



# Kent County

## Department of Planning Services Division of Planning

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### STAFF RECOMMENDATION REPORT February 2, 2017

<b>Application Number</b>	:	CS-14-10
<b>Preliminary Plan Title</b>	:	Hickory Ridge Apartments
<b>Present Zoning District</b>	:	BG (General Business)
<b>Present Use</b>	:	Vacant
<b>Proposed Use</b>	:	112 – unit Apartment Complex
<b>Relation to Growth Zone</b>	:	Inside
<b>Area and Location</b>	:	10.08 acres ± located on the southwest corner of Hickory Ridge Rd. (Co. Rd. 149) and S. DuPont Blvd. (US Rt. 13), south of Smyrna.

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#### **I. STAFF RECOMMENDATION:**

The staff recommends **CONDITIONAL APPROVAL** based on the information submitted as the application demonstrates compliance with the conditions for approval as outlined in the Code, as follows:

##### **A. Code Requirements:**

1. The final plan must meet all requirements of both §187 and §205 of the Kent County Code and all items in the final plan column of Appendix D of §187. This may include items that are not specifically outlined in this report. This plan must gain final approval within 18 months of the date of preliminary approval. Construction may not commence until final approval is given.
2. A streetlight district will be required for this community per §187-53, H of the Kent County Code. Contact the Department of Public Works about this process. A note regarding this requirement must be on the final plan.

3. Per §187-90.4 Stormwater Maintenance Districts, Item C(1), all major residential subdivisions, residential land developments, and mixed-use developments (e.g., planned unit developments) that contain stormwater infrastructure shall automatically be included within the stormwater maintenance district prior to final plan approval. However, Item C(3) further provides that service shall include only basins, BMPs, and surface drainage facilities but would exclude proprietary systems, underground storage, underground infiltration, closed drainage systems and catch basins, porous pavement, green roofs, Delaware sand filters, and water harvesting. Inclusion in the district shall be noted on the final plan. As the stormwater management plans are developed, eligibility for participation in the Stormwater Maintenance District will be evaluated in consultation with the Kent Conservation District.
  
4. All infrastructure not already installed must be bonded, including stormwater management development. Prior to the issuance of the first building permit, all improvements including but not limited to landscaping, open space improvements, streets, and clubhouse must be bonded in accordance with §187-43 & 55 Completion Bond. The applicant shall be aware and be prepared to follow the requirements of said code sections which state the following:

“If required by the Levy Court or Regional Planning Commission, a surety bond shall be filed for or deposited in escrow with the County or a letter of credit issued in a sum sufficient to insure completion of requirements such as buffers or landscaping imposed by the Levy Court or Regional Planning Commission. Such surety bond or letter of credit shall be required prior to issuance of a building permit.”

“If required by the County, a surety bond or letter of credit shall be filed for, or deposited in escrow with, the County in a sum sufficient to insure completion of any required improvements, including but not limited to streets, sewer infrastructure, stormwater management and buffer plantings or any additional requirements imposed by the Levy Court. Said bonds shall be filed with the Department prior to the issuance of building permits. Upon completion of each improvement, the applicant shall furnish the appropriate official and/or agency with as-built drawings.”
  
5. §187-70 requires a copy of any proposed homeowners’ association documents must be submitted for review by the Planning Department prior to consideration by the Levy Court, including the Articles of Incorporation for the Homeowners Association, Bylaws, Declaration of Covenants, Conditions and Restrictions, and Maintenance Obligations Declaration documents.

6. §187-62 of the Kent County Code specifies the establishment of school and transit bus stop locations along local, minor collector, major collector, and arterial roads. The applicant is required to contact the transportation coordinator for the school district to identify the appropriate school bus stop location. Delineate the bus stop and details on the plan. While the applicant has notified the Smyrna School District, the District has not notified Kent County with their recommendations.
7. The plan must include special features at the entrance, such as a sign and/or landscaping. Please provide a detail of any proposed signage on the plan.
8. The active area shown to the south of the stormwater swale feature should be re-labeled as passive open space and reflected as such in the data.
8. Add the following notes to the plan:

“This property is located in the vicinity of land used primarily for agricultural purposes of which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals, and nighttime farm operations. The use and the enjoyment of this property are expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural use or activities.”

