

**CITY OF DOVER PLANNING COMMISSION
AGENDA**

**Monday, December 18, 2017 – 7:00 P.M.
City Hall, City Council Chambers
15 Loockerman Plaza, Dover, Delaware**

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

- 1) Conditional Use Application C-17-06 Pride of Dover Elks Lodge at 217 North Kirkwood Street will not be heard by the Planning Commission on December 18, 2017 at the request of the applicant to defer consideration. This Application and Public Hearing will be rescheduled for a future Planning Commission meeting and will be subject to Public Notice requirements.

ADOPTION OF MINUTES OF REGULAR MEETING of November 20, 2017

COMMUNICATIONS & REPORTS

- 1) Reminder: The next Planning Commission regular meeting is tentatively scheduled for TUESDAY, January 19, 2018 at 7:00pm in the City Council Chambers.
- 2) Update on City Council Actions
- 3) Update from Planning Office

OPENING REMARKS CONCERNING APPLICATIONS

OLD BUSINESS

- 1) Requests for Extensions of Planning Commission Approval: None submitted
- 2) Revisions to Applications:
 - A. S-16-24 Advantech at 151 Garrison Oak Drive, Garrison Oak Technical Park Lot #13 – Revised Plan & Architecture – Update on Revisions to Site Plan and Building Architecture associated with the Site Development Plan application for Advantech approved by the Planning Commission on November 21, 2016 with Final Plan approval granted June 16, 2017. The size and configuration of the building has been reduced in size to 14,700 SF from a 15,989 S.F. office building and light manufacturing facility. Associated revisions are also proposed for the outdoor loading and parking areas and other site improvements. The Performance Standards Review Application was previously approved indicating the project as conforming to the applicable performance standards as outlined in *Zoning Ordinance*, Article 5 §8 Performance Standards. The subject property consists of 10.06 acres and is located on the east side of Garrison Oak Drive north of White Oak Road; also known as Lot 13 of the Garrison Oak Technical Park. The property is zoned IPM-2 (Industrial Park Manufacturing Zone - Technology Center). The owner of record is Protective Properties, LLC. Property Address: 151 Garrison Oak Drive. Tax Parcel: LC-05-068.00-02-13.00-000. Council District 3.

NEW APPLICATIONS

- 1) US-17-02 Chesapeake Utilities Dover Campus Unified Comprehensive Sign Plan – Public Hearing and Review of a Unified Comprehensive Sign Plan for the campus of Chesapeake Utilities and Eastern Shore Natural Gas consisting of a series of freestanding signs, wall signs, and canopy signs to identify the various aspects of the campus. The campus consists of an office building, warehouse building, vehicle and material storage areas, compressed natural gas dispensers and associated site improvements of parking and landscaping. The property consists of 20.57 +/- acres and is located on the south side of Krisko Circle between Bay Road and State Route 1. The property is zoned IPM (Industrial Park Manufacturing Zone) and is partially subject to the SWPOZ (Source Water Protection Overlay Zone). The owner of record is Eastern Shore Natural Gas. Property Addresses: 500 and 600 Krisko Circle. Tax Parcel: ED05-077.00-03-06.00-000. Council District 2. *The campus is currently under development as per Site Plan S-16-11. Also under review is a Request for a Street Name Change (MI-17-07) which seeks to have the name of Krisko Circle changed to Energy Lane.*

NEW BUSINESS

- 1) Nomination and Election of Officers (Chairman and Vice-Chairman)
- 2) Appointment of the Architectural Review Oversight Subcommittee of Planning Commission (in accordance with *Zoning Ordinance*, Article 10 §2.28)

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: December 8, 2017

**CITY OF DOVER PLANNING COMMISSION
NOVEMBER 20, 2017**

The Regular Meeting of the City of Dover Planning Commission was held on Monday, November 20, 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, Mr. Jason Lyon, Mr. Julian Swierczek and Mrs. Kristen Mullaney. Also present were Mr. Todd Stonesifer, Ms. Ann Camper, Mr. Mark Strickland, Mr. Gregg Moore and Mr. J.D. Bartlett. Speaking from the public was Mr. Wyatt Waters.

APPROVAL OF AGENDA

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

**APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF
OCTOBER 16, 2017**

Mr. Holt moved to approve the Planning Commission Meeting minutes of October 16, 2017, seconded by Ms. Maucher and the motion was unanimously carried 9-0.

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, December 18, 2017 at 7:00pm in the City Council Chambers.

Mr. Hugg stated that the Planning Commission Quarterly Workshop scheduled in November 2017 has been canceled. They do not have a date for another meeting at this time.

Mr. Hugg provided an update on the regular City Council and various Committee meetings held on October 23 & 24, 2017 and November 13 & 14, 2017.

Mr. Hugg stated that Staff has been extremely busy with all of the projects that you have seen come before the Commission. They participated in the Save the Capital Theater Initiative Charette last week to come up with some plans for the Schwartz Center. They continue to work on various ordinance amendments and hopefully in the next week they will be meeting to examine possible changes and upgrades to the Planning Department's website.

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

NEW BUSINESS

- 1) C-17-05 Loockerman Coffee Shop at 14 Loockerman Plaza – Public Hearing and Review of Application for Conditional Use to permit conversion of an existing 820 SF 1 1/2-story structure into a restaurant (coffee shop). The subject site consists of two parcels totaling an 15,191.66 S.F. +/- (0.139 +/- acres). The property is zoned RGO (General Residence and Office Zone) and is within the H (Historic District Zone). The property is located on the south side of Loockerman Plaza and east of South State Street. The owner of record is The New Parsonage, LLC and the lessee is Kristin Stonesifer. Location Address: 14 Loockerman Plaza. Property Addresses: 203 and 205 South State Street. Tax Parcels: ED-05-077.09-05-01.00-000 and ED-05-077.09-05-01.01-000. Council District 4.

Representative: Mr. Todd Stonesifer, representing lessee; Ms. Ann Camper, Becker Morgan Group

Mr. Swierczek stated that is an application for a Conditional Use Review to permit conversion of an 820 SF portion of an existing structure into a restaurant/coffee shop. The structure is one and a half stories in height. The project site consists of two parcels and is addressed as 14 Loockerman Plaza. The property is zoned RGO (General Residence and Office Zone) and is within the H (Historic District Zone). Access to the site will be for pedestrian traffic from the Loockerman Plaza frontage only. The Planning Office has determined the nature of the application to be similar to a retail use as no permanent sitting or wait staff is planned. In the H (Historic District Zone), this eliminates the requirement for any parking. The applicant; however, has indicated their intention for patrons to utilize nearby on-street parking. Furthermore, in an effort to harmonize with the immediate neighborhood and serve the wider community, the applicant has also communicated their willingness to install a bicycle parking element and their intention to work with the Planning Office to do so. No major exterior alterations are planned except for fresh paint. The applicant has however indicated their desire to add a pervious brick patio along the Loockerman Plaza frontage. That would be in keeping with the already existing brick sidewalk along Loockerman Plaza and furthermore, be in keeping with the historic character of the area. The applicant has further indicated their desire to incorporate a fence to delineate the patio area from the sidewalk and has shown their willingness to work with the Planning Office in this.

No major trees or landscaping elements were planned to be added. Code requires a tree density of one tree for every three thousand square feet of lot area. The two sites in question contain four trees but with the size of the site at approximately 15,200 SF, Code would typically require six trees. However, in this regard the Planning Office determined that with Article 5, Section 16.2 there is the possibility for the applicant to define a specific development area with in the overall site for the purpose of tree planting calculations. For that, the applicant is showing their intent to define the purposed development area from a line along the western edge of the coffee shop that would fully encompass the scope of the work within the overall Site Plan. The newly defined site

area would be approximately 3,343 SF bringing the current number of trees in that area to two and that would therefore make the site compliant with the landscaping and tree parts of the Code.

Other agencies have reviewed the plans and have not voiced any significant objections or concerns beyond that.

Mr. Holt questioned what kind of signage that the applicant was planning to have? Responding to Mr. Holt, Mr. Swierczek stated that they have not yet received any specific outlines from the applicant about signage.

Mr. Tolbert stated that relative to signage in that area, that is the Historic District. Will the issue of signage come back before this committee? Responding to Mr. Tolbert, Mrs. Melson-Williams stated that the applicant, in order to place permanent exterior signage on the property, will have to submit a Sign Permit application. It would not come to the Planning Commission. It is something that Staff can review as part of the permit application process. If there is any question about whether it is in compliance with the *Design Standards and Guidelines for the Historic District*, the permit could be referred to the Historic District Commission for their consultation.

Ms. Ann Camper stated that they would just like to say that the coffee shop, as Mr. Swierczek advised, is an allowed use in the RGO (General Residence and Office Zone) and they feel that it's definitely something that Downtown Dover has been looking forward to.

Mr. Tolbert questioned if the applicant was in complete agreement with the overview of their application? Responding to Mr. Tolbert, Ms. Camper stated yes.

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

Mr. Holt stated that he thinks that it's a good fit for the area. He agrees with where it's going to go and he thinks that it should go well with the business community there. There was a shop years ago for dinner and stuff down that way. It was a similar shop like this and it went very well for a number of years.

Ms. Maucher questioned how high the proposed fence will be? Responding to Ms. Maucher, Ms. Camper stated that the fence has not been designed as of yet. It is something that was brought up recently as a desire of the lessee of the space and after speaking with Mrs. Melson-Williams, they would bring that design into the Building Permit process and have the fence reviewed at that time. They would definitely be keeping within the character of the area and doing something with maybe some brick piers or some wrought iron and of course bring that to the Building Permit process. If at that time Staff feels that it needs to be reviewed by the Historic District, then they will move forward at that time.

Mr. Tolbert questioned how many people will the facility hold at one time? Responding to Mr. Tolbert, Ms. Camper stated that Mrs. Stonesifer, who will be the lessee of the space has advised that her business plan is not to be a fast-moving coffee shop. Not like a Starbucks or Dunkin Donuts where you are getting people in and out quickly, but more of a community coffee shop.

It's not going to be heavy traffic. As far as square footage wise, they are only looking at about 800 SF or so. The bulk of the square footage is going to be taken up by the coffee service bar so there is not going to be a lot of room for patrons to gather on the inside. She thinks that their occupancy is less than fifty people per the Building Code for occupancy.

