.

The location of the subject property within the City of Dover's Historic District zone requires the review and issuance of an Architectural Review Certificate (ARC) for construction activities. Certain types of activities such as this project are eligible for Staff review of the ARC during the Building/Sign Permit application process. Project activities are reviewed for compliance with the *Zoning Ordinance* and the *Design Standards and Guidelines for the City of Dover Historic District Zone* as stated in *Zoning Ordinance*, Article 10 Section 3.25(A).

3.25 Architectural review standards.

(A) An architectural review certificate may be issued if it is found that the architectural style, general design, height, bulk and setbacks, arrangement, location and materials and structures affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district as set forth in the historic district design guidelines and standards adopted by the planning commission and as set forth in the United States Secretary of the Interior's Standards for Rehabilitation.

In reviewing the proposed signage for Architectural Review Certification, Staff referenced Chapter 5: Storefronts and Signage of the *Design Standards and Guidelines* which present the *Recommended*, *Not Recommended*, and *Inappropriate* approaches to work in the Historic District. **Using information provided on the permit application and in person, Staff was unable to approve the permit due to the following design standards not being met:**

Not Recommended:

- Plastic signs are not recommended.
- Large-scale signs are not recommended.

Inappropriate:

- Back-lit fluorescent signs are inappropriate.

Due to your request to present a case that the proposed sign is appropriate for the building and the Historic District, I am referring the permit application to the Historic District Commission for review. See *Zoning Ordinance*, Article 10 Section 3.22 (A) and (B) listed below.

Section 3.22 Architectural review certification by the city planner.

(A) An architectural review certificate for specific classes of building permits, including fences, signs, siding, window and door replacement, roofing, the addition or replacement of decorative features, minor demolition, residential additions, and other construction of a minor nature, may be issued by the city planner, after a review and determination that the proposed construction is in general accordance with the standards set forth in subsection 3.25

(B) The city planner may refer any permit application for demolition or construction in the historic district for consultation with commission.

The City of Dover Historic District Commission will review this permit application at their next meeting scheduled for Thursday, September 21, 2017 at 3:00pm in the City Hall Conference Room, 15 Loockerman Plaza, Dover. This permit application referral has been assigned Application #HI-17-03. **Please attend this meeting to discuss the project. Please also send to Planning Staff before the meeting additional details about the sign,** in order to help the Commission members better evaluate the application. These details should include, as much as is practical, design specifications, drawings, and documents showing the appearance of the sign, its mounting, and its lighting. Planning Staff will provide the Historic District Commission with the permit application materials and this background information for their review and action.

Please be advised that signage is not required in order to open your business. The existing sign for the former business may be taken down without a permit. A temporary sign such as a banner sign or a window sign may be used to identify and advertise the business while the application to the Historic District Commission is pending. Temporary signs do require permits and must also comply with the *Zoning Ordinance* and the *Design Standards and Guidelines for the City of Dover Historic District Zone*. The application form for a temporary sign may be found at the following link: <https://evogov.s3.amazonaws.com/media/27/media/24399.pdf>

If you have questions or concerns, please contact the Planning Office at (302)736-7196.

Sincerely,



David S. Hugg III
Acting Director of Planning and Community Development

CC: Dawn Melson-Williams, AICP, Principal Planner
File #HI-17-03



City of Dover, DE
Department of Planning and Inspections
P.O. Box 475, Dover, Delaware 19903
(302) 736-7010 Fax: (302) 736-4217
www.cityofdoover.com

Permit #

17-1484

Sign Permit Application

Applicant's Name: Sam Click / Peffster Inc.

Project Name: Peffster store sign

Address: 115 W. LOCKERMAN ST

Phone: 222-2577 Dover Business License # _____

Property Owner: Sam Click

Contractor Name: _____

Address: _____

Phone: _____ Dover Business License #: _____

E-mail: _____

Sign Information

Sign	1	2	3	4	5
New/Reface	<u>Replace</u>				
Type of Sign Ex. wall, monument, window, etc.					
Dimensions Length, width and depth	<u>3' x 15'</u>				
Square Footage	<u>45'</u>				
Setback from Right-of-Way					
Sign Material Ex., aluminum, PVC,	<u>Plastic/Metal</u>				
Overall Height					
Clear Height Wall signs only					
Illumination Type Internal, external, LED, etc.					

For Office Use Only		Tax Parcel #	
Date Received: <u>8/14/17</u>		Date Issued:	
Planner Assigned	<u>ELD</u>	Zoning District	<u>G-2</u>
Road Classification	<u>UPA/UMAUC</u>	Accurate Plot Plan	<u>Y/N/NA</u>
Unified Sign#/BOA #	<u>✓</u>	Application Complete	<u>Y/N</u>
Fee Paid	Check #	Cash	Collected By
Historic District		<u>Y/N</u>	Adj. to Residential
Wall Elevation		<u>Y/N/NA</u>	Sign Elevation
Total # Signs		<u>1</u>	Total SF Signs
Permit Fee \$		<u>50.00</u>	
Date Approved		<u>8/24/17</u>	

Applicant's Signature

I the undersigned do affirm that all the information provided in this application is accurate. I also affirm that I am authorized by the Property Owner and have the authority to make this application. Finally I will perform all work in accordance with the City of Dover Code and of this permit.

Sam Click Sam Click 8/14/17
Signature Print Name Date

CALL (302) 736-7010, (302) 736-7011 or
(302) 736-4457 for scheduling inspections

CITY OF DOVER
PLANNING & INSPECTIONS
15 LOOCKERMAN PLZ
DOVER DE 19901

Application Number 17-00001484

Page 2
Date 9/07/17

Special Notes and Comments

feet by 15 feet) and the sign consists of a plastic panel with a metal frame (a "box sign").

2. Sign illumination is not permitted under this permit unless a revision to the Architectural Review Certification is granted by the Historic District Commission. This permit has been assigned application #HI-17-03. The permit will be reviewed on September 21, 2017 after which a revision may be granted. Please see the letter issued August 23, 2017 for meeting details and submission requirements.

3. A Final Inspection is required upon installation of signage. Please call 302-736-7010 to schedule an inspection.

ADVISORY COMMENTS: Window signs and temporary signs also require permits. Portable sandwich board signs outside the building are allowed without a permit but the sign must be less than 4ft in height, must be secure from wind, displayed only during business hours, and must not block the pedestrian 3-foot clear path. Signs or lettering on the window/door less than 4SF with business name, address, hours, etc., are permitted without a permit. Please contact Planning Office at 302-736-7196 if you have questions.

Fee summary	Charged	Paid	Credited	Due
Permit Fee Total	50.00	50.00	.00	.00
Grand Total	50.00	50.00	.00	.00

CALL (302) 736-7010, (302) 736-7011 or
(302) 736-4457 for scheduling inspections

APPROVED

City of Dover - Dept of Planning

1 wall sign - historic
115 W Lookerman St

Name Eddie Diaz

Date 8/24/17

Permit # 17-1484



SEE PRINTED PERMIT COMMENTS

historic storefront. If the historic storefront is missing altogether, base the configuration and proportions of the replacement storefront on storefront designs typical of the period of the building.

- Maintain the planes of the historic storefront, either flush with, recessed, or projecting beyond the plane of facade.
- Differentiate primary and secondary entrances, using size of doors, articulation of frame, etc.
- Use clear glass.
- Keep signage and awnings simple.

Inappropriate

- Do not attempt to "colonialize" or give a false history to the building. A contemporary design, properly executed, will better retain the character of the commercial context of the Dover Historic District zone than will a false historic storefront.

Awnings

Design guidelines for awnings apply to projects involving rehabilitation, restoration and replacement.

Recommended

- Awnings are appropriate on virtually any historic commercial building in the Dover Historic District zone.

- Awnings should be canvas or other soft fabric.
- Awnings should be mounted on retractable framework so that they function to control the passage of light into the building.
- Awnings should be sized and located so as not to obscure the architectural features of the storefront.
- Awnings should be installed in a manner that does not damage or require the removal of historic fabric.
- Awnings should be no lower than 7'-6" above the sidewalk.

Inappropriate

- Rigid awning material such as plastic or vinyl is inappropriate.
- Awnings that obscure architectural features, or typical locations for historic signage, or whose installation damages or requires the removal of historic features, are inappropriate.

Signage

Signage has a critical effect, positive or negative, on the character of historic commercial streetscapes. Inappropriately designed and located signs overwhelm buildings and detract from the character of the street. Conversely, well designed, appropriately located signs can unify a commercial street while serving to identify and promote effectively the businesses housed within individual shops.

Signs are first and foremost a means of advertising, of attracting patronage. They are intended to capture the attention of the passerby, and in consequence rely on the innovation and creativity of the designer. The potential variety, vitality and quality that can be achieved from freedom of design and good design can be more valuable than unduly heavy restrictions that dictate conformity. The most successful signage guidelines will be those that permit the greatest design flexibility while prohibiting those elements which are indisputable detriments to the character of the commercial streetscape.

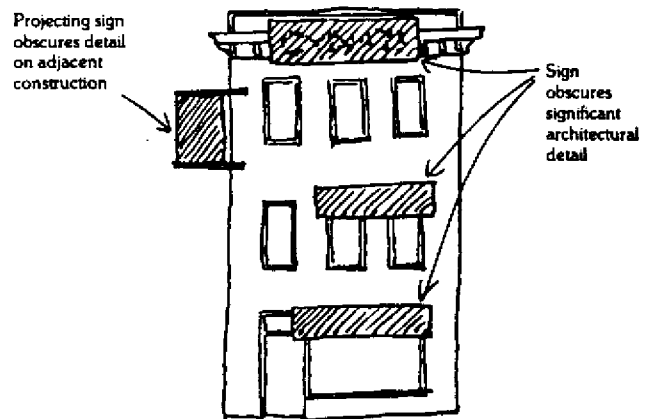
The most important principle in establishing and reinforcing the character of the commercial streetscape is to consider the entire facade of a building as the "sign." The entire elevation of the storefront was conceived to attract shoppers- signage, windows displaying merchandise and architectural character. Consequently, the sign is an integral part of the building facade in both design and function. New signage should always be designed to complement and be subsidiary to the character of the building facade. Buildings whose facades are carefully considered and well maintained do not require the tremendously over-scaled signs that plague many modern streets today. The quality of the wide range of architectural facades found along Loockerman Street should be the principal advertising element for the commercial district.

Recommended

- A sign should be consistent and compatible in terms of its size, style, materials, and location with the historic building, and should be integrated into the architectural design

of the building on which it is located. In the Loockerman historic context, in general, signs should be simple and not too large. No sign should be from a period earlier than the building on which it is placed.

- Signs should not cover or obscure the architectural features of a historical building.



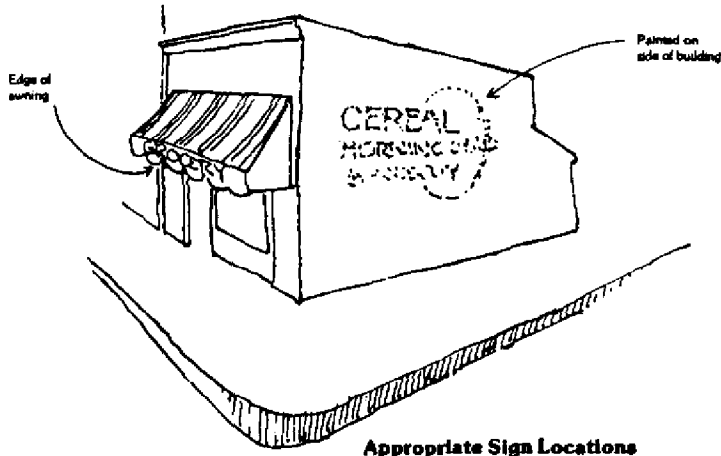
Inappropriate Sign Locations

- The removal of back-lit fluorescent signs, large signs with distinctive logos and signs that obscure significant features is encouraged.
- Appropriate locations for signs are horizontally at the storefront lintel, on the inside of glass, hanging signs that are appropriately scaled, and on awnings.