“All required landscape buffers shall be planted prior to issuance of 50% by bonded phase of the Certificates of Occupancy, and maintained by the applicant until all of the Certificates of Occupancy have been issued. No required landscape planting should be conducted between May 15 and September 1. The landscape buffer area and any other landscape plan depicted on the Record Plan shall be maintained in perpetuity by the Homeowners’ Association or Maintenance Corporation. These deed restrictions shall run with the land and may not be vacated by the Homeowners’ Association or the Maintenance Corporation.”

“Annotated buffers must be depicted on sales brochures, site maps and applicable deeds. Potential purchasers of lots affected by buffers must sign an acknowledgment of said buffers prior to settlement and a copy of this signed acknowledgment must be sent to the Kent County Department of Planning Services.”

“A one-year full-price replacement guarantee on all new trees planted will be held by the applicant and an additional one-year guarantee on replacements plants. The applicant is expected to maintain plantings, including watering all plants any time from April to December when natural rainfall is less than one inch per week.”

“The construction/improvement of open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that 100% of the recreation areas shall be completed prior to issuing building permits for the final 20% of the dwelling units proposed, unless a written agreement is in place between the applicant and the Planning Services Department.”

“Declarant hereby grants Kent County, its assigns and successors, the right, privilege and authority to enter upon said premises and inspect all open spaces for conformity with the provisions of the Kent County Code and with all conditions of approval imposed upon this subdivision. Maintenance of the open spaces and all expenses of maintenance shall be by the Homeowners’ Association. In the event the Homeowners’ Association fails to maintain the open space according to the standards of the Kent County Code and in accordance with the recorded or approved plan, the County may, following reasonable notice, demand that the deficiency of maintenance be corrected and/or enter the open space area to maintain same. The cost of such maintenance shall be charged to the Homeowners’ Association. The provision is pursuant to Chapter 187, Subdivision and Land Development, of the Kent County Code, as amended.”

**B. Recommendations:**

1. Development should incorporate design elements that reduce the negative visual impact on an area as well as integrate it with the surrounding area.

Staff recommends the following design elements be incorporated into the proposed site and/or building plans:

- a. Approval should be conditioned upon incorporation of the design elements included in the elevations provided by the applicant.
  - b. Large expanses of blank walls should be avoided. To that end, staff recommends vertical and horizontal off-sets be added in the exterior wall elevations. In addition, the roof lines should be varied among the buildings (e.g. mixture of hipped and gabled roof lines). Finally, staff recommends that the design elements included in the proposed elevations provided by the applicant and those mentioned above be incorporated in the side and rear elevations as well.
2. Included within the purpose statements in the Subdivision and Land Development chapter (§187-3) of the Kent County Code, there is the desire to produce positive environmental outcomes and provide for convenient distribution of population and traffic.

In order to encourage outdoor activity and to limit vehicle trips to this site, the staff recommends that bike racks be shown on the final plan at the clubhouse and each of the buildings. The specifications of the type of rack and their location should be shown.

There is sidewalk proposed along most of the rear of the buildings and with minimal additional sidewalk a continuous sidewalk network connection around the rear of the buildings could be achieved.

3. §187-72 of the Kent County Code requires that the improvement of open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed. The section states 100% of the recreation areas shall be completed prior to issuing building permits for the final 20% of the units, but does allow for an agreement to be made between the applicant and the staff that differs from these numbers.

The Staff recommends a schedule for installation of the recreational amenities, clubhouse, and landscaping be more restrictive than mentioned in the above code section. In order to guarantee that these items get constructed in a timely manner, the staff recommends that all items are installed prior to issuance of the building permit for the 2<sup>nd</sup> apartment building. This would allow for construction and habitation of an entire building before any of these improvements would have to be finished.

