



DATA SHEET FOR CONCEPTUAL SUBDIVISION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 7, 2024

PLANNING COMMISSION MEETING OF August 19, 2024

Plan Title: Lands of Wyoming, LLC and Functional Properties, LLC Ekaman Subdivision): Conceptual Subdivision Plan, SB-24-01C

Plan Type: Major Subdivision Plan

Applicant/Owners: Wyoming, LLC (Area of Lots 1-3, 5 and Residual)
Functional Properties, LLC (Lot 4)

Property Locations: South of but not adjacent to Wyoming Avenue and west of Monroe Terrace

Property Address: unaddressed on Jefferson Terrace extension (referenced as 3.8904 acres of Wyoming Avenue Rear)

Tax Parcels: ED-05-077.17-06-02.01-000
ED-05-077.17-06-13.00-000

Total Area of Parcels: 4.5754 acres +/-

Proposed Number of Lots: Six (6)

Lot 1: 0.5234 acres+/- (22,798 SF +/-)

Lot 2: 0.2635 acres+/- (11,477 SF +/-)

Lot 3: 0.2688 acres+/- (11,701 SF +/-)

Lot 4: 0.2927 acres+/- (12,750 SF +/-)

Lot 5: 0.3856 acres+/- (16,797 SF +/-)

Residual: 2.5324 acres +/- (110,310 SF +/-)

Present Zoning: R-10 (One Family Residence Zone)
R-8 (One Family Residence Zone)

Proposed Zoning: R-10 (One Family Residence Zone)
R-8 (One Family Residence Zone)

Current Use: Undeveloped vacant land including woodland areas

Proposed Uses: Residential (one-family detached dwelling units)

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: August 7, 2024

APPLICATION: Lands of Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan.

FILE #: SB-24-01C REVIEWING AGENCY: City of Dover Planning

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

I. PLAN SUMMARY

This Application is for the Review of a Conceptual Subdivision Plan to create six (6) lots from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision (SB-24-01). The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2.

The renaming of segment of Jefferson Terrace west of Monroe Terrace to a new street name of Ekaman Way is subject to a separate review process and is not being considered with this Application.

II. PREVIOUS APPLICATIONS

The most recent Application in 2023 involving the property was Conceptual Subdivision Plan SB-23-01C as conditionally approved by Planning Commission in March 2023. Involving only the larger 4.2311-acre tract (ED-05-077-17-06-02.01-000), Plan SB-23-01C proposed subdivision of six (6) lots from an existing parcel totaling 4.2311 acres. The proposed subdivision was to consist of four residential lots, a stormwater management area lot, and a residual lot for residential use along with the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The project sought waiver requests for alternative lot configuration, reduced lot frontage, increased percentage of lots on a cul-de-sac, and partial elimination of sidewalk. After unsuccessful attempts for the waivers and no preliminary plan submission, the plan expired without being finalized.

In 2013, there was Application SB-13-06 The Meadow Subdivision at Jefferson Terrace that was proposed to subdivide a tract of land totaling 4.23 acres ± into five (5) parcels for single family

detached dwellings with residual land. The Plan, submitted as The Meadow, was renamed to Jefferson Terrace to avoid replication with another residential subdivision. It was reviewed by the Planning Commission at their November 2013 meeting and received conditional approval of the Conceptual Subdivision Plan SB-13-06. The required Preliminary Subdivision Plan was submitted for review by the Planning Commission at their February 2014 meeting. However, the Application SB-13-06P was postponed by the Planning Commission at the request of the Applicant and did not return for review. The Subdivision Plan SB-13-06 was never finalized and has since expired.

Previously, the Planning Staff administratively reviewed a Minor Lot Line Adjustment Plan (Application MI-12-10) and granted its approval on June 5, 2012 (recorded June 12, 2012). The land south of 324 Wyoming Avenue with frontage on Jefferson Terrace and Monroe Terrace (the current larger subject parcel) was divided from the parcel that included the existing dwelling at 324 Wyoming Avenue and aligned its rear property line with adjacent residential parcels.

III. PROJECT DESCRIPTION – Major Subdivision

This Major Subdivision Plan proposes to subdivide the existing large tract (Parcel 2.01) and an adjacent parcel (Parcel 13 (A-17)). The Plan identifies Lots 1-5 as being for residential development. The residual parcel is mostly interior to the overall subject site with some frontage on Monroe Terrace which is to be used for a stormwater management area due to the location of a stream and associated floodplain and woodland areas. This Residual Lot is the southernmost parcel proposed and is to contain a 20-foot cross-access easement for a residential property located to the southwest of the subject site that does not have frontage on any public right of way. This adjacent parcel is therefore accessed only via a driveway (Mallard Drive) across the subject property, connecting from Monroe Terrace. See Chart below for description of proposed Lots:

