



DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF October 4, 2023

PLANNING COMMISSION MEETING OF October 16, 2023

Plan Title: Windward Ridge Apartments, S-23-19

Plan Type: Site Development Plan and Minor Lot Line Adjustment Plan
Active Recreation Area Plan

Location: North Side of West Denneys Road and west of but not adjacent to West Denneys Road

Addresses: 57 Rocky Road
4085 West Denneys Road
Unaddressed parcel on north side of West Denneys Road

Tax Parcels: ED-05-056.00-01-02.00-000
ED-05-056.00-01-03.00-000
ED-05-056.00-01-04.00-000

Owners: George L. Craig Jr. and Deborah J. Craig
Robert G. Keller and Gloria K. Keller
Bruce A. Burkett

Equitable Owner/Developer: Jack Lingo Asset Management, LLC

Site Area: Lot A: 3.5 acres +/-
Lot B: 1.01 acres +/-
Remaining Lot Area: 35.61 acres (Project Area)
Total: 40.12 Acres +/-

Zoning: RM-2 (Medium Density Residence Zone and partially subject to SWPOZ (Source Water Protection Overlay Zone)

Current Use: Two Single Family Detached Dwellings (to remain) and Woodland

Proposed Use: Garden Style Apartments (Multi-family Community)
Dwelling Units: 300 apartment units

Parking for Apartments: Required: 675 spaces and 1 space for office
Proposed: 724 spaces

Water: Tidewater Utilities (in their CPCN)
Sewer: City of Dover

For Consideration: Active Recreation Area Plan

Recreation Area: Required – 83,050 SF (1.90 acres+/-)
 Provided – 97,360 SF (2.24 acres+/-)

Waiver Requests: Partial Elimination of Sidewalk
 Subdivision Waiver for Requirement for Two Connections to Public
 Street

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: October 4, 2023

APPLICATION: Windward Ridge Apartments on West Denneys Road

FILE #: S-23-19

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, Principal Planner PHONE #: (302) 736-7196

I. PLAN SUMMARY:

This application is for Review of a Site Development Plan Application for the construction of a thirteen (13) garden apartment building complex to be known as Windward Ridge. It consists of eleven (11) buildings containing twenty-four (24) units and two (2) buildings containing (18) units for a total of 300 apartment units. Also proposed are twelve (12) garage buildings, a Club House with Pool, walking paths, parking, and other site improvements. Two (2) existing single family detached dwellings will remain on separate lots after a Minor Lot Line Adjustment Plan to reconfigure the three properties. The properties are zoned RM-2 (Medium Density Residence Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone). The subject site consists of three parcels totaling 40.12 acres +/- located on the north side of West Denneys Road and west of but not adjacent to Carlisle Drive. The owners of record are George L. Craig Jr. and Deborah J. Craig; Robert G. Keller and Gloria K. Keller; and Bruce A. Burkett and the equitable owner is Jack Lingo Asset Management, LLC. Property Addresses: 57 Rocky Road, 4085 West Denneys Road, and an unaddressed parcel on West Denneys Road. Tax Parcels: ED-05-056.00-01-02.00-000, ED-05-056.00-01-03.00-000, and ED-05-056.00-01-04.00-000. Council District 1. *Review of Active Recreation Area. Waiver Requests: Partial Elimination of Sidewalk and Subdivision Waiver of Requirement for Two Connections to Public Street.*

Existing Properties:

The subject properties are located on the north side of West Denneys Road to the west of the residential subdivision known as Carlisle Village (Carlisle Village is not within the City). Adjacent areas to the south of West Denneys Road are within the City of Dover. The three parcels described below were recently annexed into the City of Dover (AX-22-03).

The Craig property (to be Lot A) includes a dwelling and other accessory structures off a private drive named Rocky Road. The north portion of the existing lot contains a large woodland area. The Keller property (to be Lot B) includes an existing single-family detached dwelling directly adjacent to West Denneys Road and continues to be predominately wooded for the balance of the parcel. The Burkett property is a wooded lot with no buildings adjacent to Carlisle Village. These properties are not currently served by City Electric or by City Water & Wastewater services. An equitable owner has filed an application for redevelopment of the properties for residential use as an apartment complex.

Surrounding Land Uses

To the east, the subject area is adjacent to the residential subdivision of Carlisle Village, an existing neighborhood of single-family detached dwellings zoned RS1 (in Kent County). To the south across West Denneys Road is the State owned parkland known as the Anne McClements Woodland as part of the Fork Branch Nature Preserve; it is zoned ROS (Recreational and Open Space Zone). Portions of this park area at the southeast corner of the intersection of Kenton Road and West Denneys Road were previously proposed for development as the Maidstone Subdivision prior to its donation/sale to the State to expand the park. The area consists of open fields and wooded areas. To the west of the subject area are other properties zoned AR (Agricultural Residential District) under the jurisdiction of Kent County including a church, other single family dwellings, and woodland areas. To the north, is a stream that is part of the Fork Branch waterway system and another wooded tract.

II. PREVIOUS APPLICATIONS:

The subject area (three properties) was annexed into the City in early 2023 with Application AX-22-03 Lands of Craig, Keller, and Burkett: Annexation of Three Parcels on West Denneys Road. At the time of annexation, the properties were rezoned to RM-2 (Medium Density Residence Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone).

III. PROJECT DESCRIPTION:

The Site Development Plan as submitted by the applicant for the Windward Ridge Apartments consists of thirteen (13) garden style apartment buildings consisting of eleven (11) buildings containing twenty-four (24) units and two (2) buildings containing eighteen (18) units for a total of 300 apartment units. Also proposed are twelve (12) garage buildings, a Club House with Pool, walking paths, parking, and other site improvements. Two (2) existing single family detached dwellings will remain on separate lots (Lot A and Lot B). The site also has a series of parking lots and six (6) small garage buildings each with six interior parking spaces. There is a sidewalk network throughout the site and walking paths/trails connecting to active recreation areas.

The Site Plan (Sheets 1-8 dated 8/15/2023) and the Architectural Drawings and Photo Series Set (Set of 8 ½" by 14" Sheets) also describes the approaches to the Active Recreation Area Plan amenities.