4. Within the active open space please include multiple picnic tables, benches and grill areas for the community to share. In addition, add details of these items along with the playground equipment to the plans.
5. The developer/owner will be responsible for maintaining the established planted buffer between this property and the Northridge development. In the event any trees perish, the developer/owner will replace those trees with like kind trees at least 6 feet in height.

#### **WAIVER REQUESTS:**

The applicant has requested a waiver from the traffic impact study (TIS) requirement per §187.90.2 F(3). As indicated in §187.90.2 F(3)(d), a TIS may be waived if in the opinion of Kent County Department of Planning Services (Planning) and DelDOT, sufficient prior traffic studies have been conducted in the area. DelDOT has provided a letter dated December 16, 2014 indicating that this proposed development is within the Brenford Area TID identified in the Kent County Comprehensive Plan and that there have been sufficient previous traffic studies in the area. Planning concurs with the DelDOT opinion. Consequently, a TIS is not required, however, the applicant is required to implement the improvements articulated in these previous traffic studies and can pay an Area-Wide Study Fee and complete a Traffic Operational Analysis.

Results of the **Traffic Operational Analysis (TOA)** are included in a January 4, 2016 memorandum from DelDOT as follows:

Should the developer choose to develop the property per the proposed land use of 112 apartments, DelDOT offers the following comments:

1. The developer should construct a rights-in, rights-out site entrance on Hickory Ridge Road. Because of the presence of an existing right turn lane for the intersection of US Route 13 and Hickory Ridge Road, the limited site frontage on Hickory Ridge Road and the presence of multiple residential driveways on Hickory Ridge Road, the developer should work with DelDOT's Subdivision and Traffic Sections to determine the optimal location for this entrance. If a right turn lane for this entrance is deemed necessary by the Subdivision Section, the length of the turn lane should be based on DelDOT's Auxiliary Lane Worksheet.
2. Related to Item 1, the developer should construct a concrete median along Hickory Ridge Road from US Route 13 to a point west of the site entrance as to prevent left turn movements at the site entrance. Details related to the construction of the median should be coordinated with DelDOT's Subdivision Section.
3. Along the Hickory Ridge Road site frontage, the developer should provide a bituminous concrete overlay to the existing travel lanes, at DelDOT's discretion. DelDOT should analyze the existing lanes' pavement section and recommend an overlay thickness to the developer's engineer if necessary. This overlay may extend beyond the site frontage as necessary to address changes in the roadway as a result of Item 2.
4. The developer should construct a single rights-in, rights-out entrance on US Route 13. Because of the presence of a signal at the intersection of US Route 13 and Hickory Ridge Road, the developer should work with DelDOT's Subdivision and Traffic Sections to determine the optimal location for this entrance. If a right turn lane for this entrance is deemed necessary by the Subdivision Section, the length of the turn lane should be based on DelDOT's Auxiliary Lane Worksheet.
5. Along the US Route 13 site frontage, the developer should provide a bituminous concrete overlay to the shoulder at DelDOT's discretion. DelDOT should analyze the existing lanes' pavement section and recommend an overlay thickness to the developer's engineer if necessary.
6. The developer should extend the northbound left turn lane at the intersection of US Route 13 and Hickory Ridge Road. The length of the lane extension should be determined by DelDOT's Traffic Section.

Please note that this analysis generally focuses on capacity and level of service issues. Level of Service tables for the existing and future cases are attached with this

memorandum. In addition, further comments related to the design of the site entrances, as well as comments relating to traffic, transit and bicycle improvements, may be made during the site plan review process.

**ADEQUATE PUBLIC FACILITIES ORDINANCE:**

**Schools**

If it is determined that the development would result in noncompliance with the adequate level of service standards for schools, the developer will be required to pay a per-unit mitigation payment. The total cost of the payment will be determined upon final plan approval. As of January 17, 2017, the per unit mitigation payment for the Smyrna School District is \$2,484.00.