Site	Zoning	Proposed Lot Size	Proposed Use
Lot 1	R-10	0.5234 acres+/- (22,798 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 2	R-10	0.2635 acres+/- (11,477 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 3	R-10 R-8	0.2688 acres+/- (11,701 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 4	R-8	0.2927 acres+/- (12,750 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 5	R-10	0.3856 acres+/- (16,797 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Residual	R-10	2.5324 acres+/- (110,310 SF +/-)	Stormwater Management Area
Right-of-way dedication	--	0.3092 acres+/- (13,470 SF +/-)	Cul-de-Sac as terminus to Jefferson Street Extension (Ekaman Way)
TOTAL		4.5754 acres +/-	

As shown above, with the exception of the existing legal non-conforming frontage existing for the proposed Residual parcel on Monroe Terrace, the Lots proposed appear to be compliant with the Zoning and Bulk Standards for the R-10 Zone and R-8 Zone. The five (5) residential proposed lots have frontage on the proposed Jefferson Terrace Extension, which will also be the main points of access to the properties. The Residual Lot will be utilizing the existing legal non-conforming frontage of the property along Monroe Terrace and a proposed access easement across Lot 1 for stormwater management purposes. It is noted that there is an alley along the western boundary of the subject property, but this is unimproved and is not utilized for any type of access.

IV. SUBDIVISION REGULATIONS REVIEW

The procedures for subdivision of land are found in the *Land Subdivision Regulations, (Dover Code of Ordinances, Appendix A)*. Planning Staff confirms this application as a Major Subdivision. As such, the Application will require the submission and review of a Conceptual Subdivision Plan by the Planning Commission first, which is this subject Application. For the next step, the Applicant will then be required to submit a Preliminary Layout Subdivision Plan for further Planning Commission review and approval. The last step is submission of a Plat for Final Approval by Planning Staff (and DAC Agencies) and recordation at the Kent County Recorder of Deeds.

To subdivide the properties, the plan review must ensure that the subdivision does not create any new non-conformities with the bulk standards of the *Zoning Ordinance*. These bulk standards include minimum lot size, front yard setbacks, side yard setbacks, rear yard setbacks, lot coverage, etc. See also discussion below under Zoning Review.

V. ZONING REVIEW

R-10 (One-Family Residence Zone) and R-8 (One-Family Residence Zone)

The property is zoned R-10 (One-Family Residence Zone) and R-8 (One Family Residence Zone) and is subject to the regulations of *Zoning Ordinance*, Article 3 §1 and Article 4 §4.1. The use as a one-family detached dwelling-unit (single-family home) is a permitted use in the R-10 Zone and R-8 Zone. The proposed Lots largely comply with the Zoning Bulk Provisions as noted in Article 4 §4.1 of the *Zoning Ordinance*. The following Table highlights some of the lot design standards for the R-10 Zone:

MINIMUM REQUIRED:	R-10 ONE FAMILY RESIDENCE ZONE	R-8 ONE FAMILY RESIDENCE ZONE
Lot Area	10,000 SF	8,000 SF
Lot Width (ft.)	80 ft.	70 ft.
Lot Depth (ft.)	110 ft.	100 ft.
Front yard setback (ft.)	25 ft.	25 ft.
Minimum Side yard setback (ft.)	15 ft.	10 ft.
Total both Side Yards (ft.)	30 ft.	20 ft.
Rear yard setback (ft.)	30 ft.	30 ft.
Off-Street Parking Spaces	2 per dwelling	2 per dwelling
Maximum Permitted: Building Height: Stories Feet	2 ½ stories 35 feet	2 ½ stories 35 feet
Lot Coverage	30%	35%

Since these parcels are zoned R-10 and R-8, they are subject to the provisions of *Zoning Ordinance*, Article 5 §1.7 Uniformity of design in all one-family residence zones. These provisions limit construction of buildings that are like or substantially like a neighboring building to prevent monotony of architectural design.

Percentage of Lots on Cul-de-sac

Per the *Land Subdivision* Regulations, a maximum of 20% of the lots in a development are allowed to front on the turnaround section of a cul-de-sac. This version of the Subdivision consists of a total of six lots and has one lot on the cul-de-sac. The design wraps Lot 1 around the cul-de-sac end with the main buildable area to the north of the cul-de-sac.

VI. STREETS

The Subdivision Plan proposes an extension of Jefferson Terrace (noted on the Plans as “Ekaman Way”) as a public street leading to the west from Monroe Terrace. There is existing right-of-way (approximately 60 feet wide with some variation in width) for a portion of the street. The extension of Jefferson Terrace is proposed to terminate in a cul-de-sac. This length of a dead-end street must comply with the maximum length permitted (400 feet). The right-of-way for the street must be sixty (60) feet of width. The width of the paved street is not provided, but the width should allow for on-street parking on both sides of the street. Parking would be prohibited within the cul-de-sac. It is noted that any renaming of streets (i.e. Jefferson Terrace Extension) to “Ekaman Way” is subject to a separate review process.