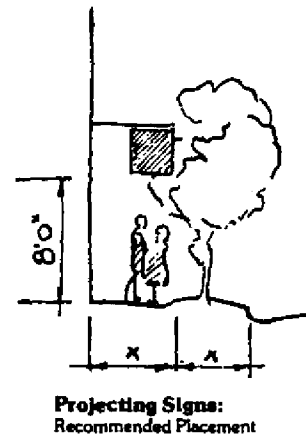
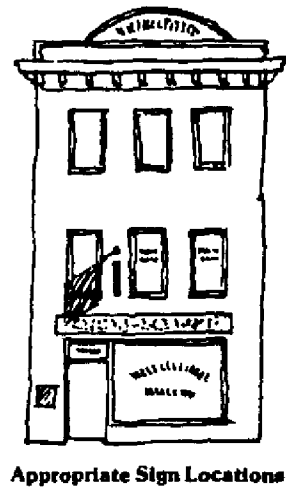
Appropriate Sign Locations

- Historic signs and advertising painted on the sides of buildings should be retained.



- Sign material should be compatible with the design of the building. Wood and metal signs are recommended.
- Any appropriate period sign that reflects historical authenticity of design, materials, and placement for the architectural style it serves, is recommended, regardless of limitations imposed upon contemporary signage.
- Signage should be located where it best complements the building, on blank expanses of wall, large plate glass windows, fascias, cornices, and awnings.
- Signs should not project from the building to the extent that they are a visual obstruction or physical hazard to pedestrian or vehicular traffic. Similarly, new signs should not interfere with a neighboring store by obscuring its signs or architectural features.

- Signs at the storefront level should be oriented primarily to pedestrians and should thus be sized and designed for pedestrian vision. For projecting signs at pedestrian level, a maximum projection of 4'-0", or half the width of the sidewalk, from the building is recommended, whichever is less. 8'-0" minimum clearance from the sidewalk is required.



- While no absolute limit is recommended with regard to the size of signs, it should be noted that one over-scaled sign on a commercial street will reduce the visual quality of the streetscape and may foster competition elsewhere. Large-scale signs should be permitted only when they are appropriate to the character of the building on which they are to be located or when there is historic precedent and documentation sufficient to determine the appropriateness of the sign for the particular facade.

- Signboards surface-mounted to buildings should be simple with little or no carving or ornament. Paint should be the primary decorative element.
- Concealed incandescent lighting for signage is recommended in the Dover Historic Commercial context.

Not Recommended

- Plastic signs are not recommended.
- Inappropriately scaled graphics are not recommended, especially at pedestrian level.
- Large-scale signs are not recommended.

Inappropriate

- Signs that are clearly unsympathetic to the character of the building on which they are located are inappropriate.
- Signs that obscure significant architectural features of any historic building are inappropriate.
- Hanging, projecting and freestanding signs were typical of Colonial and Federal periods of architecture. Their use in the late 19th/early 20th century Loockerman historic context is inappropriate.
- Signs that are of an earlier style than the building on which they appear are inappropriate.

- Back-lit fluorescent signs are inappropriate.
- It is inappropriate for projecting signs to extend from a building more than 4'-0" or half the width of the sidewalk, whichever is less. 8'-0" is the minimum height above the sidewalk.
- Temporary, visually assertive signs set behind display windows are not appropriate.

**Excerpt of Meeting Minutes from
CITY OF DOVER HISTORIC DISTRICT COMMISSION
Meeting of September 21, 2017**

The Regular Meeting of the City of Dover Historic District Commission was held on Thursday, September 21, 2017 at 3:00 PM with Chairman McDaniel presiding. Members present were Chairman McDaniel, Mr. Czerwinski, Mr. Scrafford and Ms. Horsey. Mr. Jackson was absent.

Planning Office Staff members present were Mrs. Melson-Williams, Mrs. Purnell and Mrs. Mullaney.

NEW BUSINESS

Review of Permits Referred to Commission:

HI-17-03 Sign Permit #17-1484: Wall Sign at 115 West Loockerman Street– Referral by the City Planner to the Historic District Commission for Review of Architectural Review Certification for Sign Permit application #17-1484 pertaining to the installation of an internally lit wall sign at Puffster Smoke Vape Lounge. The property is zoned C-2 (Central Commercial Zone) and is subject to the H (Historic District Zone). The property is located on the north side of West Loockerman Street between South Governors Avenue and South Bradford Street. The owners of record are Samuel G. and Nicole M. Chick. Property Address: 115 West Loockerman Street. Tax Parcel: ED-05-077.09-02-07.00-000.

Mrs. Melson-Williams gave a brief overview of the Application/Sign Permit and Staff Report.

Representative: Samuel G. Chick, Owner.

Mr. Chick stated that he purchased the building in February 2017. During that time, he has done some renovations and improvements to the roof and the interior of the building and apartment. He stated that this is a standard sign and these types of signs are on 75% of businesses in the State of Delaware. This is just a box sign with florescent lights inside. They are a business that operates at night so he needs nighttime illumination. He does not like the overhead lights and not only that he already has the sign and got a really good deal. He does not want to use outside illumination; he wants to use internal illumination. He is here today asking for permission to turn on the inside illumination.

Mr. Czerwinski questioned why the light was built without a Sign Permit. Mr. Chick replied that he has a Sign Permit. Mr. Czerwinski stated that it was a Conditional upon approval. Mr. Chick replied that he has a Sign Permit to install the sign as a non-illuminated Sign. Mr. Czerwinski stated that as a box sign it is inappropriate for the street. Mr. Chick replied not according to the City Planner. There are already many signs like this one on the street as stated by Mrs. Melson-Williams. He would appreciate if the Historic District Commission would let him conduct business.

Chairman McDaniel stated that putting the sign up was okay.

Mrs. Melson-Williams stated that the Permit was issued to install the Sign. This was done at the direction of the Planning Director to issue the Sign Permit to install the sign. The permit did not authorize illumination (to turn it on) or to utilize any kind of internal system to light the sign.

Mr. Scrafford questioned whether the applicant was aware when he filed the application of what the sign would consist of and if the applicant already had the sign. Mr. Chick replied yes, he had already purchased the sign.

Mr. Scrafford questioned whether the applicant purchased the sign with the idea of illuminating it. Mr. Chick replied yes.

Mr. Scrafford questioned whether the applicant was told he could have illumination. Mr. Chick replied no, he purchased the sign before applying for a Sign Permit.

Mr. Scrafford questioned the applicant that when he received the Sign Permit did he understand at that time that it could not be illuminated. Mr. Chick replied if you go off the Guidelines and not the law then sure.

Mr. Scrafford questioned the applicant as to what he understood when he received the Sign Permit. Mr. Chick stated that initially the Sign Permit stated that he could not put it up at all. Then he decided to go forth and put it up as unilluminated. This what he did. He was also told that he could come before the Historic District Commission to ask for permission to turn it on.

Mr. Scrafford questioned why the applicant put the sign up knowing it could not be illuminated. Mr. Chick replied because he has a business and he needs a sign, that's why.

Mr. Scrafford questioned whether the applicant asked for illumination when he applied for Sign Permit. Mr. Chick replied that he did, but it was rejected. Then he submitted the Sign Permit without the illumination.

Mr. Scrafford questioned whether the applicant had met all of the other requirements. Mr. Chick replied yes, the sign is currently up and good to go; he just needs permission to turn it on. Mr. Scrafford stated the question is the light. Mr. Chick replied correct. Mr. Scrafford questioned whether this was the reason he was present today. Mr. Chick replied that is right. There are other internally illuminated signs that are on the street such as the Brunch and Lunch, Family Dollar, Suds Bar, and Zuha all have a sign like this.

Ms. Horsey questioned what would it take to do the external lighting other than more money. Mr. Chick replied it was just stated, more money.

Ms. Horsey stated that Staff finds the illumination inappropriate and so does she, that is the reason she is asking if there was any other possibility because the Historic District Commission wants him to stay in business. The Historic District Commission wants to help you, but she thinks that Mr. Chick also needs to realize that just because the City has Guidelines does not mean that they should always be not used or enforced. The problem with the Historic District Commission is a lot of times they are overruled and they either have Historic District Guidelines and follow them or we do not. Staff highly recommends not to do it and she would have to follow that.

Mr. Chick stated that the building to the left and right of his building are modern buildings and across the street is a modern apartment complex with giant windows. He thinks that this is just a little anti-business and we should move on from this. This is not anything that takes away from the Historic District. The sign fits very nicely in the area. He needs to illuminate his sign because if it is dark at night, he wants people to see his business.

Chairman McDaniel questioned what sign was there before. It was mentioned Bell, Book & Candle.

Chairman McDaniel questioned Staff what was stated again upon reading some of the Guidelines. Mrs. Melson-Williams stated that per page 2 of the report the *Design Standards and Guidelines* specifically list the following as inappropriate: Back-lit fluorescent signs are inappropriate. It also states that a recommended practice for signage is “concealed incandescent lighting.” It is recommended in the Dover Historic Commercial context and this is where this property is located. The Loockerman Street area would be considered the Commercial context.

Chairman McDaniel questioned what is “concealed incandescent.” Mrs. Melson-Williams replied that it means that it is not internal to the sign. It is a fixture that is designed so that you are not seeing the bare bulb (there may be a shield on one side of it) that will basically direct the light to where you want it to go. Staff noted in the review that they recognized advancement in lighting technology and that there are other forms of light sources than incandescent bulbs. They felt that a different type of bulb would still be compatible in the District. When the *Design Standards and Guidelines* were written in the 1990’s they probably were not thinking much about LED or those types of light sources at the time.

Ms. Horsey questioned with the Downtown Dover Partnership programs if this would qualify for the grant to put this lighting in. Mrs. Melson-Williams replied the Downtown Dover Partnership Façade Grant program does offer opportunities for façade grants for things related to signage. The light fixture(s) purchase would certainly be something that the Design Committee (which is separate from this) could consider as a type of financial assistance for the project. They typically do not fully fund. An application was presented to the Design Committee regarding the signage and some of the aspects of their improvements to the building. She believes the Committee funded a portion of the improvements, but did not fund things related to the sign that was presented to them. There is certainly an opportunity there to seek a Façade Grant to assist with the external illumination of the signage or the purchase of fixtures.

Chairman McDaniel questioned if this is a type business that is opened at night. Mr. Chick replied yes.

Mr. Czerwinski questioned how much work would it be to remove the box and remount the sign flush and put the lighting over the top. Mr. Chick replied that it costed him \$1200 to put up the current sign. The other Historic District Commission members stated that the sign did not have to be removed, but it could be moved over (to position lighting). Mr. Chick replied that even if he was rejected he is not planning on doing that because that is ugly. This is his property and his building and he is not going to do that. The other nice thing about this sign is its removable. So if he was to sell the building he could just slide the sign out.

Chairman McDaniel stated that this was a difficult one and he hates to see stuff like this. The Guidelines sometimes worry him.

Mr. Scrafford questioned if these regulations and guidelines will be rewritten when the new consultant is hired. Mrs. Melson-Williams replied that it is certainly something that could be looked at under the Grant project (or modern materials and technology) and how it impacts the *Design Standards and Guidelines*. That may capture the type of light bulb, but she is not sure if it would change the true types of signage. It may talk about other types of modern signage that are not dealt with such as the electronic options. From a timing perspective that consultant is not on board and

any changes to the *Design Standards and Guidelines* are probably a year away before anything would be implemented.

Mr. Czerwinski asked present members if they were okay with the box sign. Members were okay with the box sign. Mr. Scrafford stated that they have to be okay with the box sign because the sign was approved to be installed without being lit. The applicant is here to get it lit and that is where he sees the problem. The question is do we allow the applicant to light the sign or not in the manner that the sign currently exists or to recommend something different.

Mr. Czerwinski referred to the *Design Standards and Guidelines* as previously mentioned and stated if LED was added then he would be complying with the literature of the *Design Standards and Guidelines*. This is a normal sign.

Ms. Horsey stated that when she was on the Planning Commission she thought it was a real honor to serve the City and she would state 99% of the time when Staff recommended a certain action that she would most always take their advice. She thinks that what the Historic District Commission should do in this case is do the same thing or state that the Historic District Commission does not value our Staff opinion.

Chairman McDaniel stated that it was not a fair way or expression.