Mr. Holt moved to approve C-17-05 Loockerman Coffee Shop at 14 Loockerman Plaza, seconded by Ms. Maucher and the motion was carried 9-0 by roll call vote. Mr. Holden voting yes; he thinks that the addition is great for Downtown and he thinks that it is in harmony with the location and size of other businesses. Mr. Roach voting yes; for the reasons previously stated. Ms. Edwards voting yes; based on the fact that the intended use is definitely appropriate for the area and Downtown Dover can certainly use a good coffee shop. Mr. Holt voting yes; he thinks that it is a really good fit for Downtown Dover. He thinks that it will be an asset to the City and the business community. Mr. Baldwin voting yes; he thinks that it is a perfect fit for Downtown. Dr. Jones voting yes; she thinks that it is going to be a welcomed addition for those who are Downtown and for those who may be traveling through. Mrs. Welsh voting yes; for the reasons previously stated. Ms. Maucher voting yes; for the reasons previously stated. Mr. Tolbert voting yes; he doesn't think that there is another coffee shop close to it and they just might wind up with a crowd in there that they may have difficulty handling.

- 2) S-17-28 Multiplex at 299 College Road – Public Hearing and Review of a Site Development Plan application to permit construction of a three (3) unit multiplex residential building (multi-family dwelling) with adjoining parking spaces. The property consists of a 18,244 S.F. +/- parcel (0.42 +/- acres) and is zoned RM-2 (Medium Density Residence Zone). The property is located on the northwest side of College Road and adjacent to Conwell Street. The owner of record is Stephen E. Lumor (Enyam, LLC). Property Address: 299 College Road. Tax Parcel: ED-05-067.00-02-26.00-000. Council District 4.

Representative: Mr. Mark Strickland, Century Engineering

Mr. Diaz stated that this is an application to develop a three unit multiplex building at 299 College Road. The project is located on the north side of College Road west of Mishoe Street and it's adjacent to the right-of-way known as Conwell Street. The site is zoned RM-2 (Medium Density Residence Zone). The purposed design of the site is, on the surface, pretty simple. There is one building with three two story units in it, a six space parking area and they will be using existing trees on the site for landscaping. They have been working with the applicant; however, to get some behind the scene issues resolved. There is some uncertainty over the classification of this building in the Building and Fire Codes because the designation of a multiplex is unique to the Zoning Code. It would have to be defined as either townhouses or apartments in the Building Code. That would affect a number of the site design elements like the provisions of ADA parking and how much fire access would be provided. He believes that the current consensus is that the building would be classified as apartments. Second, there is some uncertainty over the status of Conwell Street as to whether it's a right-of-way owned by the City or by the Delaware Department of Transportation. They still don't have an answer to that but regardless, DelDOT is going to let the project take access from College Road as

opposed to asking for access from Conwell Street. Third, the cumulative effects of the City and State Code requirements are such that the project is going to be pushed over its lot coverage limit. The applicant has filed an application with the Board of Adjustment seeking relief from the lot coverage maximum and a hearing for that variance is scheduled for December 20, 2017. If they don't get a variance then they will need to redesign the site so that it comes under the coverage limit.

The architecture is currently only architectural templates so it will need to be adjusted from the four units currently shown down to three units. There are two specific items that the Planning Commission needs to act on with this project. One is a waiver request for bicycle parking. The applicant is seeking relief from this requirement on the grounds that if the tenants own bicycles they will simply store them inside the building; however, Staff is recommending denial of this waiver request because there is still a possibility that the tenants would prefer exterior bike parking to interior so they can avoid the difficulties of getting a bike out the door and down the steps. The second item is a waiver request from what they are now calling pathway location requirements due to recent ordinance updates. There are two components to this particular waiver request. The first is with regard to sidewalk along Conwell Street. This would ordinarily be required under the *Zoning Ordinance*; however, the applicant has requested a waiver from constructing sidewalk there and Staff is recommending approval of that portion of the waiver because Conwell Street is an unimproved right-of-way. If sidewalk were to be constructed now then if that right-of-way were to be improved in the future, the sidewalk would just need to be reconstructed at that point. The second component is the sidewalk along College Road. The Code now requires that even if there is existing sidewalk that it needs to be upgraded to City street standards. That means a five foot wide sidewalk and also a five foot gap between the sidewalk and the curb. Right now, there is only a five foot wide sidewalk that is right up against the curb. The applicant requested a waiver from the requirement to upgrade the sidewalk but Staff is recommending denial of this component of the waiver because they believe that a sidewalk that meets City street standards in this area would be a safer way of having a sidewalk and it would be more appropriate to the residential use. While the rest of the sidewalk is right up against the curb, they would hope to see this redeveloped over time to meet the City streets standards. To summarize the waivers, Staff recommends denial of the bicycle parking waiver and partial approval of the pathway waiver to release the applicant from the requirement to provide sidewalk along Conwell Street.

Ms. Edwards questioned if the Board of Adjustment does not grant the waiver for the impervious area, how does that affect the decisions that the Planning Commission has to make this evening? Responding to Ms. Edwards, Mr. Tolbert stated that the motion should reflect what your desires are regarding this application.

Mr. Strickland stated that this project stems from Mr. Stephen Lumor who is a former professor at Delaware State University. Mr. Lumor is out of town so he is here on his behalf. Mr. Lumor has since retired from teaching and was purchasing this parcel because he saw the need to provide student housing in the area near the university. Mr. Lumor's desire is to provide affordable off-campus housing for these students. He chose this parcel because of the location and the proximity to the university as well as the proximity to the Route 13 corridor for

shopping, restaurants and opportunities that it would offer for any of the residents of the building. The building itself is typical of the area in that it would be a residential structure similar to all of the parcels along College Road there. Across the street from College Road on the south side of College Road, there is a university owned apartment complex and then to the north of our parcel there is also an additional apartment complex and down the road there are the Delaware State University dorms less than a half of a mile away. It's pretty typical to the area where it's going to be providing the student housing in an apartment style format but it will have that residential character from the street and will look like a townhouse. To provide some clarification, the building will be classified as a multiplex through the Planning Commission but for the Fire Codes it will be treated as an apartment building. All of the other comments that Mr. Diaz mentioned, they completely agree with and they will be addressing those comments except for the two waiver requests and the variance; they are going to seek approval for those.

The first waiver request is for the placement of the bike rack. They are looking to remove that requirement. The primary reason of why we are going to request the removal of that requirement is if you look at the picture of the view of College Road from this parcel and most of College Road has a decent shoulder where you would be able to get a bike down the road. But right in front of their parcel that shoulder goes away. One reason is that they didn't think that it would be a good idea to encourage bicycle traffic down that corridor where it's unsafe. If they are to provide the requirement, they expect that the people who would be cycling to the building would be the tenants. They would be able to store the bicycles either inside or more likely, there is a long covered porch there also. They have talked to the owner and he is willing to install some type of locking device along that porch area where it would be covered and would be out of the way of the parking area and they would have a safe place to store their bikes there as well. Personally from his experience with living near a campus, it was never a good idea to leave my bike outside anyway. He had multiple bikes stolen in college while they were locked up and that's his own personal experience. He thinks that it would be safer to store a bike inside and if he lived there he would do that. The other issue is that the Code mandates one bicycle parking space. There are three buildings there. If they are actually going to go that route, he thinks that each one would need its own bike rack. Having one bike rack there is not really going to help three buildings. They either need to go one way or the other if they are going to go with that route. They feel that the best solution would be to provide some kind of way to lock it up attached to the building instead of providing a bike rack outside on the site.

The other waiver request that they are looking for is to remove the requirement to place sidewalk along Conwell Street. They are not going to seek to get a waiver along College Road. They are going to improve that sidewalk there, provide the off-set and bring everything up to ADA requirements. It's going to come in about four or five feet off of the roadway to meet the City's requirements. Along Conwell Street, you can see from the pictures how unimproved Conwell Street is and for some of the reasons mentioned by Mr. Diaz, it just doesn't make sense to put sidewalk there. There is nowhere that it is really leading to so it wouldn't really be interconnected at all, it would just be heading to the edge of Conwell Street. If that road was ever improved, they would have to demolish the sidewalk and re-construct it so it seems like we are kind of fighting an uphill battle there. Also, the ownership of Conwell Street is still

unknown to his knowledge. He has gone back and forth from hearing whether it's City owned or State owned and nobody seems to know with complete certainty. They would be hesitant to build anything in that right-of-way not knowing who owns it. It doesn't really make sense in their eyes to place a sidewalk along Conwell Street. They will be seeking a variance to get additional impervious coverage on the site. They had the site designed to be under 35% impervious which is the requirement and they have adjusted the site to meet some of the comments that Mr. Diaz mentioned for some fire lane access requirements and some of DelDOT's entrance requirements. Because of those revisions, they are a little bit over the 35% coverage so they are going to seek a variance from the Board of Adjustment for that item.

Mr. Roach questioned if Staff knew who owns Conwell Street? Responding to Mr. Roach, Mr. Diaz stated that they do not know who owns Conwell Street. They believe that the City does not own it but they also have no word that DelDOT does own it. They also do know that it is right-of-way of some sort and that it is not private property. The specific public entity that owns it is not known at this point.

Ms. Maucher questioned if the sidewalk along College Road as you go west has that five foot buffer further up? Responding to Ms. Maucher, Mr. Strickland stated that for their site, it's going to take it four to five feet in. All along College Road it is right along the curb there; nowhere does it provide that off-set. They were initially looking to see if they could just wave that so it would be continuous but they are going to adhere to that Code requirement and bring that sidewalk five feet in towards their site to provide a five foot grass strip behind the back of the curb and the sidewalk that will be located on their site.

Ms. Maucher questioned if they intend any kind of visual buffer along Conwell Street? Responding to Ms. Maucher, Mr. Strickland stated that there will be a couple of large trees towards the rear of the building that are existing trees that will provide a little bit of a landscaping buffer but other than that because it's not a frontage street, there is no requirement to provide the landscaping along there. It's something that they could consider if it was required though.

Mr. Holt questioned if they were planning to install sprinklers or if not, what other fire protection device would they be using? Responding to Mr. Holt, Mr. Strickland stated that they have had a couple of meetings with the Fire Marshal and they have decided that the building will be sprinklered and they have widened the entrance as well as the drive aisle to enhance Fire Marshal access to it and providing fire access to the rear of the building as well.

Mr. Roach stated that he knows that Mr. Strickland spoke earlier in regards to the patio as far as having a locking mechanism. Is that in stone or are you waiting for the result of this evening's waiver request? Responding to Mr. Roach, Mr. Strickland stated that it was kind of waiting on the result of this to see what way they need to go with it but the owner is willing to do what it takes to make this work in terms of the bicycle parking.

Mr. Tolbert stated that the applicant has some concerns about the pathway and the bicycle requirements. Are you willing to work with Staff on those issues? Responding to Mr. Tolbert, Mr. Strickland stated yes.

Mr. Tolbert opened a public hearing.

Mr. Wyatt Waters – 281 College Road Dover DE 19904

Mr. Waters stated that he has been a resident of College Road for a number of years and this particular parcel has been vacant for a number of years. He thinks that this would be a good fit if they get all of the bugs worked out. He would welcome this multiplex for the college students.

Mr. Tolbert closed the public hearing.