The street extension is required to include upright curbing and sidewalk constructed to the City of Dover Standards. The plan proposes sidewalks along the entire periphery of the Jefferson Terrace extension, though none is shown along the Monroe Terrace frontage (Residual Lot). If the developer is seeking not to construct sidewalk on the Monroe Terrace frontage, then a waiver request must be submitted.

The type of curbing is not identified. The applicant will need to work with the City’s Department of Public Works regarding the street width design for this extension of Jefferson Terrace including paved width, where on-street parking may be provided, the curbing, and the sidewalk design.

VII. SITE CONSIDERATIONS

Site Access

The properties are currently undeveloped. The site abuts the Monroe Terrace along the southern end of the east property line. The terminus of Monroe Terrace provides access to the privately maintained Mallard Drive, which crosses the subject site to provide vehicle access to a residential property to the southwest.

Jefferson Terrace is currently only paved from South Governors Avenue to Monroe Terrace. While the right-of-way thereof continues from Monroe Terrace westward to the subject site, it is unimproved. The Applicant is proposing to construct a westward extension to Jefferson Terrace, and extend it into the subject site, and provide a cul-de-sac for vehicle turn-arounds. To achieve this, the Plans note that the Applicant is to allocate 0.3092 acres+/- (13,470 SF +/-) of the subject

site for the purpose of right-of-way dedication to create the cul-de-sac terminus of Jefferson Terrace. The maximum length of the cul-de-sac street is 400 feet. City Staff is determining the method of measurement (start point and end point) for the cul-de-sac length. The Applicant must coordinate with the Public Works Office, as the extension of Jefferson Terrace will have to be done to City of Dover standards. This is necessary to then dedicate the extended road to the City for maintenance.

Infill Standards

The *Zoning Ordinance* Article 5, Section 1.12 *Infill Standards* notes requirements for development for a lot or group of lots in an already developed area. It further specifies:

- (a) *Sidewalks*. Standard City of Dover sidewalk, per chapter 98, shall be required to be installed along public street frontage of every infill property by the property owner or developer
- (b) *Landscaping*. Infill structures shall be designed to minimize the impact on existing, mature trees when practical. All residential lots shall include landscaping to include plants and shrubs along the portions of the house that front a public street. No form of vegetation shall be planted on a property in a way that blocks more than half of the front façade(s) from public view.
- (c) *Primary facade*. All buildings shall include a primary entry along the property's street frontage, and shall also include a porch or other entry feature.

As noted on the Plan, the existing legal non-conforming width of the frontage along Monroe Terrace is 68.65 feet. This is not proposed to change per this Conceptual Subdivision Plan. From Jefferson Terrace south to the terminus of Monroe Terrace, there are eight (8) other parcels with frontage on Monroe Terrace most of which are developed with one-family detached dwelling units (single-family homes). The development of this southern portion of the site noted as “Residual Lot” and containing frontage on Monroe Terrace would therefore be considered an infill lot and should follow the above referenced provisions when developed.

Sidewalks

There is no existing sidewalk along Monroe Terrace frontage of the existing property. As noted, the right-of-way for Jefferson Terrace extension is unimproved. As such, there is no existing sidewalk where the proposed Jefferson Terrace Extension (Ekaman Way) is located. The Plan submitted notes a sidewalk is proposed along both the north and south sides of the Jefferson Terrace Extension, as well as the entirety of the cul-de-sac. No sidewalk is shown as being proposed along the Monroe Terrace frontage of the existing property (proposed Residual parcel); the applicant has stated that they will provide sidewalk in this frontage. A written waiver request would be required to consider elimination of this sidewalk.

Flood Hazard Areas

Special Flood Hazard Areas (1% Chance of Annual Flood/ 100-year flood plain) appear to remain as natural open space. The southern portion of this tract of land includes a Flood Hazard Area. The area is proposed as the Residual Lot is largely subject to the Flood Hazard Area; however, there is a portion of the property near the Monroe Terrace frontage that remains outside

of the Flood Hazard Area and may therefore be still partially buildable. The proposed Lots 1-5 appear to be outside the Flood Hazard Area.

Wetlands

Previous plans indicated that the southern portion of this tract of land included areas as wetlands adjacent to a stream that crosses the property. A wetlands delineation must be provided including its source. If an area is large enough in size (0.25 acres) to require a setback from the wetland area per the *Zoning Ordinance* it is to be provided. The setback of 100 feet can be reduced to fifty (50) feet when a riparian buffer is established. The Applicant will have to provide evidence to show that the existing woodland can be recognized as satisfying the riparian buffer requirement. The wetland areas and required buffer must be shown on the plans to confirm its impacts on the lots proposed for residential development.