**Water**

The proposed project will be connected to public water supply with fire protection as required by regulations of the Delaware State Fire Marshal and will be in compliance with the requirements of the water section of the Adequate Public Facilities Ordinance.

**Emergency Medical Services**

The applicant has agreed to pay an impact fee for each unit prior to the issuance of a building permit for the building containing said units and will be in compliance with the Adequate Public Facilities Ordinance.

**Roads**

See Waiver Request and TOA analysis above.

**II. BACKGROUND INFORMATION:**

- The Comprehensive Plan calls for highway commercial uses. The Kent County Comprehensive Plan considers medium to high densities appropriate for properties near cities and towns provided that the development density and design are in keeping with the character of the surrounding area. The proposed plan in conjunction with the design changes recommended by staff appears to be in conformance with the Comprehensive Plan.
- The property is zoned BG (General Business). An apartment complex is allowed as a conditional use with site plan in BG.
- The subject site is 10.08 ± acres and is currently vacant.
- The applicant is proposing to preserve the existing berm and landscape buffer that runs along the western edge of the property.
- The character of the surrounding area is primarily a mix of residential and commercial uses. There is a residential development to the west and a residential

development and commercial uses to the east across Rt. 13. A parcel owned by DNREC which is adjacent to Garrison's Lake is to the south, and residential development as well as Garrison's Lake Golf Course is to the north.

- The property to the south is zoned BG, with properties to the north and west zoned RS1 (Single Family Residential). The property to the east across Rt. 13 is zoned RM (Multifamily Residential) and BG.
- The applicant is requesting to add 112 apartments across 7 buildings with the central building to include a clubhouse on the first floor. The plan also includes a playground at the southern end of the property.
- This application must comply with the standards of the Adequate Public Facility ordinance. The applicant has submitted a letter addressing each one of these sections (attached). The proposed project will be compliant with the Adequate Public Facilities Ordinance.
- There is a grading plan showing the proposed grades tying into the existing grade to achieve positive drainage to the stormwater features on the property.
- Based on the requirements in §187-73, the applicant is required to plant 44 trees (one tree per 10,000 square feet of lot area for residential development located inside the Growth-Zone Overlay). The applicant is preserving the entire westerly planted buffer adjacent to Northridge Subdivision and is proposing to plant 48 shade trees not counting the arterial and parking plantings which are also on the plan. The plan includes 0.91 total acres reserved for active open space which consist of a 4,800 square foot clubhouse on the first floor of the center apartment building and 0.8 acres with a playground located at the southern end of the property. There is also 4.33 acres of passive open space.

### **III. AGENCY COMMENTS:**

#### **A. KENT COUNTY DEPARTMENT OF PUBLIC WORKS/Engineering Div. – Contact Brian Hall**

##### **Requirement & Source:**

1. This property is “legally” located in Kent County Sewage Disposal District Number One (KCSDD1), Garrisons Lake Area.
2. Due to the proposed number of units, the existing, sanitary sewer (SS) systems, and other previously approved projects in this area/basin, a Technical Feasibility Study (TFS) will be required.
3. Adherence to all applicable requirements of the Kent County Code, specifically Chapters 128 & 180.
4. Providing sanitary sewer (SS) service to all existing strip lots in accordance with Kent County Code, Chapter 187.



5. Depiction of all SS easement, right-of-way and dedication areas.
6. Adherence to Kent County's Bulk Utility Standards, Chapter 187, as applicable.