Mr. Roach stated that if they do require a sidewalk to be along the frontage of Conwell Street and they find out that it's owned by somebody else and they don't want it there. He is just trying to understand how they can require somebody to put something there if we don't even know who owns the street? Could that become an issue when we do find out who owns it? Responding to Mr. Roach, Mr. Diaz stated that if the Commission did not grant the waiver request for the sidewalk tonight then the word would be that if it's City owned they would be required to put it in. If it was owned by DelDOT instead, if they told us that they did not want it then at that point that would supersede the City requirement.

Mr. Lyon stated that he would like to provide a little more background on Conwell Street. Mr. Hugg did mention that at the Council Meeting in October there was more discussion about it. Historically speaking, this area was originally laid out in 1899; well before it was in City limits. As the City grew, it started grabbing up these parcels around Conwell Street but the formal dedication of those annexations did not include any of the right-of-way. Conwell Street actually has four properties that front it; two of which have never been annexed into the City and two that are. In 1899, DelDOT was known as State Highway Administration. That is where the confusion lies. There are two properties that are County owned and two that are owned in the City. When the annexation happened, it did not incorporate the road. The road is not to City standards of course.

Mr. Holden moved to approve S-17-28 Multiplex at 299 College Road, including the elimination of the bicycle parking requirement and the relaxation of pathway relocation requirements specifically along Conwell Street because we are unsure of ownership. He takes the applicant's statement that they are going to work with Planning to amend the sidewalk along College Road and include that as part of their requirement, seconded by Ms. Maucher and the motion was carried 9-0 by roll call vote. Mr. Holden voting yes; he believes that additional student housing in that area would be a good fit and it looks like a nice Site Plan. Mr. Roach voting yes; he knows for a fact that additional housing for Delaware State University is welcomed. Also, due to community support for that road and upgrades for that

area and also for their willingness to fix the College Road area and because they don't know who owns Conwell Street. He has had a bike stolen before too so he definitely feels as though the bike parking needs to be inside the building. Ms. Edwards voting yes; based on the reasons previously stated. Mr. Holt voting yes; he thinks that it's a good fit for the area and the college can certainly use the extra space for residents in the area. Mr. Baldwin voting yes; for all reasons previously stated. Dr. Jones voting yes; she is confident that the owner will work cooperatively with Planning Staff to make sure that all of the requirements and concerns have been addressed appropriately. Mrs. Welsh voting yes; she thinks that the housing units will be a welcomed addition in that vacant area. Ms. Maucher voting yes; for reasons previously stated. Mr. Tolbert voting yes; he agrees with the statements that have been made so far regarding this application. He is also impressed with the applicant's willingness to work cooperatively and collaboratively with Staff.

- 3) S-17-29 Delaware State University Residence Hall at 1200 N. DuPont Highway: Master Plan – Public Hearing and Review of a Site Development Master Plan to permit phased construction of a new 190,000 S.F. five-story Student Residence Hall. The project phases consist of the following: Phase 1- Relocation of Utilities, Phase 2 - Construction of Residence Hall (600 Beds) and Demolition of Laws Hall, and Phase 3 - Demolition of Tubman Hall. The subject project area consists of 209,088 +/- S.F. (4.80 +/- acres) internal to the Delaware State University Campus of 287.32 +/- acres. The property is zoned IO (Institutional and Office Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone) – Tier 3: Excellent Recharge Area. The campus is location west of North DuPont Highway and north of College Road. The owner of record is State of Delaware c/o Delaware State University. Property Address: 1200 North DuPont Highway. Tax Parcels: ED-05-057.00-01-19.00-000, ED-05-057.00-01-20.00-000, and ED-05-057.00-01-21.00-000. Council District 4.

Representatives: Mr. Gregg Moore, Becker Morgan Group; Mr. J.D. Bartlett, Delaware State University

Mrs. Melson-Williams stated that this is a Site Development Master Plan application for Delaware State University; it's a Residence Hall. The Master Plan itself focuses on a specific area that is internal to the university campus. It's a project area of about 4.8 acres. The image on the screen shows the U-shaped form of the new Residence Hall building that also includes a dining facility. It's located to the north of College Road. This building project area is just to the north of Warren Franklin Hall. In part of the phases of development, two of the existing dormitories in this area, Laws Hall and Tubman Hall will be demolished as part of the project activities.

With a Site Development Master Plan, the overall concept comes to the Planning Commission and then each phase of development is then subject to an Administrative Site Plan review process with Staff and the regulatory agencies. Tonight, we are looking at a proposal that will ultimately be a building of 190,000 SF on the campus. It's intended to be a five-story building that would have 600 residential beds. Specifically for this project, it is considered to be a three-phase project. The first phase is relocation of utilities within the project area. That's number of

water, sewer, stormwater, gas lines, etc. that need to be relocated in order to have a clean spot for the building. Phase 2 is actually the construction of the Residence Hall and towards the end of that would include the demolition of Laws Hall which is kind of in the center of the U-shape. Phase 3 would be the demolition of the adjacent Harriet Tubman Hall which is located to the left-hand side of the building.

The property is zoned IO (Institutional and Office Zone) and obviously a university is a permitted use there. Residence Halls and dining facilities are types of expected buildings on a university campus. The university campus is also subject to the SWPOZ (Source Water Protection Overlay Zone) which sets limitations on the amount of lot coverage and impervious surface coverage for the property. With this project as it will be increasing that level of imperviousness on the campus, they will be looking to make use of infiltration practices for stormwater management in order to construct this building. They will be working with DNREC because this is a State owned property for their stormwater management plan review and approvals.

Moving on to the expected things that they normally have with Site Plans. First, is a look at the building. It is a five-story building, basically masonry construction. There is a little bit more glass on the first floor and then a series of windows that you see for the upper floors. Some of the detailing of the building shows other cast pieces at the tops of windows and then the fifth floor is a change in material to more of a panel system rather than the brick masonry of the items below.

There is a parking lot of thirty-one spaces that will be displaced by the construction of this building. Parking on the university campus is a little confusing and unique perhaps. Back in 2009, the Board of Adjustment had the authority to set what would be the required number of parking spaces for the university campus and then did so by setting the required number of parking spaces at 1,650 spaces. The university campus has well over 2,000 parking spaces existing on the campus. With this new Residence Hall, dormitories have a parking requirement that's based on a number of beds. With this building, they are required to provide two hundred parking spaces. Given what their required parking that was established by the Board of Adjustment and what they call excess parking that is available on the campus, they will be in compliance without having to build any additional parking spaces as part of this project. Related to loading spaces, they were required to justify the loading space needs of this building and they provided that in written format that is part of the packet. Planning Staff concurs that the building can be easily served by the two designated loading spaces that are kind of in the service area location of the dining facility and then the university also has a kind of centralized receiving and processing facility to handle all of their buildings as well. Also related to parking are bicycle parking requirements. Based on the parking needs specific to this building, the facility is required to provide ten bicycle parking spaces. Planning Staff has recommended that they not put them all in one place but that they scatter them near the various entrances to this building because of the various fronts that it presents to the remaining portions of the campus.

There are new changes to the access points to the university campus. The main entrance off of DuPont Highway remains and the series of entrance points from College Road also remain with no changes with this project. There is a waiver request to be considered this evening related to pathways or sidewalks requirements for the university. There is a segment of College Road that

is to the east of this western most entrance of the university that does not currently have the street frontage sidewalk that is required by our Code. They have submitted a request to consider for elimination of the sidewalk in that area. Planning Staff is recommending that the waiver be granted finding that there is physical characteristics of the frontage in that specific area related to drainage swales, existing trees, and grades in general that would make it very difficult to implement sidewalks in that area. It is also not likely to be traveled over by pedestrians. If you are coming east along College Road, the westernmost entrance to the university clearly makes the opportunity to come into the campus and then you can circulate on the interior rather than out along the public street frontage of College Road.

The tree planting requirements will be a project that makes use of the ability to identify a development area for the purpose of tree planting calculations. That is a new provision of our Code. With the 4.8 acres, there is the requirement for seventy trees. They have shown tree plantings in concept. That will be something that will be detailed out further during the Administrative Site Plan review process. They are reserving an area for dumpsters but they do have a centralized trash management for the campus overall.

For the Commission's consideration tonight, was the demonstration of their loading space needs and the one waiver for consideration of the partial elimination of sidewalk pathway along the remaining segment of College Road. The DAC Report also includes the comments from the various other agencies, including the City's Public Works Office, the Fire Marshal's Office, DelDOT and DNREC.

Mr. Moore stated that they are actually tearing down two older dorms and building one new larger one back. The long-term plan is actually to bring students that are not on campus; there are some students that are in hotels and some who are in the former Sheraton Building. It's the plan to bring those students back so that they are on the campus and it becomes a better walking campus. You can see that they have a lot of walking trails around the building. The overall strategy of Delaware State University is to emphasize an internal walking campus and try to eliminate some of the cars which is why they are building this building. The other reason for the larger building at six hundred units is that there are other dormitories on the campus that need to be renovated and they will need to be shut down. They are actually going to have some moving around to do because one of the current dorms is going to be torn down while they are building this one and that's going to take some dorm rooms out of use. In the future, they want to eliminate the need to eliminate dorms and actually be able to renovate them by moving students to this dorm to better renovate some of the older dorms on campus.

They have no problems with the DAC Report. Their only request is the sidewalk waiver in the back. Mrs. Melson-Williams was correct in saying that there is a swale there that's steep. There is an embankment on one side of the swale and that area has a very mature growth of pines that surround the President's House. Delaware State University would like to keep that as is. They don't think that they can actually meet ADA requirements in that area with a sidewalk. In addition to that, there is a sidewalk down College Road that surrounds and then comes back into the College at the point where the University Villages area is and that gives the students the ability to walk back into the campus internally. They are trying to de-emphasize the back entrance off of College Road because that is becoming more of a service entrance and that is the

long term use that Delaware State University would like to see for it.

Ms. Maucher questioned why it is one singly connected building? If you are in this building and need to get to get to another side of the campus can you go through or do you have to go around the building? Responding to Ms. Maucher, Mr. Moore stated that there is actually a through walk on the area on the right-hand side of the graphic. You can walk through the building and it's open so you are not walking into the building to get through. That allows you to get back to the rest of the campus. There are also a number of areas on the first floor that aren't dorms. Some of them are administrative people who are going to be in this building to help service this building and others. The cafeteria is actually connected to the building and it's at the end on the back side. At one point during their planning stages, they had two buildings and it was brought in to be one building. All of that allows the external use of the sidewalks for kids to walk to and use this building from other dorms.

Mr. Holden questioned if the swale along College Road is that one stormwater feature that couldn't be piped to resolve the conflict of putting a sidewalk along there? Responding to Mr. Holden, Mr. Moore stated that he wouldn't say that is couldn't be but it would be a pretty big engineering project to pipe it. He is not sure that the grades would actually work. There was a stormwater plan that was done years ago that has remained and that swale was part of it. He would think that it would be a struggle to change that now. They are actually infiltrating all of their stormwater here because the new regulations of the Excellent Recharge Area so they have significant underground facilities to recharge.

