

City of Dover

March 26, 2021

Doug Liberman
Larson Engineering Group, Inc.
910 S. Chapel St. Suite 200
Newark, DE 19713
Via email: dliberman@larsonengineering.net

RE: Notice of Decision
Conditional Use Site Plan Application: Flex Warehouse Building at College
Business Park: Lot D in Dover, Delaware, C-21-03
ED-05-067.00-02-12.06-000

Dear Mr. Liberman:

At its meeting of March 15, 2021, the City of Dover Planning Commission moved to grant conditional approval of the Conditional Use Site Plan to allow for the construction of a 9,520 SF one story Commercial Warehouse Building with associated site improvements on a 0.9907 acre +/- parcel. The property is zoned M (Manufacturing Zone). The property is located north of College Road, at the end of College Park Drive, abutting the southwest side of the railroad right-of-way in Dover, DE. The Conditional Use Site Plan is approved in accordance with the conditions of approval including the Staff Recommendations outlined in the Development Advisory Committee (D.A.C.) Report dated March 3, 2021 and as noted below. A copy of the D.A.C. Report is enclosed for your reference.

In addition, the Planning Commission took action on the following:

- 1) Partial Elimination of Upright Curbing: Planning Commission acknowledged that Planning Staff has granted approval of the request for the partial elimination of upright curbing around the perimeter of the loading space area. Staff noted that the upright curbing requested to be waived is to facilitate to stormwater management. Therefore, the elimination is appropriate to allow sheet flow of water into Stormwater Management areas.
- 2) Performance Standard Review Application: Planning Commission has affirmed the Performance Standards Review Application as submitted with the Conditional Use Site Plan Application. Planning Commission noted that it is generally anticipated to conform to all the applicable performance standards of the *Zoning Ordinance*, Article 5, Section 8. While the potential tenant(s) of the property is not yet identified, the Planning Commission further acknowledged Planning Staff's comments that no Certificate of Occupancy will be certified until the Tenant Space of the Building is fitted out, nor will any Permit be approved, unless both are reviewed by Planning Staff for compliance. Staff at that time will further ensure that no objectionable or otherwise non-permitted uses or materials will be located on the premises.

Planning Commission approval is valid for two (2) years from the date of approval, during which time the Plan shall be finalized and then construction commenced to establish the new building. The approval expiration date is March 31, 2023. **To apply for an extension of time from the**

Planning Commission, this office shall be in receipt of a letter from the owner/applicant requesting such extension at least 30 days prior to the expiration of the original approval. The letter requesting the extension shall state the reasons why an extension is necessary.

As a reminder, the Public Notice Physical Posting signage was to be removed from the property by March 22, 2021. Physical Posting signage not removed in a timely manner will be treated as an abandoned sign per the *Zoning Ordinance*.

Should you have any questions, or require further assistance, please contact the Planning Office and the Planner assigned to your project, Julian Swierczek at (302) 736-7196 or at jswierczek@dover.de.us.

Sincerely,
On Behalf of the Planning Commission
Department of Planning & Inspections



Dawn E. Melson-Williams, AICP
Principal Planner

Enclosures: DAC Report

Cc without Enclosures unless noted:

Dave Hugg, Planning Director
Sharon Duca, P.E., Public Works Director
Jason Lyon, Water and Wastewater Director
File C-21-03