



DATA SHEET FOR SITE PLAN REVIEW & ARCHITECTURAL REVIEW CERTIFICATION

DEVELOPMENT ADVISORY COMMITTEE MEETING OF September 4, 2024

PLANNING COMMISSION MEETING OF September 16, 2024

Plan Title: Legislative Hall Parking Garage at 425 East Avenue, S-24-14

Plan Type: Site Development Plan

Location: Corner of East Avenue/E. Water Street and Martin Luther King Jr. Boulevard South

Owner: State of Delaware

Addresses: 425 East Avenue (project location) and 150 E. Water Street (existing building)

Tax Parcel: ED-05-077.10-01-02.00-000

Size: 5.28 acres +/-

Present Uses: Parking Lot with Office/Bank with Drive thru Building

Proposed Use: Parking Garage Structure with Office/Bank with Drive thru Building

Zoning: IO (Institutional and Office Zone)
H (Historic District Zone)

Building Area: 127,500 GFA Parking Garage Structure

Off Street Parking: 344 vehicle parking spaces

Sewer & Water: City of Dover

Waiver Request: Partial Elimination of Upright Curbing

For Consideration: Architectural Review Certification

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: September 4, 2024

**City of
Dover
Planning
Office**

APPLICATION: Legislative Hall Parking Garage at 425 East Avenue / 150 E. Water Street

FILE #: S-24-14

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP PHONE: 302-736-7196

I. PLAN SUMMARY

This Application is for Review of a Site Development Plan Application and associated Architectural Review Certification to permit construction of a new Parking Garage for Legislative Hall to be located at the corner of East Avenue/E. Water Street and Martin Luther King Jr. Boulevard South. The proposal includes a three-story, 127,500 SF Parking Garage with 344 vehicle parking spaces and other site improvements. The 5.28 +/- acre property includes an existing surface parking lot and an office/credit union building (to remain). The property is zoned IO (Institutional and Office Zone) and is subject to H (Historic District Zone). The property is located at the southeast corner of Martin Luther King Jr. Boulevard South and East Avenue/E. Water Street. The owner of record is the State of Delaware. Property Address: 425 East Avenue and existing building addressed as 150 E. Water Street. Tax Parcel: ED-05-077.10-01-02.00-000. Council District 2. *The project was the subject of HI-24-04 for Historic District Commission Review and Recommendation on the Architectural Review Certification and V-24-01 for Board of Adjustment Review and Approval of variances related to development in the Flood Hazard Area.*

The Project Site is subject to Application HI-24-04 Legislative Hall Parking Garage. At the May 16, 2024 meeting of the Historic District Commission, they considered the Application and have provided a Recommendation on the Architectural Review Certification for the project. *See attached Recommendation Report.*

The Project site is also the subject of Application V-24-01 for Board of Adjustment Review. At the June 20, 2024 meeting of the Board of Adjustment, the granted approval of two variances from the *Zoning Ordinance*, Article 5 Section 11.21 pertaining to development within the Flood Hazard Area (1% Annual Chance Flood/100-year floodplain). Variance Request 1 is to decrease the required reduction of the impervious surface area of the predevelopment conditions on the lot from 15% to 5% (Article 5 Section 11.211a). Variance Request 2 is to recognize that 48.7% of the lot is within the flood hazard area which is greater than 33% that allows Planning Commission consideration of reductions in impervious surfaces (Article 5 Section 11.211b). These Variance Requests would allow for some project development within the Flood Hazard Area.

Previous Applications

The initial Building and surface parking lot on the property were constructed in the late 1950s-early 1960s (in place by 1961). The more recent applications at this site were for the expansion of

the OMB/DFM DFCU surface parking lot starting in 2005. An Administrative Site Plan was reviewed for the Phase 1 expansion of the parking lot (S-05-40) involving the restriping of the existing paved area and the addition of 4,516 S.F. to achieve a total of ten (10) additional spaces on the north side of the building. The Phase 2 expansion of the parking lot to permit the construction of a 105-space surface parking expansion to the east of the building was reviewed in 2006 under applications HI-06-01 and S-06-04.

Application HI-07-01 and S-07-19 involved the Del-One Credit Union Drive-thru Expansion and building entrance improvements. That project application reconfigured the drive-thru to consist of four lanes including a drive-up ATM. The drive-thru is covered by a canopy spanning from the existing building to the new brick enclosure for the ATM.

Preliminary Land Use Services Review (PLUS):

The PLUS Review is required by a City of Dover Memorandum of Understanding (MOU) for certain types of projects. Due to its Downtown Dover Redevelopment Target Area, this project was not required to complete PLUS Review process.