Minor Lot Line Adjustment Plan

This Site Plan includes a Minor Lot Line Adjustment Plan (Sheet 2) to reconfigure the existing three parcels to create a large tract for the apartment development. While the existing single family detached dwellings will remain each on their own lot. Lot A (Craig) at 57 Rocky Road is to consist of 3.5 acres+/- and include a single family detached residence and associated accessory buildings. Lot B (Keller) at 4085 West Denneys Road is to consist of 1.01 acres+/- . The balance of the properties and the other wooded parcel (Burkett) are the subject area for redevelopment.

Preliminary Land Use Services Review (PLUS)

An application (PLUS Review #2023-07-09) related to this Windward Ridge project was reviewed by the State's Preliminary Land Use Services, as required by the City of Dover's Memorandum of Understanding (MOU). It was reviewed by the state at the meeting on July 26, 2023. This MOU requires that non-residential developments of over 75,000 square feet or residential developments containing 125 or more dwelling units complete the PLUS Review

process prior to application submission. The development proposal submitted by the developers to PLUS envisioned 312 apartment units* for the total 40.12 acres. Copies of the PLUS Review Comments are provided along with the Applicant's Response to the PLUS Comments.

**Note: The Plan design has since been refined to 300 apartment units.*

IV. ZONING REVIEW:

RM-2 (Medium Density Residential Zone)

The properties have the zoning of RM-2 (Medium Density Residence Zone). The types of permitted uses in the RM-2 (Medium Density Residence Zone) are given in Article 3 §7 of the *Zoning Ordinance* and referenced sections including Article 3 §1. One-Family Residence Zones. The RM-2 zone allows for a variety of housing unit types ranging from single family detached dwellings, duplexes, multiplexes, and townhouses to garden apartments. The RM-2 zone has a maximum gross residential density limitation of eight dwelling units per acre. The bulk standards are found *Zoning Ordinance*, Article 4 Section 4.6 and are based on the proposed housing type.

SWPOZ (Source Water Protection Overlay Zone)

The subject area is also partially subject to the SWPOZ (Source Water Protection Overlay Zone). In this case, the SWPOZ: Tier 3 – Excellent Recharge Area crosses through the northern portion of the subject area. The regulations regarding the Tier 3 - Excellent Recharge Areas of the SWPOZ can be found in Article 3 §29.79 of the *Zoning Ordinance*. The proposed use as garden apartment (residential) is not prohibited in the SWPOZ. For Tier 3: Excellent Recharge Areas, the maximum lot coverage for the site is 30% unless infiltration is utilized then the maximum lot coverage is 60%. In the SWPOZ, the differential volume of stormwater between the 30% and 60% lot coverage must utilize infiltration. The Plan indicates that 18.61 acres of the site is within the SWPOZ and of that 5.03 acres will be impervious; therefore, an impervious coverage of 27%.

V. PARKING SUMMARY:

The parking requirement for apartments is based on a rate of two (2) parking spaces per dwelling unit plus 0.25 space per dwelling unit for visitor parking. Based on the number of dwelling units (300 apartment units), this site would require 675 parking spaces. The plans submitted identify a total of 724 parking spaces located around the perimeter of the complex flanking the drive aisles and including handicapped accessible parking spaces near each building. There are also a series of 12 garage buildings of six spaces each throughout the complex. The Plan also identified EV parking spaces.

Bicycle Parking

Bicycle parking is required at a ratio of one space for every twenty parking spaces. With 724 vehicle parking spaces, then 37 bicycle parking spaces are required. The site plans submitted appear to identify six bike rack locations for a total of 42 bike spaces, but no details on format are provided.

Upright Curbing

The upright curbing for parking lots and drive aisles is required by the requirements of Article 6 Section 3.6(b) of the *Zoning Ordinance*. The type of curbing must be clarified on the Site Plan.

VI. SITE CONSIDERATIONS:

Access

The access to this Apartment Complex is with a divided boulevard style entrance/exit from West Denneys Road. The entrance drive is named Windward Boulevard which continues throughout the apartment complex as drive aisles. These drive aisles are named Crosswind Drive, Leeward Way, and Tradewind Way. These are not rights-of-way or roadways to be dedicated as City streets.

Subdivision Waiver: Requirement for Two Connections to Public Street

The *Land Subdivision Regulations* outline requirements for streets in Article VI. Subdivision – General Requirements and Design Standards, A. Streets. Subsection 8 lists provisions for interconnected streets including the requirement for two connections to a state or city maintained street for site developments containing more than 150 or more dwelling units.

Article VI. Subdivision – General Requirements and Design Standards

A. Streets

8. The creation of interconnected streets will be encouraged wherever the commission finds that such layout will not interfere with traffic convenience and safety. The commission shall determine the number of connections of streets in the proposed subdivision with existing streets. At least two connections onto a state-maintained road or a city-maintained street are required unless the Delaware Department of Transportation or the city engineer determines that the second connection will not be permitted or is determined to be nonfeasible. This requirement shall pertain to:

- (a) Subdivisions containing 20 or more lots, plots, sites, or parcels.
- (b) Site developments containing 150 or more dwelling units.

The Windward Ridge Apartment complex proposes 300 dwelling units. The Plan proposes one entrance connecting to West Denneys Road in the form of a divided boulevard entry. The Applicant has filed a written waiver request citing insufficient road frontage to accommodate two entrances due to length of frontage, the proximity of the existing Carlisle Drive, and the driveway entrances of the single family dwellings; see attached letter.

The Planning Commission will make a recommendation on this Subdivision Waiver to be forwarded to City Council for action as per *Land Subdivision Regulations*, Article VII. Special Provisions, A. Variance and waiver.

Article VII. Special Provisions

A. Variance and waiver.

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

Rear Emergency Access

Rear Emergency Access is required for some residential dwelling types. According to Article 5, Section 17 of the *Zoning Ordinance* an 18 ft. wide Secondary Fire Lane or 18 ft. wide subgrade emergency access lane is required for Apartments that are 2-3 stories to serve as rear access. This is to provide access to rear building areas. The plan calls for an emergency access lane network to reach the rear of each apartment building. The Fire Marshal's Office will also evaluate these fire protection measures as related to the fire lane requirements of the applicable Fire Codes.

Lighting

The plan must add a series of lighting fixtures to light the parking lots and access ways to the buildings.

Sidewalks

Sidewalks are shown on the plans between the parking areas and the building access points. These sidewalks are on the building side of the parking lots and include designated crosswalks at drive aisle crossings. A sidewalk connects from the multi-use path along West Denneys Road frontage into the site on the east side of Windward Boulevard. There are also a series of mulch walking paths that circulate through the woodland areas.