Wet Soils and Basements

The *Zoning Ordinance*, Article 5 §11.23 regarding wet soils limits the building construction when seasonally high-water table is within two and one-half feet of the surface and requires construction subject to conditions to address the prevention of water damage. Subdivision Plans must identify the seasonal high watertable on each lot if basements are proposed.

VIII. TREE AND LANDSCAPE PLANTING

The tree preservation, tree planting and landscaping requirements are subject principally to the regulations found in *Zoning Ordinance*, Article 5 Sections 15 and 16 and are also addressed in other various sections of code related to buffering, screening, and open space.

Tree Planting & Preservation Plan

The subject site includes areas of existing woodland. It is not clear if and where woodland areas are proposed for development activities. The details of the Tree Preservation and Planning Plan will be reviewed in the Preliminary Subdivision Plan application. Tree clearing is limited to a maximum of 50% of the woodland per lot. New tree plantings are required at a rate of one tree per 3,000 SF of non-woodland lot area.

There was a recent Permit that authorized some dead tree and debris clean-up activities on this land tract and from within the stream that crosses the property.

Active Recreation Plan

The *Zoning Ordinance* includes requirements for areas of Active Recreation to be provided with the development of residential subdivisions at a land area rate per dwelling unit. There are exceptions to this requirement for residential subdivisions where the property is less than five acres and less than ten dwelling units are proposed. This requirement is reviewed in the Preliminary Subdivision Plan application process.

IX. CITY AND STATE CODE REQUIREMENTS

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:

- 1) The location of the Special Flood Hazard Area (1% Annual Chance Flood/ 100-year flood

plain) must be shown on the plan drawing. There is an unlabeled line on this plan submission.

- 2) A sidewalk must be provided along the Monroe Terrace frontage of the proposed Residual Lot. A Written Waiver Request from this requirement to provide said sidewalk along the Monroe Terrace frontage of the proposed Residual Lot has not been filed consideration by the Planning Commission. *The applicant has indicated that the sidewalk will be provided.*
- 3) Confirm proposed use of the Lot marked as “Residual” to the south of the subject site. If it too is intended for residential development, label it consistently with other such Lots (Lot 6).
 - a. A portion of the Residual Lot appears to be buildable for residential development in the area adjacent to Monroe Terrace.
 - b. If this Lot is to be limited for Stormwater Management activities only, then a conservation easement to limit its use may be appropriate. Also, the long-term owner/manager of this parcel for its stormwater management areas must be identified.
- 4) Mark the Alley to the west of the subject site as “unimproved.”
- 5) A Wetlands Delineation (and source of delineation) must be shown on the plan along with the required buffers. Label the lines on the drawing for clarity. The inset Wetland Map does not appear to show information.
- 6) Clarify the woodland areas to be preserved (remain) and woodland areas to be removed. Also list these sizes of each woodland area.
- 7) Add measurements of the front, side, and rear setbacks on each property.
- 8) Add width of right-of-way for extended street segment and cul-de-sac and paved widths. Clarify the intent of on-street parking options for this development.
- 9) Clarify the length of the proposed cul-de-sac as per the measurement method (start point and end point) as determined by City Staff. Label and note on the plan.
- 10) Corrections to the Data Column:
 - a. Note the Zoning Classification as R-10 (**One-Family** Residence Zone) and R-8 (**One-Family** Residence Zone).
 - b. For the proposed use, specify that it is to be “Residential (Single-Family Detached Houses).”
 - c. Remove 25 ft. Wetlands Buffer from the Legend as this is not a City of Dover code provision.
- 4) Following Preliminary Subdivision Plan approval, the Record Plan Sheet must document and identify any existing and proposed easements for cross access, utilities, drainage, etc. associated with the subdivision of these lots.
 - a. The Final Record Plat submission must include requirements described in *Dover Code of Ordinances*, Appendix A: Land Subdivision Regulations, Article IV, C. Plat and any additional requirements of the Planning Commission.

- b. The formal Record Plan will need to be recorded upon completion of the approval process with any corrections identified by the reviewing agencies.
- 5) The applicant will need to work with the Department of Public Works regarding the design of the extension of Jefferson Terrace to the City of Dover Standards for the street, curbing, and sidewalks.
- 6) Any proposal for renaming of Jefferson Terrace (extended) is subject to a separate review process for street re-naming. It is not being considered with this application.