Mr. Scrafford stated that he was sorry to hear that because the applicant was present for a waiver. He questioned why the applicant could not get a waiver from the Historic District Commission.

Ms. Horsey was not in agreement with a waiver; although the Historic District Commission could waiver anything they wanted, but the City is full of waivers every single day.

Mr. Czerwinski moved that for application HI-17-03 and Sign Permit #17-1484 that the Historic District Commission do not recommend the back lighting of the sign as installed on the building. The motion was seconded by Ms. Horsey. The motion failed because of a tie vote 2-2.

Mr. Scrafford moved that moved that for application HI-17-03 and Sign Permit #17-1484 that the Historic District Commission allow the applicant to precede with lighting at some point if the lighting source is altered. The motion was seconded by Chairman McDaniel. The motion failed because of a tie vote 2-2.

Mr. Chick stated that he could take out the fluorescent bulbs and install LED.

The Historic District Commission had a brief discussion regarding the rewriting of the rules and guidelines.

Ms. Horsey asked Staff what type of lights could be used because LEDs are softer. Mrs. Melson-Williams replied that the Staff findings in regards to illumination have basically interpreted this as “Inappropriate” for anything back-lit. Although it stated fluorescent, Staff would come down on “back-lit” as the function of how the light source is provided. Changing it to a LED still means it is a back-lit sign and the emphasis would be on the back-lit.

Mr. Chick asked what did the wording state in the *Design Standards and Guidelines* as previously mentioned. If it states fluorescent, then you must follow that. Ms. Horsey asked that the applicant not tell the Historic District Commission how to interpret the Guidelines.

The Historic District Commission stated that the *Design Standards and Guidelines* were written in 1993 before LED came about, so the Historic District Commission has to interpret the intent.

Ms. Horsey asked the applicant again what would it take to do the external lighting in a manner that might work for him and perhaps use a grant. This could help and the applicant would not have to pay the entire fee.

Mr. Chick stated that what was better than what Ms. Horsey previously mentioned was not paying anything and just turning the sign on. Ms. Horsey stated that she was just trying to get through this to help the applicant.

Mr. Chick did not feel that some of the Historic District Commission members were trying to help him; he just wished they would just approve the lighting.

Ms. Horsey thanked the applicant for his comments.

Mrs. Melson-Williams stated that signage is something that typically by the *Zoning Ordinance* is allowed to be reviewed by Staff. The *Zoning Ordinance* allows Staff to refer anything that is of a question to the Historic District Commission to then look at the *Design Standards and Guidelines* and do that level of interpretation. In question is the type of bulb. Basic fluorescent is in the *Design Standards and Guidelines*. Is another type of bulb appropriate? Or is backlit not the intent of the *Design Standards and Guidelines*.

Chairman McDaniel recommended tabling the application until the next Historic District Commission meeting when they will have five (5) members present.

Mr. Czerwinski asked if the tie could go back to City Planning Staff. Mrs. Melson-Williams stated the options: (1) develop a motion that results in a vote other than a tie; (2) let the tie stand, which means the Permit is only issued as is and there is no action to light it from inside; or (3) there is provisions in the Code whereas when Architectural Review Certifications are considered by the Historic District Commission that is given in a written notice of decision in the event of a denial (or there is nothing approved or denied) the applicant can appeal the decision of the Historic District Commission to the Planning Commission and then the Planning Commission would consider the Architectural Review Certification.

Mrs. Melson-Williams stated that you could certainly defer action seeking the presence of five (5) members of the body or recognize that there is a tie of the members present and suggest the applicant make the appeal to the Planning Commission.

The Historic District Commission members asked which process would be faster. Mrs. Melson-Williams replied that the next meeting of the Planning Commission is October 16, 2017 and action is taken the same night of the meeting unless they request or need additional information.

Chairman McDaniel asked the applicant Mr. Chick what he would like to do. Mr. Chick replied, "well let's see, so I can gamble and hope this other guy says yes and if he says no, then we can go to

the Planning Commission.” He asked if he was understanding this correctly. Mrs. Melson-Williams replied if there were five (5) members present it could be dispensed of it one way or the other. The Appeal would be to the Planning Commission and at that point this would be the October 19, 2017 meeting of the Historic District Commission and the Planning Commission would not meet until November 20, 2017.

Mr. Scrafford noted if you were unsuccessful with the five (5) members then you would still have the Planning Commission at his disposal. The Historic District Commission makes recommendations to the Planning Commission. The Planning Commission do not have to take the Historic District Commission recommendations; the Planning Commission is still free to make their own decision.

Mr. Chick stated that he would go before the Planning Commission on October 16, 2017.

Chairman McDaniel apologized for not being able to make a decision within the Historic District Commission.

Mr. Chick replied to Chairman McDaniel comment by stating “You can, but you choose not to.” He wanted the people to stop wasting his time on the lit sign on his business; this is anti-business, bad for Dover. He is still going to put a big banner up on the front of his building that states City of Dover is bad for business. How is that going to make Loockerman Street and the City of Dover look?

Mr. Scrafford encouraged Mr. Chick not to do that, just because he did not get his way does not mean that everyone else is wrong. As far as then anti-business that is the opinion that you have, not necessarily the same opinion as the members of the Historic District Commission and that needs to be recognized. So, if you did not get your way today, grow up.

Mr. Chick stated that he is grown and the City in his opinion is anti-business Colonel, Mr. Czerwinski, Ms. Horsey and he is free to express that. It is very “anti-business” when you have a business that is operating and he paid over \$6000 in City taxes this year. He is trying to bring people Downtown and the City is making it difficult for him, that is anti-business. Mr. Scrafford agreed, but stated you still have the option to light the sign, but not in the manner that you want.

Mr. Chick stated that the Guidelines are not law.



REQUEST FOR STREET NAME CHANGE

Before The Planning Commission

October 16, 2017

Petitioner: Eastern Shore Natural Gas/Chesapeake Utilities

Location: Remaining segment of Krisko Circle which runs in a west-east direction from Stover Boulevard just east of Bay Road. It is located within the industrial park now known as the North Gate Center.

Purpose: Request to change the street name of this street segment from Krisko Circle to Energy Lane. Request was filed in accordance with the *Dover Code of Ordinances*, Chapter 98, Article II, Section 98-45 Street name change Procedure

Current Street Name: Krisko Circle

Proposed Street Name: Energy Lane

File Number: MI-17-07

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C MEETING DATE: October 4, 2017

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APPLICATION: Request for Street Name Change: Krisko Circle to Energy Lane

FILE#: MI-17-07 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn E. Melson-Williams, AICP PHONE#: 736-7196

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This request is submitted for Planning Commission review of a Request for a Street Name Change for the remaining segment of Krisko Circle which runs in a west-east direction from Stover Boulevard just east of Bay Road. The new street name proposed is Energy Lane.

The request was filed in accordance with *Dover Code of Ordinances*, Chapter 98, Article II, Section 98-45 Street name change procedure which also references Appendix A: *Land Subdivision Regulations*, Article VI, Section A. Streets. The name change procedure requires review and comments by the Development Advisory Committee (DAC) and review by the Planning Commission prior to review by the Utility Committee of City Council and then public hearing and consideration by the City Council.

History of Area

The overall property was originally subdivided with Application SB-05-05 Stover Professional Campus with Planning Commission approvals in September and November 2005. The Record Plan, recorded on April 20, 2007 subdivided the tract into twelve (12) lots and identified the new streets to be developed under the guidelines for a Planned Industrial Park with access to the site from Bay Road. Construction of the Industrial Park infrastructure commenced in 2007 with utilities, the stormwater management facility, and the streets partially constructed. Site Plan S-06-37 developed the Mainstay Suites Hotel at 201 Stover Boulevard (Lot 2). Another Site Plan S-05-32 proposed an office building on Lot 6; however, that plan has expired.

The most recent application related to the overall industrial park was approved and recorded in 2015 for the MI-15-07 Northgate Center Parcel Consolidation Plan and Right-of-Way Abandonment. The plan consolidated seven (7) parcels, out of the original twelve (12) into a larger parcel and abandoned portion of the right-of-way for Krisko Circle.

Existing Conditions and Use:

At its April 18, 2016 meeting, the Planning Commission granted conditional approval for Site Development Plan S-16-11, Chesapeake Utilities Dover Campus at Northgate Center Lot 6. This application was to permit construction of a 56,000 S.F. +/- office building, a 36,000 S.F. +/- warehouse building, vehicle storage, material storage, compressed natural gas dispensers, and associated site improvements on a 20.6275 acre (site development area of 14.5 acres). This site located on the south side of Krisko Circle is currently under active construction.

Request for Street Name Change

The proposed Street Name requested is Energy Lane for the remaining segment of Krisko Circle. Within the *Land Subdivision Regulations* Article VI, Section A. Streets, guidelines for the naming of streets are provided.

Article VI. Section A. Streets. 16. Street names shall be selected so as not to duplicate, or be confused with, the names of existing streets. Street names shall be subject to the approval of the commission. All new streets shall be named in the following manner:

TABLE INSET:

General Direction	Long	Short (under 1,000 ')
North and south	Streets	Places
East and west	Avenues	Courts
Diagonal	Roads	Ways
Curving	Drives	Lanes, Circles
Arterial streets shall be named Boulevards		

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

RECOMMENDATIONS and ADVISORY COMMENTS:

1. Planning Staff recommends approval of the street name Energy Lane as following the naming conventions for a short curving segment of street.
2. As part of the Development Advisory Committee process, a series of City, County, and State agencies were notified of the street name change request. Any comments received regarding the request are attached to this Report.
3. Upon approval of the street name change, notification of appropriate City, County, and State agencies will be completed by the City of Dover.
4. Upon approval of the street name, the installation of updated street name blades on the street will be completed by the City of Dover.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
STAFF D.A.C. MEETING DATE: SEPTEMBER 27, 2017

CITY OF DOVER
Electric &
Public Works
Departments

APPLICATION: Street Name Change from Krisko Circle to Energy Lane

FILE #: MI-17-07

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 / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. No objection to name change.

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.

MI-17-07

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 10/04/17

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APPLICATION: Request for Street Name Change: Krisko Circle to Energy Lane

FILE #: MI-17-07 **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:

ADDITIONAL / SPECIFIC COMMENTS:

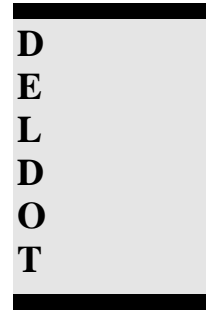
- This office has no objections

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: October 4, 2017



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APPLICATION: Request for Street Name Change: Krisko Circle to Energy Lane

FILE#: MI-17-07

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Jonathan T. Moore

PHONE#: 760-2145

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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:

DelDOT has no comments regarding city & state code at this time.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

DelDOT has no recommendations at this time.

ADVISORY COMMENTS TO THE APPLICANT:

DelDOT has no advisory comments at this time.

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
2017**

APPLICATION: Request for Street Name Change: Krisko Circle to Energy Lane

FILE #: MI-17-07

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *Jessica L. Verchick, EIT*

PHONE #: 741-2600 ext.3

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:

2014 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. Kent Conservation District has no objection to the street name change for the above referenced site.

Krisko Circle - Energy Lane Proposed Street Name Change



0 150 300 600 Feet



Date Printed: September 26, 2017
File: m:\gis_data\projects\tech_mxds
street_name_change_new
Department: Public Works GIS
City of Dover, Delaware



Legend

- Dover Parcels
- Portion Proposed to be Renamed Energy Lane



September 12, 2017

Traci A. McDowell, MMC
City Clerk
City of Dover
15 Loockerman Plaza
Dover, DE 19903

RE: Street Name Change Application & Petition - Resubmission
CHEAPEAKE UTILITIES / KRISKO CIRCLE
Dover, Delaware

Dear Ms. McDowell,

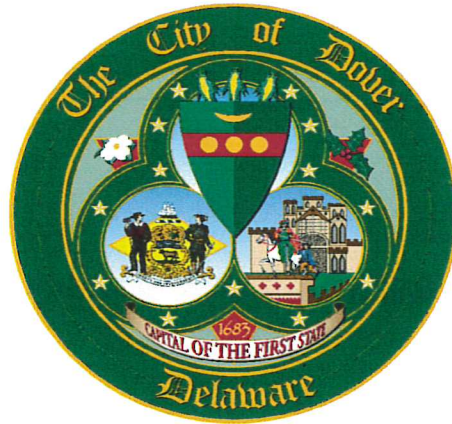
Please find enclosed a *Street Name Change Application & Petition* and *Certificate of Incumbency* associated with the above referenced project. The application was modified to include both properties owned by Eastern Shore Natural Gas (ESNG) at the Northgate Center, and list me as the contact person for this request. The Certificate confirms that Mr. Moriarty has the authority to sign on behalf of ESNG. Please request the City to process our request to start the process for the name change.

