

PETITION TO AMEND ZONING DISTRICT

First Reading before the Dover City Council on March 25, 2024

Development Advisory Committee Review –Applicant DAC Meeting of April 3, 2024

Public Hearing Before Planning Commission on April 15, 2024

Application: Lands of White Marsh Environmental Systems, Inc. at 1100 and 1110 South Little Creek Road

Owner: White Marsh Environmental Systems, Inc. c/o Tidewater Utilities

Addresses: 1100 and 1110 South Little Creek Road, Dover DE

Location: South side of South Little Creek Road and west of State Route 1

Tax Parcel: ED-05-077.12-01-03.00-000

Size: 10.7146 acres +/-

Present Uses: Offices

2019 Comprehensive Plan Designation – Land Use Category: Office

Present Zoning: CPO (Commercial and Professional Office Zone)

Proposed Zoning: IPM (Industrial Park Manufacturing Zone)

Reason for Request: For rezoning of the property for future expansion for material storage (in addition to current Office use).

File Number: Z-24-04

Ordinance Number: 2024-10

I. APPLICATION SUMMARY

This Rezoning Application Z-24-04 is for a parcel of land consisting of 10.7146 acres +/- . The property is zoned CPO (Commercial and Professional Office Zone). The proposed zoning for the property is IPM (Industrial Park Manufacturing Zone). The property is located on the south side of South Little Creek Road and west of State Route 1. The owner of record is White Marsh Environmental Systems Inc. c/o Tidewater Utilities. Property Addresses: 1100 and 1110 S. Little Creek Road. Tax Parcel: ED-05-077.12-01-03.00-000. Council District 2. Ordinance #2024-10.

The First Reading was completed by the City Council on March 25, 2024 referring the Application to the Planning Commission for Public Hearing, Review, and Recommendation.

Existing Property:

The subject property is located on the south side of South Little Creek Road and includes two existing buildings used as offices and an existing shed (accessory structure). The two main buildings are addressed individually at 1100 and 1110 South Little Creek Road. They were previously developed as offices for Tidewater Utilities on the northern portion of the site and include existing parking lot areas. This development occurred under Site Plan S-02-21 for the 6,776 SF office building (closest to South Little Creek Road) and Site Plan S-07-22 Tidewater Utilities Office Annex Building for a separate 9,882 SF office building. The southern portion of the site is an open area with an on-site walking trail and some areas of woodland. The southern property line adjoins State Route 1; however, this is not considered frontage and no access can be established from this roadway.

The CPO zoning district requires that all uses and the storage accessory to permitted uses on the site must be located within fully enclosed buildings. Given the operational needs of this utility provider for the storage of materials and equipment, they are seeking rezoning to potentially allow outdoor storage options on the same property as their office facilities.

This application only seeks Rezoning of the property from CPO (Commercial and Professional Office Zone) to IPM (Industrial Park Manufacturing Zone). The applicant is seeking rezoning to allow for future expansion for material storage and operational facilities to join the office use on the property. Any new development of the site will be subject to a separate application submission for plans or permits.

Surrounding Land Uses:

In the immediate area, there are a variety of zoning districts along the South Little Creek Road corridor with commercial/industrial zoning on the south side of the roadway and residential zoning on the north side of the roadway. To the west, the adjacent property is an industrial park of multiple buildings (developed as the Tudor Industrial Park) that is zoned C-3 (Service Commercial Zone) with a small multi-tenant shopping center building zoned C-1A (Limited Commercial Zone) to the northwest corner. To the east is a parcel zoned CPO and then State Route 1. Across South Little Creek Road to the northwest are a manufactured home community zoned MH (Manufactured Housing Zone), a townhouse subdivision along Barrister Place zoned RG-3 (Group Housing Zone); and further west is Stoney Creek as a residential subdivision zoned R-8 (One Family Residence Zone). Directly north of the subject site are lands located within the jurisdiction of Kent County which appear to be residential in use.