Waiver Request: Partial Elimination of Sidewalks (Pathways)

Sidewalks are required along all street frontages of a property (*Zoning Ordinance*, Article 5 Section 18) for development proposals subject to Site Development Plan review by the Planning Commission. Review of the Plan shows a multi-use path along portions of the West Denneys Road frontage proposed for development of the apartment complex.

A written waiver request was submitted for consideration by the Planning Commission to eliminate the sidewalk/pathways for the segments of West Denneys Road in front of the existing single family detached dwellings. The Planning Commission should act on this waiver request as part of their review of the Site Development Plan; see the following *Zoning Ordinance* citation on waivers of pathways. Sidewalks are a type of pathway.

Article 15 §18.5 *Waiver of pathway locations requirements.* The property owner or developer may request a waiver from the planning commission or city planner, according to the type of plan review required by article 10 of this ordinance, under the following circumstances in order to reduce or eliminate the requirements for pathway installation:

- a) When the property is isolated from the existing pathway network, with no existing pathways within the immediate vicinity of the property.
- b) When the proposed use would not generate or attract additional pedestrian, bicycle, or other non-motorized trips.
- c) When physical characteristics of the property are such that pathway installation is impractical or impossible.

Dumpsters

The Dumpster requirement for apartments is two Dumpsters for the first 48 units and one Dumpster for each additional 24 units or fraction thereof. Based on 300 apartment units, a total of thirteen (13) Dumpsters are required. There fourteen (14) Dumpsters within the parking lot areas. There must be space for both trash and recycling containers in these Dumpsters.

VII. BUILDING ARCHITECTURE:

The applicant has submitted example elevations (drawings and photographs of similar buildings) for the apartment buildings. These are three story buildings with a slightly pitched roof the gable elements over certain sections. Each unit has a balcony or patio area. The larger buildings have two points of entry as an open stairwell corridor to access the units on each floor. The exterior finishes of the apartment buildings consist of a masonry watertable, horizontal vinyl siding with a band board dividing the second and third floors with a change in siding color. The siding on the select gable elements is vertical. Architectural asphalt shingles are shown for the pitched roofs.

The Garage Buildings have a masonry watertable and then horizontal vinyl siding for the wall surface along with an asphalt shingled hipped roof. There are garage doors across the front of the structure leading to individualized garage bays. Turned gable elements are added to the front of the garages including the vertical siding similar to the gable end.

VIII. SPECIAL FLOOD HAZARD AREAS

Flood Hazard Area

The *Zoning Ordinance*, Article 5 §11.21 requires that flood hazard areas (100-year floodplain) remain as open natural areas with no impervious surfaces. These properties are found on the FEMA FIRM Panel of Kent County Delaware Map Number 10001C0162H effective date May 5, 2003. Portions of the subject property are within the Special Flood Hazard Area (100-year floodplain/ 1% chance of annual flooding) as Zone AE; it is found in the northern portion of the site. The floodplain areas are not proposed for development.

IX. TREE PLANTING AND LANDSCAPE PLAN:

Zoning Ordinance, Article 5 Section 16 lays out the requirements for tree planting and preservation. A new project is required to provide tree planting at a rate of one (1) tree per 3,000 SF of “Development Area.” The *Zoning Ordinance* Article 5, Section 16 defines “Woodland” as follows:

Woodland. An area of contiguous wooded vegetation (7,500 square feet or greater), where trees exist at a density of at least one tree with a caliper dimension of six inches or greater per 375 square feet of land and where the tree branches form a contiguous canopy.

According to plans, there are 37.44 acres of existing woods, and they propose to remove a portion of the woodland area to make way for the buildings development and preserving 19.02 acres of woodland (50.8%). The maximum amount of woodland that can be cleared is 50% with anything over that amount requiring mitigation.

Based on a development area of 817,561 SF, the minimum required number of trees is 273. The site plans show 273 trees spread over the site around the parking lots on islands, adjacent to the buildings, and in the internal open space areas. The plan does not specify tree species.

Wetlands & Buffering

The *Zoning Ordinance*, Article 5 §11.22 prescribes provisions related to wetland areas. It requires setbacks from wetland areas that are over 0.25 acres in size. This plan depicts Non-Tidal wetland areas. A 100-foot setback is required; however, this can be reduced to 50 feet with implementation of a Riparian Buffer or reduced to 30 feet with bank stabilization. Adjacent to the wetlands, the plan shows a 50 foot riparian buffer where existing woodland vegetation will be maintained. The site circulation drive aisle crosses a small stream in one location and there are several walking path small (wood) bridge crossings. More detail on these crossings is needed.

X. ACTIVE RECREATION AREA

Active Recreation Area Plan Review

The *Zoning Ordinance*, Article 5 Section 10 sets out requirements to preserve areas of open space within residential developments which are designed to provide buffer spaces between developing areas, to preserve existing natural and historic features and to establish a network of open spaces within the built environment to provide a balance between developed and undeveloped lands, wildlife habitat conservation, the preservation of scenic view corridors, and to provide residents opportunities to engage in passive recreational activities. *Zoning Ordinance*, Article 5 Section 10.11 notes the purpose of providing Recreation Areas.

Article 5 §10.1 Recreation areas.

10.11 Purpose. The purpose of this section is to ensure that active recreation areas are provided as an integral design element within residential developments and that such facilities are of an adequate scale in relation to the size of the residential development and which provide residents with a variety of active recreational pursuits.

The amount of Active Recreation Area required is 275 SF per dwelling unit which would require 83,050 SF (1.90 acres) of area (using 302 units). An itemized listing of the Recreation Areas and materials is given on Plan Sheet 8 and example features in the Architectural Packet. The proposed amenities include a Clubhouse with Pool, Tot Lot Playground, Walking Trails, Exercise/Picnic Area, and Dog Park Area. See Recreation Plan Review Report for more detailed review (attached document to be provided).