**Comment:**

1. The Engineering Division grants "Conditional Approval".

**B. DELAWARE DEPARTMENT OF TRANSPORTATION – Contact**

**Jonathan Moore**

**Comments:**

1. This project should be submitted to DelDOT for formal review.
2. Since this site has access to Hickory Ridge Road, they should anticipate that their access will be granted via Hickory Ridge Road and NOT Rt 13. I am assuming this is expected judging by the name of the application.
3. Per Section 3.2.5 of the DelDOT Development Coordination Manual Adopted March 2015, a 30-foot wide right-of-way from the centerline of the roadway is required for a local road. According to the Kent County Classification Maps, Hickory Ridge Road is classified as a major collector road, which requires a 60-foot wide right of way (30-feet from the centerline). The department will require a Right-Of-Way dedication to public use.
4. Per Section 3.2.5 of the DelDOT Development Coordination Manual Adopted March 2015, a 30-foot wide right-of-way from the outside edge of the travel lane is required for a multi-lane arterial. According to the Kent County Classification Maps, Rt. 13 is classified as a multi-lane arterial, which requires 30 feet of right-of-way from the outside edge of the travel lane. The department will require a Right-Of-Way dedication to public use.
5. Beyond the dedication of right-of-way, the applicant should anticipate the dedication of a 15 foot permanent easement on both Hickory Ridge Road and Rt. 13.
6. The site access on Hickory Ridge Road must be designed in accordance with DelDOT's Development Coordination Manual. A copy of the Manual is available at <http://www.deldot.gov/information/business/subdivisions/changes/index.shtml>
7. Pursuant to Section P.3 of the Manual, a Pre-submittal meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there/ how to prepare for it is located at [http://www.deldot.gov/information/business/subdivisions/Meeting\\_Request\\_Form.pdf](http://www.deldot.gov/information/business/subdivisions/Meeting_Request_Form.pdf).
8. Section P.5 of the manual addresses fees that are assessed for the review of the development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review.
9. In accordance with Section 3.4 of the Manual, a record plan shall be prepared prior to issuing "Letter of No Objection" review:
  - Initial Stage Fee Calculation Form
  - Initial Stage Review Fee
  - Gate-Keeping Checklist – Site Plan
  - Design Checklist – Record Plan
  - Sight Distance Spreadsheet
  - Owners and Engineers' name and e-mail address
  - Record Plan
  - Conceptual Entrance Plan
  - Submission of the Area – Wide Study Fee (If applicable)

10. Referring to Section 3.4.2.1 of the Manual, the following items, among other things are required on the Record Plan:
  - A Traffic generation Diagram. See 3.4.2-a for the required format and content.
  - Depiction of all existing entrances within 600 feet of the proposed entrance.
  - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
11. In accordance with Section 3.5.4.2.A.3 of the Manual, DeIDOT will require construction of a sidewalk/ Shared Use Path along the property frontage of Hickory Ridge Road and Rt 13. The determination of what type of path it will be will be determined by the DeIDOT Bicycle/ Pedestrian department.
12. Referring to Section 4.3 of the Manual, an entrance plan shall be prepared prior to issuing entrance approval. The following information will be required for Entrance Plan review:
  - Construction Stage Fee Calculation Form
  - Construction Review Fee
  - Gate-Keeping Checklist – Entrance Plan
  - Design Checklist – Entrance Plan
  - Auxiliary Lane Spreadsheet Entrance Plan
  - Pipe/ Angle Spreadsheet (If Applicable)
  - SWM Report and Calculations (If Applicable)
13. In accordance with Section 5.2.5.6 of the Manual, Turning Movement Diagrams shall be provided to verify vehicles can safely enter and exit the site entrance. As per Section 5.2.3 of the Manual, the entrance shall be designed for the largest vehicle using the entrance.
14. In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrance and how long those lanes should be. The worksheet can be found at [http://www.deldot.gov/information/business/subdivisions/auxiliary\\_lane\\_worksheet.xls](http://www.deldot.gov/information/business/subdivisions/auxiliary_lane_worksheet.xls).
15. In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/information/business/subdivisions/Intersection-Sight-Distance.xls>.
16. In accordance with Section 5.14 of the manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.
17. Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems open or closed, that fall outside the existing right-of-way or the drainage/ utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.