II. COMPREHENSIVE PLAN COMPLIANCE REVIEW

The *2019 Comprehensive Plan* currently depicts the subject area as Office as the Land Use Classification on Map 12-1: Land Development Plan Map. The Comprehensive Plan notes that “a healthy and well-rounded local economy will depend upon diversity in business and employment opportunities.” The *2019 Comprehensive Plan* discussed the approaches to office and industrial land uses as employment centers in the section titled “Employment Centers: Office Parks and Industrial Land Uses” beginning on pager 12-16; see excerpt below:

Goal: Employment Centers

Create a more vibrant, growing economy with a broader range of job opportunities through collaborative efforts to market the region, identify potential targets, and respond to

opportunities to foster an increase in office and industrial development in appropriate and designated areas.

Policies: Employment Centers

1. Protect existing industrial, office park and manufacturing establishments from encroachment by incompatible land uses which could result in nuisance complaints, hazardous situations, and human conflict.
2. Provide sufficient land area for industrial purposes to enable the expansion of existing industries, the establishments of new facilities, and revitalization of underutilized older industrial sites.
3. Provide for a variety of office park and industrial development opportunities through the designation of areas for small, medium and large establishments within planned industrial parks.
4. Promote alternative modes of accessibility including pedestrian and bicycle facilities, bus shelters and transit stops, and provide incentives for car and van pooling of employees.
5. Create flexible and contemporary industrial zoning provisions that reflect emerging trends in uses, facilities, and business opportunities to meet future needs.

Recommendations: Employment Centers

The City is committed to fostering a strong, vibrant, and balanced local economy built on existing and new business locations. This initiative requires close coordination with state and county economic development entities. It also requires continuous attention to the needs of existing businesses, efforts to promote a skilled workforce, a comprehensive marketing and promotional strategy, and land use and development regulations that are efficient and contemporary. The Comprehensive Plan designates areas throughout the City where job growth and opportunities are encouraged. Plan Chapter 10 – Economic Development lays out a set of goals and actions designed to reinforce this commitment.

Office Parks

The Land Development Plan designates specific tracts of land of various sizes for Office and Office Park land uses. Office Park development involves an integrated development of office buildings with shared entrances, driveways, and parking. The majority of uses permitted within an Office Park are generally weekday professional office uses involving very little or no activity at night or on weekends. For this reason, the Office Park designation may be viewed as a transitional use category when situated between more intense commercial and industrial land uses and residential land uses. This designation usually involves the C-PO (Commercial/Professional Office Zone) zoning district.

These areas are located throughout the City with established office concentrations in the Enterprise Business Park, along Silver Lake Boulevard, on College Park Drive, along Old Rudnick Lane, the Northgate Center, and elsewhere. Scattered office uses are also located along Saulsbury/McKee Road and within designated “Mixed Use” areas in the Eden Hill Farm Traditional Neighborhood Design (TND). Smaller scale areas for office parks are the

Woodbrook complex on South Governors Avenue, office complexes along Walker Road, and areas along Route 8.

Large Scale Industry

The Land Development Plan designates all existing major industrial facilities and associated vacant lands for Industrial use. These properties include the manufacturing facilities of Kraft Heinz Foods, Proctor & Gamble, Edgewell Personal Products, PPG Industries, General Metalcraft, and others.

Industrial Parks

Several planned industrial parks have been initiated since 1986 which offer industrial development potential. The Land Development Plan designates these sites for continued Industrial use. These sites include Kent County Aero Park/Air Cargo Terminal, Enterprise Business Park, College Business Park, and McKee Business Park. The City purchased and has developed the Garrison Oak Business and Technology Center (formerly the Garrison Oak Technical Park) in 1999-2000. It now houses a solar electric facility, an electric generating facility, a flooring products manufacturer, and a security firm with ten shovel ready lots remaining available.

Planning is underway to extend the Joint Use Agreement with Dover Air Force Base to allow expansion of the Kent County Aero Park into a regional facility. The Central Delaware Aviation Complex will facilitate aviation uses including air cargo, aircraft maintenance and repair, and related uses as part of a newly designated "Employment Center."

The Rezoning Request to IPM (Industrial Park Manufacturing Zone) is consistent with the Land Use Classification of Office. Table 12-1: Land Use and Zoning Matrix (from the 2019 *Comprehensive Plan*) specifies that the following zones are compatible with this land use classification. See the excerpt from Table 12-1 given below. It is noted that Table 12-1 for the Office Land Use Category identifies a number of zoning districts.