XI. 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) Sidewalks must be provided along the full frontage of West Denneys Road (across all three properties) unless the Waiver Request is approved for the partial elimination of the sidewalk across Lot A and Lot B.
- 2) Two connections to a street must be provided unless the Subdivision Waiver Request is approved to eliminate the Requirement for the Two Connections to a Public Street.
- 3) Active Recreation Area: The applicant is responsible for providing an Active Recreation Area of a minimum of 83,050 SF (rate for 302 units). The Plans Applicant has provided information indicating they intend to provide 97,360 SF of Active Recreation Area. See Recreation Plan Review Report for additional comments.
 - a. Any revisions to the Active Recreation Area must be incorporated into the plan drawing and data/notes listings throughout the plan set.
 - b. The Active Recreation Area is scheduled to be reviewed by the Council Committee of the Whole: Parks, Recreation & Community Enhancement Committee on October 10, 2023.
- 4) Upright curbing shall be provided around all parking and drive areas in accordance with the requirements of the *Zoning Ordinance* unless a waiver is granted by the City Planner. Clarify the type of curbing proposed.

5) Sheet 1 – Cover Sheet:

- a. In Site Data Column:
 - i. Item 3: List information on the size of the existing parcels and the proposed sizes of each parcel/lot and the specific Project Development Area.
 - ii. List height of proposed apartment buildings.
 - iii. List counts by types of parking spaces: regular vehicle, handicapped spaces, EV, and spaces within garages.
 - iv. Clarify the size of the project parcel and ensure it is the area utilized for the various SWPOZ, impervious surface, woodland, and landscape/tree planting calculations.
- b. Add City of Dover to title of drawing (in center of page).
- c. Add developer/equitable owner Certification note and signature block.
- d. General Notes:
 - i. Clarify if a Homeowners Association or a Property Maintenance entity associated with the Apartment complex management will be established. Update references in Notes #1-3.
 - ii. Check spelling in Notes.
 - iii. Check contact information for the Kent Conservation District.
 - iv. Cite source of wetlands delineation.

6) Sheet 2 – Record Plan: A Record Plan sheet was submitted to show the reconfiguration of the three parcels (Minor Lot Line Adjustment Plan). The Record Plan must include cross access easements, any easements, or other items affecting the property lines.

- a. This sheet must include the appropriate site data column and signature block unless Sheet 1 is to be included as part of the Record Plan set. The City of Dover does not require the recordation of the entire Site Plan set.
- b. Label permanent easements and right-of-way dedications along West Denneys Road.
- c. Label remaining Lot (Project Development Area Lot) and its area.
- d. Add Special Flood Hazard Area (floodplain) location.
- e. Label setbacks for each Lot.
- f. List Bulk Standards for garden apartment units.
- g. Add SWPOZ (Source Water Protection Overlay Zone) boundary lines.
- h. Show any proposed utility easements to bring sanitary sewer and/or water to the remaining single family detached dwelling unit Lots.
- i. Add notes and any waivers received.

7) Sheet 3 – Existing Conditions:

- a. Label sizes of wetland areas.
- b. Label that West Denneys Road is a State maintained roadway.
- c. In Legend identify line as SWPOZ (Source Water Protection Overlay Zone: Tier 3 – Excellent Recharge Area.)

8) Sheets 4 and 5 - Preliminary Site Plan:

- a. Create a distinct match line between plan sheets.
- b. Clarify the type of curbing for parking lots and drive aisles.
- c. Identify accessible ramps for sidewalk crossings at points of intersection with drive aisles and at handicapped parking areas.
- d. Identify accessible ramps and curb depressions for access to rear emergency access lanes.

- e. Identify width of walkway trails and sidewalks.
 - f. Add traffic control signage for fire lanes and handicapped parking signage locations.
 - g. Identify or note the number of dumpsters to be accommodated in each enclosure.
 - h. Ensure parking spaces next to garage units can be safely parked in i.e., can a vehicle turn into the space and exit vehicle.
 - i. Clarify if any of the EV parking spaces are handicapped accessible.
 - j. Label locations of bike racks.
 - k. Entrance design of Windward Boulevard intersection with West Denneys Road is subject to DelDOT review.
 - l. Add connecting sidewalks to the playground area and to several of its benches.
 - m. Add crosswalk to southern of Building 10 at trail crossing.
- 9) Please provide one or more detail sheets depicting required site details, including but not limited to bike racks, Dumpsters, stormwater, curbing, and utility details, etc.
- 10) Please detail any lighting proposed for this site. Show locations to ensure parking lot and walkway/paths have adequate lighting and include any lights on the buildings.
- 11) Sheets 6 and 7 Utility Plan:
- a. It is noted that the water provider is Tidewater Utilities and will require coordination with the City's Department of Water & Wastewater.
 - b. The plan must show hydrants interior to the site for fire protection.
 - c. Consider design location of water lines. As depicted, there are lines under garage buildings and within areas that are designated for the rear emergency access (paths for fire/emergency response equipment).
- 12) Sheet 8 – Preliminary Landscape Plan:
- a. Confirm the woodland area and woodland clearing amounts on the Development Area Lot.
 - b. Add certification notes and design professional signature.
 - c. Add planting details.
 - d. Provide details of the Clubhouse and its amenities i.e., surfaces, shade structures, fencing, etc.
 - e. Identify specific tree species for proposed trees. Label trees on plan and provide planting schedule/tally chart.
 - f. Clarify Dog Park Area as it appears to be placed in a woodland area.
 - g. Identify any landscape planting plan around each apartment building.
 - h. Tree placements providing shade to recreation amenity areas is encouraged.
 - i. Show any required demarcation shrub plantings for rear emergency access lanes.
 - j. Please be aware of placement of any trees/landscaping with regards to any underground utilities/storm water management systems and rear emergency access lanes.
- 13) Provide the distance from the edge of parking/drive aisles to each apartment building. Also provide dimensions of typical parking spaces and width of access areas to rear emergency access lanes from parking lot.
- 14) Provide details on the bridge or culvert crossing of at the non-tidal wetlands/stream.

- 15) Include a detailed outline of the linear feet length of walking path.
- 16) Note the number of bicycle parking spaces to be provided. Add detail of bike rack.
- 17) Signs are subject to a separate review and approval process in the City of Dover. There is a proposed freestanding sign in the median of the entrance (Windward Boulevard). Per the Sign regulations a monument sign or a post and panel sign may be placed at the entrance of certain size limitations.
- 18) Any Erosion & Sediment Control Plans and Stormwater Management Plans granted approval by the Kent Conservation District must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.
- 19) The Final Plan set must include notes documenting any action taken by the Planning Commission regarding any requested waivers and must list any additional conditions of approval.
- 20) Additional review comments may be provided in the future as more detailed plans are developed.