Please contact me at 302.213.7455 if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Garth E. Jones". The signature is fluid and cursive, with the first name "Garth" being more prominent.

Garth E. Jones, P.E.
Engineering Manager – Planning & Design



CITY OF DOVER STREET NAME CHANGE APPLICATION AND PETITION

THE CITY OF DOVER, DELAWARE
STREET NAME CHANGE PROCEDURE

Thank you for your inquiry into the City of Dover's street name change procedure. Please thoroughly review the following procedure, and submit your completed application and petition to the City Clerk's Office, 15 The Plaza, Dover, DE 19903. Please note that an incomplete application and/or petition may delay the processing of your request and could potentially cause a delay in its consideration.

Should you have any questions, please contact the City Clerk's Office at 736-7008 or by email to cityclerk@dover.de.us.

Chapter 98, Article II, Section 98-45 - Street name change procedure

Recognizing that changing the name of a city street already named is a complicated and expensive procedure affecting many departments and many persons, the following procedure is adopted:

- (1) *Petition.* In order to initiate the procedure for changing the name of an existing street, a petition or other formal request must be received from a majority of the property owners abutting on the street in question, which documentation must be submitted to the city clerk for further processing. The city clerk shall verify with the city assessor that the requirements of a majority of the owners has been met. If the petition or other documentation does not meet this requirement, then the request shall be summarily dismissed by the city clerk and the person or persons presenting such request shall be notified.
- (2) *Comments to committee.* Once the requirements of subsection (1) of this section have been met, the city clerk shall refer the request to the development advisory committee (DAC) to obtain comments of all involved parties, specifically including the police department, fire department, public works department, department of planning and inspections, city assessor, and city manager. The response from the DAC shall be submitted to the city clerk. In considering the request for the name change, the DAC is specifically directed to consider appendix A to this Code (article VI, section A) regarding the naming of new streets.
- (3) *Planning commission review.* The city clerk shall refer the petition and the DAC comments directly to the planning commission for its review and recommendation regarding the request. Once considered by the planning commission, its recommendation shall be returned to the city clerk. No public hearing is required before the planning commission and the planning commission shall recommend approval of the change of name or disapproval of the change of name, along with its reasons.
- (4) *Utility committee review.* Once the planning commission's recommendation is received by the city clerk, then the recommendation and the entire file, including the request and the DAC comments, shall be submitted to the utility committee for review and recommendation directly to the council.
- (5) *Notice of hearing.* Once the council receives the recommendations from the utility committee, a public hearing shall be scheduled for a regular council meeting regarding the request, and notice of the public hearing shall be given by the city clerk by placing such notice in one edition of a local newspaper, to be published at least ten days prior to the date of the public hearing before the city council.
- (6) *Council hearing.* The council shall hear public comments at the public hearing and shall also receive the comments of the planning commission and the utility committee, and shall, at the conclusion of the public hearing, vote to approve the change of name or to disapprove the change of name. An affirmative vote to change the name shall require an affirmative vote of two-thirds of all persons elected to the council. If the change of name is granted, then notification thereof shall be given to the city manager to implement the name change.

(Code 1981, § 19-25; Ord. of 7-10-2000)

THE CITY OF DOVER, DELAWARE
APPLICATION FOR STREET NAME CHANGE

Please complete the following application and petition and submit to the City Clerk's Office, 15 The Plaza, Dover, DE 19903. **Please print.**

Current Street Name: Krisko Circle

City Council District(s): 2nd District

General Street Location (Impacted Area): North Gate Center - Lots 3, 4, 5 & 6

Proposed Street Name: Energy Lane

(Please list at least two (2) alternate street name choices)

1. _____

2. _____

Reason for Change: Change in ownership. The circle was removed as part of our new Campus.

Source/Meaning/Background of Proposed New Name(s):

Chesapeake Utilities is constructing a new campus situated on 21 +/- acres (lot 6) within the North Gate Center. Chesapeake Utilities also owns Lot 3. The new campus will be home to Chesapeake Utilities and Eastern Shore Natural Gas. Energy Lane provides a better representation of Chesapeake Utilities Corporation, our brand and our industry. In addition, the physical "circle" not longer exist as a significant portion was removed as part of the Chesapeake Utilities' project.

Petition-Initiator and/or Contact Person:


Name: Garth E. Jones, P.E. / Chesapeake Utilities

Mailing Address: 350 South Queen Street

City, State, Zip: Dover, DE 19904

Phone Number: 302.213.7455 Email address: gjones@chpk.com

I attest that all of the above information is true and correct.



Contact Person Signature

09.12.17

Date Submitted

THE CITY OF DOVER, DELAWARE
PETITION FOR STREET NAME CHANGE

An application is being submitted to the City of Dover requesting a street name change for the street described below. I understand that this street name change will likely result in address changes. I am aware that each individual property owner would be responsible for any costs associated with changes in home or mailbox numbers; driver's license information; stationary; personal or business checks; and other personal documents related to a street name or address change.

Current Street Name: Krisko Circle

City Council District(s): 2nd District

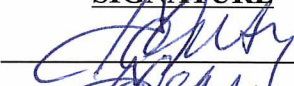

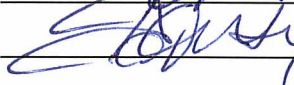
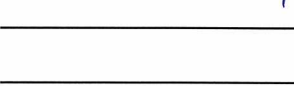
General Street Location (Impacted Area): North Gate Center - Lots 3, 4, 5 & 6

Proposed Street Name: Energy Lane

(Please list at least two (2) alternate street name choices)

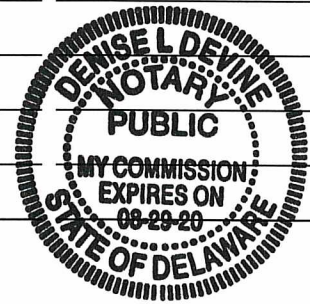
1. _____
2. _____

Having read and understood the statement above, I am signing this petition in order to demonstrate my **SUPPORT** of the proposed street name change.

<u>PRINT NAME</u>	<u>SIGNATURE</u>	<u>ABUTTING ADDRESS NUMBER and STREET</u>	<u>PROPERTY OWNER PHYSICAL ADDRESS</u>
JAMES F. MORIARTY		401 Krisko Circle	909 Silver Lake Blvd.
JAMES F. MORIARTY		Dover, DE 19904	Dover, DE 19904
JAMES F. MORIARTY		500 Krisko Circle	909 Silver Lake Blvd.
JAMES F. MORIARTY		Dover, DE 19904	Dover, DE 19904

PETITION FOR STREET NAME CHANGE (Continued)

[illegible]

[illegible]

BE IT REMEMBERED that on this 13th day of September, A.D. 2017, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Garth E. Jones, being duly sworn (or affirmed) deposes and says that he (she) is the circulator of the foregoing Petition paper containing 2 signatures; that each signature appended thereto was made in his (her) presence; that each signature is the genuine signature of the person whose name it purports to be; and, that the deponent verily believes that each signer of said petition is an owner of property abutting the above referenced street.

Terese L. Burn
Notary Public

Application Received: 09/13/2017
 Petition Verified by Assessor's Office: _____; OR
 Petition Declared Incomplete by Assessor's Office: _____

City of



Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF October 4, 2017

PLANNING COMMISSION MEETING OF October 16, 2017

Plan Title: Development of 219-229 Beiser Boulevard: Lots 2A and 3 at Enterprise Business Park, S-17-25

Associated Plans: SB-12-02 Lands of FNBW Minor Subdivision Plan
S-07-23 Office Buildings at Enterprise Business Park Lot 2

Plan Type: Site Development Plan

Property Location: Northwest side of Beiser Boulevard, west of Saulsbury Road
Property Addresses: 219 and 229 Beiser Boulevard

Tax Parcels: Lot 2A: ED05-076.11-01-46.00-000
Lot 3: ED05-075.15-01-03.08-000

Property Area: Lot 2A: 1.416 +/- acres
Lot 3: 2.259 +/- acres
Total: 3.675 +/- acres

Owner: Del-Homes Catalog Group, LLC

Building Areas: Office Building on Lot 2A: 19,304 SF
Office Building on Lot 3: 19,304 SF

Proposed Property Use: Parking Lots and Professional Office Buildings

Off Street Parking: Required parking spaces for Offices in IPM zone: 1 space per 800 SF
Required parking spaces for Medical Office Use: 1 space per 300 SF
Total Required for Office/ Medical Office usage per site as proposed:
Lot 2A: 45 parking space minimum/ 56 parking space maximum
Lot 3: 65 parking space minimum/ 129 parking space maximum
Actual proposed Parking spaces per site:
Lot 2A: 47 parking spaces, including 3 handicapped
Lot 3: 73 parking spaces, including 3 handicapped

Sewer & Water: City of Dover

Zoning Classification: IPM (Industrial Park Manufacturing Zone) - Planned Industrial Park Option

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: October 4, 2017

APPLICATION: Development of 219-229 Beiser Blvd. Lots 2A and 3 at Enterprise Business Park

FILE #: S-17-25 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Julian Swierczek, Planner I PHONE #: (302) 736-4442

I. PLAN SUMMARY:

This is a Site Development Plan application to permit construction of two 19,304 SF office buildings on two adjoining sites. The first site is designated as Lot 2A and is 1.416 +/- acres, the second site is designated as Lot 3 and is 2.259 +/- acres for a combined site of 3.675 +/- acres. The two sites are zoned IPM (Industrial Park and Manufacturing). The adjoining properties are located on the northwest side of Beiser Boulevard and are part of the Enterprise Business Park, a planned industrial park. The owner of record is Del-Homes Catalog Group, LLC. Property Addresses: Lot 2A is addressed 219 Beiser Boulevard and Lot 3 is addressed 229 Beiser Boulevard. Tax Parcels: Lot 2A is ED-05-076.11-01-46.00-000 and Lot 3 is ED-05-076.15-01-03.08-000. Council District 1.

Previous Applications

In November of 2005, the Planning Commission reviewed Application SB-05-08, a Minor Subdivision Plan for the subdivision of 27.13 acres of land into two parcels, Lot 1 and Lot 2 on the northwest side of Beiser Boulevard in the Enterprise Business Park. The Planning Commission granted conditional plan approval on November 15, 2005 with final plan approval granted on August 16, 2006. A revised Final Plan approval was received on May 22, 2007 that corrects a labeling and listing error for the total lot areas of the two lots created and recorded.

In May of 2007, the Planning Commission reviewed Application S-07-23 Office Buildings at Enterprise Business Park to permit the construction of two 19,304 S. F. two story office buildings (a total of 38,608 S. F.) as well as associated improvements on Lot 2 in the Enterprise Business Park. The Planning Commission granted conditional plan approval on May 21, 2007 with Final Plan approval on October 3, 2007. The two buildings have not been constructed and the Final Site Plan approval has expired.

In November of 2012, The Planning Commission reviewed application SB-12-02, a Minor Subdivision Plan for the division of Lot 2, along the western side of Beiser Boulevard at Enterprise Business Park into two separate parcels. The overall area for Lot 2 had been 3.675 +/- acres. The new division had created two lots; Lot 2A at 1.416 +/- acres and Lot 3 at 2.259 +/- acres. The Planning Commission granted conditional approval on November 19, 2012, with final

plan approval on December 5, 2012, and a final recordation of December, 10, 2012.