II. PROJECT DESCRIPTION

The application proposes construction of a Parking Garage Structure and other site improvements for the development of the Legislative Hall Parking Garage. This is an initial step in a larger project being planned for a future building addition to Legislative Hall (not under review with this submission). The project location is the surface parking lot located to the north of the existing brick building (Capitol Police and Del-One Credit Union Offices) located on the site.

The Parking Garage Structure is located at the southeast corner of East Avenue/E. Water Street and Martin Luther King Jr. Boulevard South. The structure is being designed to consist of restricted access parking spots and public parking spaces. For the equipment compound area, it is partially enclosed by a brick wall at the northeast corner of the garage building. The compound where a generator and fuel tank equipment will be placed. A portion of the existing surface parking lot is proposed to remain on the northeast and southeast sides of the Parking Structure. This area is currently shown to be reached by a new access drive off the existing drive-thru circulation drive.

Surrounding Land Uses

This subject property location at the corner of East Avenue/E. Water Street and Martin Luther King Jr. Boulevard South is part of the Capital Complex where multiple State buildings and offices are located. The Del-One Credit Union Building with its drive-thru is located south of the project site but on the same property. The eastern boundary of this property is the St. Jones River and includes open grass lawn areas and trees and other vegetation along the immediate banks of the river. The property slopes toward the St. Jones River.

Across the street to the north is Legislative Hall and to the west across the street is the Tatnall Building (offices). Surrounding properties are zoned IO (Institutional and Office Zone) with other open space areas like the Legislative Mall area zoned ROS (Recreational and Open Space Zone). The surrounding properties on the west side of the St. Jones River are within the H (Historic Zone).

III. ZONING REVIEW

IO (Institutional and Office Zone)

The subject property is zoned IO (Institutional and Office Zone); this zoning designation will remain in place. The description of the IO (Institutional and Office Zone) zoning district is provided in Article 3 §10 of the *Zoning Ordinance* and provisions identify the allowable (permitted) uses and the related bulk standards for the IO zone. The Parking Garage Structure is a permitted use. Generally, the setbacks are met with the exception of the front yard setback (see discussion under Section IV. Architectural Review Certification). The buildings' height and number of stories is in compliance with the IO zone. The total lot coverage of the project is listed as 32.57% in compliance with the maximum lot coverage of 85% in the IO zone.

H (Historic District Zone)

The entire project site is now located in the H (Historic District Zone) and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections. The H (Historic District Zone) is described in *Zoning Ordinance*, Article 3 Section 21 with the following purpose statement:

Article 3, Section 21. - Historic district (H).

21.1 *Purpose.* The purpose of this historic district regulation is to preserve and enhance that unique character and value of the old portion of Dover as an area of special charm and interest. It is particularly intended that the regulations prevent, in the historic district, any change of conditions that would be deemed to be a disfigurement or degradation of the present unique visual and architectural qualities of the district.

IV. ARCHITECTURAL REVIEW CERTIFICATION

Zoning Ordinance, Article 10 §3.2 outlines the review process for Architectural Review Certification and related building height, bulk, and setback standards. This process begins with Review by the Historic District Commission.

Review of DESIGN STANDARDS AND GUIDELINES

Location within the H (Historic District Zone) requires proposals for demolition, new construction, additions, and certain renovation or rehabilitation activities to receive an Architectural Review Certificate. As stated in the *Design Standards and Guidelines for the City of Dover Historic District Zone*, an Architectural Review Certificate will be granted "if it is found that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district." *Zoning Ordinance*, Article 10 §3.2 outlines the review process for Architectural Review Certification and related building height, bulk, and setback standards.

This proposal must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. The *Design Standards and Guidelines* for New Construction (Chapter 4: pages 4-1 through 4-8) provide the design criteria and development guidelines. The guidelines specify a series of individual considerations for new construction to be considered in the review by the Historic District Commission (and Planning Commission) of the project for Architectural Review Certification. Additionally, the proposal should be reviewed for conformity with the design criteria and development guidelines found in the *Design Standards and Guidelines* of Chapter 3: Maintenance, Repair, Preservation, and Restoration of Existing Historic Buildings. More specifically the sections on Design Guidelines for

Landscaping and Site Amenities, Fencing and Walls, Paving and Bordering, and Parking Lots found on pages 3-24 through 3-27.