XII. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

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

- 1) Waiver Request: Subdivision Waiver for Requirement for Two Connections to Public Street: Planning Staff recommends approval of the waiver request to eliminate the requirement for two connections to a public street with the condition that the Apartment Complex entrance remain as a divided boulevard-like entrance. This is based on the preliminary comments received from DelDOT regarding options for the entrance design to connect to West Denneys Road. It noted that there are no options for interconnection with the adjoining Carlisle Village Subdivision to the east and to the north are floodplain areas. The only possibility for interconnection would be if any properties to the west or Lot A/Lot B proposed development in the future. The boulevard-like entrance format could allow for a potential access/egress option should one lane be blocked by an emergency.
- 2) Waiver Request: Partial Elimination of Sidewalks: Planning Staff recommends approval of the waiver request to eliminate the requirement for the construction of sidewalks along a segment of the north side of West Denneys Road adjacent to the existing single family detached dwellings. This is based on the findings of the physical characteristics of this

frontage area with existing driveways, trees, and house proximity. Also, this is a segment unlikely to be traveled by pedestrians as no sidewalks exist to the west. However, if these properties are redeveloped in the future, then reconsideration of this requirement will be warranted.

- 3) Tree Plantings: Planning Staff encourages the use of native tree species especially in areas adjacent to the existing woodland areas to remain and due to the project's proximity to area of the Fork Branch Nature Preserve. The applicant is recommended to consult with DNREC Staff on appropriate tree species for this area.
- 4) Bicycle Parking: Planning Staff encourages providing covered bicycle parking opportunities within the buildings or as an extension of the garage buildings.
- 5) EV Parking: Planning Staff encourages this project to include the installation of Electric Vehicle Charging Stations in its parking lot. Currently, the *Zoning Ordinance* does not require them, but many other jurisdictions have implemented such requirements and there also may be State Code requirements for Electric Vehicle Charging Stations. Electric Vehicle Charging Stations formats include EV-Capable, EV-Ready, and EV-Installed.
 - a. Ensure some of the EV spaces are handicapped accessible.
 - b. Clarify if the garage spaces offer EV charging opportunities.

XIII. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Planning Commission should act upon the request for any waivers as part of any motion regarding this project application, or as a separate motion as necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests. The Subdivision Waiver requires review and action by the Council Committee of the Whole: Safety Advisory and Transportation Committee and City Council.
- 2) In the event, that major changes and revisions to the Site Development Plan occur in the finalization of the Site Plan contact the Department of Planning and Inspections. Examples include relocation of site components like paving and increases in floor area. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations regarding the Plan.
- 3) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 4) The site is located within the SWPOZ (Tier 3: Excellent Recharge Area) and the Planning Office and Kent Conservation District will coordinate to ensure compliance.
- 5) Following Planning Commission approval of the Site Development Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff and the other commenting agencies. Upon determination that the Plan is complete

and all agency approvals have been received, copies of the Plan may be submitted for final endorsement (Final Plan Approval). The Record Plan must be recorded at the Kent County Recorder of Deeds and a copy returned to the Planning Office prior to Final Site Plan approval.

- 6) For building new construction, the requirements of the building code and the fire code must be complied with. Consult with the Chief Building Inspector and City of Dover Fire Marshal for these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.
- 7) The applicant/developer shall be aware that prior to any development or ground disturbing activities on the site the appropriate site inspections and permits are required. This includes activities to clean up existing vegetation, site grading, etc.
- 8) The addresses for the new buildings proposed on the property will need to be confirmed with the City's Tax Assessment Office. Each apartment building will be addressed using the named drive aisles of Crosswind Drive, Leeward Way, and Tradewind Way.
- 9) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate Site Plan approvals, Pre-Construction meetings, site inspections and permits are required.
- 10) The applicant shall be aware that Site Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover. Building Permits will be required for each building.
- 11) The applicant shall be aware that Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with *Zoning Ordinance*, Article 5 §4.

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



CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: SEPTEMBER 27, 2023



APPLICATION: Winward Ridge Apartments on West Denneys Road
FILE #: S-23-19
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services
CONTACT PHONE #: 302-736-7025
CONTACT PHONE #: jlyon@dover.de.us

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

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

SANITATION

1. The proposed plan will require private trash collection services. A note to this effect is to be added to the plan. Dumpster locations should also be provided on the plan.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.
3. Please be advised that easements will not be provided for the stormwater infrastructure on this site, it shall be privately maintained.

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.
2. The street network is to be private and will not be maintained by the City of Dover.

WATER

1. The certificate of public convenience and necessity (CPCN) for this property is held by Tidewater Utilities. Please obtain approval from Tidewater Utilities for the water design.
2. If the water source to this property is purchased from the City of Dover, by Tidewater Utilities, potential water infrastructure improvements may be necessary, depending on the demand of this development.
3. Staff performed a water model study for this development, based on the current unit count, this site would require a twelve-inch (12") service line to feed the complex. This assumes that the water is purchased through our water system and not through a separate water source from Tidewater. Additionally, future requirements may be required when the final water demand figures are provided.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
 - b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "...any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer mains showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.
8. Per the Water / Wastewater Handbook, provisions shall be made to extend sewer service to all adjoining properties, parcels or lots, regardless of ownership or control of adjoining properties, parcels or lots.
9. The downstream pump station must be evaluated by the developer / engineer to verify it can handle the additional effluent flow.
10. Provisions shall be made to extend sewer service to all adjoining properties, parcels or lots, regardless of ownership or control of adjoining properties, parcels or lots.
11. The proposed pump station shall be privately maintained.
12. If adjacent properties connect to the sanitary sewer service in this development, the infrastructure can be installed within an easement that the city would maintain, this includes the pump station. Please be advised that all infrastructure must be installed per city requirements for future maintenance by the city.

GENERAL

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

- b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests.

WASTEWATER

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

GENERAL

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

SANITATION / STORMWATER / STREETS

1. None.

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

CITY OF DOVER ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: SEP 27, 2023

APPLICATION:	<u>Windward Ridge Apartments on West Denneys Road</u>
FILE #:	S-23-19
REVIEWING AGENCY:	City of Dover Electric Department
CONTACT PERSON:	Shawn Burgett, Engineering Services & System Operations Superintendent
CONTACT PHONE #:	302-674-7568
CONTACT EMAIL #:	sburgett@dover.de.us

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

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all existing underground electric, communications and water facilities.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.