II. PROJECT DESCRIPTION

This Site Development Plan presented is a four phase construction process, including two identical office buildings and accompanying parking lot areas on two adjacent sites with associated site improvements in the Enterprise Business Park. Phase 1 is planned to be the parking lot of Lot 3, followed by Phase 2 which is planned to be the office building on Lot 3. Phase 3 is planned to be the parking lot of Lot 2A, followed by Phase 4 which is planned to be the office building for Lot 2A. The two parcels of land are located along western and northern edges of Beiser Boulevard within the Enterprise Business Park, north of North Street, and west of Saulsbury Road. The large parcel of land bordering these two sites immediately to the north and west is also zoned IPM. The sites immediately to the east and south of the project sites in question are zoned CPO (Commercial and Professional Office Zone). The site immediately to the east and south are also subject to the COZ-1 (Corridor Overlay Zone). The two sites in question have been determined to not be subject to the COZ-1 zoning requirements as the sites do not have frontage onto a corridor street.

III. ZONING REVIEW

IPM (Industrial Park and Manufacturing Zone)

The property is zoned IPM (Industrial Park and Manufacturing Zone) and subject to the regulations of *Zoning Ordinance*, Article 3 Section 20 and Article 4 Section 4.16. The proposed use of professional offices and/or Medical Offices is a permitted use in the IPM Zone under Article 4, Section 20.14.

Planned Industrial Park

As part of a Planned Industrial Park, both Lots 2A and 3 of the proposed development are subject to requirements set out in Article 3, Section 20.5.

IV. PARKING SUMMARY

The parking requirement for IPM (Industrial Park and Manufacturing Zone) are found in Article 4, Section 4.16. Specifically, parking in the IPM Zone is based on a rate of one parking space per 800 square feet of floor area. If the buildings are intended for use as medical offices, then per Code the required rate for parking is set at a minimum of one parking space for every 300 SF of floor space. *Zoning Ordinance*, Article 6, Section 3.11 further stipulates that the maximum allowed parking is 125% of the minimum requirement. The following chart shows the parking requirements as stated in the *Zoning Ordinance* for both sets of guidelines in an IPM Zone.

PARKING (OFFICE USE)	MINIMUM	MAXIMUM	ACTUAL
Building 1 (Lot 3)	25	31	72
Building 2 (Lot 2A)	25	31	47
Total Combined	49	61	119

PARKING (MEDICAL OFFICE USE)	MINIMUM	MAXIMUM	ACTUAL
Building 1 (Lot 3)	65	81	72
Building 2 (Lot 2A)	65	81	47
Total Combined	129	161	119

The information provided on the plan drawing indicates that each building contains 19,304 S.F. of floor space, for a combined floor space of 38,608 S.F. Therefore, each office building/ lot has a minimum parking requirement of 25 spaces, for an overall total of 49 required parking spaces. As stated in Article 6, Section 3, if the intended use of the buildings were for medical offices then the minimum parking spaces required for each site would be 65 spaces. The maximum parking spaces allowed for medical offices would be 81 spaces for each site, and 161 total spaces.

The Planning Office has received communication from the applicant via e-mail that the intended use of Lot 3 will be 100% medical office space, and the building on Lot 2A will have 50% office space and 50% medical office space. This would put the minimum requirement for Lot 2A at 45 parking spaces, and the maximum requirement at 56 parking spaces. This would put the proposed parking spaces on both sites within parking requirements.

Loading Spaces

Article 6, Section 4.22 requires one (1) loading space to be installed for professional or business office buildings of between 10,000 and 25,000 SF and one for each additional 25,000 SF of building area. Based on the square footage of each of the buildings proposed, one (1) loading space is required for each building. The plan indicates one (1) loading space to be provided at each of the sites, both to the rear or eastern side of the respective buildings. The dimension for the berth must be at least 12 ft. x 60 ft. and the plans provided indicate that one berth with the dimensions of 12 ft. x 60 ft. is to be provided for each building, making both sites compliant with code.

Bicycle Parking

The minimum bicycle parking is one (1) bike space for every twenty (20) regular vehicle parking spaces. Based on the 49 minimum parking spaces, this would set the minimum requirement for bicycle parking spaces to three (3) spaces for the sites overall. However, the bicycle parking spaces should be calculated based on the number of regular parking spaces provided, which would increase the number of required bicycle parking spaces to six. The bicycle parking racks must be added to the plan.

V. SITE CONSIDERATIONS

Site Coverage

Article 3, Section 20.56 states that no less than 35% of the site area shall be grass and landscaped area. According to the Site Plan, Lot 2A has an impervious lot coverage area of 75.29%; whereas, Lot 3 has a lot coverage area of 57.23%. The two sites combined have a total impervious lot coverage of 64.12%, or grassed/ landscaped areas for a total of 35.88%.

Entrance

An unnamed access drive exists along the northern property line running east-west from Beiser Boulevard, connecting with the adjacent property to the west. The Plan shows a two-way access point from this unnamed access road at the northern edge of Lot 2A. The main access point to both Lots 2A and 3 appears to be a full movement entrance from Beiser Boulevard. This is also the only access from either site directly onto Beiser Boulevard. There is an access point at the southwest corner of Lot 3 to the neighboring site. The parking lot areas for both sites are largely integrated into one large overall parking lot area.

Sidewalks

Sidewalks are required along the Beiser Boulevard street frontages of both sites (*Zoning Ordinance*, Article 5 Section 18). The plan shows a 5ft. wide sidewalk along Beiser Boulevard. Sidewalk is also proposed on the east side of the parking lot areas to the sidewalks along the Beiser Boulevard frontage. The plans also indicate that there will be sidewalks around all four sides of both buildings. All sidewalks are shown to contain barrier free access ramping as stipulated in Article 5, Section 18.2.

Curbing

The upright curbing for the parking lots and drive aisles are subject to the requirements of Article 6 Section 3.6(b) of the *Zoning Ordinance*. This curb type appears to be utilized throughout the site layout.

Dumpsters

According to *Zoning Ordinance*, Article 5 §6.12, the dumpster requirements for an office building are one (1) for the first 8,000 SF plus one (1) for each additional 16,000 SF or fraction thereof. This would mean that each building site is required to have two (2) dumpster pads. The plans provided however indicate one planned dumpster pad on each site, with a space indicated for an additional future dumpster pad on Lot 3. Based on the requirements an additional future dumpster pad must be located on Lot 2A.

VI. BUILDING ARCHITECTURE

No Building elevations have been provided, however the applicant has indicated that they will provide architectural elevations at a future Planning Commission Meeting. The Site Plan indicates two buildings, one on each site, each 19,304 SF. Each building is shown to be two (2) stories in height with a main entrance to the eastern side of each structure

VII. TREE PLANTING AND LANDSCAPE PLAN

The site is subject to landscaping requirements as set out in Article 5, Section 15, and tree planting requirements as set out in Article 5, Section 16. The submitted plan includes the Landscaping approach for the overall project. Lots 2A and 3 cover 3.675 +/- acres and combined, both parcels require 54 trees in total. Lot 2A at 1.416 +/- acres requires 21 trees, and Lot 3 at 2.259 +/- acres would require 33 trees. The plan indicates an overall scheme consisting of 99 trees. Lot 2A is shown to have 33 trees, and Lot 3 is shown to have a planned 66 trees, exceeding the minimum requirement. The Landscape Plan is providing a mixture of deciduous trees, small deciduous trees, and evergreen trees. There are also a further 992 shrubs and groundcover plants proposed in total on both sites.

VIII. CITY AND STATE CODE REQUIREMENTS:

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

- 1) Identify the specific areas proposed for construction for each Phase in the Plans.
- 2) Ensure that two dumpster pad sites are provided on each site

- 3) As there are two separate parcels involved in the plan, ensure that all calculations are performed for each parcel and comments note the separation as necessary.
 - a. If in the future the applicant seeks to consolidate the two parcels into one larger parcel, then a Minor Lot Line Adjustment Plan for Parcel Consolidation must be submitted to the Planning Office for review prior to recordation.
- 4) Update parking calculation information to reflect the use as medical offices.
- 5) Identify the location of all bicycle parking racks; as none are shown. Provide calculation of bicycle parking.
- 6) Identify the curbing type that will be the utilized.
- 7) The architecture of each building must be reviewed by the Planning Commission at a future meeting prior to initiation of the project phase with each building.
- 8) The Site Plan set will need to be updated to reflect any changes recommended or approvals or waivers granted by the Planning Commission.

IX. RECOMMENDED ADDITIONAL CONSIDERATIONS TO MEET CODE OBJECTIVES:

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

- 1) Architecture: To further subsection 2.28 related to architectural characteristics of proposed buildings, Staff recommends that any outside HVAC Equipment be designed to minimize the impact on adjacent property owners, adequately screened from public view and the overall visible impact especially on the public facades of the buildings.

Other agencies may recommend additional conditions and safeguards in accordance with their areas of expertise.

X. ADVISORY COMMENTS TO THE APPLICANT:

- 1) In the event, that major changes and revisions to the Site Plan occur in the finalization of the Site Plan contact the Planning Office. Examples include reorientation of or size changes of the buildings, relocation of site components, etc. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.
- 2) Following Planning Commission approval of the Site Plan, the Plan must be revised to

meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff. Upon determination that the Plan is complete and all agency approvals have been received, copies of the Plan may be submitted for final endorsement.

- 3) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 4) For building new construction, the requirements of the building code and the fire code must be complied with. Consult with the Chief Building Inspector and City of Dover Fire Marshal for these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.
- 5) The applicant/developer shall be aware that prior to any development or ground disturbing activities on the site the appropriate site inspections and permits are required.
- 6) Construction may have an effect on the adjacent property owners and nearby travel lanes. Any work requiring the closing or rerouting of potential customers or visitors to adjacent properties should be coordinated as to offer the least amount of inconvenience to the adjacent property owners.
- 7) The applicant shall be aware that Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with *Zoning Ordinance* Article 5 §4.
- 8) The applicant shall be aware that Site Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover. If a parking lot is the intended first phase of construction, separate from construction of a building, an Administrative Building Permit will be required.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
STAFF D.A.C. MEETING DATE: SEPTEMBER 27, 2017

CITY OF DOVER
**Electric &
Public Works
Departments**

APPLICATION: Development of 219-229 Beiser Boulevard: Lots 2A and 3 at Enterprise Business Park

FILE #: S-17-25

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

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
 - b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of 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 site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. All water main shall be Class 52 cement lined ductile iron pipe.
8. Each property shall be served by a single water service line which shall be furnished and installed by the property owner.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of 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.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.
3. Please make a note on Site Plans that any stormwater infrastructure installed within a City of Dover utility easement will not be the responsibility of the City of Dover.

STREETS

1. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.
2. Please include the City of Dover sidewalk detail.

SANITATION

1. None

GROUNDS

1. Only trees listed as small to medium shall be planted under power lines; and no trees shall be planted within ten feet of any underground water line, sewer line, transmission line or other utility.

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. Profiles of all utility crossings, including services, must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles. Eighteen inches (18") of cover is the minimum allowable vertical separation.
3. On Sheet 1:
 - a. Note #6: Replace "in accordance with City of Dover Public Works requirements" with "in accordance with the Delaware Manual on Uniform Traffic Control Devices (DE MUTCD), most recent version".
 - b. Note #10: Replace "water mains and" with "any underground utilities".
 - c. Note #13: Minimum cover for all water mains shall be four feet (4').

4. On Sheet 2:

- a. Schedule Item I: The water meter shall be installed outside, in a meter pit or vault, on the domestic water service, in a non-traffic bearing location. Meter pits shall be located within two feet (2') of the right-of-way or easement line. In cases where water mains are not located along the street frontage, or in non-residential settings, the location of the water pit or vault shall be determined by the Department of Public Works.
 - b. Schedule Item Q: The proposed reducing tee with check valve shall be replaced with a tapping sleeve Powerseal 3490AS.
 - c. Note #13: "City of Dover Public Utilities" shall be replaced with "City of Dover Department of Public Works." The Construction Manager phone number is 302-736-7025.
 - d. Note #15: All water service line shall be type "K" copper tubing coils, one inch (1") to two inch (2"), ASTM B88, minimum one inch (1"). SDR9 (poly tubing) is permitted for a water service greater than or equal to 2".
5. Provide appropriate details for water and wastewater infrastructure, details are available within the Water / Wastewater Handbook.
6. The final site plan must be submitted in the following compatible digital formats:
- a. AutoCAD 2004 (.dwg format).
 - b. Adobe Reader (.pdf format).

