



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF MANAGEMENT AND BUDGET
STATE PLANNING COORDINATION

July 29, 2008

Ms. Ann Marie Townshend
City of Dover Planning Director
P.O. Box 475
Dover, De 19903

RE: PLUS 2008-06-04; City of Dover

Dear Ann Marie:

Thank you for meeting with State agency planners on June 23, 2008 to discuss the proposed City of Dover comprehensive plan amendment. According to the information received, you are seeking to amend Map 11-1 by changing the land use designation of the property located at 412 E. Loockerman Street from Residential Medium Density to Office and Office parks. The City is also considering amending the zoning from R-10 to CPO.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State.

This office has received the following comments from State agencies:

Office of State Planning Coordination – Contact: David Edgell 739-3090

It is the policy of our office to only accept municipal plan amendments on an annual basis, in conjunction with the municipality's annual report. In the case of the City of Dover, several years ago we agreed to alter our policy to accept amendments on a bi-annual basis. We have appreciated excellent coordination from the City of Dover planning staff and have been very satisfied with the bi-annual review of plan amendments.

Our office is disappointed that the City has decided to submit plan amendments on a rolling basis, in direct conflict with a long standing policy arrangement that we feel has worked well for both parties. Individual, ad-hoc plan amendments are not in the best

interest of the State, and we feel that they subvert the goals of the municipality's comprehensive planning process as well.

As was mentioned in our review of the previous ad-hoc plan amendment (reviewed as PLUS 2008-02-11), we would like to request a meeting with City officials to review the plan certification process, and to revisit our policy agreement to accept amendments on a bi-annual basis. We are open to working with City officials to craft a new agreement that addresses the needs of both parties. We will not accept any additional plan amendments until we are able to meet and craft a new agreement. It is strongly suggested that all subsequent plan amendments be incorporated into your 2008 Comprehensive Plan Update.

This particular proposal is to change the future land use from medium density residential to office and office parks, presumably to allow the conversion of a residence to an office on East Loockerman Street. This review also encompasses a related rezoning request from R-10 to CPO.

This parcel is located in Investment Level 1. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. With this said, we would like to draw your attention to DelDOT's comments below, which recommend a more comprehensive study of the Loockerman Street corridor between Route 13 and the St. Jones River bridge. They feel that if the City is inclined to allow office conversions along this corridor, then upgrades to the roadway may be warranted to accommodate the turning movements expected from office use. For this reason, it is our recommendation that this comprehensive plan amendment and rezoning be tabled or denied, and the issue of office uses along this corridor be evaluated more thoroughly as a part of the 2008 Comprehensive Plan Update.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- 1) In evaluating this request, we recommend that the City consider the entire section of Loockerman Street between US Route 13 and the St. Jones River, rather than the single parcel for which a rezoning is now sought. Presently most of this section is residential, but it may be appropriate to plan for a transition to professional offices, similar to what has occurred on South State Street or South Governors Avenue. If the City finds office development desirable for this area, then we would like to work with the City on planning for a wider road section to accommodate the increase in left-turn traffic associated with that change. If the City finds office development to be incompatible with this area, then an amendment for this particular parcel would seem inappropriate.
- 2) Regarding this particular parcel, DelDOT cannot determine specific requirements without more information on how it would be used. A traffic impact study would be warranted if more than 11,100 square feet of medical/dental office or more than 20,000 square feet of dental office were proposed. If either is the case and

the proposed plan amendment is approved, the applicant should have their traffic engineer contact Mr. Troy Brestel of this office. Mr. Brestel may be reached at (302) 760-2167.

- 3) If the proposed plan amendment and rezoning are approved, the applicant's site engineer should contact the DelDOT Subdivision Manager for Dover, Mr. Julio Seneus, regarding specific requirements for the site plan. Mr. Seneus may be reached at (302) 760-2762.

The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-9071

If the existing building were demolished and the site redeveloped, the developer would need to schedule a pre-application meeting with the Kent Conservation District to discuss their stormwater management plan for the site.

State Fire Marshal's Office – Contact: Duane Fox 856-5298

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office. At this time, this Agency has no objection to, and makes no comments regarding, the Comprehensive Plan or an amendment to a Comprehensive Plan.

Department of Agriculture - Contact: Scott Blaier 739-4811

The Delaware Department of Agriculture has no objections to amend the city's comprehensive plan to accommodate the request for rezoning within the city.

Public Service Commission - Contact: Andrea Maucher 739-4247

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

Department of Education – Contact: John Marinucci 735-4055

The DOE supports the State Strategies for Policies and Spending, to the extent possible and practicable within the limits of the Federal and State mandates under which the Department operates.

1. In its review of Comprehensive Plans and Comprehensive Plan Amendments, the DOE considers:
 - Adequate civil infrastructure availability within the region to accommodate current and future educational facilities.
 - Transportation system connections and availability to support multimodal access within the community, to include but not limited to walk paths, bike paths, and safe pedestrian grade crossings.

- Transportation road system adequacy to accommodate bus and delivery vehicle traffic to current, planned or potential educational facilities.
 - Recreation facilities and opportunities within the community and their respective proximity to current and planned or potential education facilities. The DOE also recognizes the potential that the educational facilities are to be considered recreational facilities by and within the community.
2. The DOE *typically* considers industrial/commercial development incompatible with educational facilities, however, residential development and educational facilities *are typically* considered to be compatible. As a result, the DOE is interested in the proximity of current and planned or potential education facilities to commercial/industrial development zones.
 3. The DOE recognizes the integral role of educational facilities within communities. As such, the DOE seeks to assure that residential growth, that generates additional demand on educational facilities, is managed with adequate educational infrastructure being made a part of sub-division plans as appropriate.
 4. The DOE offers its support to assist and participate by coordinating with this municipality, the local school districts the County, the Office of State Planning Coordination as well as other school districts and stakeholders as future development and annexations may be considered.
 5. DOE has no comments regarding the Comprehensive Plan amendment under consideration.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,



Constance C. Holland, AICP
Director