

City of Dover

July 25, 2023

Patel College Properties, LLC
Patel Excess College Road, LLC
c/o Parkway Law, LLC (Attn: Dominic J. Balascio)
3171 DuPont Parkway Suite B
Townsend DE 19734
Via Email: dominic@parkway-law.com

Re: Notice of Decision - Planning Commission Action
Site Development Plan S-23-06 College Road Apartments at Railroad Avenue/Grove Street in Dover, Delaware
Tax Parcels: ED-05-067.00-02-53.00-000, ED-05-067.00-02-54.00-000, ED-05-067.00-02-55.00-000, and ED-05-067.00-02-56.00-000.

Dear Mr. Balascio:

At its meeting of June 20, 2023, the City of Dover Planning Commission moved to grant conditional approval to Site Development Plan Application S-23-06 College Road Apartments at Railroad Avenue/Grove Street. The project is for construction of two 6-story mid-rise apartment buildings with a total of 385 units consisting of studio, 1 bedroom, and 2 bedroom units. The ground level of each apartment building is parking and the other site improvements include six 7-car garage buildings, parking lots, landscaping, and recreation areas. The Project also includes street construction/improvements to Raymond Street and Railroad Avenue. A Lot Consolidation Plan will combine the four parcels located east of Railroad Avenue for a total of 31.08 acres of land. These properties are zoned RG-5 (General Residence Zone for Mid-Rise Apartments). The subject area is located north of, but not adjacent to College Road, and east of the Railroad corridor in the vicinity of Raymond Street, Railroad Avenue, and Grove Street. Property Owners: Patel College Properties, LLC and Patel Excess College Road, LLC. Council District 4.

This Application S-23-06 College Road Apartments at Railroad Avenue/Grove Street was originally submitted to the Planning Commission for Public Hearing and Review at their March 20, 2023 meeting. The Planning Commission conducted a Public Hearing and began review of this Application S-23-06 at their March 20, 2023 Meeting and deferred action seeking additional information. The Planning Commission continued review of this Application S-23-06 at their April 17, 2023 and deferred action until the June 2023 Meeting seeking additional information.

As adopted by the Planning Commission, the conditions of plan approval for the Site Development Plan S-23-06 College Road Apartments at Railroad Avenue/Grove Street from all reviewing agencies, including the Planning Staff Recommendations (as adopted), are outlined in the Development Advisory Committee (D.A.C.) Report dated March 8, 2023 and the Active Recreation Area Plan Report of March 14, 2023. A copy of the D.A.C. Report for S-23-06 and Active Recreation Area Plan Report are enclosed for your reference. If in the future major changes and revisions are proposed to the site design as presented to the Planning Commission,

you are required to contact the Planning Office to discuss. These changes may require resubmittal of the plan/drawings for review by the Development Advisory Committee, the Planning Commission or other agencies making recommendations or taking action in regard to the application.

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

- 1) Waiver Request – Reduction of the Parking Requirement: The Planning Commission took action to deny the Waiver Request for a Reduction of the Parking Requirement. The applicant had sought a reduction in the parking requirement from 867 parking spaces to 683 parking spaces by requesting a rate based on the type of apartment unit (studio, 1-bedroom, 2-bedroom) and a visitor rate resulting in an overall rate of 1.78 parking spaces per dwelling unit. The *Zoning Ordinance*, Article 6 Section 3 sets forth the parking requirements for apartments as a rate of two (2) parking spaces per dwelling unit plus 0.25 space per dwelling unit for visitor parking. The Final Plan will need to comply with the parking requirement established by the *Zoning Ordinance* based on the number of dwelling units in the project (maximum of 385 units).
- 2) Consideration of Active Recreation Area Plan: The Planning Commission took action to grant approval of the proposed Active Recreation Area Plan subject to the review comments of the Active Recreation Area Plan Report (of March 14, 2023). The project is required to provide 1.618 acres for Active Recreation Area as based on 10% of the gross development area. The plan provides 1.67 acres including the following recreation amenities: a Multi-Sport Court, Sand Volleyball Court, Picnic Pavilion, Paved Walking Trail, Woodland Walking Trail, Outdoor Fitness States Covered Bike Racks, and Yoga/Game Rooms within the Buildings' interior.

Planning Commission approval is valid for two (2) years from the date of approval, during which time the Site Development Plan shall be finalized, Building Permits obtained, and the project commenced. For Site Development Plan S-23-06, the approval expiration date is June 30, 2025. 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 such extension shall state the reasons why an extension is necessary.

When all necessary revisions have been made to the Plan, a Check Print of the Site Plan set must be submitted to the Planning Office for review. Check Print submittals to other Development Advisory Committee member agencies are required for their approval of the Plan as well. Coordinate with other agencies directly and forward approval letters to the Planning Office as they are obtained. Upon determination that the Plan is complete, we will request that you submit a specific number of signed and sealed copies of the Final Plan to our office for approval and endorsement for approval.

As a reminder, the Public Notice Physical Posting signage should have been removed from the property by June 27, 2023. 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 plan reviewer Dawn Melson-Williams at (302) 736-7196 or at dmelson@dover.de.us.

Sincerely, on Behalf of the City of Dover, DE Planning Commission
Department of Planning & Inspections



Dawn E. Melson-Williams, AICP
Principal Planner
dmelson@dover.de.us

Enclosures: Final D.A.C. Report of March 8, 2023
Active Recreation Area Plan Report of March 14, 2023

CC via email:

Mary Ellen Gray, AICP, Planning Director
Jason Lyon, PE, Director of Department of Water & Wastewater
Mark Novak, Director of Department of Public Works
Doug Barry, Pennoni Associates Inc.
Greg Rishel, Pennoni Associates Inc.
Glenn Mandalas, Esq., Baird, Mandalas, Brockstedt & Federico
File S-23-06