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/>.

WASTEWATER

1. For constructability purposes, it is recommended to relocate the lateral connection for Lot 3 further away from the existing manhole SMH 3.

WATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. None

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None

WATER

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

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, the sanitary sewer system plans may be required to 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. Wastewater impact fees will apply for this project.

STORMWATER / STREETS / GROUNDS

1. None.

SANITATION

1. The solid waste on this property shall be served by a private contractor.

GENERAL

1. 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.

S-17-25

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 10/04/17

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APPLICATION: 219-229 Beiser Blvd Lots 2A and 3 at Enterprise Business Park

FILE #: S-17-25 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:

Routine Comments:

1. Proposed building is business (two buildings).
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 N/A 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 25% of the proposed buildings. 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. (6.8.4) (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.8)
11. Street width shall be in accordance with City of Dover Code of Ordinances, any dead end road more than 300 feet in length shall be provided with a turn around or cul-de-sac as outlined in the 2015 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.
12. Speed Reduction Devices must be approved, please see City of Dover Ordinance 98-10 in reference to this process.
13. 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.

14. 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.
15. Fire Alarm System required per occupancy code requirements.
16. Sprinkler system required. System is to be monitored by an approved Fire Alarm System.

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)

17. Fire Department Connection is to be a 5 inch stortz connection on a 30-degree elbow located within 50 feet of main entrance. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.
18. 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)
19. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.
20. 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/or chief building inspector. (City of Dover Code of Ordinances, 46-4)

21. 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)

22. 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)

23. 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.
24. 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 1, 15)
25. Project to be completed per approved Site Plan.
26. Full building and fire plan review is required.
27. Construction or renovations cannot be started until building plans are approved.
28. Fire alarm systems, fire suppression systems, hoods, and hood suppression systems require a fire permit from the Fire marshal's Office. This work cannot be started until the permit is approved.
29. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

ADDITIONAL / SPECIFIC COMMENTS:

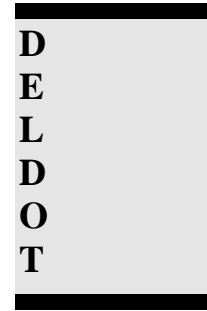
1. Need to discuss curb (C)

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2015NFPA 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: September 27, 2017



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APPLICATION: Development of 219-229 Beiser Boulevard: Lots 2A and 3 at Enterprise Business Park

FILE#: S-17-25

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Jonathan T. Moore

PHONE#: 760-2145

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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:

DelDOT has no comments regarding city & state code at this time.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

DelDOT has no recommendations at this time.

ADVISORY COMMENTS TO THE APPLICANT:

The following comments are just suggestions as Beiser Blvd. is not a State maintained road:

- The entrance at the northern property corner should realign the cur ramps so they directly face each other to be ADA compliant and allow for better pedestrian orientation. Additionally, a crosswalk should be provided here.
- Internal curb ramps should also be realigned so they face each other for better pedestrian orientation.
- Change the language "Handicap" to "ADA" throughout.

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
2017**

APPLICATION: *Development of 219-229 Beiser Boulevard: Lots 2A and 3 at Enterprise Business Park*

FILE #: S-17-25

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *Jessica L. Verchick, EIT*

PHONE #: *741-2600 ext.3*

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:

2014 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. Kent Conservation District has no objection to the approval of and/or issuing of permits for the above referenced site.

ADVISORY COMMENTS TO THE APPLICANT:

1. Detailed plan will be required to be submitted to the KCD.
2. Stormwater analysis has been done for the overall business park but appears to not include these lots. Verify that the pond has adequate storage.

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

**Dover/Kent
County
Metropolitan
Planning
Organization**

APPLICATION: Development of 219-229 Beiser Boulevard Lots 2A and 3 at Enterprise Business Park

FILE #: S-17-25

REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Jim Galvin, AICP

PHONE #: (302) 387-6030

The Dover/Kent County MPO has participated in the State's Preliminary Land Use Services (PLUS) process for several months. The MPO requested the opportunity to bring the recommendations on issues of our concern to the City as well. The MPO will limit comments to projects to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 9/20/2010
Project Review

S-17-25 Development of 219-229 Beiser Boulevard Lots 2A and 3 at Enterprise Business Park

The Enterprise Business Park was originally developed over 15 years ago and as parcels within the Park are developed, they have included sidewalks on the street right-way. The subject parcels are the last to be developed and the sidewalks to be added will complete the pedestrian access to all of the Park buildings. The speed limit on Beiser Boulevard is 25 mph, so bicycles can access the properties with little difficulty. Previous construction has not required bicycle parking facilities as does the current code. As stated above, bicycle facilities are important to encourage bike use in the City of Dover and should be installed with this new construction. Finally, this proposal sits on an existing DART bus line (102) and has stops adjacent to the subject parcels. The Delaware Transit Corporation (DTC) may wish to have a pad created for the bus stop as the sidewalks are constructed. I will forward a copy of this commentary to them and suggest the developer/engineer inquire to DTC Planning, Cathy Smith who can be reached at the Dover Main Office at 302-739-3278 for referral to the appropriate member of their team.

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.

Swierczek, Julian D.

From: Jamie Sechler <jls@dbfinc.com>
Sent: Thursday, October 05, 2017 1:31 PM
To: Swierczek, Julian D.; Michael Glick
Cc: Melson-Williams, Dawn
Subject: RE: Applicant DAC Mtg Reminder S-17-25 Lots 2A and 3 at 219-229 Beiser boulevard, Enterprise Business Park

Julian,

Per our discussion at the DAC meeting Wednesday regarding parking, please see below proposed breakdown of buildings:

Lot 3 – 100% Medical Office providing 72 spaces (65 min/81 max)

Lot 2A – 50% IPM Zone (12.5 spaces Min/15.5 spaces Max) and 50% Medical (32.5 spaces Min/41.5 spaces Max) – 47 spaces (45 min/56 max)

As discussed, the building design has not been completed and the building will come back in front of P&Z for approval.

If you have any questions please give me a call.

Thanks,

Jamie Sechler, P.E. | Associate | Davis, Bowen & Friedel, Inc.
1 Park Avenue | Milford, DE 19963 | www.dbfinc.com
Office: 302-424-1441 | Fax: 302-424-0430 | Email: jls@dbfinc.com



From: Swierczek, Julian D. [mailto:jswierczek@dover.de.us]
Sent: Friday, September 29, 2017 5:07 PM
To: Michael Glick <mglick@lhconstruction.com>; Jamie Sechler <jls@dbfinc.com>
Cc: Melson-Williams, Dawn <DMelson@dover.de.us>
Subject: Applicant DAC Mtg Reminder S-17-25 Lots 2A and 3 at 219-229 Beiser boulevard, Enterprise Business Park
Importance: High

To applicants:

Please see the attached Draft DAC Report for S-17-25, Lots 2A and 3 at 219 and 229 Beiser Boulevard, Enterprise Business Park and the agenda for the Applicant DAC Meeting on **Wednesday, October 4, 2016** to be held 10:00 A.M. in the City Hall conference room at 15 Lookerman Plaza.

2-hour parking is located on Lookerman St and in the lot behind City Hall and the Library.

Please review the report and comments from all agencies and plan on attending this meeting to discuss your application.

Thank you,

Julian Swierczek

A handwritten signature in black ink that reads "Julian Swierczek". The signature is written in a cursive style with a large, looping initial "J".

Planner I

City of Dover

(302) 736-4442



DATA SHEET FOR UNIFIED COMPREHENSIVE SIGNAGE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF October 4, 2017

PLANNING COMMISSION MEETING OF October 16, 2017

Plan Title:	Capital Station Comprehensive Sign Proposal (US-17-01)
Plan Type:	Unified Comprehensive Signage Plan
Property Location:	Located on the west side of North DuPont Highway, north of Division Street and south of Maple Parkway
Property Address:	50 North DuPont Highway
Tax Parcel:	ED-05-077.06-01-02.00-000
Owners:	Capital Station Dover, LLC
Project Professional:	Kent Signs as preparer of Comprehensive Sign Plan Proposal; future sign providers and installers unknown
Site Area:	9.34 acres +/-
Existing Signs:	None
Proposed Signs:	Two (2) pylon signs, 150 SF each, 300 SF total Two (2) monument signs, 64 SF each, 128 SF total One (1) freestanding wall shopping center identification sign, max height 4 feet (optional) Unknown final number and area of wall signs
Zoning Classification:	C-4 (Highway Commercial Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone – Tier 1 Secondary Wellhead Protection Area)
Roadway Classification: (per Sign Regulations)	North DuPont Highway – Urban Principal Arterial Division Street – Urban Minor Arterial Kings Highway – Urban Local Collector Maple Parkway – Urban Local Collector

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: October 4, 2017

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APPLICATION: Capital Station Development: Comprehensive Signage Plan

FILE #: US-17-01

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Eddie Diaz, Planner

PHONE #: (302) 736-7196

This Review is for the latest version of the Comprehensive Sign Plan submitted on October 5, 2017. The Plan was revised twice from the initial submission, first after a meeting was held with the applicant to discuss their proposal on September 26, 2017, and second after further discussion at the D.A.C. meeting of October 4, 2017.

I. PLAN SUMMARY

This is an application to the Planning Commission for a Unified Comprehensive Signage Plan Review. The plan includes the construction and implementation of signage for Capital Station, a multi-tenant shopping center, proposed to include two (2) pylon signs totaling 300 SF, two (2) monument signs totaling 128 SF, one (1) potential freestanding wall shopping center identification sign with a maximum height of 4 feet, and an unknown final number and area of wall signs.

The property is planned to consist of five (5) buildings. The project area qualifies for the Unified Comprehensive Sign Plan process because the site will have three (3) or more principal structures under common management located on a contiguous property, and the property also has 400 L.F. (linear feet) or greater of frontage on an Urban Principal Arterial Street, as defined in Article 5 §4.8 and 4.3 of the *Zoning Ordinance*. The property has 644 L.F. of frontage on North DuPont Highway.

The five (5) buildings planned for the site include:

- Building 1: A 24,197 S.F. retail and restaurant building known as Building 1, located in the northwest portion of the site at the corner of Kings Highway and Maple Parkway. The building appears to have somewhere between nine (9) and thirteen (13) tenant spaces.
- Building 2: A 6,625 S.F. retail and restaurant building known as Building 2, located in the northeast portion of the site along North DuPont Highway. The building appears to have somewhere between three (3) and four (4) tenant spaces and features a drive-thru on its south side which may have associated signage.

- Building 3: A 6,100 S.F. retail or restaurant building known as Building 3, located in the southwest portion of the site along Division Street. The building appears to have a single tenant space and features a drive-thru on the south side which may have associated signage.
- Building 4: A 6,080 S.F. restaurant building known as Building 4, located in the northeast portion of the site at the corner of North DuPont Highway and Maple Parkway. The building appears to have a single tenant space.
- Building 5: A 21,998 S.F. grocery store, located in the southeast portion of the site at the corner of North DuPont Highway and Division Street. The building features a loading space at the rear which may have associated signage. Aldi, the tenant, is the only one confirmed so far for the development as a whole.

The Comprehensive Sign Plan as proposed would apply to the whole parcel and all of the building-attached and freestanding signs on it.

Related Actions

The Capital Station project previously reviewed as Site Development Plan S-17-12 was conditionally approved by the Planning Commission on June 19, 2017. A Previous Site Development Plan (S-14-03) for a past proposal was conditionally approved by the Planning Commission but subsequently expired due to lack of finalization of plans and no commencement of construction activity.

The City's currently ongoing 2017 *Downtown Dover Parking Study* has a preliminary recommendation for this site. Under the current plan concept, wayfinding signage and gateway landscaping are proposed for the northwest corner of North DuPont Highway and Division Street, according to the sketch attached to this Report. The Study has not been adopted and there are no requirements related to it. However, the applicant may wish to integrate the proposed sign and landscaping into their own landscape and signage plans for this gateway location.