Office and Office Parks	CPO (Commercial and Professional Office) IO (Institutional and Office) IPM (industrial Park Manufacturing) RGO (General Residence and Office)
--------------------------------	--

III. ZONING REVIEW

Request for IPM (Industrial Park Manufacturing Zone) Zoning

The types of permitted uses and conditional uses in the IPM zone are given Article 3 §20 of the *Zoning Ordinance*. See the following code excerpt below for the current provisions of the IPM zone.

Article 3 Section 20. – Industrial Park Manufacturing Zone (IPM).

20.1 *Uses permitted.* No building or premises shall be used and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following, and in accordance with performance standards procedure as set forth in article 5, section 8, and subject to site development plan approval as set forth in article 10, section 2:

20.11 Manufacturing, assembling, converting, altering, finishing, cleaning, cooking, baking or any other type of manufacturing or industrial processing of any goods, materials, products, instruments,

appliances and devices, provided that the fuel used shall be oil, gas or electricity; together with incidental clinics, cafeterias and recreational facilities for the exclusive use of employees of the concern engaged in such undertaking.

20.12 Research, design, testing and development laboratories.

20.13 Printing, publishing, binding, packaging, storage, warehousing, transshipment and distribution, and trucking terminals.

20.14 Business, professional or administrative offices; banks and financial institutions; hotels, motels and restaurants; public parks, playgrounds, and recreational facilities; and public utility uses, provided that these uses shall only be located upon a thoroughfare, arterial street or access highway with[in] the IPM zone. Retail sales and service establishments within planned industrial parks for local needs and local consumption of the employees and customers of the other permitted uses within the planned industrial park.

20.15 Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.

20.16 Agricultural or farm uses as defined and permitted in article 3, section 1.11.

20.17 The following uses may be permitted as conditional uses if approved by the planning commission in accordance with the provisions and procedures set forth in article 10, section 1 and any specified requirements set forth below:

(a) Associated retail uses in conjunction with and accessory to a permitted use, provided that the associated retail use does not occupy more than 30 percent of the gross floor area of the building or group of buildings on a lot. Parking shall be provided at a rate of one parking space per 300 square feet of retail space for the exclusive use of retail customers in addition to the bulk parking requirements of this zoning district for a particular use.

20.18 Mini-storage facilities, subject to the following regulations:

(a) No unit shall be placed within 30 feet of any other structure on the lot or a residential property line.

(b) No outside storage [is allowed], except for recreational vehicles, boats or personal automobiles when completely screened from view and parked in specifically approved locations. Parking for these vehicles shall not count toward the required parking set forth in subsection (e) below.

(c) No individual unit may be used for retail, garage sale or any other commercial activities.

(d) No storage of flammable, explosive, corrosive or other hazardous products may occur in the individual unit.

(e) Parking must be provided at a ratio of one space for each 25 rental units, plus a minimum of three spaces for an office outside of the enclosure. One row of parallel parking is permitted between buildings at a ratio of one space per 25 feet.

(f) All other bulk requirements of this ordinance are met.

20.2 *Uses prohibited.* The following uses are specifically prohibited:

20.21 Residences, except those existing at the time of adoption of this amendment.

20.22 Manufacturing uses involving primary production of the following products from raw materials: asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, and carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic materials, and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids: coal, coke, and tar products, including gas manufacturing; explosives; fertilizers; glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural or synthetic); [and] soaps, including fat rendering.

20.23 The following processes: nitrating of cotton or other materials; magnesium foundry; reduction, refining, smelting, and alloying of metal or metal ores; refining secondary aluminum; refining petroleum products, such as gasoline, kerosene, naphtha, [and] lubricating oil; distillation of wood or bones; [and] reduction and processing of wood pulp and fiber, including papermill operations.

20.24 Operations involving stockyards, slaughterhouses, and slag piles.

20.25 Storage of explosives, [and] bulk or wholesale storage of gasoline above [the] ground.

20.26 Dumps.

20.27 Quarries, stone crushers, screening plants, and storage of quarry screenings, accessory to such uses.

20.28 Junkyards, automobile dismantling plants or storage of used parts of automobiles or other machines or vehicles or of dismantled or junked automobiles.