X. RECOMMENDED ADDITIONAL CONSIDERATIONS TO MEET CODE OBJECTIVES:

The *Land Subdivision Regulations*, Article I. Purpose, indicates that the regulations are adopted in order to promote and protect the public health, safety, convenience and general welfare; ensure the orderly growth and development of the City, the conservation, protection and proper use of land, and adequate provision for housing, recreation, circulation, utilities and services; and safeguard the City from undue future expenditure for the maintenance of streets and public spaces.

- 1) This Major Subdivision Conceptual Plan creates six (6) lots out of the existing parcels, with five (5) of the proposed residential lots having direct access on the proposed Jefferson Terrace street extension and cul-de-sac, and a lot noted as “Residual Lot” to have access off Monroe Terrace. The Subdivision Plan generally appears to comply with the *Land Subdivision Regulations* and bulk standards of the R-10 Zone and R-8 Zone.
- 2) Lot Configuration: Planning Staff notes the proposed lot configuration with Lot 1 wrapping the cul-de-sac while code compliant is an odd configuration. It also requires that an easement be established across Lot 1 to access the northern portion of the Residual Lot for stormwater management area maintenance. The overall length of the cu-de-sac also appears to be at the maximum length allowed. Planning Staff suggests submission of a Subdivision Waiver Request to permit more than 20% of lots in a development to front on the turnaround section of a cul-de-sac thus allowing an alternative lot configuration such as to allow the Residual Lot to have its own frontage, to shorten the cul-de-sac length, etc. The unique shape of the larger tract of land does not allow for the inter-connection of the proposed street to another existing street to avoid the cul-de-sac.
- 3) Sidewalk along the Monroe Terrace frontage: Staff recommends providing sidewalk along the Monroe Terrace frontage of the Site (frontage of the proposed Residual Lot). As noted, the Lot is considered “Infill” and as such would be required to follow the development standards set out for Infill Lots and found in the *Zoning Ordinance*, Article 5, Section 1.12. It is noted that several recently developed parcels with frontage on Monroe Terrace (south of Jefferson Terrace) do include sidewalks along their Monroe Terrace frontages.

Other agencies may recommend additional conditions and safeguards in accordance with their areas of expertise. The Recommended Additional Considerations to Meet Code Objectives are offered for consideration by the Planning Commission.

XI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Conceptual Plan is the first step in the major subdivision process. For this project, the next step is the submission of the Preliminary Subdivision Plan for review. A Pre-Application meeting is required to file the Preliminary Subdivision Plan.
- 2) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 3) In the event, that major changes and revisions to the Conceptual Subdivision Plan occur in the development of the plan contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other commissions making recommendations regarding the plan.
- 4) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections and permits are required.
- 5) The applicant shall be aware that Conceptual Subdivision approval does not represent a Building Permit, Sign Permit and other associated construction activity permits. A separate application process is required for issuance of a Permit from the City of Dover.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 31, 2023



APPLICATION: Lands of Wyoming, LLC and Functional Properties, LLC
(Ekaman Subdivision): Conceptual Subdivision Plan

FILE #: SB-24-01

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 / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. Our office has no objection to the conceptual subdivision plan. Further requirements will be provided if additional development plans are submitted, this specifically refers to the sanitary sewer plan.

TYPICAL CITY AND STATE CODE REQUIREMENTS FOR SUBDIVISION

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 Public Works specifications and requirements.
 - c. The site contractor shall contact the City of Dover Public Works Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Public Works 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. All water mains within the proposed subdivision must be looped. No dead end mains are permitted. The utility plan must incorporate the appropriate termination valves on the water system between construction phases.
4. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. All water mains shall be either cement lined Class 52 cement lined ductile iron pipe or DR 18 PVC pipe. Division valves must be provided every 800 feet.
5. Water service lines shall be shown for each residential lot meeting the following requirements: The water services shall be one-inch (1") diameter Type K copper tubing or SDR9 pipe, and installed five feet (5') to the right of the sewer lateral as viewed from

the center line of the street. Curb stops shall be installed one foot (1') outside of the right-of-way for each lot. A water meter and meter pit must be installed on the domestic water service, in a non-traffic bearing location just downstream of the curb stop.

6. Fire hydrants shall be spaced no greater than 600 feet as measured along the curb. Fire hydrants shall be placed between the curb and sidewalk at intersections or centered on lot lines. Fifteen feet (15') separation must be provided between all hydrants and hydrant valves.