The proposed project must also be reviewed for compliance with the standards established by the *Zoning Ordinance*. The standards include items such as setbacks from property lines, lot coverage, height, etc. This Proposal for the Parking Structure appears to conform to most of the bulk requirements of the IO Zoning District. The *City of Dover Zoning Ordinance* authorizes the Historic District Commission to waive certain bulk standards when issuing its recommendation to the Planning Commission for an Architectural Review Certificate if necessary.

Alternative Bulk Standards – Consideration of Front Yard Setback

The setbacks of the buildings from the property lines are met except for the front yard setback along the street frontages. This front setback is required to be 10 feet. With the placement of the Parking Garage Building this front yard setback varies; therefore, relief must be granted to allow the encroachment.

HISTORIC DISTRICT COMMISSION - RECOMMENDATION

For the Legislative Hall Parking Garage project, the Historic District Commission considered the application HI-24-04 on May 16, 2024 regarding an Architectural Review Certificate for construction of the Parking Garage Structure and the various other Site Improvements. **The Historic District Commission considered the proposal for construction and has provided a recommendation to the Planning Commission in regard to the Architectural Review Certification for the project. The specific recommendation involved consideration of the Design Standards and Guidelines. See attached Recommendation Report from the Historic District Commission.**

The Planning Commission should act upon the Architectural Review Certification as part of any motion to approve this project, or as a separate motion if necessary. In taking this action, the Planning Commission is to consider the standards and guidelines found in Chapter 4 of the Design Standards and Guidelines for the City of Dover Historic District Zone and other referenced sections.

V. PARKING SUMMARY

The parking requirement for the IO (Institutional and Office Zone) is based on a rate of one parking space per 300 square feet of floor area. However, this project is a Parking Garage Structure designed to provide parking for nearby State building including Legislative Hall. The Parking Garage Structure located on the northwest corner of the Site is to house 377 parking spaces. Some of this parking will be secured parking for Legislators and other personal. The Parking Garage will also provide public parking. The entries into the Parking Garage Facility are on its west side from East Avenue/E. Water Street.

There is an area of surface parking on the southeast corner of the building. This is a limited access area and includes access to the generator and other parking spaces. This area is accessed from the drive-through circulation drive of the adjacent Del-One bank and office building.

Bicycle Parking

Bicycle parking shall be provided for parking spaces at a rate of one (1) bicycle parking space for every twenty (20) parking spaces. Based on the 344 parking spaces provided, 18 bicycle spaces

are required. The Plans submitted note Bicycle Parking spaces being provided as an outside bicycle parking rack. It is unclear if there are bicycle parking spaces within the Parking Garage.

VI. SITE CONSIDERATIONS

Lighting

In general, the broader area uses a decorative black pole with lantern type light fixture as street lighting. The project also includes wall-mounted lighting.

Dumpsters

Dumpsters are typically required a rate of two Dumpster per non-residential building. This property would require a total of 4 Dumpster units for the new and existing building. Identify the location and or method of trash/recycling collection. The Dumpster enclosure detail shall be provided on the plan to ensure that the architectural components of the Dumpster enclosures match the construction materials of the proposed building.

Sidewalks

Sidewalk is required along all street frontages of East Avenue/ E. Water Street and Martin Luther King Jr. Boulevard South. The applicant will be reconstructing the curb and sidewalks where site improvements and site entrance improvements are proposed. The street frontage sidewalks along the project site will continue to be brick paving to match existing sidewalks in the surrounding area. Additional traffic control/identification measures are planned for crosswalk striping.

Curbing

Waiver Request for Partial Elimination of Upright Curbing

The parking areas and access drives are required to be curbed with upright curbing (*Zoning Ordinance*, Article 6 §3.6). Curbing is not shown on the outer perimeter of the service area parking lot and along the new access drive. A written waiver request was submitted for consideration by Planning Staff.

Fencing:

For the generator compound area, it is enclosed by a decorative brick wall before transitioning to a fenced area along a portion of the surface parking lot area for services.

VII. REGULATIONS FOR FLOOD HAZARD AREAS (FLOODPLAINS)

The eastern property line of the property is the St. Jones River. The eastern portions of the property are located within the Special Flood Hazard Area (100-year floodplain/ 1% Annual Chance Flood) where development and impervious surface is limited by the provisions of the *Zoning Ordinance*. The 100-year floodplain location is labeled as FP-AE (Zone AE) in the applicant's Site Plan set. The information on the Flood Hazard Areas (floodplain areas) is shown on FEMA FIRM Panel 10001C167H effective May 5, 20023 and Panel 10001C169J effective July 7, 2014.