20.3 *Development options.* Land zoned IPM may be developed on a conventional individual lot basis or as a planned industrial park development made up of multiple individual lots and containing an internal road system. Lot area, bulk and parking requirements for conventional development in an IPM zone shall be as set forth in article 4, section 4.16 of this ordinance. Development of land in an IPM zone as a planned industrial park shall be permitted only when certain eligibility requirements, as set forth in article 3, section 20.4 of this ordinance, and when specific design standards, as set forth in article 3, section 20.5 of this ordinance, are met.

20.4 *Eligibility for planned industrial park development.* No area shall be developed as a planned industrial park unless the following conditions are met:

- (a) The development consists of a continuous area of at least 25 acres in single ownership.
- (b) The development will be served by public water supply and public sewerage, which shall be in place at the time construction of the first stage of the industrial park begins.
- (c) The frontage of the development shall be on an arterial road and be of sufficient width that safe and efficient access to the industrial park can be adequately spaced from accesses to adjacent properties, according to standards set forth by the Delaware Department of Transportation.

20.5 *Design standards for planned industrial parks.* The design standards, including dimensional requirements and sign regulations, for a planned industrial park shall be the same as required for conventional individual lot development for land in an IPM zone, as set forth in article 4, section 4.16 of this ordinance, unless specifically excepted in this article or unless waived by the planning commission, where the commission finds such a waiver to be necessary, desirable and consistent with the purposes of this article and of the comprehensive plan.

20.51 In a planned industrial park, no structure may be located within 100 feet of the property line of the development.

20.52 There shall be a landscaped buffer area of no less than ten feet along all property lines. Where adjacent to residential zones, the buffer shall consist of a landscape screen no less than 6½ feet high. All landscaping shall be properly maintained throughout the life of any use on the lot.

20.53 The average size of all individual lots in a planned industrial park shall be 2½ acres. The minimum individual lot size shall be 60,000 square feet. The minimum width of a lot shall be 150 feet.

20.54 Structures in a planned industrial park shall be restricted to two stories and 35 feet in height. The maximum floor area ratio shall be 0.5. The maximum area of an individual lot permitted to be covered by an enclosed structure is 35 percent. Not more than 65 percent of the total area of an individual lot may be covered by impervious surfaces.

20.55 Access to state highways and arterial roads shall be controlled by standards set forth by the department of transportation. There shall be no exceptions or waivers to this requirement. The internal circulation system shall be separated from the external public street system, and pedestrian traffic shall be separated from vehicular traffic by means of appropriate site design and traffic control devices.

20.56 No less than 35 percent of the site area shall consist of grass and landscaped areas. Parking areas shall be landscaped.

20.57 Permanent facilities shall be provided by the developer to handle increased stormwater runoff which will result from increasing the impervious surface area of the site in accordance with the State of Delaware soils erosion and sedimentation control act (7 Del. C. § 4001 et seq.) adopted and administered by the City of Dover. Such provision shall include contributions toward the cost of off-site facilities constructed by the city to the extent that the improvements are necessitated by the construction of the planned industrial park.

20.6 *Site development plan approval.* Site development plan approval, in accordance with article 10, section 2 hereof, shall be required for either conventional individual lot development or planned industrial park development of land zoned IPM prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change of use. In the case of planned industrial parks, this requirement will apply to each individual lot within the development, in addition to the requirement to obtain site development plan approval for the development as a whole. The application for site development plan approval for a planned industrial park shall include, in addition to the usual requirements:

- (a) Substantiation of the need for the planned industrial park, based on the developer's market analysis and expression of tenant's or buyer's interest.
- (b) Nature of the applicant's interest in the development.
- (c) The approximate use, height and floor area of all buildings and other structures.
- (d) Preliminary traffic study and proposed methods for alleviating adverse impact on adjacent roads.
- (e) Approximate size and capacity of all proposed parking areas.
- (f) Proposed stormwater management plan.
- (g) Plans of existing natural features showing topography, soils, drainage and vegetation.
- (h) Site plans showing approximate locations of buildings, roads, parking, landscaping and utility and drainage easements.
- (i) An outline or a draft text of any proposed protective covenants governing architectural controls, landscaping, lighting, etc., that the developer intends to impose on tenants or property owners within the planned industrial park.