13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: <https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. This project is outside of the service area for the City of Dover Electric Department. Please save this document for our general notes if the apartments will be transferred to the city electric department in the future.
2. Provide load sheets if the new load requirements will change as soon as possible to verify proper sizing of transformers and creation of primary fee estimates. Current load sheets can be found at the following link: <https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf>.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 09/27/23**APPLICATION:** Windward Ridge Apartments on West Dennys Road**FILE #:** S-23-19**REVIEWING AGENCY:** City of Dover, Office of the Fire Marshal**CONTACT PERSON:** Jason Osika, Fire Marshal
josika@dover.de.us**PHONE #:** (302) 736-4457

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

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Proposed occupancy classification is residential apartments, storage (garages), and assembly (clubhouse). These comments pertain to the residential apartments.
2. Building Access shall be no further than 50 feet from a primary entrance

Where buildings are provided with an automatic sprinkler system installed in accordance with NFPA 13, access shall be no further than 100 feet from the primary entrance.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.4)

3. Parking shall be prohibited in front of the primary entrance for a width of not less than 1.5 times the width of the door(s) or for 10 feet, whichever is greater.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.2)
4. Perimeter access shall be 75% and clearly shown on the plans.

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

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

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

5. Fire lanes shall cover 35% of the proposed building.
Fire lanes are required to be 24 feet wide and run along the front of the building as determined by the primary entrance(s). In cases where there is more than one primary entrance(s), each shall be served by a fire lane even if this exceeds the percentage as required.

The closest edge of fire lanes shall not be located closer than ten (10) feet to the exterior wall and the closest edge of fire lanes shall not be located further than 50 feet from the exterior wall if one or two stories in height; 40 feet if three or four stories in height, or 30 feet if over four stories in height. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5)

6. Where parking is located between the building and the fire lane, parking shall not be located closer than 15 feet to the exterior wall.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.4.1)

Where parking is located between the building and the perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories. 2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5.2

7. All Fire Lanes shall be marked as follows:

both the inner and outer edges of the fire lane shall be marked, where curbs are present, the top and face of the curb shall be painted yellow, where no curbs are present, a four inch (4") solid yellow demarcation line shall mark the edge(s) of the fire lane.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

8. The specific color yellow shall be the uniformly accepted yellow as utilized by State of Delaware Department of Transportation (DelDOT). Only vivid and durable paint shall be used and shall be suitable for street surfaces

9. Fire lane signs shall be located as follows:

see Figure 5-16 – Approved Sign For Marking Fire Lanes, fire lane signs shall be spaced at 150 foot intervals maximum, all fire lane signs shall be located no less than six feet (6') and no higher than eight feet (8') above the pavement, signs shall be placed at each end of the fire lane, and signs shall face all oncoming traffic.

Where parking is not restricted roadway markings shall utilize the words "FIRE" and "LANE" in lieu of fire lane signs and shall conform to the specifications of 7.6.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

10. Where overhangs, canopies, balconies, or any other building or site features must project over any fire lane, an unobstructed vertical clearance of not less than 13'-6" above the fire lane shall be provided and the portion of the building perimeter which contains overhangs, canopies, balconies, or any other building features shall not apply towards the fire lane accessibility requirements of Section 4.0, Table 5-1 in this chapter.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.8)

11. Emergency access to rear building areas compliant with City of Dover Code (Appendix B-Zoning, Article 5- Supplementary Regulations, Section 17);

all four stories and greater buildings require 24ft fire lane at the rear.

All two to three story apartment structures require an 18ft Secondary Fire Lane at the rear.

All townhouses (3-8 units with no fire protection) require a 16ft alley or 18ft secondary fire lane at the rear.

12. Multiple Access Roads shall be provided when a fire department access road (fire lane) is determined by the Fire Marshal to be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access such as placement of fire hose from fire equipment.
13. Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

Residential areas

24 feet wide with no parking,
30 feet wide with parking on one side, or
36 feet wide with parking on both sides

Commercial areas

26 feet wide with no parking,
32 feet wide with parking on one side, or
38 feet wide with parking on both sides

Alley

12 feet wide

14. Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.
15. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.
16. Gated Areas: Fire Department access shall be provided to the property through the use of a system or device approved by the Fire Marshal. The system or device required shall be located in an area accessible to the fire department and approved by the Fire Marshal. All gates shall be either automatic or manual.

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

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

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

Please contact this office to discuss options available to comply with this requirement.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.6)

17. Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations. City Ordinance Sec 46-9 (f).

5.1.1 Hydrant spacing as shown in the Fire Flow Tables shall be used as a general rule. Hydrants shall be located at the direction of the State Fire Marshal so as to minimize friction in fire hose. All hydrant spacing shall be located along available roads or at the direction of the State Fire Marshal. This measurement shall be calculated by way of accessible thoroughfare(s) from the building to be protected to the hydrant and may not necessarily be a radius. 5.1.3 Additional hydrants shall be provided when the State Fire Marshal deems it necessary based on the configuration of the site, building(s), exposures, construction, occupancy, and/or specific hazard(s).

Fire Flow table 2, hydrant spacing shall be 800 feet on center for one and two family detached dwellings, other residential, rowhouses and townhouses, assembly, health care, business, education, storage, industrial, mercantile, and mini storage. (702, Chapter 6)

NFPA 1

18.5.2 detached one- and two-family dwellings, fire hydrants shall be provided for detached one- and two-family dwellings in accordance with both of the following: 1. the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet 2. the maximum distance between fire hydrants shall not exceed 800 feet.

18.5.3 buildings other than detached one- and two-family dwellings, fire hydrants shall be provided for buildings other than detached one- and two-family dwellings in accordance with both of the following 1. The maximum distance to a fire hydrant from the closet point on the building shall not exceed 400 feet 2. The maximum distance between fire hydrants shall not exceed 500 feet

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

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

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

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)

The owner is responsible if the hydrant is private.

19. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM - 1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black.

(2021 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)

The owner is responsible if the hydrant is private.