Mr. Holden stated that sidewalks are certainly of use to site developments that are occurring. They are also a great use to pedestrians that live or surround the area. Does the college look to route public through the internal of the site or does the college take the stance that there aren't any public that utilize College Road? Responding to Mr. Holden, Mr. Moore stated that it's a little bit of both. The public could actually walk through the campus and get around if they wanted to. But there is not a lot of in that section because the grade is not an area where people walk. Most of the students are walking out towards Route 13 to cross the highway and not walking in the back. There is a walkway from the back entrance that allows you to get to the other facilities. In fact, the building that you saw tonight, there is a sidewalk from that entrance so that kids could get back there if they wanted to and Delaware State does own an apartment complex back there. This is that middle ground that no one is really using. It's also on a curve and there are some safety issues on a curve so it's not a great spot to be along the edge of the road.

Mr. Holden stated that he recognizes the college's view on placing the sidewalk there and he recognizes that it's a challenging curve. He would encourage the college to look for an alternative here in the future to allow for pedestrians to travel on College Road. He travels that road a lot and sees mostly students and some parents that walk their kids to North Dover Elementary. He is not sure where they come from but they are walking along this path so he would certainly support them to seek a solution to provide pedestrian access along there but there are some complications and he does understand that.

Mr. Tolbert stated that it was said that this facility would eliminate the use of the old Sheraton

Hotel. Responding to Mr. Tolbert, Mr. Moore stated that he didn't say eliminate, he said trying to bring as many students back to the campus. The point that he was trying to make that he didn't make was, that this is not about a major expansion of Delaware State University. This is about accommodating the students who are already there; many of which aren't on the campus so they are trying to bring as many of them back to the campus as possible. At some point in time when the other dorms that have been on the campus for a while, need to be upgraded then there is some opportunity to perhaps bring all of those students back. That won't be happening in the near future because there is a lot of work to do on a number of other dormitories. For their students at other hotels that are not in the Sheraton Hotel (Building) that are actually leasing hotel rooms, they plan to stop that so that those students are accommodated with housing from Delaware State University.

Dr. Jones questioned if Mr. Moore could talk just a little bit about the dining facility in this complex? For example, what is the capacity? Responding to Dr. Jones, Mr. Moore stated that the dining facility is actually shown at the top of the page at the very end of the building. It's used for the entire campus so students in the building will actually use it but other students will be using it as well. They are not trying to be the only facility. They are trying to diversify what product Delaware State University is offering so there is a little bit of variation at different locations because many of the competitors to Delaware State University are doing this and Delaware State University is trying to up its game to provide as good of a food service as it can. The exact number they don't have yet. They are actually working with that on a vendor from Delaware State University as to exactly how many students are going to be there and that is a cost driven thing. This program is actually budget driven and there is a developer who is actually putting the building up so they are finalizing the details of exactly how many seats. A lot of it is to improve the food offerings at the university.

Mr. Bartlett stated that related to the dining facility, they are in the process of going through an exercise to engage the students, interview the students and survey the students to determine what the student's desires are with dining options. The goal here is to supplement existing on campus dining options. They do have a dining facility that is nearby but the goal here is to provide alternative dining solutions. There have been discussions about retail style dining as opposed to the all you can eat style that they currently have on campus. The intent is to target around two hundred seats but again, that is going to depend upon all of the research that is done and interviews of students to really evaluate what the desires are on campus. Ultimately, they are there to serve the customer and the student.

Mr. Roach stated that in regards to the residents of this actual facility, who will it be open? He knows that a lot of times with dormitories, they have certain requirements as far as incoming freshmen can't live in certain dormitories. Will there be these types of restrictions for this dormitory or will it open as a first come first serve or for just out of state students? Responding to Mr. Roach, Mr. Bartlett stated that they are currently researching what the intent is going to be and he thinks that the goal is to make sure that they are hitting the students that are forced off campus or to other universities. The goal is for Delaware State University to be most competitive and be able to accommodate all of the students that are interested in living on campus without turning some of them away. They are trying to determine what that demographic looks like so they can hit the right class that ends up getting forced off campus. Often times now, it ends up

being their sophomore class because freshmen are required to live on campus and then the juniors they have obviously been in a place already with some of the apartment complexes that they have. The sophomore year ends up being their biggest weakness in providing housing. They are very much in the process of evaluating what is going to be best based on what the students' thoughts are. That's big on this project, is them engaging the students.

Mr. Roach stated that he knows that Laws Hall and Tubman Hall is going to be torn down. Are there going to be any type of wings designated in memory of those various entities on the campus? Will anything be displayed in the halls to commemorate to former dorm rooms that were there for people who may want to come back and see at some point in time. Responding to Mr. Roach, Mr. Bartlett stated that are two pieces to this that he wants to hit on. Obviously, Harriet Tubman has a very big significance for their national history and that is very much important to them. Also, just as much important is Lydia Laws who was way ahead of her time when she was on campus as a professor and administrator. They very much have the intent to have them tied into the building. Their institutional advancement group is in the process of trying to evaluate the naming of the building and what steps they are going to take to make that happen. Obviously, the alumni, current students, faculty, staff and administration are going to work together to identify how the building should be named. But the goal is to really bring Lydia Laws and Harriet Tubman justice with the new facility. The other piece of this is that there are a lot of individuals that spend a lot of time in their college years in these buildings so he has challenged the design team to try to implement any materials that they can pull from the buildings during demolition so that they are tied into the construction and to mimic some of the experience whether it be a lobby, an entrance or those sort of things into the new building. They have been given that directive to make sure that it's an emphasis.

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

Mr. Holden questioned if Staff could describe the waiver requests for demonstrational loading space? Responding to Mr. Holden, Mrs. Melson-Williams stated that the loading space needs for a building that exceeds 150,000 SF is not specifically outlined in the Code. It says that it should be sufficient for the use and function of the building. They asked that they demonstrate that in writing to us and Staff accepted their written description as to how loading actually occurs by two new loading spaces specifically for this building and then also the function of loading for the centralized receiving that occurs with the campus in general.

Mr. Holden moved to approve S-17-29 Delaware State University Residence Hall at 1200 N DuPont Highway: Master Plan as presented, to include the waiver request for the partial elimination of sidewalk along the segment of College Road, seconded by Mrs. Welsh and the motion was carried 9-0 by roll call vote. Mr. Holden voting yes; due to compliance with Code and due to the fact that the university has been a great partner in the City of Dover and he looks forward to their expansion. Mr. Roach voting yes; he thinks that bringing the students back on campus is well needed. He also loves the way the building looks aesthetically. Ms. Edwards voting yes; she thinks that it's very important to bring these students who are off campus, particularly in hotels, back onto the campus. She thinks that is very important and she really like the fact that they are maintaining the integrity and the history of the Lydia Laws and Harriet

Tubman buildings to bring that history into the new structure. Mr. Holt voting yes; he thinks that it's going to be a real asset to the college and to bring students to the college campus. Mr. Baldwin voting yes; for all of the reasons previously stated. Dr. Jones voting yes; for all of the reasons mentioned. Mrs. Welsh voting yes; for all reasons previously stated and she would like to add that she is always impressed at what a professional job Becker Morgan Group does as far as presentation for their projects. Ms. Maucher voting yes; for the reasons previously mentioned. Mr. Tolbert voting yes; for all of the reasons previously stated and we can't overlook the fact that a well-endowed university in this town is an asset to this town for many reasons that he can't begin to state them all.

- 4) MI-17-03 Text Amendments: Adult Day Care Facilities – Public Hearing and Review for recommendation to City Council on a series of Text Amendments to the Appendix B: *Zoning Ordinance*, Article 3 – District Regulations, Article 5 – Supplementary Regulations, and Article 12 - Definitions. The proposed Ordinance establishes provisions for Adult Day Care facilities allowing them to be permitted in any zoning district provided that state licensing and city code requirements have been met. Other amendments update references and definitions to make the distinction between Child Day Care facilities and Adult Day Care facilities. Ordinance #2017-13.
- A copy of the Proposed Ordinance #2017-13 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 September 25, 2017 and the First Reading before City Council occurred on October 9, 2017. The Public Hearing before the Planning Commission is set for November 20, 2017 and Public Hearing and Final Reading before City Council is on December 11, 2017.*

Representatives: None

Mrs. Melson-Williams stated that this is a proposal for a series of text amendments to the *Zoning Ordinance*. Just a reminder, the Planning Commission in this case is a recommending body. This will actually have to move on to City Council for their own public hearing and adoption of the Ordinance. This began with an inquiry related to if they allowed adult day care facilities. Staff found that basically the *Zoning Ordinance* is silent on that type of use. The provisions for child day care facilities are pretty much established in the Code but they are very specific to children in how they are defined. With this set of ordinance provisions, they are establishing provisions for adult day care facilities basically allowing them to be permitted in any zoning district. There are actually some State Regulations related to adult day care facilities. The key provisions of the Code are first to clearly make the distinction between “child” day care facilities and “adult” day care facilities so there are some changes in Article 3 and then in Article 5 Section 14 to make those very clearly related to children. With this Ordinance, there is a proposed new section and that would be Article 5 Section 22 which discusses the adult day care facilities and it defines them. There is the ability to have a small adult day care or a large adult day care. Again, that is predicated on the number of adult participants being served. It outlines the type of review processes for establishing such facilities. There are provisions included related to parking and signage as well as the licensing procedures that would be required. In Article 12, they go in and

make sure that they are picking up those specific definitions.

The other agencies really had no objection to the proposed text amendments. Just for clarity purposes, in our residential districts, child care facilities are basically allowed. The process is actually defined related to the number of children being served. They have added adult day care facilities as something that would require conditional use approvals in the residential zones but in the IO (Institutional and Office Zone), adult day care facilities would be a permitted use. As mentioned, in Article 5 Section 14 they make the distinction for child care facilities. The other minor change that we have done is for family day care homes and large family day care homes serving children. They have added the provisions that in addition to the full-time care number of children you have, they are allowing the maximum of three additional children for after-school care type facilities. A family day care home is one that serves six or fewer children with the additional allowance of three under after-school care. That brings it in line with some of the provisions that the State Child Care Licensing has for those types of facilities.

The main jist of this is the addition of Article 5 Section 22 which is the adult day care facilities where it goes through the definitions. Adult day care facilities are “programs that provide health, social and related support services for four or more functionally impaired adults who require supervision due to cognitive or physical impairment and who cannot independently perform one or more activities of daily living.” These services are intended to be provided to adults for a period of less than twelve hours a day and are provided in a setting other than the participant’s home or the residence of the facility operator. An adult day care facility is very distinctive from an assisted living or nursing home. It’s not a full time residential component. Dividing it into small and large facilities, a small facility is anywhere from four participants up to sixteen. It becomes a large adult day care facility for places that are serving more than sixteen adult participants. The review process is also established. They clearly understand that there may be existing facilities that already are servicing adult participants in some way so if it meets the definition that they are proposing for the Code, then in that instance it would be permitted as an accessory use.