20.7 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

(Ord. of 3-24-1986; Ord. of 1-14-1991; Ord. of 6-10-1991; Ord. of 7-12-1993, §§ 2, 9; Ord. of 7-10-2000; Ord. of 2-12-2001; Ord. of 7-23-2001)

IV. RECOMMENDATION OF THE PLANNING STAFF:

This Request is to rezone lands from C-PO (Commercial and Professional Office Zone) to IPM (Industrial Park Manufacturing Zone). The current CPO zone is a zoning district permitting offices, banks, and medical laboratories type uses with other commercial uses only allowed through a conditional use review process when the use is accessory to a permitted use on the same lot. The C-PO zone also does allow for conditional use review to create residential uses in the form of apartments, multi-family residences, and one-family residences. While office use is permitted in the CPO, the opportunity for storage activities is limited to interior storage fully within a building only.

The proposed Rezoning is to the IPM zone which is a zoning district offering uses related to manufacturing and industrial processing, laboratories, storage and warehousing, offices, public utility uses, and other uses (see *Zoning Ordinance*, Article 3 Section 20). The IPM zone also includes conditional uses (uses subject to specific review for approval) for associated retail activities and mini-storage facilities. There are a series of uses that are prohibited including residences and certain manufacturing uses among other uses. Given the size of the subject parcel, its development would be limited in the IPM zone to a conventional individual lot as it does not meet the eligibility criteria for a planned industrial park development (development of multiple individual lots with internal road system). The subject parcel meets the lot area and width/depth requirements of the IPM zone for a conventional lot. The bulk standards (setbacks, height, lot coverage) of the IPM zone require greater setbacks from property lines for buildings (than the CPO zone) and restrict building height to a distance from the nearest property line. The maximum lot coverage of 75% is the same in IPM as CPO. The sufficiency of the existing site entrance from South Little Creek Road (State maintained road) and any off-site transportation related improvements would be evaluated by DelDOT at the time of new development/expansion.

Staff recommends that the rezoning request from C-PO to IPM (Industrial Park Manufacturing Zone) be granted as requested related to the proposed zoning district and its development requirements/limitations noted above and the other findings of this Report. The adjoining properties are commercial and industrial related zones and contain existing uses that would be compatible with the continued/expanded use of the subject property as offices and storage activities of an operational facility. The nearby residential areas are across the road and are buffered by the landscaping and multiple trees surrounding the front office building. It is noted that the *Comprehensive Plan*'s goals for the Office Land Use Classification focus on the opportunities for expansions to meet future needs of establishments of a variety of sizes. This property has land area available to expand onsite keeping a local/regional business within Dover. There is existing infrastructure for water, sanitary sewer, and electric services that serves the property (and could be expanded if necessary); and the police, fire, and emergency medical services service the area.

This Rezoning Request does not grant approval of a specific use for the property but makes its land use subject to a listing of uses permitted and potential conditional uses as allowed in the IPM zoning district. Staff again notes that any potential development for the site would have to be in line with the zoning classification and would similarly have to follow all development design guidelines of the *Zoning Ordinance*. Were the application for Rezoning to be recommended by the Planning Commission and subsequently approved by the City Council, the applicant would still have to submit plans and/or permits for review for most uses of the site to be established.

This recommendation is being made without the benefit of hearing the comments of surrounding landowners and residents. A public hearing is required on this matter and the Planning Commission should give those comments consideration in making a recommendation to City Council on this Application.

V. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

This Rezoning Application is a request for a zoning map amendment which changes the zoning district of a property. The Planning Commission as part of their public hearing and review process will provide a recommendation on the Rezoning request to City Council. As part of the process outlined in *Zoning Ordinance*, Article 10 Section 5, the Planning Commission must evaluate the following factors when considering the request:

Article 10 § 5.36 *Report of the planning commission.* Regarding each application for a zoning map amendment, the planning commission shall provide a report to the city council stating a recommended action with regards to the proposed amendment, along with the commission's evaluation of the following factors:

(A) Whether the uses permitted by the proposed change would be compatible with the existing uses and zones in the area concerned;

(B) Whether adequate public services and infrastructure exist or can be created or expanded to serve the needs of any additional demand as a result of such change; and

(C) Whether the proposed change is in accordance with the city's current comprehensive plan.