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 Public Works 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. All sanitary sewer mains shall terminate at manholes between construction phases. This may require sewer lines to extend beyond the proposed phase lines to the next manhole.
4. Minimum slope criteria shall meet Ten States Standards. Provide flow calculations to justify sizing of the sewer mains, showing that velocity requirements are met. Waiver requests must be approved by the Department of Public Works.
5. The desired location for sewer mains is under the centerline of the street. One-tenth of a foot (0.1') drop must be provided across all manholes. The minimum slope for eight-inch (8") sanitary sewer pipe is 0.004 feet/feet. Minimum cover is 3.0 feet.
6. Sanitary sewer manholes shall be spaced no more than 400 feet apart.
7. The minimum size of all sanitary sewer laterals shall be six-inch (6").
8. 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.
9. Sanitary sewer laterals shall be shown for each residential lot meeting the following requirements: The sewer laterals shall be six-inch (6") diameter schedule 35 PVC and, where practicable, installed to the center of each lot. Sewer laterals shall be connected directly to the main, not manholes, unless impracticable. Sewer laterals are to be installed one foot (1') beyond the right-of-way line at a typical depth of three feet (3'), preferably not exceeding five feet (5'). Cleanouts shall be installed one foot (1') outside of the right-of-way for each lot.

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 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.
3. Submerged pipe inlets to ponds may only be permitted if they are so designed that the permanent pool elevation of the storm water management area doesn't surcharge back into the City of Dover's storm drain structures and system.
4. The City of Dover Department of Public Works specifications require all culverts to be designed for the 25-year storm frequency and all storm sewers to be designed for the 10-year storm frequency. The Manning's equation shall be utilized in design as applicable. Storm sewers are required to provide a minimum full flow velocity of 2 fps. Provide the calculations for each proposed pipe segment that, at a minimum, include: upstream and downstream inverts, upstream and downstream ground elevations, and ground cover provided; pipe slope, length, material, n value, and diameter; design flow, depth and velocity; and full flow and velocity.

5. The City of Dover Department of Public Works specifications require that all inlets (catch basins) be designed for the 10-year storm frequency (25-year storm frequency for sump conditions) and that the spread of water shall not exceed eight feet (8') from the flow line of the curb. The design must also meet the requirement that the hydraulic grade line may be no higher than one foot (1') below the top of the inlet. Provide the calculations for each proposed catch basin utilizing flows determined by each catch basin's contributory drainage area, for the appropriate storm frequency. Spread, depth of flow and hydraulic grade line data for each inlet must also be included. Any carryover should also be noted and included at appropriate downstream catch basins as applicable.
6. Provide all stormwater management calculations and erosion and sedimentation control plan as required by Article 5, Section 11.2 and 11.2 of the City of Dover Zoning Ordinance. Ensure that individual lot grading, house locations with finished floor elevations, and driveway locations and grades are provided on the plans in order to verify the adequacy of the design. The provided information should also show adequate conveyance of runoff from each lot.

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DeIDOT is submitted to our office.
2. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.
3. It shall be unlawful for any person to alter the curb of any street so as to create a curb depression for the purpose of permitting vehicles to enter onto or exit from the city streets, without a permit issued by the city manager.
4. When determined to be necessary, dead-end streets, designated to be so permanently, shall not be longer than 400 feet and shall be provided at the closed end cul-de-sac with a turnaround having an outside roadway diameter of 80 feet and a street right-of-way diameter of 100 feet. In no instance shall more than 20 percent of the lots in a proposed development front on the turnaround section of a cul-de-sac.
5. Streets shall be laid out so as to intersect as nearly as possible at right angles. The inner right-of-way line of a street intersecting another street at an angle of less than 90 degrees shall be tangent to and follow a curve with a minimum radius of 150 feet centered on the nearest right-of-way line and shall be parallel to said inner right-of-way line.
6. Street right-of-way lines deflecting from each other at any point shall be connected with a curve, the radius of which, for the centerline of the right-of-way, shall not be less than 500 feet on arterial streets, 300 feet on collector streets and 150 feet on minor streets. The outer and inner right-of-way line shall be parallel to said center right-of-way line.
7. Street rights-of-way lines at intersections shall be connected with a curve, the radius of which shall be at least 25 feet. The required radius may be increased by the city engineer if the increased radius is necessary for public safety.
8. Street grades shall not exceed five percent.
9. Street grades shall not be less than one-half percent wherever feasible.

SANITATION

1. Every person occupying a residence or duplex and every owner of an apartment 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.
1. Only trees listed as small to medium shall be planted under power lines; and no trees shall be planted within ten feet of any underground water line, sewer line, transmission line or other utility.
2. It shall be unlawful and a nuisance for any person to plant any vegetation in any public right-of-way. Upon receipt of notice from the city to remove any vegetation located in a public right-of-way, the owner of the abutting property shall remove such vegetation at his own expense within the time limit provided in such notice.
3. It shall be unlawful and a nuisance for any person to plant any tree, shrub or bush within 16 feet of the curblin. Upon receipt of notice from the city to remove any tree, shrub or bush which is located within 16 feet of the curblin, the owner of the property upon which such tree, shrub or bush is located shall remove the same at his own expense within the time limit fixed in such notice.