In the residential zones, a Conditional Use Site Plan will be required to establish an adult day care facility. In the non-residential zones, if it is the small adult day care facility then it will be a Site Development Plan process. Most of those likely if it’s an existing building, will be able to be reviewed administratively for compliance. If someone is wishing to do the large adult day care facility in a non-residential zone then it is a Conditional Use Site Plan that will be subject to the Planning Commission’s public hearing process. Parking is based on the number of adult attendants and participants to establish that; very similar to what day care facilities have. The definitions section is updated with those provisions as well.

Mr. Holt questioned if there were any adult day cares in operation in Dover now? Responding to Mr. Holt, Mrs. Melson-Williams stated that they believe that there probably is some programming offered at the Modern Maturity Center that would equate to this adult day care facility provision. They have a day break program so there may be something similar to that in some of the other nursing facilities as well. They clearly thought that there probably was something of a similar nature at the Modern Maturity Center. There may also be something of similar nature related to the services that Easter Seals provides at their location in town as well.

Ms. Maucher questioned if “adult” and “child” were defined elsewhere in the Code? Responding to Ms. Maucher, Mrs. Melson-Williams stated that she does not believe so. She doesn’t believe that there is any distinction between child and adult. In that case, if it is not defined then you go to the common dictionary which would probably lead you to believe that ages eighteen and up would be an adult situation.

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

Mr. Holt questioned if there have been any requests recently for an adult day care in the City? Responding to Mr. Holt, Mrs. Melson-Williams stated that they did receive an inquiry back in the summer regarding the ability to utilize an existing building for such a facility which then triggered us to really start to look at our Code and find that there really wasn’t anything that could address that type of facility. They went to the research mode; hence, the Ordinance that is before you tonight.

Mr. Roach questioned if it would be smart of them to try to specify the idea of “adult” versus “child” care now or do we just wait until someone submits an application? It seems like if we wait and we don’t specify that parameter in regards to an adult day care facility and a child day care facility then we leave ourselves open for opportunities for wiggle room. Responding to Mr. Roach, Mr. Hugg stated that without knowing exactly what the regulations specify, both child day cares and adult day cares are regulated by the State and in each case, you have to meet the State licensing requirement. If we were to address that question, he thinks that we would probably default to whatever the State requirement is.

Mrs. Welsh moved to recommend approval to City Council for MI-17-03 Text Amendments: Adult Day Care Facilities, seconded by Ms. Maucher and the motion was carried 9-0 by roll call vote. Mr. Holden voting yes; it seems to be a common sense way to clear up a lack of clarity currently. Mr. Roach voting yes; he appreciates the Planning Staff for their initiative and proactiveness in regards to this situation to take care of it before the Commission had to sit here confused. Ms. Edwards voting yes; it seems like it is a necessity unfortunately in the community. Mr. Holt voting yes; he thinks that it’s going to be needed in the very near future with the way that the City is growing. Mr. Baldwin voting yes. Dr. Jones voting yes; it’s a great option for family members who are taking care of others who may need care during the day. Mrs. Welsh voting yes. Ms. Maucher voting yes; for the reasons previously stated. Mr. Tolbert voting yes; updated regulations regarding the facilities is certainly needed.

Meeting adjourned at 8:29 PM.

Sincerely,

**Kristen Mullaney
Secretary**



MEMORANDUM

Department of Planning & Inspections
P.O. Box 475
Dover, DE 19903
Phone: (302) 736-7196 Fax (302) 736-4217

DATE: December 8, 2017

TO: Members of the Planning Commission

FROM: Planning Office

SUBJECT: **S-16-24 Advantech at 151 Garrison Oak Drive: Revised Plan & Building Architecture**

At its November 21, 2016 meeting, the Planning Commission granted conditional approval for Site Plan Application **S-16-24 Advantech at 151 Garrison Oak Drive**. The project received Final Plan approval on June 16, 2017. As part of the review process, the Performance Standards Review Application was previously approved indicating the project as conforming to the applicable performance standards as outlined in *Zoning Ordinance*, Article 5 §8 Performance Standards. The subject property consists of 10.06 acres and is located on the east side of Garrison Oak Drive north of White Oak Road; also known as Lot 13 of the Garrison Oak Technical Park. The property is zoned IPM-2 (Industrial Park Manufacturing Zone - Technology Center). The owner of record is Protective Properties, LLC. Property Address: 151 Garrison Oak Drive. Tax Parcel: LC-05-068.00-02-13.00-000.

However, prior to the start of construction, there have been some design revisions to the Site Plan and Building Architecture. The configuration of the building has been reduced in size to 14,700 SF from 15,989 S.F. for the office building and light manufacturing facility. Associated revisions are also proposed for the outdoor loading and parking areas and other site improvements. The communication from the Applicants highlights the following changes to the Site Plan and the Building Architecture:

1. Reduction of building footprint from 15,989 S.F. to 14,700 S.F.
2. Reduction in total impervious coverage of the site
3. Minor grading revisions in order to maintain the previously proposed stormwater management facilities.
4. Reconfiguration of parking areas including relocation of parking spaces to alternative locations and realignment of spaces for better accessibility.
5. Simplification of the Building Architecture including relocation of main entry, changes to exterior finish materials, different roof form, and reduction of building height.

Attached are the transmittal letter and a copies of the Final Site Plan, the Revised Site Plan, the original Building Architecture and the Revised Building Architecture. The information is presented to the Planning Commission as an update on the project. The applicant will be working with Planning Staff and the various other agencies to seek re-approval of the Revised Final Site Plan.

December 6, 2017

City of Dover – Department of Planning & Inspections
Attn.: Ms. Dawn Melson-Williams, AICP
15 Loockerman Plaza
Dover, DE 19901

RE: Advantech at 151 Garrison Oak Drive (S-16-24)
Protective Properties, LLC - Garrison Oak Technical Park Site
Revised Site Plan & Building Architecture

Dear Ms. Melson-Williams:

On behalf of Protective Properties, LLC, Century Engineering, Inc. (CEI) is submitting the attached twelve (12) copies of the revised Site Plan (Sheet C103) and Building Architecture. Twelve (12) copies of the original approved plan (Dated May 26th, 2017) and the original Building Architecture (Dated Feb. 9th, 2017) are also included with this submittal.

Due to value engineering efforts since approval from the City, the Owner desires minor changes to the building and site. The revised Site Plan includes a building footprint that is reduced from 15,989 SF to 14,700 SF. The site has been revised to accommodate the new building footprint, resulting in a reduction in total impervious coverage from 1.41 acres to 1.34 acres. The proposed stormwater management facilities designed for the original building have not been altered. Grading revisions aim to keep drainage patterns as close to the previously approved Site Plan as possible. The entrance to the building is shifted closer to the northwest corner of the building. The sidewalk between the building and customer parking areas was adjusted to align with the revised building footprint. Six (6) parking spaces have been removed from the fenced-in company vehicle parking lot on the south side of the proposed building. Four (4) of these parking spaces have been relocated to the eastern edge of the company vehicle parking area and now include parking bumpers due to the lack of curb along this edge of the parking area. The other two (2) relocated parking spaces are now located in front of the building in the customer parking area. The parking spaces in front of the building are realigned to increase maneuverability and accessibility, by utilizing the expanded area between the parking spaces and the revised building. The generator pad has been relocated to be closer to the building.

The architecture of the building has been simplified from the approved building. Metal paneling will replace the exterior stone elements and the peak height has been reduced from 38.0' to 29.0'. The asphalt shingles are replaced by a metal roof.

The revised Site Plan has been submitted to Kent Conservation District to seek their approval on the revisions. The complete revised set of construction plans will be submitted to the City Fire Marshal, Planning Office, and Public Works department through the Check Print submission process to confirm compliance with all agency approvals.

CEI is hereby requesting review from the Planning Commission regarding the revisions described above and shown on the attached drawings.

Protective Properties, LLC
Advantech at 151 Garrison Oak Drive (S-16-24)
City of Dover – Planning Commission Review
Page 2 of 2

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Strickland', written in a cursive style.

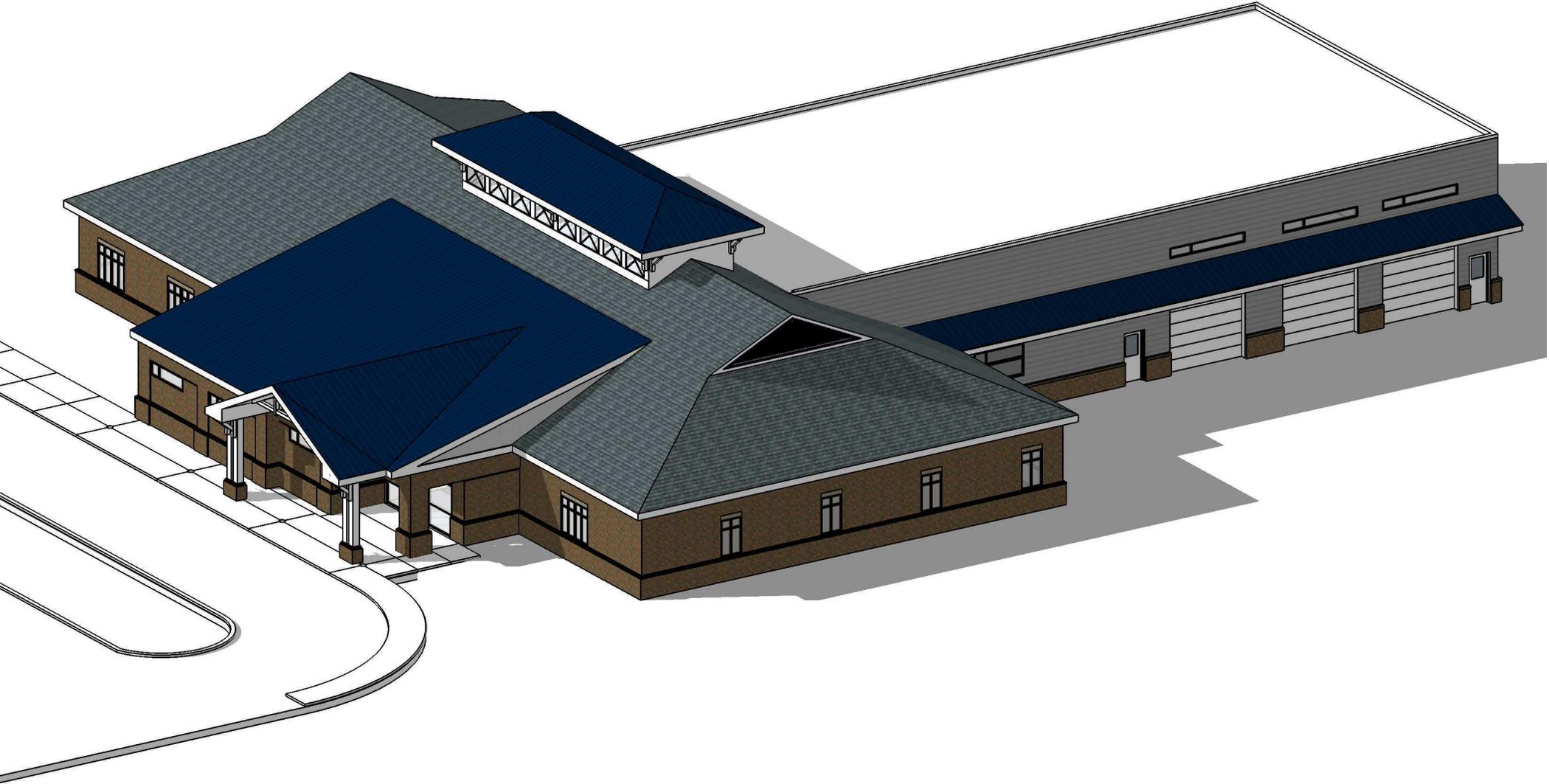
Mark Strickland, P.E.