A Recommendation Report from the Planning Commission will be forwarded to the City Council for their consideration of the Rezoning Application Z-24-04.

VI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The applicant shall be aware that approval of any Rezoning Application does not represent Site Development Plan or Subdivision Plan approval. Following any decision made by City Council in regard to this Rezoning, then an application for a Site Plan, Subdivision Plan, and/or appropriate Building Permits must be submitted to the Planning Department prior to the establishment of a use, development activity, or any construction activity on the site. The applicant should contact the Planning Staff to determine the appropriate review process for any proposed projects.
- 2) The applicant shall be aware that approval of any Rezoning Application does not represent a Building Permit, Sign Permit, or other construction activity permit approval. A separate application submission is required before issuance of permits by the City of Dover.
- 3) The applicant shall be aware that any future use may be subject to a separate permitting or licensing process through the City of Dover Licensing and Permitting Division. All businesses operating in the City of Dover are required to obtain a City of Dover Business Licenses. Certain types of uses also require a Public Occupancy Permit or Rental Dwelling Permits.

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: MARCH 27, 2024



APPLICATION: Lands of White Marsh Environmental Systems, Inc. @ 1100
& 1110 S. Little Creek Road

FILE #: Z-24-04

REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater

CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater

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 / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. Our office has no objections to the proposed rezoning of tax parcel ED-05-077.12-01-03.00-000. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook and the Specifications, Standards & Procedures for Public Works Construction. Impact fees may be applied to this property. Future development shall comply with all aspects of the City of Dover's Cross Connection Control Program.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
STAFF D.A.C. MEETING DATE: MAR 27, 2024

APPLICATION: Lands of White Marsh Environmental Systems, Inc at 1100
and 1110 S. Little Creek Road

FILE #: Z-24-04

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

Our office has no objection to the rezoning of: ED-05-077.12-01-03.00-000.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric and meters will be assessed at that time.
2. Any redevelopment shall adhere to the City of Dover's Electric Service Handbook.
<https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None.

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

Z-24-04

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 03/27/24

C
I
T
Y

O
F

D
O
V
E
R

F
I
R
E

M
A
R
S
H
A
L

APPLICATION: Lands of White Marsh Environmental Systems Inc at 1100 and 1110 S Little Creek Rd

FILE #: Z-24-04

REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Fire Marshal
josika@dover.de.us

PHONE #: (302) 736-4457

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

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

CITY AND STATE CODE REQUIREMENTS:

1. Proposal is a rezoning application. This office has no objections.
2. 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)

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

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

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

4. 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)

5. 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

6. Project to be completed per approved Site Plan.

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. N/A

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: Lands of White Marsh Environmental Services in City of Dover: 1100 and 1110 S. Little Creek Road

FILE#: Z-24-04

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Will T Mobley III

PHONE#: 302-760-2409

=====

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. No objection to Rezoning.
2. Prior to site development, the user will request a pre submittal meeting with the DelDOT. Items to discuss when site is developed:
 - a. Proposed increase in trips may spur frontage/entrance alterations.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: 4/3/2024

**Dover/Kent
County
Metropolitan
Planning
Organization**

APPLICATION: Z-24-04 Lands of White Marsh Environmental Systems, Inc. at 1100 and 1110 S. Little Creek Road

FILE # Z-24-04

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.