Compliance with the floodplain provisions of the *Zoning Ordinance* is required. A portion of the remaining/redeveloped surface parking lot area appears to be planned within the Special Flood Hazard Area. The *Zoning Ordinance* limits development in the Special Flood Hazard Area (100-year floodplain) with the standards as found in *Zoning Ordinance*, Article 5 Section 11. The two standards in *Zoning Ordinance*, Article 5 Section 11.211a and b are the provisions where the two variances were approved.

Article 5 Section 11. – Environmental Protection

11.1 Purpose. The purpose of this section is to protect public health and safety by ensuring that environmental standards for water, air, and soil in the City of Dover adequately address current practices in the realm of environmental protection. Further, it is the intent of this section to protect environmentally sensitive land as well as the plants and animals that reside on that land.

11.2 Environmentally sensitive areas and scarce resources. All land areas which contain one of the following natural features or combination of these features shall be considered to be an environmentally sensitive area or an area of scarce resources subject to specific requirements for environmental protection and conservation: flood hazard areas, steep slopes, water bodies and wetlands, wet soils, woodlands, significant wildlife habitats, prime agricultural soils, designated scenic areas, and natural areas and nature preserves identified in the comprehensive plan.

11.21 Flood hazard areas. All flood hazard areas shall remain as natural open space, except for the construction of roads authorized by the City of Dover and/or the Delaware Department of Transportation.

a) For the purposes of this section, natural open space is defined as an area of land that excludes buildings, structures, and impervious surface from being constructed on or located within the area. For evaluating flood hazard areas, patios, cement slabs, sidewalks, and other similar constructs are considered to be structures and are similarly prohibited.

11.211 Redevelopment. Existing uses or buildings located within a flood hazard area are considered to be nonconforming structures and are subject to the following requirements if redevelopment occurs on properties within the flood hazard area.

a) Nonresidential uses existing in a flood hazard area seeking to redevelop a property under the requirements of Appendix B—Zoning, Article 10—Planning Commission, are required to reduce impervious surfaces for the lot by 15 percent from the preredevelopment conditions.

b) For nonresidential uses where less than 33 percent of the total lot area is located within a flood hazard area, the planning commission may waive or reduce the amount of required reduction in impervious surfaces. For projects being reviewed under administrative site plan review, the city planner may waive or reduce the amount of required reduction in impervious surface for projects where less than 33 percent of the total lot area is located within a flood hazard area.

c) New residential building construction or additions of impervious surface are not permitted in pervious areas of the flood hazard area.

Additionally, the following definitions are part of the *Zoning Ordinance*:

Flood hazard area: Land areas delineated on the Federal Emergency Management Agency's (FEMA's) Community Flood Insurance Rate Map as being within the limits of the 100-year floodplain, and any lands subsequently identified by FEMA as being within the limits of the 100-year floodplain as a result of any revision to the community flood insurance rate map approved by FEMA, or by issuance of a conditional letter of map revision issued by FEMA.

Hazard areas: Areas subject to flood hazard, including alluvial soils, as defined and mapped by the Federal Emergency Management Agency. Where mapping from this source is not available, the Kent County soil survey shall be used to determine the extent of flood hazard areas.

Impervious surfaces: "Impervious surfaces" are those that do not absorb rain. All buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete and asphalt shall be considered "impervious surfaces" within this definition. In addition, other areas determined by the engineer to be impervious within the meaning of this definition will also be classed as "impervious surfaces."

Lot coverage: The percent of a lot which is covered, or planned to be covered, with impervious surfaces. [The term] "lot coverage" shall include off-street parking areas and driveways, but not public streets.

The aspects of the project (portion of a surface parking lot) to be located in the Flood Hazard Area (floodplain) enhance the ability to provide some security and services areas related to the building. The location of these security and service areas requires some development within the Flood Hazard Area (floodplain) areas due to the available development area location on the property and the existing office/credit union building that will remain. The areas still within the floodplain are proposed as an access drive and parking spaces but not buildings.

Planning Staff finds that the development that taken steps to minimize the redevelopment in the Flood Hazard Area with the proposed location of the Parking Garage Structure outside of the Flood Hazard Area and with the proposed use of pervious paving in areas of parking lot and access drive in order to reduce that level of impervious surfaces in the Flood Hazard Area. A significant portion of the property will remain as open space with no development in the floodplain areas especially located along the St. Jones River.