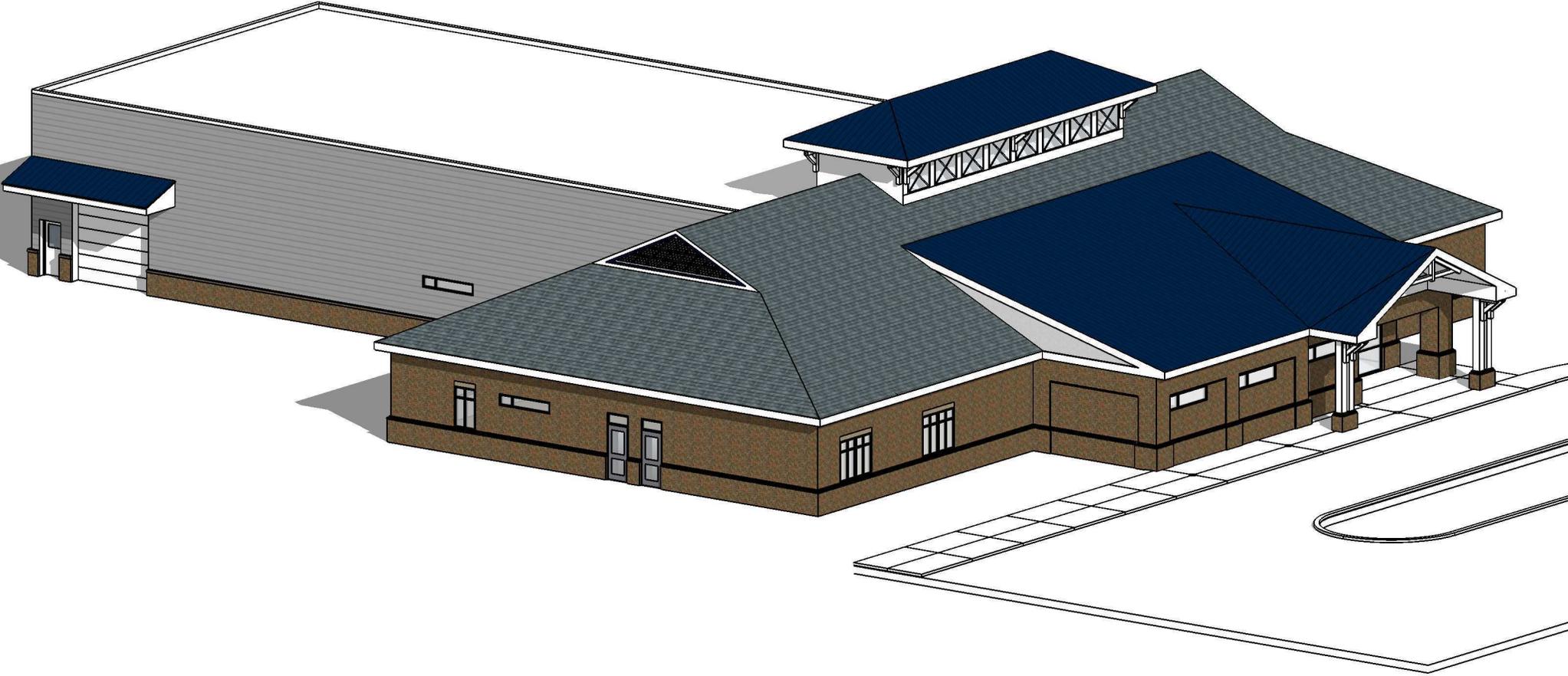
cc: Alex Schmidt, P.E. (CEI) w/o attachments

Dave Sweeney (Protective Properties) w/ attachments

File: (G:\PROJECTS\165008 00 (Advantech Incorporated)\DESIGN PROJECT INFO\Comments and Submissions\City of Dover\2017-12-06_ReviseBuilding\2017-12-06 City of Dover Cover Letter.docx)

Attachments: Approved Site Plan Dated May 26th, 2017 (Sheet C103) – 12 Copies
Revised Site Plan Dated Dec. 4th, 2017 (Sheet C103) – 12 Copies
Approved Building Architecture Dated Feb. 9th, 2017 – 12 Copies
Revised Building Architecture Dated Dec. 5th, 2017 – 12 Copies

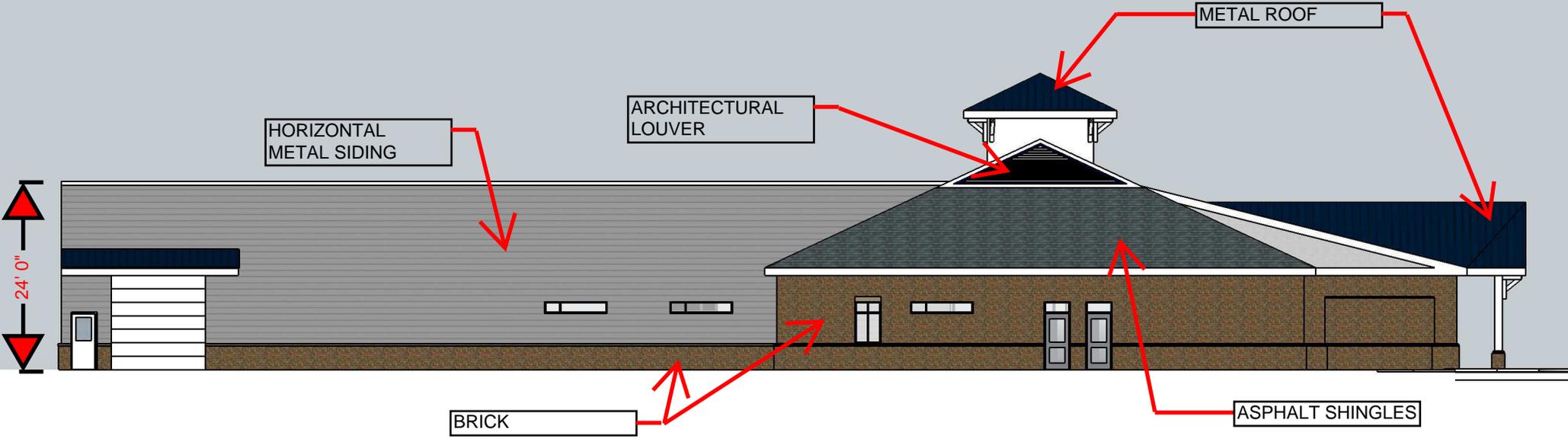






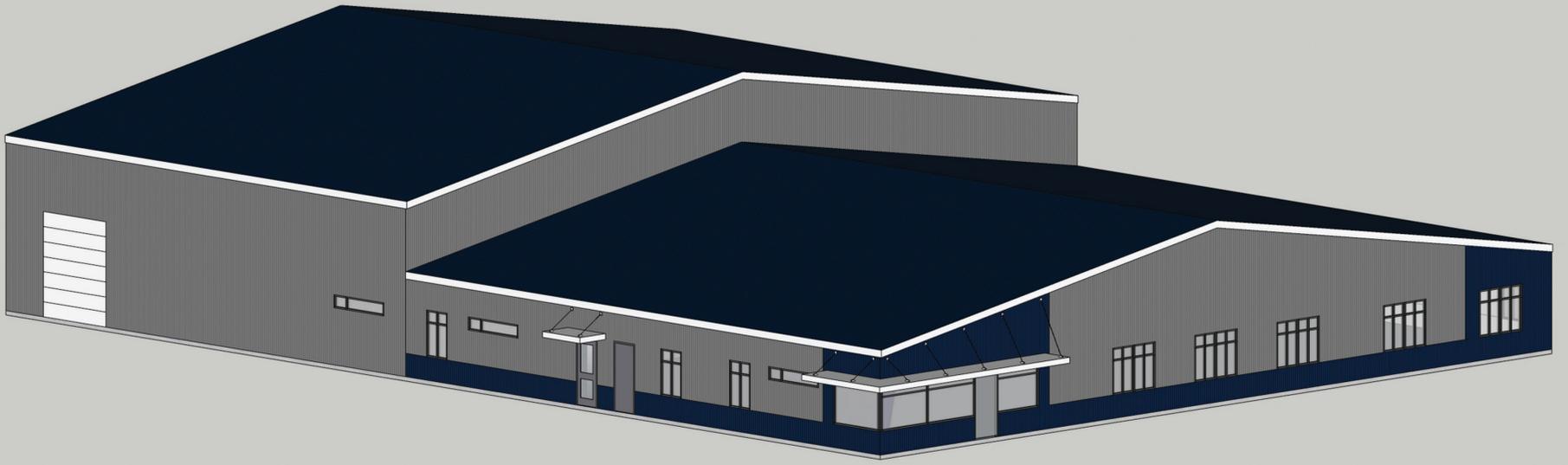
MAXIMUM FLAG SIZES FOR 25' & 30' POLE LISTED ON DISPLAY