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

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

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

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

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

(City Code of Ordinances 46-171)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(City of Dover Code of Ordinances 46-162)

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

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

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

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

26. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allowed between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface). All fire department connections (standpipe and sprinkler) shall have a minimum

12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)

27. Standpipes shall be provided in all areas and buildings as required in the codes and standards listed in Regulation 701 as well as the following areas or buildings:

In all Class A and Class B places of assembly and institutional occupancies two (2) stories or 25 feet in height or over,

In any building over three (3) stories, In any building over 35 feet in height,

In any building that has a floor above the first floor over 10,000 square feet gross floor area,

In all buildings where the 1st floor exceeds 60,000 gross square feet,

a Class I horizontal standpipe system installed in accordance with the applicable codes and standards listed in Regulation 701 of these Regulations shall be provided. All standpipe systems shall be installed in accordance with the applicable codes and standards listed in Regulation 701.

The standpipe system shall be carried up with each floor and shall be installed and ready for use as each floor progresses.

Standpipes shall not be more than one floor below the highest forms of staging,

The 2½-inch of hose connections on Class I systems shall be provided in the following locations, At the highest intermediate landing between floor levels in every required exit stairway,

Where intermediate landing is not provided, hose connections shall be permitted to be located at the main floor landings in exit stairways when approved by the authority having jurisdiction,
Where the local fire department has the capability of providing the required pressure, hydraulically designed standpipe systems in fully sprinklered, non-high-rise buildings shall be designed to provide the required waterflow rate.

A sign shall be provided at each landing, in all interior stairways, designating the floor level. (2021 Delaware State Fire Prevention Regulations 702, Chapter 4, 2)

28. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms.

Dimensions of bollards. Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be at least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however, the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection.

Color of bollards. Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector.
(City of Dover Code of Ordinances, 46-4)

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

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

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

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

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

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

Arabic numerals, all numbers used shall be Arabic numerals,

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

30. A lock box (Knox) containing any and all means necessary for fire department access shall be provided at the following occupancies: any occupancy that contains a fire alarm signaling system that is monitored off-site, or any occupancy that contains an automatic sprinkler system.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.4)

Secured key systems. When required; exemption. A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy. Buildings with 24-hour staffing or guard service shall be exempt from this subsection.

Location. The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box.

Required keys. Keys to be secured in the key box shall include keys to all points of ingress or egress, whether on the interior or exterior of the building, and keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required.

Ordering responsibility. It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be the responsibility of the owner or tenant to order the key box for existing buildings.

Installation before testing. No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box.

(City Code of Ordinances 46-127)

Knox Box to be mounted 6 feet above ground level

31. All required means of egress shall have an exit discharge consisting of a non-slip surface and leading to and terminating at a public way. NFPA 101
32. All new passenger elevators in a building shall be provided with a car sized to accommodate an ambulance cot 24 inches (609 mm) by 84 inches (2133 mm) in its horizontal open position. Where two or more new passenger elevators are located in a single hoist way and serve all or the same portion of the building, only one elevator car that provides a car sized to accommodate an ambulance cot 24 inches by 84 inches in its horizontal position for each hoist way shall be required. Elevator cars required to comply with 15.1 or 15.2 shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed inside on both sides of the hoist way door frame. Firefighter recall keys shall be provided in a manner acceptable to the local fire department. (2021 Delaware State Fire Prevention Regulations 705, Chapter 1, 15)
33. Buildings over 25,000 Sq. Ft are to have radio performance testing done prior to Final CO. This must be scheduled in advance with an authorized vendor.
34. Project to be completed per approved Site Plan.
35. Full building and fire plan review is required.
36. Separate building permits/plans submission will be required for each building and/or tenant fit out. If the permit submission is for a "shell" a Certificate of Occupancy will not be issued. Separate plans and permits submissions will be required for each "tenant fit out" at which time a Certificate of Occupancy will be issued upon compliance/completion of each "tenant fit out".

Each "shell" will require a fire permit for sprinkler and fire alarm if applicable. Those systems (for the "shell") must be accepted into service prior to any "tenant fit out" fire permits being issued.

37. Construction or renovations cannot be started until building plans are approved.

38. Fire alarm systems, fire suppression systems, hoods, exhaust ducts, and hood suppression systems require a fire permit from the Fire Marshal's Office. This work cannot be started until the permit is approved.
39. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.
40. The following is City Ordinance, Appendix B-Zoning, Article 8 Enforcement and Penalties:

Section 1. - Building permits.

No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful (see section 4 for penalties).

1.1 No building permit shall be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street improved to the satisfaction of the planning commission, or without access to a public sewer.

1.2 No building permit shall be issued for any building where the site development plan of such building is subject to approval by the planning commission, except upon approval of such plans approved by the said commission.

1.21 No building permit shall be issued for any building in a subdivision unless the subdivision plot has been approved by the planning commission.

1.3 No building permit shall be issued for a building to be used for any conditional use in any zone where such use is allowed only with approval of the planning commission, unless and until such approval has been duly granted by the said commission.

(Ord. of 7-12-1993, § 3)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please confirm the square footage of the garages to determine perimeter access, fire lane, fire alarm, and sprinkler requirements.
2. Please confirm the square footage, occupant load, and if alcohol will be permitted at the clubhouse to determine perimeter access, fire lane, fire alarm, and sprinkler requirements.
3. Please confirm that the Fire Lanes are 24' wide
4. Fire hydrant locations need to be shown and in compliance with items # 17 and #25 listed above.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)

2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)

2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)

2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)

2009 IBC (International Building Code)

Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations

2021 Delaware State Fire Prevention Regulations

City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY



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APPLICATION: Windward Ridge Apartments

FILE#: S-23-19

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Michael Vandevander

PHONE#: 302-760-2141

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

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

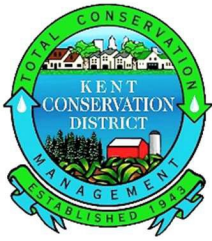
CITY & STATE CODE REQUIREMENTS:

No person, firm, corporation or the like shall construct, open, reconstruct, maintain, modify or use any crossing or entrance onto a state-maintained highway, street or road, including any drainage modifications leading into or carried by the highway drainage system, without first having complied with standards and regulations adopted by the Department and having obtained a permit issued by the Department. Please contact the Delaware Department of Transportation - Development Coordination section to begin permit process.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. A pre-submittal meeting with DelDOT is required to further discuss the project.
2. Site Access. The proposed entrance for this subdivision is located at a position that provides the most sight distance in each direction. The Department is in support of a single access point. This will provide the safest ingress/egress to the site, and maximize the use of the sight distance.
3. Although DelDOT's TIS warrants are met, DelDOT may accept an Area Wide Study Fee (AWSF) since the site would generate fewer than 2,000 ADT and fewer than 200 peak hour trips in lieu of a TIS if the Local Land Use Agency does not require a TIS. Please provide documentation stating that the LLUA does NOT require a TIS. Upon receipt of this, DelDOT will issue an AWSF letter stating the required fee and improvements for this project.
4. There is an existing single home on the southwest corner of the project site. This home is to remain. The proposed pedestrian facility (Shared Use Path SUP) will stop at the eastern portion of this existing lot. Continuing the SUP is not advised due to the limited site area. The Department is willing to accept a Permanent Easement at that location.



