

City of



Dover

DATA SHEET FOR CONDITIONAL USE SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING of November 1, 2023

PLANNING COMMISSION MEETING of November 20, 2023

Plan Title: Mt. Zion A.M.E. Church Building Addition, C-23-03

Plan Type: Conditional Use Site Plan Application
Parcel Consolidation Plan

Associated Application: V-23-04

Owner: Mt. Zion A.M.E. Church

Project Engineer: W. Zachary Crouch, Davis, Bowen, and Friedel, Inc.

Location: Northeast corner of N. Queen Street and Fulton Street

Property Address: 101 & 107 N. Queen St.

Tax Parcels: ED-05-076.08-03-37.00-000
ED-05-076.08-03-38.00-000

Site Area: 0.17 acres +/- (7,405.2 square feet)
0.09 acres +/- (3,920.4 square feet)

Project Area: 0.26 acres +/- (11,325.6 square feet)

Zoning: RG-1 (General Residence Zone)

Existing Use: Place of Worship (Church)

Proposed Use: Place of Worship (Church) with Building Addition

Building Footprint Area: 5,152 Square Feet

Building Addition Footprint Area: 1,402 Square Feet

New Building Footprint Area: 6,554 Square Feet

Sanitary Facilities: City of Dover

Water Supply: City of Dover

Waivers Requested: None

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 1, 2023

APPLICATION Mt. Zion A.M.E. Church Building addition at 101 (and 107) N. Queen St.

FILE #: C-23-03

REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Katherine Oehmke and Dawn Melson-Williams, AICP

PHONE #: 302.736.7196

I. PLAN SUMMARY

This application is for the review of a Conditional Use Site Plan for a 1,402 SF addition (footprint) to 5,152 SF Building (footprint) for Mt. Zion A.M.E Church. The use of the subject properties is as a Place of Worship (Church), which is a conditionally allowed use in the RG-1 Zone (General Residence Zone). The subject properties are zoned RG-1 (General Residence Zone). The properties totaling 11,500 SF are located at the northeast corner of N. Queen Street and Fulton Street. The owner of record for both parcels is A.M.E. Church of Dover. Property Addresses: 101 N. Queen Street and 107 N. Queen Street. Tax Parcel IDs: ED-05-076.08-03-37.00-000 and ED-05-076.08-03-38.00-000. Council District 4.

II. PROJECT DESCRIPTION

The site is located on the corner of Queen Street and Fulton Street with an alley on its east side. The location consists of two parcels upon which the existing Church Building stands with the front elevation facing N. Queen Street. The use of the subject properties is as a Place of Worship (Church), which is a conditionally allowed use in the RG-1 Zone (General Residence Zone).

The Place of Worship structure known as Mt. Zion AME Church was built circa 1959 with later renovations. The church building's original construction was established prior to the current zoning provisions of the City of Dover *Zoning Ordinance* thus making it a legal non-conforming use and building. The project will add a building addition onto the existing church to allow for offices and multi-function space used as accessory related to the church activities.

Previous Application V-23-04

The existing principal building exceeds the building coverage limitation of the *Zoning Ordinance* and is considered legal non-conforming. Since the proposed project will increase the building coverage, an application to the Board of Adjustment was required. The Applicant requested a variance from the requirements of Article 3 §1.14(a)(v) of the *Zoning Ordinance*. This was to allow an increase in the maximum sum of all areas permitted to be covered by a principal building and accessory buildings from 20% to 56.89% to allow for a proposed building addition. On September 20, 2023, the Board of Adjustment granted this variance to increase the area permitted to be covered by buildings (Application V-23-04).

Surrounding Properties

The properties in the blocks surrounding the Church site are zoned RG-1 (General Residence Zone). The property (109 N. Queen Street) adjacent to the north contains a one-family detached dwelling that is listed as a Vacant Building. Continuing to the north are other single family detached dwellings. There are several churches along N. Queen Street in the proximity. A series of parcels across the street from the subject site are owned by Mt. Zion A.M.E. Church. Directly across from the church is a single family home owned by the applicant. There is also a parking lot for the church.

III. ZONING REVIEW

RG-1 (General Residence Zone)

Zoning Ordinance, Article 3 Section 2. General residence zones (RG-1 and RG-2) list the permitted uses, conditional uses, and other provisions of the RG-1 zone. In Article 3 Section 2.11, it notes for the RG-1 zone that the allowable uses include those uses permitted in the one-family residence zones; this refers to *Zoning Ordinance*, Article 3 Section 1.