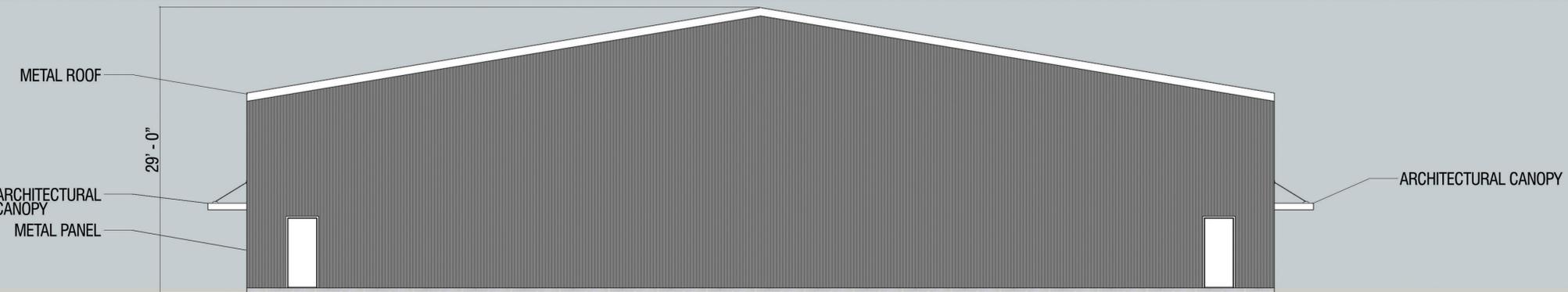
3D VIEW



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



DATA SHEET FOR UNIFIED COMPREHENSIVE SIGNAGE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF December 6, 2017

PLANNING COMMISSION MEETING OF December 18, 2017

Plan Title: Chesapeake Utilities Comprehensive Sign Proposal (US-17-02)

Plan Type: Unified Comprehensive Signage Plan

Property Location: Located on the south side and east end of Krisko Circle, east of Bay Road

Property Addresses: 500 and 600 Krisko Circle

Tax Parcel: ED-05-077.00-03-06.00-000

Owner: Eastern Shore Natural Gas Co

Project Professional: Kent Signs as preparer of Comprehensive Sign Plan Proposal; future sign provider and installer presumed same

Site Area: 20.57 acres +/-

Existing Signs: None

Proposed Signs: Two (2) monument signs with sign face areas of 15.06 SF and 3.75 SF; 18.81 SF total
Three (3) building-mounted signs at 46.25 SF, 46.25 SF, and 26.37 SF; 118.87 SF total
Six (6) gas station canopy signs at 2 each 19.52 SF and 42.47 SF, and 1 each 12.63 SF and 22.25 SF; 158.86 SF total

Zoning Classification: IPM (Industrial Park Manufacturing Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone – Tier 3 Excellent Recharge Area)

Roadway Classification: Krisko Circle – Local Street
(per Sign Regulations)

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 6, 2017

APPLICATION: Chesapeake Utilities: Comprehensive Signage Plan

FILE #: US-17-02

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Eddie Diaz, Planner

PHONE #: (302) 736-7196

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 Chesapeake Utilities and Eastern Shore Natural Gas, which are building a new campus at 500 and 600 Krisko Circle (proposed for name change to Energy Lane). The signage is proposed to include two (2) monument signs totaling 27.92 SF, three (3) building-mounted signs totaling 118.87 SF, and six (6) gas station canopy signs totaling 158.86 SF. The gas station canopy signage has been revised once since the original plan submission, with revision date of December 6, 2017.

The campus is planned to consist of two (2) buildings and two (2) canopies, which are large enough to qualify as principal structures on the site, as well as a number of accessory structures. The project 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, as defined in Article 5 §4.8 of the *Zoning Ordinance*.

The four (4) main structures planned for the site include:

- A 56,000 SF office building, located in the north-central area of the site
- A 36,000 SF warehouse building, located in the east part of the site
- A 9,700 SF covered truck canopy, located in the south part of the site
- A 1,800 SF natural gas filling station with canopy, located in the southwest part of the site and adjacent to State Route 1

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 Chesapeake Utilities campus was reviewed as Site Development Plan S-16-11, conditionally approved by the Planning Commission on April 18, 2016 and granted Final Plan Approval on August 26, 2017. Previous related applications include SB-05-05, which in 2007 subdivided the Stover Professional Campus into twelve (12) lots and laid out Stover Boulevard and Krisko Circle from Bay

Road, and MI-15-07, which in 2015 reconsolidated seven (7) of those lots into the subject parcel and abandoned part of the right-of-way for Krisko Circle. 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.

Application MI-17-07 was brought before the Planning Commission on October 16, 2017 to petition the City to rename Krisko Circle to Energy Lane. Chesapeake Utilities initiated the petition because Krisko Circle will no longer be a circle once the campus is constructed. The Planning Commission recommended approval of the street name change to the Council Utility Committee, which heard the application on November 14, 2017. Final action on the name change application is expected at the City Council meeting on December 11, 2017.

II. SIGNAGE REGULATIONS

The subject site has frontage on Krisko Circle, classified as a Local Street. The property’s frontage is not 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)

Location	Use	Road Type	Permitted Signs						
			Sign Type	Number Permitted	Max. Size	Max. Height	% of Total Wall Area	Setback (R.O.W.)	Exclusion Zone
Nonresidential Uses in Nonresidential Districts	Nonresidential Uses	Urban Local/Collector	Wall &	2/frontage	32 S.F.	N/A	< = 15%	N/A	N/A
			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

** 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 §4.4(A) design requirements for freestanding signs
- *Zoning Ordinance*, Article 5 §4.4(C) design requirements for wall signs
- *Zoning Ordinance*, Article 5 §4.9(C) supplementary sign provisions for gas station signage

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, 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 an industrial complex. The submitted Plan Book outlines the approximate placement for each of the two monument signs, as well as design details of the monument signs such as their dimensions, panel text, and architectural details. Design details of the three building-mounted signs are also provided, along with a building rendering showing the location of two of the building-mounted signs. Finally, the Plan Book provides design details for the gas station canopy signage, along with a canopy signage example. The design of the canopy signs was revised once from the initial submission, on December 6, 2017, and the revision was submitted to the Planning Office for Planning Commission review.

Freestanding Signage: Summary of Signage and Recommendations

The applicant is requesting two monument signs, with locations specified on pages 1 and 2 of the Plan Book. Design information for the monument signs is found on pages 3 and 4 of the Plan Book. The two proposed monument signs are as follows:

- Monument A is located along Stover Boulevard/Krisko Circle, on the east side of the drive aisle entrance leading to the west parking lot. The overall structure for this monument sign is 68 inches tall by 98 inches wide, or 46.28 SF. However, most of this area is the architectural framing of the sign. The sign face for this sign is divided between six (6) panels on the front of the sign and a 9.11 SF Chesapeake Utilities bird logo on the back. Four (4) of the six panels are directional signs 1.89 SF in area each. Of the remaining two (2), one states “Chesapeake Utilities” and the other states “Eastern Shore Natural Gas;” these two panels are 3.75 SF each. This monument sign also has the proposed site address, “500 Energy Lane,” in 6-inch tall numbers.

The total area of the graphics on this monument sign (other than the proposed address) is

24.17 SF. However, the definitions under *Zoning Ordinance* Article 5 §4.3 state that “the [sign] area of any double-sided or “V” shaped sign shall be the area of the largest single face only.” Therefore, only one side of the sign counts toward the sign area. The front of the sign has more graphics, totaling 15.06 SF, so this number may be considered to be the sign area for this monument sign.

This sign is composed principally of grey brick, with what appear to be stone bases and caps. From the front, the sign appears to be divided into multiple parts, with one smaller slab for the two main panels and one larger slab for the site address and the four directional panels. The four directional panels are cantilevered out from the larger slab; they are internally illuminated and backed with Plexiglas. The two main panels are painted aluminum mounted to an aluminum backer.

- Monument B is located along Krisko Circle, on the east side of the drive aisle entrance leading to the east parking lot. The structure for this monument sign is 52 inches by 58 inches, or 20.94 SF. Like with Monument A, most of this area is architectural framing. Unlike Monument A, this sign has only one panel, 3.75 SF in size, to comprise the sign face. That number may therefore be considered the sign area for this sign. The panel states “Eastern Shore Natural Gas.” This sign has no graphics on its back.

Materials for this sign match monument A; however, this sign is a single upright slab rather than composed of multiple parts.

The standard sign regulations of *Zoning Ordinance*, Article 5 §4 regulate permitted signage according to the property’s frontage and proximity to residential uses. The property has frontage on a Local Street and is not adjacent to residential. One (1) monument is permitted per entrance on this kind of street, and each monument is limited to 32 SF of sign area. Based on the two monument signs’ locations and their sign areas of 15.06 SF and 3.75 SF, both of the signs could be permitted under the standard sign regulations.

Table 2 provides a summary of the characteristics of the monument signs proposed, compared to what is permitted under the sign regulations:

**Table 2: Monument Signs Code Comparison
 US-17-02; Chesapeake Utilities**

	Permitted by Code	Proposed	Difference Between Proposed and Code
Monument A (on Local Street, not adjacent to residential)			
Sign Area (max.)	32 SF	15.06 SF	Complies
Height (max.)	7 ft.	5.66 SF	Complies
Setback from Right-of-Way (min.)	5 ft.	>5 ft.	Complies
Exclusion Zone (min.)	20 ft.	> 20 ft.	Complies
Monument B (on Local Street, not adjacent to residential)			
Sign Area (max.)	32 SF	3.75 SF	Complies
Height (max.)	7 ft.	4.33 SF	Complies
Setback from Right-of-Way (min.)	5 ft.	>5 ft.	Compliance TBD
Exclusion Zone (min.)	20 ft.	> 20 ft.	Complies
All Monuments			
Number Monument Signs 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	2 tenants on Monument A, 1 tenant on Monument B	Complies; for these monument signs the names of the tenants may also be considered the name of the campus

Staff recommends approval of the proposed monument signs for reasons as follows:

- a. Based on the sign area of each monument sign, the two signs are compliant with standard sign regulations.
- b. If the overall size of each monument sign (46.28 SF for Monument A and 20.94 SF for Monument B) was considered rather than the sign area as defined under the *Zoning Ordinance*, Monument B would still comply while Monument A would be about 14 SF larger than allowed by code (when comparing its overall size to the sign area limitation). However, Staff believes the overall size of Monument A is appropriate to a campus of this size.
- c. The architecture and the materials of the monument signs are appropriate to the design of the building and the site.

Building-Mounted Signage: Summary of Signage and Recommendations

The applicant is requesting two wall signs and one roof sign, with locations specified on pages 1 and 5 of the Plan Book. Design information for the signs is found on page 6 of the Plan Book. All three signs are located on the 56,000 SF office building. The three proposed signs are as follows:

- Wall Sign C is an internally illuminated 46.25 SF bird logo. Two (2) instances of this sign are proposed, one on the west side of “Area B” of the office building and one on the east side of “Area A” of the office building. The rendering shows that the western sign is

on the second story of the building. The eastern sign will match the western sign in terms of height.

- Roof Sign D consists of ¼ inch thickness, 18-inch-tall plate aluminum letters reading “Customer Care.” With the current wording, this sign is 26.37 SF in area, but the wording is subject to change. Changing the wording may expand or shrink the size of the sign somewhat depending on the length of the new words. According to the applicant these letters are sticking up from the roof over the entrance, which is what makes this sign a Roof Sign.