The applicant has tentatively identified this corner for the location of a freestanding wall sign similar to the one identified in the sketch. However, the applicant's proposed sign would provide wayfinding for the shopping center, not for downtown.

II. SIGNAGE REGULATIONS

The subject site has frontage on North DuPont Highway, an Urban Principal Arterial street; Division Street, an Urban Minor Arterial Street; and Kings Highway and Maple Parkway, both classified as Urban/Local Collector streets. The property's frontages on Division Street and Kings Highway are considered "adjacent to residential" according to the definition in Article 5 §4.3 of the *Zoning Ordinance*.

Table 1 lists the requirements and limits for signs at the subject property's location permitted under the sign regulations of the *Zoning Ordinance*.

Table 1: "Sign Table"

Zoning Ordinance, Article 5 §4.7 (excerpt, with added applicability column)

Location	Use	Road Type	Permitted Signs							Applicable to:
			Sign Type	Number Permitted	Max. Size	Max. Height	% of Total Wall Area	Setback (R.O.W.)	Exclusion Zone	
Nonresidential Uses Adjacent to Residential Districts or Uses	All Approved Nonresidential Uses	Urban Minor Arterial	Wall &	2/frontage	32 S.F.	N/A	< = 15%	N/A	N/A	Division Street
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet	
			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet	
		Urban Local/Collector	Wall &	2/frontage	32 S.F.	N/A	< = 15%	N/A	N/A	Kings Highway
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet	
			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet	
Nonresidential Uses in Nonresidential Districts	Nonresidential Uses	Urban Principal Arterial	Wall &	2/frontage	No max	N/A	< = 15%	N/A	N/A	North DuPont Highway
			Monument or Post and Panel &	1/entrance	100 S.F.	10 feet	N/A	10 feet	20 feet	
			Pylon OR *	1/frontage	100 S.F.	30 feet	N/A	15 feet	50 feet	
			Pylon*	1/frontage	150 S.F.	30 feet	N/A	31 feet	50 feet	
		Urban Local/Collector	Wall &	2/frontage	32 S.F.	N/A	< = 15%	N/A	N/A	Maple Parkway
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet	
			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet	

* Denotes that an additional wall sign may be permitted/added in lieu of a freestanding pylon sign.

** Post sign would be in lieu of a monument sign or post and panel sign.

In addition to the Sign Regulations related to permitted size and dimensional characteristics, additional provisions of the Sign Regulations would apply to this property under the standard sign regulations:

- *Zoning Ordinance* Article 5 §4.9(G) and past practice and code interpretation related to multi-tenant properties
- *Zoning Ordinance* Article 5 §4.4(A) design requirements for freestanding signs
- *Zoning Ordinance* Article 5 §4.4(C) design requirements for wall signs

Table 1 presents the conventional Sign Regulations for the property based on its road frontage. However, the applicant has requested consideration of a Unified Comprehensive Signage Plan for the property. Under the provisions for Comprehensive Signage Plans for unified campuses and complexes found in *Zoning Ordinance*, Article 5 §4.8 of the Sign Regulations, an applicant may request that the Planning Commission grant additional signage and sign area than would be permitted under the conventional sign regulations in the *Zoning Ordinance*.

In considering a Unified Comprehensive Signage Plan, “the number type and size of sign proposed may not be excessive and must be in proportion to the scale of the building and the uses on the site.” For the Unified Comprehensive Signage Plans, there shall be architectural harmony and unity of signs within a unified campus or complex. Sign type, color scheme, size,

and illumination within the site shall be coordinated and shall be compatible with the architecture of the complex and the surrounding area. All Comprehensive Signage Plans must comply with the design guidelines found in *Zoning Ordinance*, Article 5 §4.4. The design requirements focus on freestanding signs, the material and craftsmanship of signs, wall sign placement, illumination, and changeable signs.

III. DESIGN GUIDELINES AND OBJECTIVES FOR COMPREHENSIVE SIGNAGE PLANS

In reviewing the overall sign package, each of the sign locations must be reviewed individually and as a whole. The Planning Commission must take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, business and property owners of the immediate neighborhood in particular and shall ensure that the Site has adequate, but not excessive signage.

The Sign Ordinance specifically spells out the guidelines for the Planning Commission to use to approve or disapprove a Unified Comprehensive Signage Plan (*Zoning Ordinance*, Article 5 § 4.8 B and C). The pertinent design guidelines and objectives are as follows:

B. Design guidelines for unified comprehensive signage plans.

1. Unified campuses and complexes applying for a unified comprehensive signage plan may not be held to the height, size, number and area regulations for signs found in other subsections of this section. However, the number, type and size of signs proposed may not be excessive, and must be in proportion to the scale of the buildings and the uses on the site.
2. All unified comprehensive signage plans must comply with all design guidelines found in subsection 4.4-Design requirements of this section, as well as all specific design guidelines found in this section.
3. Building signs shall be in harmony with the overall architectural concept for the site, and be compatible with each other and the building facades.
4. The freestanding signs identifying shopping centers and other unified campuses and complexes shall identify the name of the campus or complex and no more than three separate tenants within the campus or complex unless otherwise approved by the planning commission.
5. There shall be architectural harmony and unity of signs within a unified campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the center and the surrounding area.

C. Planning commission duties. In reviewing and approving comprehensive signage plans, the planning commission shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, businesses, and property owners of the immediate neighborhood in particular, and shall ensure that unified campuses and complexes have adequate, but not excessive, signage. Specifically, the following objectives shall guide the commission when reviewing such plans:

1. That the size and complexity of the campus or complex warrants the need for extra signage under the provisions of this section;

2. That, in respect to the number and type of entrances, the placement of signage at or near those entrances provides superior visibility in order to ensure the safety of the driving public;
3. That the proposed signs are adequate in number to safely direct the public to the use or uses on the site;
4. The proposed signs must not have an adverse impact on the visibility of adjacent signs, and shall be consistent with, or an improvement over, the prevailing type and style of signage in the general area;
5. That the proposed signs will be of a style and color which will complement the architecture of the site, and the area in general.

IV. SUMMARY OF SIGNAGE AND RECOMMENDATIONS

This project is to establish building and freestanding signage for a multi-tenant shopping center. The submitted Plan Book (latest version of October 5, 2017) outlines the approximate placement for each freestanding sign, as well as design details of the freestanding signs such as their dimensions, the shopping center logo, and architectural details. Building façade elevations are provided to demonstrate the potential relationship of the wall signs to the tenant spaces, as well as to show the design of the shopping center as a whole.

The following summary of each sign type is based on the latest submission (of October 5, 2017).

Freestanding Signage: Summary of Signage and Recommendations

Summary of Signage (Plan of October 5, 2017)

The applicant is requesting two pylon signs, two monument signs, and one potential freestanding wall identification sign. The locations of the two pylons and two monuments are found on page 1 of the Plan Book. Design information for the pylon signs is found on page 5 of the Plan Book while design information for the monument signs is found on page 7 of the Plan Book. A rendering showing the locations of the two pylon signs may be found on page 4, while a rendering showing the location of the proposed freestanding wall sign may be found on page 20. Two tenant panels are shown on one pylon for conceptual purposes only.

The proposed pylon signs are as follows:

- Pylon A is a proposed 150 SF sign 21 feet tall, located at the site entrance on North DuPont Highway. The shopping center is identified at the top. The sign has a red brick base and is capped by a cornice. Eight (8) tenant panels are shown for conceptual purposes; the maximum number of panels on this sign would be ten (10) according to the applicant's summary of signage on page 2 of the Plan Book. Aldi and Starbucks are shown as example tenants on this sign.
- Pylon B is a proposed 150 SF sign 21 feet tall, located at the intersection of North DuPont Highway and Maple Parkway. It is identical in design to Pylon A, and ten tenant panels are shown for conceptual purposes. This would be the maximum number of panels according to the applicant's proposal. The sign appears to face the intersection.

The proposed monument signs are as follows:

- Monument 1 is a proposed 64 SF sign 7.5 feet tall, located at the site entrance on Division Street. The shopping center is identified at the top. The sign has a red brick base and is capped by a cornice. Ten (10) tenant panels are shown for conceptual purposes; this is equivalent to the maximum number of tenant panels on this sign (10) according to the applicant's summary of signage on page 2 of the Plan Book.
- Monument 2 is a proposed 64 SF sign 7.5 feet tall, located at the intersection of Maple Parkway and Kings Highway. It is identical in design to Monument 1, and also would have a maximum of ten tenant panels according to the applicant's proposal.

The proposed freestanding wall sign is located at the corner of North DuPont Highway and Division Street. It is a low-profile sign with a maximum height of four (4) feet and identifies the shopping center only. Materials for this sign would be similar to those on the buildings and the other freestanding signs. Planning Commission approval of this sign would not constitute a requirement for the applicant to actually construct it.

The standard sign regulations of *Zoning Ordinance* Article 5 §4 regulate permitted signage according to the property's frontage. The property has frontages on an Urban Principal Arterial, an Urban Minor Arterial, and two Urban/Local Collector streets. One (1) pylon is permitted per frontage on an Urban Principal Arterial. Pylon signs are not a permitted type on Urban Minor Arterial or Urban/Local Collector streets. One (1) monument is permitted per entrance on all three classes of streets; however, the size of monuments is limited depending on the street classification and whether the frontage is adjacent to residential.

Only one of the two proposed pylon signs could be permitted under the standard sign regulations. In addition, when a sign is planned for the corner of a property with frontage on different classes of streets, the more stringent standard applies; because a pylon would not normally be permitted on Maple Parkway, the pylons at the intersection of North DuPont Highway with this street would only be permitted if placed perpendicular to the Highway. Pylon B, which appears to face the intersection, could not be approved in its current configuration.

A monument sign could be permitted under the standard sign regulations at the Division Street entrance. A monument sign could also be placed at the intersection of Kings Highway and Maple Parkway, even though this location is not directly adjacent to an entrance. However, both these proposed signs are oversized compared to what would normally be permitted.

Table 2A provides a summary of the characteristics of the pylon signs proposed, compared to what is permitted under the sign regulations. Table 2B does the same for the monument signs proposed.

Table 2A: Freestanding Sign Code Comparison (Pylons)
US-17-01; Capital Station

	Permitted by Code	Proposed	Difference Between Proposed and Code
Pylon A (on Urban Principal Arterial)			
Sign Area (max.)	150 SF	150 SF	Complies
Height (max.)	7 ft.	21 ft.	Complies
Setback from Right-of-Way (min.)			
<i>For signs ≤ 100 SF</i>	15 ft.		
<i>For signs >100 SF</i>	31 ft.	>15 ft. but <31 ft.	setback may be as small as 15 ft. instead of at least 31 ft.
Exclusion Zone (min.)	50 ft.	> 50 ft.	Complies
Pylon B (on Urban Principal Arterial)			
Sign Area (max.)	150 SF	150 SF	Complies
Height (max.)	30 ft.	21 ft.	Complies
Setback from Right-of-Way (min.)			
<i>For signs ≤ 100 SF</i>	15 ft.		
<i>For signs >100 SF</i>	31 ft.	>15 ft. but <31 ft.	setback may be as small as 15 ft. instead of at least 31 ft.
Exclusion Zone (min.)	50 ft.	> 50 ft.	Complies
All Pylons			
Number Pylon Signs Permitted per Frontage, Urban Principal Arterial	1	2	1 additional pylon sign
Design Guidelines, Art. 5 §4.8(B)(4), freestanding signs shall identify name of campus/center and no more than 3 separate tenants within, unless approved by the Planning Commission	3 tenants per sign	max. 10 tenants per sign	All signs exceed the number of tenants recommended per freestanding sign

* Pylons permitted only on Urban Principal Arterials. When placed on a corner property where the other street frontage is a different type, the sign must meet the setback requirements for an Urban Principal Arterial, and be situated perpendicular to the Urban Principal Arterial.