VIII. BUILDING ARCHITECTURE

The application proposes a Parking Garage Structure. The 3-story structure is predominately brick and rises to a roof ridge height of 55 feet. The west, north, and east elevations are very building-like in appearance hiding the ramped parking decks within. Vehicle access to the garage is via two entry access points from East Avenue/E. Water Street on its west elevation. The architecture of the Parking Garage is brick with window-like openings with keystone headers and trimwork surrounds, a series of dormer windows on the hipped roof in a concrete tile and turned gable roof elements. It is similar to Colonial Revival style seen in the Legislative Hall Building and the surrounding Capital complex buildings. The hipped roof of the garage structure will obscure the uppermost level of parking and is proposed to include solar panels on the southeast roof slope (side facing Credit Union Building).

See the attached Site Plan set and Architecture Set. The attached elevation drawings and site plan drawings for detailed information on building dimensions, locations, and material choices.

IX. TREE PLANTING AND LANDSCAPE PLAN

Tree Planting Requirements

The *Zoning Ordinance* further requires a tree planting/landscape plan for at a rate of one tree per 3,000 SF of development area. The size of the development area of must be listed. The Plan notes 22 trees are being provided. The project shows some street tree plantings with grass areas between the curb and sidewalk and grass/landscaping between the sidewalk and building face. Most of the trees are proposed on the east and south side of the building/surface parking lot. The trees include a variety of trees including Sugar Maples, Serviceberry Trees, and Holly Trees.

X. 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) Cover Sheet, C001:
 - a) Data Colum:
 - i) List complete tax parcel number: ED-05-077.10-01-02.00-000
 - ii) The address of the Garage location is 425 East Avenue. The address of 150 E. Water Street is the Del-One Building.
 - iii) Add H (Historic District Zone).
 - b) List any waivers and conditions of approval for the Architectural Review Certification from the Planning Commission. This would include the reduction of the front yard setback requirement.
 - c) Add Variance Application Number V-24-01 to note. Add more detail to the variances granted.
 - d) Correct lighting of tax parcel number in the Wetland Delineation statement.
- 2) Sheet C102 – Project notes: Clarify description of project size as footprint size and/or also list total floor area size.
- 3) Sheet C103:
 - a) List the size of impervious area within the floodplain as existing, as removed and provide amount of impervious surface in floodplain for project.
 - b) Ensure trees marked for removal and protection are consistent with those shown on the Landscape Plan sheets.
 - c) Plan for continued access to the fire hydrant at street corner intersection during construction activities if necessary for fire protection needs of adjacent buildings.
 - d) Identify protection measures for series of trees along the curve of Martin Luther King Jr. Blvd. South during construction.
- 4) Sheet C104 – Site Layout:
 - a) Confirm status of existing tree near access drive to southwest parking area.
 - b) Ensure parking lot spaces can accommodate the sliding gate on the east side of the building.
 - c) Provide height for decorative wall at the generator location and ensure construction of the wall accommodates topography in the area
 - d) Provide information on distance from the north and west elevations of the building to the adjacent front property lines (the setback).
 - e) Identify Street as Martin Luther King Jr. Boulevard South.
 - f) Clarify and identify correctly throughout the plan set the name of the street segment as East Avenue or as East Water Street See other comments regarding street name confusion.
 - g) Clarify if there are any covered bicycle parking spaces located interior to the parking garage. There are parking racks for bicycles depicted on the west elevation of the building.
- 5) Sheet C105: In detail of bicycle rack, clarify the number of bicycle parking spaces as number differs on plan.