As with the monument signs, the standard sign regulations of *Zoning Ordinance* Article 5 §4 regulate permitted building-mounted signage according to the property’s frontage and proximity to residential uses. Based on this property’s frontage on a Local Street, and the lack of adjacent residential uses, a maximum of two (2) Wall Signs per building would be permitted for this property. Each wall sign would be limited to 32 SF in area, and additionally be limited to an area 15% or less of the facade it is located on.

As proposed, the office building has one more sign than would be permitted under the standard sign regulations. Two of the signs also exceed the maximum size for the classification. Finally, Roof Signs are not ordinarily permitted under the standard regulations. However, one may be permitted under a Unified Comprehensive Sign Plan.

Table 3 provides a summary of the characteristics of the wall signs proposed, compared to what is permitted under the sign regulations:

**Table 3: Building-Mounted Sign Code Comparison
 US-17-02; Chesapeake Utilities**

	Permitted by Code	Proposed	Difference Between Proposed and Code
Wall Sign C instances 1 & 2 (on Local Street, not adjacent to residential)			
Sign Area (max.)	32 SF	46.25 SF	14.25 SF (44.5%) over max.
Percentage of Total Wall Area (max.)	≤15%	not specified	Compliance TBD
Height (max.)	N/A	not specified	Complies
Wall Sign D (on Local Street, not adjacent to residential)			
Sign Area (max.)	32 SF	26.37 SF	Complies
Percentage of Total Wall Area (max.)	≤15%	not specified	Compliance TBD
Height (max.)	N/A	not specified	Is Roof Sign
All Wall Signs			
Number Wall Signs per Frontage, all street classifications	2	3	One extra sign

Staff recommends approval of the applicant’s proposed building-mounted signs for reasons as follows:

- a. The wall signs are small relative to the size of the office building, and are in architectural harmony with the building and the campus.
- b. Though the exact percentage of wall area each sign takes up is unknown, all three appear to be below 15%.
- c. Sign D, though a roof sign, is not one that makes an unnecessarily eye-catching disruption of the building's roofline.
- d. The two internally-illuminated bird logo signs are large, but will be lit up with a "halo effect" rather than complete lighting up of the sign face. This will reduce their brightness at night.

Gas Station Canopy Signage: Summary of Signage and Recommendations

Under *Zoning Ordinance*, Article 5, §4.3, Canopy Signs are considered a kind of Wall Sign. However, they are addressed separately in this report because they are on a different structure from the two other Wall Signs, and because the Sign Regulations contain supplemental regulations specific to gas stations. The locations of the canopy signs are specified on pages 1 and 7 of the Plan Book, and their design information is specified on page 8. The design of the canopy signs was revised on December 6, 2017 and submitted to the Planning Office for Planning Commission review. The six proposed Canopy Signs as revised are as follows:

- Two instances of a 19.52 SF vinyl sign reading "Chesapeake," part of the E-1 canopy face design (the long face design). This sign is to be located on the western end of the south canopy face and the eastern end of the north canopy face.
- Two instances of a 42.47 SF vinyl sign reading "Natural Gas for Vehicles," part of the E-1 canopy face design. This sign is to be located on the eastern end of the south canopy face and the western end of the north canopy face.
- One instance of a 12.63 SF vinyl sign reading "Chesapeake," part of the E-2 canopy face design (the short face design). This sign is to be located on the southern end of the east canopy face.
- One instance of a 22.25 SF vinyl sign reading "Natural Gas for Vehicles," part of the E-2 canopy face design. This sign is to be located on the northern end of the east canopy face.

The total amount of signage on each of the two E-1 faces is 62 SF, and the total amount of signage on the E-2 face is 34.88 SF, making for a grand total of 158.86 SF of signage on the canopy. The final copy is not confirmed at this time, so the totals may increase or decrease if the words change. All of the canopy signs are to be high performance vinyl applied directly to the canopy surface.

For all Canopy Signs, the standard regulations applying to Wall Signs apply. However, in this case some of these regulations are superseded by *Zoning Ordinance*, Article 5, §4.9(C), which contains regulations specific to gas station signage. *Zoning Ordinance*, Article 5, §4.9(C) reads as follows:

C. Gas station signage.

1. *Canopy signs.*
 - a. Canopy height shall not exceed 30 feet.
 - b. Canopy sign copy shall be directed toward a public street.
 - c. Canopy sign area shall be limited to no greater than 20 percent of the area of the canopy face to which the sign is applied.
2. *Exempt signs.*
 - a. State or federal required price per gallon signage shall not count toward overall sign area for the site, unless they exceed 32 SF in size.
 - b. Price per gallon signs not exceeding two square feet, located on the pump itself.

For the canopy sign requirements, the canopy itself meets the first requirement, being 17 feet in height. One E-1 face of the canopy is also oriented toward Stover Boulevard/Krisko Circle, meeting the second requirement. The two 19.52 SF “Chesapeake” signs and the 12.63 SF “Chesapeake” sign each meet the third requirement, taking up 10.8% and 14% of their canopy faces respectively; the four “Natural Gas for Vehicles” signs do not meet the third requirement, with the two larger each taking up 23.6% of their canopy faces and the two smaller each taking up 24.7% of their canopy faces. It should also be noted that under the standard sign regulations, the two larger “Natural Gas for Vehicles” signs do not meet the 32 SF limit for wall signs based on the street frontage, and only two signs total would be permitted on this structure, not six.

No price-per-gallon signs are proposed at this time. Such signs, if they meet the requirements stated above, would not count toward the total number of signs for the site. Any price-per-gallon signs proposed may still need to meet height and setback requirements, and should be included in the Comprehensive Sign Plan.

Table 4 provides a summary of the characteristics of the canopy signs proposed, compared to what is permitted under the sign regulations:

**Table 4: Canopy Sign Code Comparison
 US-17-02; Chesapeake Utilities**

	Permitted by Code	Proposed	Difference Between Proposed and Code
"Chesapeake" sign, face design E-1, instances 1 & 2 (on local street, not adjacent to residential)			
Sign Area (max.)	32 SF	19.52 SF	Complies
Percentage of Canopy Face Area (max.)	≤20%	19.6%	Complies
"Natural Gas for Vehicles" sign, face design E-1, instances 1 & 2 (on local street, not adjacent to residential)			
Sign Area (max.)	32 SF	42.47	10.47 SF (32%) over max.
Percentage of Canopy Face Area (max.)	≤20%	23.6%	3.6% over max.
"Chesapeake" sign, face design E-2 (on local street, not adjacent to residential)			
Sign Area (max.)	32 SF	12.63 SF	Complies
Percentage of Canopy Face Area (max.)	≤20%	14%	Complies
"Natural Gas for Vehicles" sign, face design E-2 (on local street, not adjacent to residential)			
Sign Area (max.)	32 SF	22.25 SF	Complies
Percentage of Canopy Face Area (max.)	≤20%	24.7%	4.7% over max.
All Canopy Signs			
Canopy signs face public street	Required	Yes (north face)	Complies
Canopy Height (max.)	30 ft.	17 ft.	Complies
Number Canopy Signs per Frontage, all street classifications	2	6	Four extra signs

Staff recommends approval of the applicant’s proposed canopy signs, for reasons as follows:

- a. The gas station (natural gas filling station) is located somewhat internal to the site with respect to most surrounding uses, lessening the importance of the gas station conforming to the typical gas station signage regulations.
- b. The gas station is however in close proximity to State Route 1, and the potential impacts of oversized signs must be considered with respect to this passing traffic. State Route 1 is not considered to provide “frontage” for purposes of the Sign Regulations. The applicant’s revised canopy signs are smaller than those in the initial submission and will have a lesser impact on passing traffic.

Summary and Staff Recommendations for Chesapeake Utilities Unified Comprehensive Signage Plan (US-17-02)

Staff finds overall that the proposed Unified Comprehensive Sign Plan presents a coordinated concept for the property. The monument signs and wall signs coordinate well with the identity of the center and its tenants, with the identity overall being much more shaped by the architecture of the building than the signs. The signs also provide safe wayfinding to the general public. Only the gas station canopy signs previously presented some concerns with respect to passing traffic on State Route 1. Staff acceptance of the gas station canopy signs as reduced to the sizes above.

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. Please note that these changes are not required to be made prior to Planning Commission approval.
2. Please update the final version of the Unified Comprehensive Sign to show the final copy of all signs.
3. If possible, please find the percentage of wall area taken up by each wall sign on the office building.
4. Please double check the locations of all freestanding signs to ensure they are at least 10 feet from all underground utilities. Monument B in particular may need to have its position adjusted.

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 two proposed monument signs, the three proposed wall signs, and the six proposed gas station canopy signs.

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.

Appointment of the Architectural Review Oversight Subcommittee of Planning Commission

As part of the Annual Meeting of the Planning Commission, one of the responsibilities of the Planning Commission is to appoint the Architectural Review Oversight Subcommittee. The following excerpt from the *Zoning Ordinance* is provided.

Appendix B: Zoning Ordinance, Article 10 Section 2. Site development plan approval.

2.28 Consideration shall be given to the physical orientation and architectural characteristics of proposed buildings, the relationship of proposed buildings to existing buildings and to other proposed buildings, and their contributions to the overall image of the immediate vicinity by considering the building and architectural design guidelines as set forth in article 5, section 19. Design characteristics of proposed buildings and building additions shall not detract or devalue existing buildings in the immediate vicinity.

- (A) If the planning commission determines that the proposed physical orientation and architectural characteristics of the proposed buildings do not meet the intent and objectives of this section, then the planning commission shall refer the proposal to the architectural review oversight subcommittee for review and comment.
- (B) The subcommittee shall meet and review the proposal with the applicant, and return its comments to the planning commission by the next regularly scheduled meeting.
- (C) The architectural review oversight subcommittee shall be appointed by the commission at its annual meeting, and membership shall consist of two planning commission members, and two design professionals with experience in construction, and the mayor or the mayor's designee. Two alternate design professionals with experience in construction shall also be appointed.

As of the Annual Meeting of the Planning Commission on July 18, 2016, the following individuals are currently appointed to the Architectural Review Oversight Subcommittee of Planning Commission.

- Kathleen Welsh, Planning Commission member
- Dean Holden, Planning Commission member

- Ms. Sarah Keifer, Director of Planning Services for Kent County, Design Professional
- Dr. R.G. Chandler, Director of Architecture at DelTech Community College, Design Professional

- Mayor or Mayor's designee

- Alternates (Design Professionals): None appointed

As part of the Annual Meeting of the Planning Commission shall appoint the membership of the Architectural Review Oversight Subcommittee. This is an opportunity to consider individuals to serve on this subcommittee.