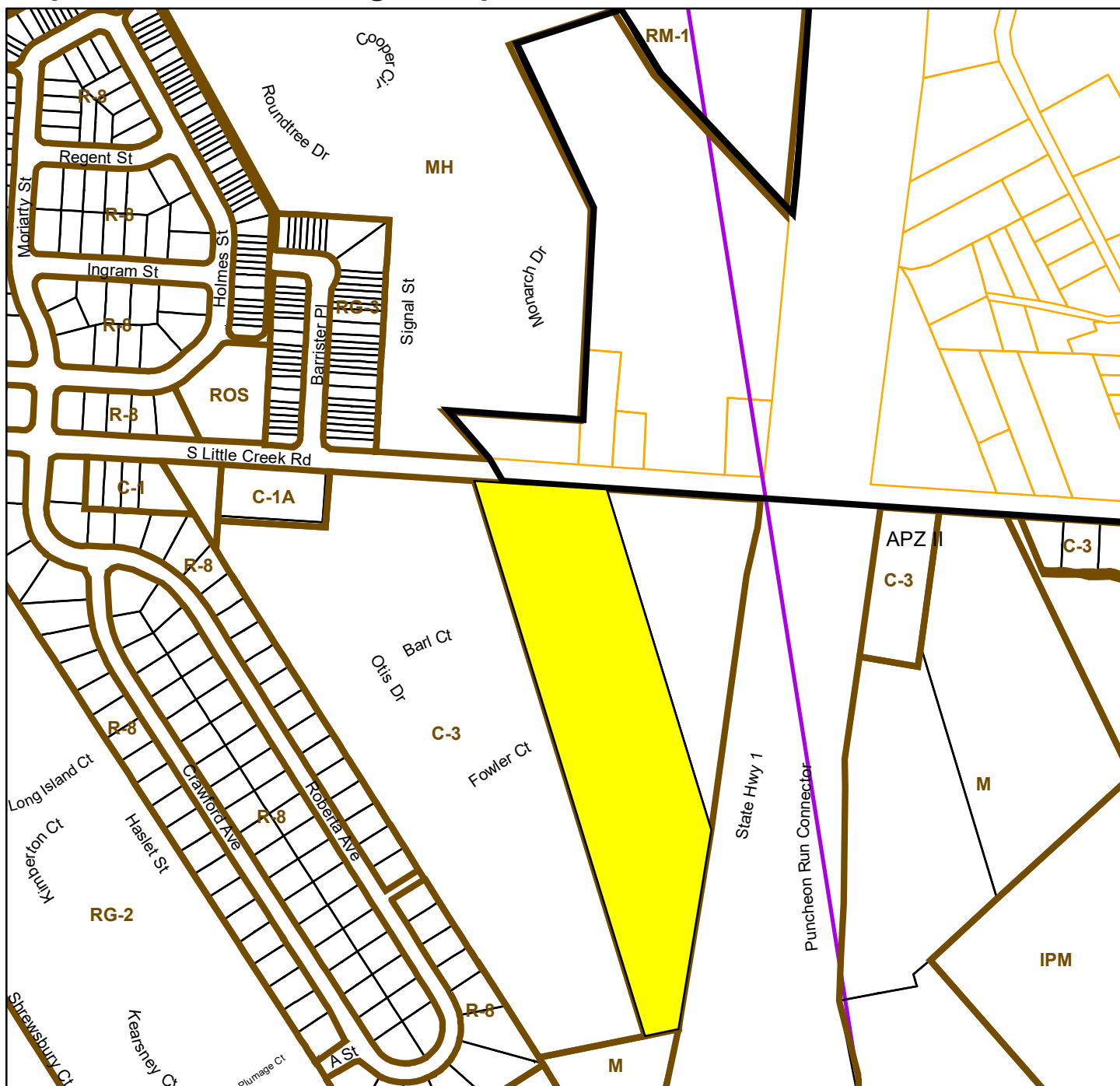
City of Dover Planning Commission
Zoning Review

Z-24-04 Lands of White Marsh Environmental Systems, Inc. at 1100 and 1110 S. Little Creek Road

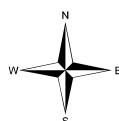
- 1) The MPO does not have any objections to the proposed rezoning. A sidewalk is already present throughout the developed portion of the property. If further development takes place in the future, the sidewalk should be extended southward so that the pedestrian accessibility of the area will be contiguous.

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.





Title: Lands of White Marsh Environmental Systems, Inc.
 Address: 1100 and 1110 South Little Creek Road
 Parcel ID: ED-05-077.12-01-03.00-000
 Existing Zoning: CPO (Commercial and Professional Office Zone)
 Proposed Zoning: IPM (Industrial Park Manufacturing Zone)
 Owner: White Marsh Environmental Systems, Inc.
 Date: 3/19/2024



Legend

- Dover Boundary
- Subject Property
- Zoning
- Dover Parcels