- 6) Sheet C106:
 - a) Remove previous existing trees as they are showing on this plan drawing where previously marked for removal.
 - b) This sheet may be the better opportunity to provide the distances from the building to the front property line to identify the front yard setback as proposed
- 7) Sheet C107: Confirm approval with Department of Water & Wastewater regarding the water service line locations which are currently depicted at separate points for the domestic and for the fire.
- 8) Sheet C109:
 - a) Update street names when determined correctness for East Avenue and/or East Water Street.
 - b) Identify the adjacent street segment as Martin Luther King Jr. Boulevard *South*.
- 9) Sheet C 111 - Fire Marshal Plan:
 - a) Update data column as noted previously for other planned sheets.
 - b) Check labeling of fuel tank and generator as label identifiers are different on this sheet when compared to other plan sheets.
 - c) Ensure appropriate access to the fire department connection from the street especially as related to any adjacent parking and/or tree planting locations.
 - d) Update Note 2 to identify that the Knox Box is obtained from the Office of the City Fire Marshal and not the local fire department.
- 10) Upright curbing must be provided for all parking areas and drive aisles. A waiver request was submitted for consideration of partial elimination of curbing in areas of the surface parking lot area to remain and the new access drive.
- 11) C-113 - Landscape Plan:
 - a) Ensure proposed tree planting locations do not conflict with planned or existing utility lines.
 - b) Provide calculation for development area size and associated tree plantings required. It appears a total of 22 trees are proposed.
 - c) Ensure Plan series includes items required by *Zoning Ordinance*, Article 5 §16.81.
 - d) Add certification note and signature block for Landscape Architect. This sheet can not be sealed by the project engineer.
 - e) Determine if the northernmost tree on east side of new access drive aisle is an existing tree to remain or new proposed tree.
 - f) Confirm if tree at southeast corner of surface parking lot area is an existing tree to remain or new tree to be planted. Update Demolition Plan sheet as necessary
 - g) Ensure landscape plantings do not impede the fire department connection as currently a series of shrubs are shown in that area.
 - h) Adjust landscape plantings as plantings are currently shown in paved concrete area proposed for bicycle parking racks on other plan sheets.
 - i) Ensure corner visibility area height limitations are abided by for landscape plantings at the northwest corner of the building.
 - j) Clarify types (material, form) and heights of proposed fences.
- 12) Identify Dumpster location or method of trash collection for this location.

- 13) The street name of East Avenue and associated address of 425 East Avenue may be confusing as most people think that East Water Street continues to MLK Jr. Boulevard. It is noted that Water Street continues on the east side of the St. Jones River. A determination must be made regarding the street name and building location address for this street segment (north of curve).
- 14) Additional evaluation and review of this project as proposed may be necessary due to the environment contamination in this area and/or the site's potential participation in any environmental remediation program.
 - a) Provide copies of any agency approvals/permits to the Planning Office so that we may be aware of any specific conditions of redevelopment.
- 15) Provide construction details for the following items but not limited to, dumpster pad/enclosure, traffic control signage, lighting fixtures, handicap signage, etc.
- 16) The construction of the site entrances and street improvements must comply with the requirements of DelDOT and the City of Dover Public Works Department based on street maintenance responsibilities.
- 17) The Historic District Commission recommended conditional approval of the Architectural Review Certificate for the construction of the project. See attached Recommendation Report for recommended conditions.
- 18) Any Erosion & Sediment Control Plans and Stormwater Management Plans granted approval by the DNREC 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 on the requested waivers and must list any additional conditions of approval.

XI. 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 – Partial Elimination of Curbing: Planning Staff grants approval of the partial elimination of curbing in select area of the access drive and the reconstructed surface parking lot area to accommodate stormwater management practices and to minimize floodplain impacts.
- 2) Architectural Review Certification Staff recommends conditional approval of the Architectural Review Certificate for the construction of the Parking Garage Structure finding that the

building to be of a design compatible with the intent of the *Design Standards and Guidelines for the City of Dover Historic District Zone*.

a) Staff provided a series of recommendations and comments regarding the Architectural Review Certification and review of the project for compliance the *Design Standards and Guidelines*. These items were previously identified during the review of the project by the Historic District Commission. See HDC Recommendation Report.

- 2) Electric Vehicle Charging Stations: Identify if the project is planning for the installation of Electric Vehicle Charging Stations in this Parking Structure. Currently, the *Zoning Ordinance* does not require them, but many other jurisdictions have implemented such requirements. Electric Vehicle Charging Stations formats include EV-Capable, EV-Ready, and EV-Installed.

XII. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Planning Commission should act upon the Architectural Review Certification as part of any motion to approve this project, or as a separate motion if necessary.
- 2) The Planning Commission should act upon the request for 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.
- 3) In the event, that major changes and revisions to the Site Plan occur in the finalization of the Plan contact the Department of Planning and Inspections. Examples include relocation of site components like paving and increases in footprint. These changes may require resubmittal for review by the Development Advisory Committee, Historic District Commission, Planning Commission, or other agencies and commissions making recommendations in regard to the Plan.
- 4) Following Planning Commission approval of the 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).
- 5) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 6) The project must also ensure compliance with the requirements of all codes related to construction within the Flood Hazard Area (100-year floodplain) including *Dover Code of Ordinances*, Chapter 50 – Floods.
- 7) Additional specialized evaluation and review of this area may be necessary due to the environment contamination in this area and/or the site's participation in any environmental remediation program.
- 8) 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.