In the One-Family Residence Zones, Places of Worship are a Conditional Use and have specific requirements for development. See code excerpt below.

Article 3 Section 1

- 1.14 The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in section 10.1 and to any specified requirements set forth below:
 - (a) Places of worship, including parish houses; [and] schools, including nursery schools, kindergartens and day care centers in accordance with article 5, Supplementary Regulations, section 14. Child day care facilities; philanthropic and eleemosynary institutions; hospitals and sanitariums for general medical care; and funeral homes subject to the following requirements:
 - i. Any school permitted under this paragraph [subsection 1.14(a)] shall be a nonprofit organization within the meaning of the Internal Revenue Act and shall be registered effectively as such thereunder.
 - ii. Any school permitted under this paragraph [subsection 1.14(a)], other than a kindergarten, nursery school, or day care center, shall occupy a lot with an area of not less than two acres, plus one acre for each 100 pupils for which the building is designed.
 - iii. Any kindergarten or nursery school permitted under this paragraph [subsection 1.14(a)] shall be limited to a maximum of 50 children in zones R-8 thru R-20 and a maximum of 100 children in all other zones. At least 100 square feet of outdoor play space per child shall be provided. Outdoor play space shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land unsuited by other usage or natural features for children's active play space. Fencing or other enclosures shall be a minimum height of four feet. The minimum lot area for each ten, or remainder over the multiple of ten, children shall be the same as the minimum lot area requirement for each dwelling unit in the districts in which such uses are to be located.
 - iv. No such building or part thereof shall be erected with less than a 50-foot front yard or nearer than 25 feet from any other street or property line.
 - v. The sum of all areas covered by all principal and accessory buildings shall not exceed 20 percent of the area of the lot.
 - vi. Courts shall conform to the requirements of article 5, section 3 hereof.

The current use as a Place of Worship is allowed as a Conditional Use per Article 3 Section 1.14 (a). The current use as a Place of Worship since established prior to the adoption of the *Zoning Ordinance*, Article 7. Nonconforming Buildings and Uses. For any expansion of the use such as this Building Addition, it would be subject to the current zoning provisions and would require consideration through the Conditional Use application process to become a conforming use.

With the proposed Building Addition, the property would also become subject to the requirements listed (items i through vi). Specifically for this use as a Place of Worship, the requirements of Item iv and Item v would apply.

- The placement of the building on the lots does not meet the setback provisions outlined in Item iv; however, these setbacks are considered legal non-conforming and are allowed to continue as long as the degree of nonconformity is not increased or any new conformity created (per *Zoning Ordinance*, Article 7. Nonconforming Buildings and Uses). Any Building Addition would be limited to the existing setbacks of the existing building. Any Building Addition could not be placed any closer to the property lines than the existing building. The proposed Building Addition complies with this provision.
- In the case of Item v for the coverage of the lot by the principal building, a Building Addition increases the degree of nonconformity for the building coverage compared to the lot area. Thus, it required consideration of a variance that was approved with V-23-04.

With Conditional Use Plan applications, the Planning Commission reviews the proposed project to determine whether or not the intended use for the building is appropriate in type and scale for the immediate neighborhood. The Commission must also consider whether or not the proposed use will have an adverse impact on the future orderly development of the surrounding area. The following sections of the *Zoning Ordinance* which relates to the role of the Commission in reviewing Conditional Use Plan applications are particularly relevant when reviewing this application:

Article 10 Section 1

1.1 Accessibility for emergency response. That all proposed structures, equipment or material shall be readily accessible for fire, ambulance, police, and other emergency response;

1.2 Harmony of location, size and character. That the proposed use shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the zone in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties;

1.3 Residential zones. That, in addition to the above, in the case of any use located in, or adjacent to, a residential zone:

1.31 The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, the said residential district or conflict with the normal traffic of the neighborhood; and

1.32 The location and height of buildings, the location, nature and height of walls and fences, the nature and extent of landscaping, and other improvements on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

If the Planning Commission approves a Conditional Use Application, the use is granted as a Conditional Use Permit. Such permits may be permanent, subject to limitations outlined in *Zoning Ordinance*, Article 10 §1.41 or be required by the Commission to undergo periodic renewal using the procedure described in Article 10 §1.42. Any Conditional Use Permit, permanent or not, may be revoked using the procedure described in Article 10 §1.43 if the conditions prescribed by the Commission in conjunction with the issuance of the Conditional Use Permit have not been or are no longer being complied with.