Table 2B: Freestanding Sign Code Comparison (Monuments)

US-17-01; Capital Station

	Permitted by Code	Proposed	Difference Between Proposed and Code
Monument 1 (on Urban Minor Arterial, adjacent to residential)			
Sign Area (max.)	32 SF	64 SF	32 SF greater than code (100%)
Height (max.)	7 ft.	7.5 ft.	0.5 feet taller than code
Setback from Right-of-Way (min.)	5 ft.	>5 ft.	Complies
Exclusion Zone (min.)	20 ft.	> 20 ft.	Complies
Monument 2 (on Urban Collector, adjacent to residential)			
Sign Area (max.)	32 SF	64	32 SF greater than code (100%)
Height (max.)	7 ft.	7.5 ft.	0.5 feet taller than code
Setback from Right-of-Way (min.)	5 ft.	>5 ft.	Complies
Exclusion Zone (min.)	20 ft.	> 20 ft.	Complies
All Monuments			
Number Monument Signs Permitted per Entrance, all street classifications	1	1	Complies
Design Guidelines, Art. 5 §4.8(B)(4), freestanding signs shall identify name of campus/center and no more than 3 separate tenants within, unless approved by the Planning Commission	3 tenants per sign	Max. 10 tenants per sign	All signs exceed the number of tenants recommended per freestanding sign

Staff recommends approval of the proposed freestanding signs (Plan of October 5, 2017), for reasons as follows:

- Staff believes that two pylons is sufficient based on the property's 644 L.F. (linear feet) of frontage on North DuPont Highway. As proposed, for this project there would be one pylon per 322 feet of frontage.
- While the size of monument signs 1 and 2 is larger than what would normally be permitted based on the adjacent street classifications and the presence of nearby residential areas, Staff believes the size of the monuments is appropriate based on the needs of the shopping center and the number of tenants.
- The freestanding signs exhibit architectural harmony with each other and with the architecture of the shopping center.
- The number of tenant panels potentially exceeds three per pylon, in conflict with the recommendations of *Zoning Ordinance* Article 5 §4.8(B)(4). However, the tenant panels will be organized so that larger panels are on top, and there will be a limited number of panel sizes and configurations. Staff supports the maximum of ten panels per freestanding sign understanding that the applicant may not need all ten, instead having fewer, larger panels to correspond with larger tenants.
- The design of the freestanding wall sign is appropriate for the intersection of North DuPont Highway and Division Street.

Wall Signage: Summary of Signage and Recommendations

Summary of Signage (Plan of October 5, 2017)

The applicant is not requesting a specific number of wall signs for the property or proposing a specific size for any wall signs. Most of the elevations shown in the Plan Book just show the approximate area on the facades reserved for signage (the dotted rectangles). Instead of giving specific data for the signs, the applicant is proposing that wall signage for the property be based on a number of rules listed on page 2 of the Plan Book:

- **Total signage allowed not to exceed 15% of all building elevations (15% of total height x length) on all building sides**
- **Tenants allowed primary and secondary size signage per franchise branding packages**
- **Primary signs limited to two primary signs per tenant façade**
- **Any tenant in multi-tenant buildings will be allowed signage on the side elevations of said building, with total signage on each side elevation not to exceed 15% of that elevation (15% of total height x length) and signage for each side elevation not to exceed 2 primary signs per tenant.**
- **Secondary signage to be subordinate to primary signage (secondary example signs include but not limited to: Drive Thru, 1 Hour Photo, Pharmacy, etc.)**
- **Additional operational signage allowed on grounds (e.g. drive thrus, menu boards, ordering kiosks, directional signs, pick up areas, atms, etc.)**
- **Additional sign support structures allowed as needed for operational signage (e.g. atm kiosks, menu boards, ordering kiosks, etc.)**
- **Building 1 is NOT allowed 15% signage on the REAR of the building facing King's Highway**
- **Building 1 is allowed standardized signage on the REAR of the building adjacent to each tenant's rear loading doors**

The result of these rules would be that all tenants would be allowed a maximum of two “primary” signs to place on the front of the building they are in, on the section of wall belonging to their tenant space. For Buildings 2 and 3 (but not Building 1) two more primary signs would be allowed for the rear of the building, again on the section of wall belonging to the tenant. The side elevations of the buildings would not be given entirely to the tenants at the ends of the buildings; instead, they would be reserved for multiple tenants, again limited to two primary signs per tenant. If a tenant were to take up a full building, they would be allowed two primary signs on all sides of the building (except for Building 1). In all cases, every wall would be limited to having 15% of the wall area covered by signs. “Secondary” signs would not have specific number limits or placement limitations, but would be required to come in under the 15%.

Tenants would designate which of their signs are primary signs and which are secondary upon application for a Sign Permit from the Planning Office. Planning Staff would evaluate the Sign Permit application to ensure that the secondary signs are sufficiently “subordinate” to the

primary signs. Secondary signs may be subordinate by virtue of being smaller or lower on the façade than the primary signs, or by other criteria.

Additional items specified as “operational signs” freestanding on the grounds either would not require Sign Permits by virtue of not being considered signs (menu boards, ordering kiosks, ATMs, etc.) or would be required to follow design guidelines in code for small directional signs not needing Permits.

The intent of offering this flexibility is to allow individual tenants to enact standard franchise and chain sign packages, which may request more or larger signs than would typically be allowed by City code. The applicant previously gave Rite-Aid (in the initial plan submission) as an example of a national retailer which seeks to standardize its sign package across locations. Two examples of sign packages are on pages 17 and 18 of the Plan Book, showing a Red Robin restaurant and the Aldi combined with a Rite-Aid.

The sign regulations of *Zoning Ordinance* Article 5 §4 regulate permitted wall signage according to property frontage. Wall signs are limited to a specific square footage depending on the street classification and adjacency to residential uses of the associated frontage. Every wall sign is additionally limited to 15% of the area of the wall it is on, or 15% of the wall section belonging to a tenant in the case of multi-tenant properties. The exception is signs granted by an Urban Principal Arterial, which have no maximum square footage, only a 15% area limitation. As shown in Table 1 above, for this particular property any wall sign permitted for a tenant, other than signs associated with the Urban Principal Arterial, would normally be limited in size to 32 SF.

For multi-tenant properties such as shopping centers, the sign regulations state that each tenant is “permitted to have at least one wall sign.” Past practice has permitted two (2) wall signs per tenant. This practice has generally applied when the shopping center has frontage on a single street. A generous interpretation of the code would allow two wall signs per tenant per frontage, meaning each tenant at Capital Station could have a total of eight (8) wall signs. The first two signs would have no specific square footage limit, and the rest would be limited to 32 SF, with each sign limited to covering 15% of its wall.

When a property has frontages on multiple streets, past practice and code interpretation has allowed the establishment to place signage on any building wall, subject to the sign area and number that the establishment is entitled to.

For number of signs, size of signs, and percent of wall area limitations, Table 3 below compares the applicant’s proposal to what is allowed by code, in terms of what signage would be permitted for each tenant:

**Table 3: Wall Sign Code Comparison
 US-17-01; Capital Station**

	Permitted by Code	Proposed	Difference Between Proposed and Code
Number permitted	8 total signs	2 primary signs per façade Secondary signs not limited	flexible limitations on number of wall signs
Max. size	first 2 signs not limited remaining 6 signs max. 32 SF each	no sign area limitations	no sign area limitations
Percentage of total wall area	each sign permitted to take up to 15% of its wall area	all walls limited to 15% coverage total	Complies

Staff recommends approval of the applicant’s proposed wall sign strategy (Plan of October 5, 2017), for reasons as follows:

- Keeping the facades limited to 15% total sign area coverage will ensure the walls have a reasonable amount of signage, in contrast to the much larger area that might be covered if the 15% limitation applied per sign.
- Staff understands that there is considerable uncertainty about the nature and number of the tenants who will eventually occupy the shopping center, and that therefore it may not be appropriate to impose specific sign sizes or locations. The flexibility of the applicant’s proposal will ensure tenants have freedom to design and locate individual signs to meet their needs, while keeping the total amount of signage from being excessive.
- Making a distinction between “primary” and “secondary” signs introduces a new level of subjectivity into Planning Staff’s evaluation of Sign Permit applications for the shopping center, allowing Staff to determine if sign configurations are appropriate on a per-tenant basis as the tenants become known.
- Limiting the back of Building 1 to having small, standardized signs for each tenant is appropriate given the location of this façade at the back of the shopping center and the use of it for service entrances.

Staff does not have any specific recommendations related to where wall signs should be allowed, what size they should be, or how many there should be, based on the applicant’s need for flexibility.

Summary and Staff Recommendations for Capital Station Unified Comprehensive Signage Plan (US-17-01)

Staff finds overall that the proposed Unified Comprehensive Sign Plan presents a coordinated concept for the property. The freestanding signs are coordinated enough to provide identity to the shopping center and its tenants, and restricting the variety and potential number of the tenant panels will allow safe wayfinding to the general public. The wall signs will be kept to an area reasonable for the size of the facades they are on, and concerns about the total number of wall signs will be addressed through the distinction between primary and secondary signs, ensuring that tenants’ signs beyond the first two on a façade will be limited in prominence.

V. CITY AND STATE CODE REQUIREMENTS

The subject proposal has been reviewed for code compliance, plan conformity, and completeness

in accordance with this agency's authority and area of expertise. The following items have been identified as elements which need to be addressed by the applicant:

1. None.

VI. RECOMMENDED ADDITIONAL CONSIDERATIONS TO MEET CODE OBJECTIVES

In accordance with the *Zoning Ordinance*, Article 5 §4.8(C), the Planning Commission in reviewing and approving Unified Comprehensive Signs shall take into consideration the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents, businesses, and property owners of the immediate neighborhood in particular. The objectives of *Zoning Ordinance*, Article 5 §4.8(C) shall guide the Commission when reviewing such plans. The design guidelines of Article 5 §4.8(B) must also be taken into consideration.

- 1) To advance §4.8(C)(1) related to warranted needs for extra signage, Staff recommends the Commission approve the Comprehensive Sign Plan for this property, inclusive of the property's four main proposed freestanding signs with up to ten tenant panels each, the freestanding wall sign not to include tenant panels, and the proposed rules for organization of tenant panels, wall signs, and ground operational signs.
- 2) To advance §4.8(C)(2) related to signage near entrances, Staff recommends permitting a reduction in the setback of the pylon signs from 31 feet to no less than 15 feet. This will help address potential conflicts between the locations of the pylon signs and utility line locations.

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

VII. ADVISORY COMMENTS TO THE APPLICANT

- 1) The applicant shall be aware that Unified Comprehensive Signage Plan approval does not represent a Sign Permit. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.
 - a. Each wall sign requires a permit.
 - b. Each freestanding sign requires a permit.
 - c. Initial facings and subsequent refacings of tenant panels on freestanding signs require permits.
- 2) Staff requires a final submittal and approval of the Unified Comprehensive Signage Plan, including any revisions and conditions of Planning Commission approval, before Sign Permits will be issued.
- 3) The total signage area will be noted in the Final Plan Approval letter upon completion of corrections to the Final Plan. This total will form the baseline and "originally approved sign area" per *Zoning Ordinance*, Article 5 §4.8(E) as related to future new or revised signs

for the buildings and signs on the final approved plan.

- 4) Window signs are subject to regulations in *Zoning Ordinance*, Article 5 §4.9(A) and require permits.
- 5) Applicant is advised to consult *Zoning Ordinance*, Article 5 §4.6 related to prohibited sign types.
- 6) Applicant is advised to consult *Zoning Ordinance*, Article 5 §4.9(D) in its entirety related to temporary signs, which include banners, and provisions related to grand openings.
- 7) In the event that major changes and revisions to the Signage Plan occur in the finalization of the signage plan contact the Department of Planning and Inspections. Examples include reorientation of signage, relocation of signs, changes in sign area, etc. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.
- 8) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 9) The applicant/developer shall be aware that prior to any ground disturbing activities on the site that the appropriate site inspections and permits are required.
- 10) Signs should be placed in a manner that meets National Electrical Safety Code (NESC) requirements.
- 11) Be advised that the City of Dover, Public Works Department does not permit signs to be installed within ten (10) feet of existing or proposed water lines.
- 12) Be advised that the City of Dover, Public Works Department does not permit signs to be installed within ten (10) feet of existing or proposed sanitary sewer lines.

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.