GENERAL

1. Add the following note to the plans, "A seven and one half feet (7.5') wide easement is retained along all side and rear lot lines, to be unoccupied by building, for utilities, drainage and sanitary sewer purposes. Except where lots are divided for any reason whatsoever, said easements shall fall along the actual side and rear lot lines as conveyed. A fifteen feet (15') wide utility easement is retained along all rear lines of lots abutting the project boundary and other open spaces." A ten feet (10') wide utility easement is required along all front yard lot lines for utility installation. When a water, sewer, or storm sewer main is not located in the right of way, it shall be located within five feet (5') of the center of a twenty feet (20') wide utility easement.
2. The final site plan must be submitted in the following compatible digital formats:
 - a. AutoCAD 2018 (.dwg format).
 - b. Adobe Reader (.pdf format).
3. 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.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

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. Water impact fees will be required to be paid prior to any Certificate of Occupancies issued for this project.
3. 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.
4. Any future development shall adhere to the City of Dover Water/Wastewater Handbook.
5. 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.
6. 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.

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 any Certificate of Occupancies issued for this project.
5. Depending on the effluent flow, the downstream pump station may need to be evaluated by the developer / engineer to verify it can handle the additional effluent flow.
6. Any future development shall adhere to the City of Dover Water/Wastewater Handbook.

7. 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.

STORMWATER / STREETS

1. If this property is developed, future approvals may be required from the Kent Conservation District and DelDOT.
2. Any future development shall adhere to the Specifications, Standards & Procedures for Public Works Construction.

GENERAL / SANITATION

1. None.

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 07/31/24

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APPLICATION: Lands of Wyoming LLC and Functional Properties

FILE #: SB-24-01

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. Proposed occupancy classification is residential.
2. 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
3. Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.
4. 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

5. 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.

6. 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.

7. 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>
8. 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)

9. Project to be completed per approved Site Plan.
10. Full building and fire plan review is required.
11. Construction or renovations cannot be started until building plans are approved.
12. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

13. 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. Please confirm that the cul-de-sac is in compliance with item # 3 listed above
2. Fire hydrant needs to be added in cul-de-sac

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)

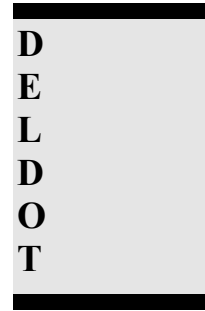
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations

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 Wyoming, LLC and Functional Properties: Ekaman
Subdivision

FILE#: SB-24-01

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian J. Williams Jr.

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. Need to schedule pre-submittal meeting with the Department.
 - a. 6+ lots is a Major subdivision with the Department



KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901 • (302) 608-5370 • WWW.KENTCD.ORG

CITY OF DOVER DEVELOPMENT ADVISORY COMMITTEE APPLICATION REVIEW COMMENTARY JULY 2024

APPLICATION: Land of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

FILE #: SB-24-01

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Cullen Baker

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY’S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. A Stormwater Assessment Study (SAS) and pre-application meeting are required.
2. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District’s office.
3. The following notes must appear on the record plan:
 - a. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - b. The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
 - c. A clear statement of defined maintenance responsibility for stormwater management must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. There are previously approved stormwater plans that have expired due to construction never taking place. A new set of plans adhering to the current stormwater regulations will need to be submitted for approval.
2. This plan is located in an area that is to be undermanaged per the Puncheon Run Flood Study to beat the peak run-off generated in the contributing upland drainage area. This area is also under 10% of the total contributing drainage area and is only required to manage the 1-year (RPv) storm event.
3. The preferred methods of Stormwater management are those practices that maximize the use of the natural features of a site, promote recharge and minimize the reliance on structural components.

4. We request that the portion of Lot 1 on the south side of the cul-de-sac to be incorporated into the residual lot, since this portion of Lot 1 is unbuildable. This would eliminate the need for a stormwater management access easement.
5. Please clarify the ownership of the stormwater management area for maintenance responsibility.
6. Please note the Kent Conservation District will not review an application more than three times. If after the third review the plan is still not found to be approvable, the application will be denied, and a new application with review fees are to be re-submitted to continue a detailed plan review.
7. As a reminder, the Kent Conservation District is required to verify that a Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under a NPDES General Permit has been received by DNREC prior to District approval.
8. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management Plan has been approved.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: 8/7/2024

**Dover/Kent
County
Metropolitan
Planning
Organization**

SB-24-01 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision):
Conceptual Subdivision Plan

FILE # SB-24-01 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

**SB-24-01 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision):
Conceptual Subdivision Plan**

The MPO has no objections to the conceptual subdivision plan. Sidewalks will be required on the frontage of the street, in accordance with City of Dover standards. This is already reflected in the conceptual plan. The connecting streets (Jefferson Terrace and Monroe Terrace) currently have an incomplete sidewalk network, but this may not always be the case, which is why new connections on the new street should still be made.