IV. PARKING SUMMARY

In addition to the two handicapped spaces in front of the building along N. Queen Street, there is an off-street parking for the Church in the parking lot across the street from the church at 110 and 120 N. Queen Street. Staff counted additional 25 spaces. There is another small parking lot at 37 N. Queen Street with 6 spaces. Total off-street parking is 33 spaces. Using the parking calculation in *Zoning Ordinance*, Article 6, Section 3.1, the requirement would be 33 parking spaces based on the 6,554 SF footprint size of the building (and needs to be calculated based on total floor area). A seat count of the sanctuary was not provided.

For:	At Least One Parking Space For Each
Places of worship	Two hundred (200) square feet of floor area, but not less than one (1) space for each four (4) seats, where provided

The parking requirement for this location for the existing Church Building is considered legal non-conforming as the Building was constructed prior to enactment of the *Zoning Ordinance*. There is on-street parking in the vicinity in addition to a sidewalk system for pedestrians.

Bicycle Parking

There is no current bicycle parking at the property, and there is no proposed bike parking on the Site Plan. For every 20 parking spaces, there should be one bicycle parking space. It is unclear if their parking lots include bicycle parking.

V. SITE CONSIDERATIONS

Building Access

The current main entrance to the Church is a set of large double doors. The proposed addition will have an additional set of double doors in the north addition to the building. There are two existing single doors on the south side of the building. The rear (east) side of the building will remain to have 2 single doors for egress.

Lighting

While the architectural plans do not depict new lighting, Google Street View shows lights by the doors and the large cross on the front of the building appears to be backlit. The demolition plan shows that they are taking out a light pole from the ramp area.

Dumpster

There are no dumpsters shown in the proposed plan. Google Street View shows the large trash/recycling bins at the back (east) side of the building along the alley. It appears that they have City collection service with large black bins and a recycle bin. It is unclear if the bins are stored inside or within the back fenced area along the alley.

Sidewalks

There are sidewalks on the west and south sides of the building along N. Queen Street and Fulton Street. The proposed addition has an ADA accessible ramp that connects the front sidewalk from the front (west) side of the building into the addition.

VI. BUILDING ARCHITECTURE

When the Church was constructed in 1957-1959, the design of the church was modern. The modest church addition design will allow the large stained-glass window to remain the focal point of the structure. The Church has a raised first floor approximately a half story up with 8 steps to the entrance level. There are windows to the basement at street level. The basement contains a kitchen, multi-purpose spaces, storage, and bathrooms. The addition to the Church basement will house two more multi-purpose spaces with an accordion dividing wall and a storage closet.

The roof line of the main church building is pitched. The entrance area at the rear of the building along the alley, and the front entrance along N. Queen Street have flat roofs. The current office area on the north side of the building also has a flat roof. The north side of the Addition has 2 tall thin windows, and 2 double windows on the first floor. The basement will have 3 more windows visible from the pedestrian level.

The Addition will have a dark brick exterior with 2 narrow tall windows on the west side facing N. Queen Street. The front portion of the Addition will have an ADA ramp surrounded by wood railings. The ramp will provide access to the church through the Addition from the surrounding sidewalks. The roof will be flat, similar in height to the offices at the rear portion of the existing building. The first floor addition will house a lobby, offices, a connecting corridor to the church and additional multi-purpose spaces with another folding partition wall.

VII. TREE PLANTING AND LANDSCAPE PLAN

Development Area

The project site development area is most of the northern lot at 107 N. Queen Street.

Tree Plantings

The submitted plan does not include any new trees. There are 2 existing trees on the south side of the property. According to the tree planting schedule in Article 5 Section 16.62, the tree calculation is 1 tree for every 3,000 square feet of development area. The two parcels together are 11,325 square feet. There should be 4 trees total, giving credit for the existing 2 trees on the south side of the property. Please note a Tree Mitigation Plan on the Cover Sheet if you plan to place your additional trees elsewhere than the two parcels in this application.

VIII. CITY AND STATE CODE REQUIREMENTS:

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

- 1) Sheet C-001 and associated plan sheets:
 - a) Clarify building floor area versus building footprint. Provide each in square feet.