- 9) Construction and demolition will have an effect on the adjacent property owners, employees of adjacent buildings, and nearby sidewalks and streets. Any work requiring the closing or rerouting of potential customers, employees, or visitors to the adjacent properties (including those who park in the existing parking lot), and streets or alley should be coordinated as to offer the least amount of inconvenience. Careful consideration will need to be given to the access to other properties which requires the crossing of these properties or travel over the public alley.
- 10) 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.
- 11) 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.
- 12) 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 Office as soon as possible.



CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUGUST 28, 2024



APPLICATION: Legislative Hall Parking Garage at 425 East Avenue
FILE #: S-24-14
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 EMAIL: 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. Every commercial customer shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers. The City of Dover shall provide commercial customers with a maximum of two (2), 90-gallon trash containers and two (2), 90-gallon recycling containers.
2. Trash collection site shall be oriented for side-loading pick-up if customer is utilizing City of Dover sanitation services.
3. Any commercial customer requiring more containers, or larger containers, than provided above, must utilize private service.

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.

STREETS

1. Final site plan approval will not be granted until a letter of no objection, signed by DelDOT is submitted to our office.
2. Please provide confirmation that the crosswalk striping future maintenance will be performed by the property owner.
3. Please add the following notes to the plans:
 - a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.

- b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

WATER

1. All water 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. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
 - b. Any existing water 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.
 - c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that effective May 1, 2022, water mains can now be constructed using DR 18 PVC.
4. 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 proposed building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meters 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.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically, this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Water services shall be either type K copper or SDR-9.
8. 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. Please provide a specific description of the activities in the building.
9. All water infrastructure on the property will be owned and maintained by the property owner.

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. Sanitary sewer laterals shall be connected directly to the sanitary sewer main, not the manholes, unless impractical.
9. All wastewater infrastructure on the property will be owned and maintained by the property owner.
10. Depending on the effluent flow, the downstream pump station must be evaluated by the developer / engineer to verify it can handle the additional effluent flow.
11. The proposed building is planned to be installed directly on top of a City of Dover sanitary sewer main. Structures are not allowed to be installed on top of underground infrastructure. Please update the plan to reflect the re-routing of said infrastructure.
12. Final approval will not be provided until the city receives approval from Kent County Public Works with regards to the force main re-routing.

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 / WATER / WASTEWATER / GENERAL

1. None.

STREETS

1. The naming of "E Water Street" may need to be altered to "East Avenue". The City of Dover team will conduct research and provide direction for the Signing and Striping Plan.
2. Will there be any pedestrian improvements associated with this plan at the intersection?

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. 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. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees will be required to be paid prior to Certificate of Occupancy for this project.

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.

CITY OF DOVER ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUG 28, 2024

APPLICATION: Legislative Hall Parking Garage at 425 East Avenue
FILE #: S-24-14
REVIEWING AGENCY: City of Dover Electric Department
CONTACT PERSON: Shawn Burgett, Engineering Services & System Ops 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. 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>.

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: August 28, 2024**APPLICATION:** Legislative Hall Parking Garage at 425 East St**FILE #:** S-24-14REVIEWING 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 storage
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 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)

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. 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.

12. 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

13. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.
14. 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)

15. 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

16. 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.

17. 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.

18. 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>

19. 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)

20. 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)

NFPA 101, 12.3.5.1 The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1): 1. Dance Halls 2. Discotheques 3. Nightclubs 4. Bars 5. Restaurants 6. Assembly occupancies with festival seating

21. 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)

22. 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)

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

24. 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)

25. 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)

26. 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)

27. 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)

28. 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

29. 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

30. 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)

31. 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.

32. Project to be completed per approved Site Plan.

33. Full building and fire plan review is required.

34. 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.

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

36. 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.
37. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.
38. 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. No parking on Water Street as it will service as part of the Fire Lane for the building (approximately 30' wide currently)
2. Please relocate the FDC and Knox to the main entrance side on Water St
3. Fence, please see item # 14 listed above in reference to access
4. Conversation will be needed to discuss the grade of the rear access to the generator.

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)

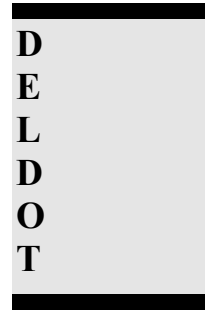
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations

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



APPLICATION: Legislative Hall Parking Garage

FILE#: S-24-14

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian Williams

PHONE#: 302-760-2141

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. Pre-submittal meeting determined that an Entrance plan is required.