The specifics of pedestrian safety will be discussed in greater detail during subsequent phases of the process.

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.





mountain
consulting
Woman Owned, 8(a) & HUBZone Certified

8 July 2024

City of Dover Planning Commission
P.O. Box 475
Dover, DE 19903

RE: Ekaman Subdivision Application
Parcel ID# ED05-077.17-06-02.01, Owner: Wyoming, LLC (4.23±ACS.), R-10 Zone
Parcel ID #ED05-077.17-06-13.00, Owner: Functional Properties LLC (0.34±ACS) R-8 Zone
Jefferson Terrace Extension

Dear Planning Commission:

On behalf of Emmanuel Ehize, the Applicant and the owner of Wyoming LLC and Functional Properties LLC, Mountain Consulting, Inc. (MCI) is pleased to submit for major subdivision approval of the Ekaman Subdivision. The proposed 6-lot Ekaman Subdivision consists of:

- City right-of-way extension of Jefferson Terrace (see Note below)
- Five (5) residential lots conforming to standard zoning
- One (1) residual lot with existing legal, non-conforming frontage, is to be used for stormwater management.

Note: a separate request will be made to the City Council to approve the Ekaman Way road name west of Monroe Terrace.

Adjacent to the existing dead end stub of Jefferson Terrace, and adjacent to where roadway improvements are proposed, one (1) undeveloped parcel could apply for and construct a new entrance on to the extended roadway. This existing lot is not under ownership or controlling interest of the Applicant, and the location of this existing lot is incidental to the proposed subdivision roadway improvements:

- ED05-077.17-06-10.00 on the south side (A-18 on the subdivision plan)

The proposed roadway improvements will extend asphalt paving, curbing, and sidewalks from the existing paved edge of Monroe Terrace, approximately 399 feet to the center of an 80-foot diameter cul-de-sac bulb. Water (looped to Monroe Terrace), sewer extended from Monroe Terrace, power and communications service lines from Monroe Terrace will be extended with the proposed road improvements.

The adjacent land to the west of the proposed subdivision is a residual strip of land 20± feet wide without a City Parcel ID# that may be a former alley that is not presently maintained or owned by the City. The actual owner of

this strip of land is unknown to the Applicant, Engineer and City. The land to the west of this unnumbered strip is the Woodbrook Subdivision.

The southwest corner of the proposed subdivision has an unnamed blue line stream channel with adjacent wetlands, and a FEMA Floodplain, Zone AE (FIRM 10001C0169J). There is approximately 2.32 acres of existing woodland canopy within the proposed subdivision covering and extending from the floodplain. Approximately 25% of this canopy is to be cut in areas outside of the mapped floodplain for the proposed subdivision.

Stormwater management (SWM) facilities are proposed outside of the floodplain on the residual lot as per guidance from the Kent Conservation District. A 30' wide access strip across an unbuildable portion of Lot 1 is proposed for access to the SWM areas of the Residual Lot connecting the proposed cul-de-sac to the SWM areas adjacent to the floodplain. The floodplain areas within the subdivision are entirely within the residual lot, which could be placed within a stormwater management easement if required by the City, but none is proposed since the whole Residual Lot is not considered a buildable lot.

Some of the overgrowth and tornado-downed trees in this area have been removed by the Applicant under City permit. The Applicant has also removed fallen debris from the stream channel in coordination with Kent Conservation District and under City permit to alleviate upstream property concerns about inadequate flow capacity, the extent that can be done by the project short of a compliant stormwater design, and a City public works project to alter the natural channel or to change the drainage infrastructure upstream of this project.

Drainage systems and conveyances will not affect adjacent properties by adhering to DNREC codes, standards, and regulations. The project will obtain KCD approval for appropriate stormwater management at this location in the watershed and will work with the City of Dover Departments as appropriate to produce an approved stormwater management design.

At the southwest corner of the proposed subdivision is an existing residential dwelling addressed as 312 Mallard Drive, with an existing paved driveway and culvert for the blue line stream flow. The culvert and most of the existing driveway is within the southern boundary of the subdivision. No existing easement or right-of-way has been identified for this driveway. A shared access easement is proposed to be placed over the driveway, so that the Residual Lot will share the existing entrance connection off the end of Monroe Terrace.

No waivers are requested for this subdivision. Accommodations of requirements made known will be implemented without seeking waivers.

Please write or call with any questions. I can be reached directly at 302-922-5575 or by email at kburchard@mountainconsulting.com. Thank you for your consideration.

Sincerely,

MOUNTAIN CONSULTING, INC.

A handwritten signature in black ink, appearing to read 'Kyle Burchard', with a stylized, flowing script.

Kyle Burchard, P.E.
Director of Engineering