- b) The Zoning is not listed on the cover page.
 - c) Identify any bicycle parking on site or note if in parking lots.
 - d) City of Dover Engineer Signature Block not required.
 - e) Item 8, replace “Town” with “City of Dover”. Electric will be City of Dover.
 - f) Item 10, please add column with existing setbacks.
 - g) Item 16, list Building Footprint and the Building Floor Area. Make sure to clarify the combined Floor Area for both floors of the addition to the building.
 - h) Add Tree Planting calculations.
- 2) A Record Plan Sheet is needed to combine parcels.
- 3) Page C-002: Line 15, Approved Site plans are valid for 2 years. Stormwater Management Plans may be valid for 3 years. Please clarify which Plan is referenced and the correct number of years if needed.
- 4) Page C-051:
- i) The 50’ Setback line in the middle of the existing building should read “Property Line”.
- 5) Page C-101:
- (a) Proposed Addition square footage should indicate footprint.
 - (b) Please note Dumpster/Garbage storage location.
 - (c) Notate a Tree Planting Schedule. Based on requirement of 1 tree per 3000 SF of total lot area. This project must provide a total of 4 trees (existing and proposed).
- 6) The applicant may seek approval of a Tree Mitigation Plan to plant the required trees elsewhere. A written request must be submitted with reasons and concept for planting.

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

In accordance with the *Zoning Ordinance*, Article 10 §1, the Planning Commission in considering and acting upon Conditional Use 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 1.1 to 1.3.

- 1) Conditional Use for Place of Worship: The applicant is seeking to expand an existing Place of Worship building that pre-dates the enactment of the City’s *Zoning Ordinance*. The use of the building is not changing; it is just expanding in size (floor area). The Building Addition seeks to continue the use of the building as a Church facility at this location in the neighborhood while modernizing the building for programming functions and ADA accessibility. Planning Staff finds the proposal compatible with the area.
- 2) Bicycle Parking: Planning Staff recommends the installation of the bicycle parking rack to serve the building either at the Church Building or at the nearby church owned parking lot to allow to appropriate parking for this transportation option.

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

X. ADVISORY COMMENTS TO THE APPLICANT:

- 1) If major changes and revisions to the Conditional Use Site Development Plan occur in the finalization of the Plan, contact the Planning Office. Examples include reorientation of the addition, relocation of site component, and increases in floor area count. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations regarding the plan.
- 2) Following Planning Commission approval of the Conditional Use Site Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff 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).
- 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 applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections, Pre-Construction meeting and permits/licenses are required.
- 5) 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.
- 6) The applicant should be aware that Conditional Use Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign unless deemed internal to the campus. It is recommended that the applicant discuss the sign regulation requirements with the Planning Staff prior to applying for a Sign Permit.
- 7) The applicant should be aware that Conditional Use Site Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for the issuance of a Building Permit from the City of Dover.

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: NOVEMBER 1, 2023



APPLICATION: Mt. Zion AME Church Building Addition at 101 North Queen Street

FILE #: C-23-03

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 current solid waste collection provided by the City of Dover can still be utilized. If this addition provides additional solid waste containers, above and beyond the existing, the property shall utilize private services.

WATER

1. Our office has no objection to the conditional use proposed for the subject property.
2. Due to the fact that this property is changing uses, water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) water meter for the building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan, if an upgrade is required. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
3. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. The type of assembly will be determined by the activity that will occur in the new addition.

WASTEWATER

1. Our office has no objection to the conditional use proposed for the subject property.
2. Sizing (flow) calculations must be submitted for all sanitary sewer laterals (other than for single-family dwellings) showing that velocity and all other requirements are met. All proposed wastewater utility components must meet the requirements of the Public Utilities Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.

GENERAL / STORMWATER / STREETS

1. None.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

Mt. Zion AME Church Building Addition at 101 North Queen Street

File #: C-23-03

November 1, 2023

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STREETS / SANITATION / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. Water impact fees may be associated with this project.
2. One meter shall be utilized for the entire building.

WASTEWATER

1. Wastewater impact fees may be associated with this project.

STREETS / SANITATION / STORMWATER / GENERAL

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

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 11/01/23

APPLICATION: Mt. Zion AME Church Building Addition at 101 North Queen St

FILE #: C-23-03

REVIEWING AGENCY: City of Dover, Office of the Fire MarshalCONTACT PERSON: Jason Osika, Fire Marshal
josika@dover.de.usPHONE #: (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 assembly.
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. Perimeter access shall be N/A 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.

4. Fire lanes shall cover 50% 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)

5. 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)

6. 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)

7. 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 protection is provided throughout the entire building.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(City of Dover Code of Ordinances 46-162)

8. 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)

9. 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)
10. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface). All fire department connections (standpipe and sprinkler) shall have a minimum 12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)
11. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms.