KENT CONSERVATION DISTRICT

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

**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
OCTOBER 2023**

APPLICATION: Windward Ridge Apartments on West Denneys Road

FILE #: S-23-19

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Kate Owens

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 1 acre, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District's office.
2. A Stormwater Assessment Study (SAS) and pre-application meeting are required prior to submitting for review.
3. The following notes must appear on the record plan:
 - a) The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - b) The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
 - c) A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. The District does not recommend this site for development due to numerous site limitations such as areas in the Excellent Groundwater Recharge Zone, wooded wetlands, and poor soil conditions.
2. The District will require that a preliminary soil investigation be conducted and completed as part of the SAS.
3. The preferred methods of Stormwater management are those practices that maximize the use of the natural features of a site, promote recharge and minimize the reliance on structural components.
4. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management Plan has been approved.

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Date: August 31, 2023

City of Dover Planning and Inspections
City Hall
15 Loockerman Plaza
Dover, DE 19901
Attention: Ms. Mary Ellen Gray

Subject: Windward Ridge Second Entrance
Waiver Request

Dear Ms. Gray,

On behalf of our client, Jack Lingo Asset Management, Morris & Ritchie Associates (MRA) respectfully requests a waiver from the requirements of Appendix A, Article 6A8(b) of the City of Dover Code for the Windward Ridge Subdivision. This section of the code states:

A. Streets

8. *The creation of interconnected streets will be encouraged wherever the commission finds that such layout will not interfere with traffic convenience and safety. The commission shall determine the number of connections of streets in the proposed subdivision with existing streets. At least two connections onto a state-maintained road or a city-maintained street are required unless the Delaware Department of Transportation or the city engineer determines that the second connection will not be permitted or is determined to be nonfeasible. This requirement shall pertain to:*
- b. Site Development containing 150 or more dwelling units.*

The proposed entrance for the Windward Ridge subdivision onto W. Dennys Road has been designed with consideration given to the surrounding properties and existing nearby entrances. The parcel frontage for the proposed development is limited to less than 390' with the existing entrance to the Carlisle Village subdivision located less than 180' to the northeast and an existing dual driveway entrance for the remaining single-family residence at 4085 W. Denneys Road. Based upon these site constraints, there is insufficient road frontage to accommodate two entrances and maintain safety for the traffic on W. Dennys Road. Additionally, we held a pre-application meeting with the Delaware Department of Transportation Development Coordination team on July 19, 2023 and discussed the Code requirement for a secondary access. In this meeting, DelDOT stated that they would not be in favor of a second access to W. Dennys Road for this project due to these constraints.

We respectfully request that, based on the above circumstances, the Windward Ridge project be granted a waiver from the specific requirement of Appendix A, Article 6A8(b) of the City of Dover Code.

18 Boulden Circle, Suite 36, New Castle, DE 19720 (302) 326-2200 Fax: (302) 326-2399 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Purcellville, VA ♦ Raleigh, NC ♦ Orlando, FL
(410) 515-9000 (443) 490-7201 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 994-4047 (984) 200-2103 (407) 317-6288

Windward Ridge – Second Entrance Waiver Request

August 31, 2023

Page 2

Thank you for your consideration of this waiver. If you have any questions, please do not hesitate to contact this office.

Very Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to be 'Charles Barnett', with a long horizontal flourish extending to the right.

Charles Barnett,
Principal

Cc: Doug Motley, Jack Lingo Asset Management
File (21905)

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Date: August 31, 2023

City of Dover Planning and Inspections
City Hall
15 Loockerman Plaza
Dover, DE 19901
Attention: Ms. Mary Ellen Gray

Subject: Windward Ridge Pedestrian Access
Waiver Request for Lots A & B

Dear Ms. Gray,

On behalf of our client, Jack Lingo Asset Management, Morris & Ritchie Associates (MRA) respectfully request a waiver from the requirements of Appendix B, Article 5.18.2(a) of the City of Dover Code for a portion the Windward Ridge Subdivision. This section of the code states:

18.2 Applicability. Sidewalks or other pathways according to the requirements of this section shall be installed on a property by the property owner or developer under the following circumstances:

- a. When the property is part of a development proposal which is subject to planning commission site development plan review.*

Internal sidewalks are proposed throughout the community to provide pedestrian linkage for all of the apartment buildings and community amenity areas. We are requesting relief from the sidewalk requirement as it relates to the two existing residential single-family lots that will remain (identified as Lot A and Lot B). These two lots will not have access to the apartment community and will remain as single-family residences which have direct driveway access to W. Dennys Road.

We held a pre-application meeting with the Delaware Department of Transportation (DelDOT) Development Coordination team on July 19, 2023 and discussed this issue. DelDOT stated in this meeting that no sidewalk or shared use path will be required on these two lots by the developer at this time. A 15' wide easement for the benefit of DelDOT has been provided should the Department desire to install additional pedestrian facilities in this area in the future.

We respectfully request that, based on the above circumstances, the Windward Ridge project be granted a waiver from the specific requirement of Appendix B, Article 5.18.2(a) of the City of Dover Code as it relates to these two remaining lots.

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Windward Ridge – Pedestrian Access Waiver Request

August 31, 2023

Page 2

Thank you for your consideration of this waiver. If you have any questions, please do not hesitate to contact this office.

Very Truly Yours,
MORRIS & RITCHIE ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to be 'Charles Barnett', with a horizontal line extending to the right.

Charles Barnett,
Principal

Cc: Doug Motley, Jack Lingo Asset Management
File (21905)