State of Delaware
**DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL**

DIVISION OF WATERSHED STEWARDSHIP
285 BEISER BOULEVARD, SUITE 102
DOVER, DELAWARE 19904

CONSERVATION PROGRAMS
SECTION

PHONE (302) 608-5458

MEMORANDUM

TO: Dawn Melson-Williams,
City of Dover Planning Office

FROM: Brendan R. Diener, Engineer V 
DNREC Sediment and Stormwater Program

DATE: September 4, 2024

SUBJECT: S-24-14 Legislative Hall Parking Garage at 425 East Avenue
DNREC Project 2024-057

CC: Jennifer Coverdale, Director of Facilities Management, DFM
Ashley Barnett, Program Manager II, Sediment and Stormwater Program
Alex Schmidt, P.E., Vice President, Century

DNREC Sediment and Stormwater Program (SSP) has reviewed the plan provided and offers the following comments:

1. A Sediment and Stormwater Management Plan must be approved by DNREC Sediment and Stormwater Program prior to any land disturbance taking place on site.
2. DNREC SSP has a required three-step plan approval process. The first step is to compile and submit the Stormwater Assessment Study prior to scheduling a project application meeting, followed by a preliminary, and construction level plan submittals. The Applicant has already completed the Step #1 process and has been directed to provide a preliminary stormwater design.
3. The total land disturbance associated with the project will exceed 1.0 acre, a Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity must be secured prior to plan approval. The NOI application is filed online and the NOI fee of \$195 is paid electronically, and is assessed annually until construction is complete and the project is closed out.

4. DNREC SSP has reached out to DNREC Remediation Section (RS) to clarify the suitability of infiltration onsite. This parcel falls within a Groundwater Management Zone established by DNREC RS. A follow up meeting will be scheduled with the applicant to discuss this issue.

Submittals should be directed to DNREC.Stormwater@delaware.gov so that files may be retrieved, filed, and tracked properly for the most efficient review. Please reference the DNREC project number in the subject line of the submittal email.

If you should have any questions, please do not hesitate to contact me at Brendan.diener@delaware.gov.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: 9/4/2024

**Dover/Kent
County
Metropolitan
Planning
Organization**

S-24-14 Legislative Hall Parking Garage at 425 East Avenue

FILE # S-24-14

REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob

PHONE #: (302) 387-6030

Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission
Site Development Plan Review

S-24-14 Legislative Hall Parking Garage at 425 East Avenue

Dover Kent MPO previously completed two parking studies focused on Dover's downtown, the first in 2004 and the second in 2018. These studies examined parking occupancy throughout the day and proposed various solutions to the issue of parking access. Through extensive modeling that reflects peak occupancy of parking spaces, this study finds "there is sufficient supply downtown – but it is not currently well managed." At the time of the 2018 study's completion, the current demand projection did not exceed 85% of the existing supply, with 60% typically being the highest occupancy on a given day. However, the Legislative Mall area has been cited as an area with regularly high parking demand.

Based on the findings of these two studies, a parking garage is more of a long-term solution to the issue of downtown parking access. Other steps, which are more affordable and easier to implement, should be taken as well; these include new wayfinding signage, metered parking, and the increased promotion of alternative modes of transportation such as biking and walking. For the complete findings and recommendations, please refer to the *Downtown Dover Parking Study* from 2018. The 2004 study is included in Appendix A.

- <https://doverkentmpo.delaware.gov/downtown-dover-parking-study/>



Sidewalk networks on the property's frontage are proposed in the plan, which will help connect the property to key downtown destinations. This is important, as the Legislative Mall is listed as a major walking location in the 2020 *Dover Bicycle and Pedestrian Plan*. Any improvements to pedestrian safety and connectivity, including sidewalks, crosswalks, and traffic calming, are especially beneficial in critical areas such as this.

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.



Applicant: Legislative Hall Parking Garage

Waiver Request #1: Waiver from City of Dover Zoning Ordinance, Article 6, Section 3.6

Waiver Requested: Waiver from a portion of parking areas and access drives are required to be curbed with upright curbing.

Project Background Information: The proposed project is located within the Historic District, City of Dover at the corner of Martin Luther King Jr Boulevard S/Water Street/East Avenue.

A waiver is being requested from providing upright curb within the existing/permeable paved parking lot and access drive. The existing site sits within the historic district of the City of Dover, sharing the parcel is an existing Del-One credit union. The proposed access drive is partially curbed along the southeast edge of pave.

The waiver is being requested along the northwest edge of the access drive to allow for sheet flow to the existing catch basin as well as to eliminate fill within Floodzone AE. Waiver is also being requested from curbing along the edges of the existing parking lot to eliminate fill within the Floodzone AE.