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

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

12. 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)

13. TBD 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

14. 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
15. Project to be completed per approved Site Plan.
16. Full building and fire plan review is required.
17. Construction or renovations cannot be started until building plans are approved.
18. 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.
19. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.
20. 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. The plan states the current building is 5,152 SF and the new addition is 1,402 SF. The plan then shows dimensions of 102' x 25.4' (times about two) which is 5,181 SF. This appears to be the first floor only and does not include the basement. I need to square footage of the entire building in order to determine several items/requirements.
 - Received an email on 11/03/23 from Timothy Matzner confirming that the total square footage will be 13,070 S.F. and that they will be adding a new sprinkler and fire alarm system as part of the project.
2. PA N/A as outlined in item # 3 listed above.
3. FL 50% as outlined in item # 4 listed above.
 - The N Queen St and Fulton St roadway can be counted towards the Fire Lane.
4. I don't believe this building currently has a fire alarm system, please confirm the same. Fire alarm system TBD.
 - Older fire alarm currently in place, new fire alarm will be installed with this project.
5. If a FAS is required, the Hood suppression would need to be tied to the FAS
6. I don't believe this building currently has a sprinkler system, please confirm the same. Sprinkler system TBD.
 - A new sprinkler system will be installed with this project.

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: C-23-03 Mt Zion AME Church Addition 101 North Queen Street

FILE#: C-23-03

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. DelDOT has no comment and require no submission for this project as it is city limits.

CITY OF DOVER ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: Nov 1, 2023

APPLICATION: Mt. Zion AME Church Building Addition at 101 North Queen Street

FILE #: C-23-03

REVIEWING AGENCY: City of Dover Electric Department

CONTACT PERSON: Paul Waddell, Electric Director
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. Any relocation or upgrade 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.
2. Owner is responsible for locating all existing underground facilities to include electric, water and gas.
3. Owner is responsible for site and/or street lighting.
4. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
5. 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.
6. All Engineering and design for Dover Electric will be engineered upon receipt of final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

GENERAL

1. Final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg format) and Adobe Reader (.pdf format), if applicable.

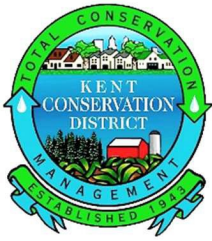
RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

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

1. Provide load sheets as soon as possible for 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>.
2. Electric service is currently provided by the City.
3. If any upgrade to electric supply needs to be accomplished, customer will be responsible for all costs associated with the project.

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.



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 NOVEMBER 2023

APPLICATION: Mt. Zion AME Church Building Addition at 101 & 107 North Queen Street

FILE #: C-23-03

REVIEWING AGENCY: Kent Conservation District

CONTACT: 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:

The proposed improvements will disturb less than 5,000 square feet and is therefore exempt from the Delaware Sediment and Stormwater Regulations. Kent Conservation District has no objection to the conditional use site plan for the above referenced site.



MEMORANDUM

TO: City of Dover Planning Office

FROM: Malcolm Jacob, Transportation Planner

DATE: 11/3/2023

SUBJECT: DAC Comments 11/2023

Dear Members of the Planning Office,

Attached, please find comments submitted by Dover Kent MPO for each of the current Development Advisory Committee (DAC) site plan reviews. Plans were reviewed during the Staff DAC meeting of **Wednesday, November 1, 2023**, and comments are being submitted in advance of the Applicant DAC meeting of **Wednesday, November 8, 2023**.

Please reach out to the MPO if further input is needed.

Sincerely,

Malcolm Jacob

Transportation Planner

Dover/Kent County Metropolitan Planning Organization

Malcolm.Jacob@doverkentmpo.org

(302) 387-6030

<https://doverkentmpo.delaware.gov/>



1. C-23-03 Mt. Zion AME Church Building Addition at 101 North Queen Street (and 107 North Queen Street)

No objections to the current site plan. Sidewalks are already present, and the plan includes accessibility ramps.

2. S-23-20 Cold Storage Warehouse at 451 Garrison Oak Drive

No objections to the current site plan, provided developers ensure the site is ADA-compliant. (Accessible pedestrian paths, ramps and striping at crossings, etc.)

3. S-23-21 BHD Operations Facility at 250 Garrison Oak Drive

No objections to the current site plan, provided developers ensure the site is ADA-compliant. (Accessible pedestrian paths, ramps and striping at crossings, etc.)