**C. KENT CONSERVATION DISTRICT – Contact David Cahill**

**Source:** 2014 Delaware Sediment and Stormwater Regulations

**Requirements:**

1. The Kent Conversation District has no objection to the proposed conditional use of the above referenced property.

2. Land disturbing activities in excess of 5,000 square feet are regulated under the Delaware Sediment and Stormwater Regulations. A detailed sediment and Stormwater management plan must be reviewed and approved by the Kent Conservation 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 Kent Conservation District. Construction inspection fees based on developed area and Stormwater facility maintenance inspection fees based on the number of Stormwater facilities are due prior to the start of construction. Please refer to the fee schedule for those amounts.
3. The following notes must appear on the record plan:
  - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
  - The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
  - A clear statement of defined maintenance responsibility for Stormwater management facilities must be provided on the Record Plan.
4. Ease of maintenance must be considered as a site design component and a maintenance set aside area for disposal of sediments removed from the basins during the course of regular maintenance must be shown on the Record Plan for the subdivision.
5. All drainage ways and storm drain should be contained within drainage easements and clearly shown on the plan to be recorded by Kent County.
6. A soils investigation supporting the Stormwater management facility design is required to determine impacts of the seasonal high groundwater level and soils for any basin design.

**Comments:**

1. Green Technologies (filter strips, bio-retention, and bio swales) must be considered prior to the use of traditional Stormwater methods (wet, dry or infiltration facilities).
2. The designer is encouraged to consider the conservation design approach and limit the amount of tree clearing required for the development of the site including the stormwater management facilities shown in the wooded areas.
3. Access to the proposed stormwater facility must be provided for periodic maintenance. This access should be at least 12 feet wide to leading to the facility and around the facility's perimeter.
4. It is recommended that the stormwater management areas be incorporated into the overall landscape plan to enhance water quality and to make the stormwater facility an attractive community amenity.
5. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been re-approved.
6. Proper drainage of developed lots and active open space should be considered in the development of the grading plan for this subdivision.
7. Based on the site characteristics, a pre-application meeting is required to discuss stormwater management and drainage for this site.

**D. DELAWARE DIVISION OF PUBLIC HEALTH – Contact William Milliken**

**Comment:**

This application states that public water will be supplied by Tidewater Utilities, Inc. This project requires the owner to obtain a Certificate to Construct from the Office of Engineering.

In order to obtain a Certificate to Construct, plans and specifications must be prepared by a registered Delaware professional engineer. Plans for the system, including water mains or extensions thereto, storage facilities, treatment works, and all related appurtenances, must be approved by the Office of Engineering prior to construction. A Certificate to Operate will be issued after all applicable requirements are met. Please contact Bill Milliken or Doug Lodge, PE at (302) 741-8640 for further information.

**E. DNREC – Site Investigation and Restoration Section (SIRS) – Contact Krystal Stanley**

**Regulations/Code Requirements**

DNREC's Site Investigation and Restoration Section (SIRS) has reviewed the proposed project.

- If it is determined by the Department that there was a release of a hazardous substance on the property in question, it is suggested that the guidelines and provisions of 7 Del.C. Chapter 91, Delaware Hazardous Substance Cleanup Act and the Delaware *Regulations Governing Hazardous Substance Cleanup* be followed.
- There are no SIRS sites found within a ½-mile radius of the proposed project:

**Suggestions**

- SIRS strongly recommends that the land owner perform environmental due diligence of the property by performing a Phase I Environmental Site Assessment (**including a title search to identify environmental covenants**) in accordance to Section 9105(c) (2) of the Delaware Hazardous Substance Cleanup Act (HSCA). While this is not a requirement under HSCA, it is good business practice and failure to do so will prevent a person from being able to qualify for a potential affirmative defense under Section 9105(c) (2) of HSCA.
- Additional remediation may be required if the project property or site is rezoned by the county or state.

- Should a release or imminent threat of a release of hazardous substances be discovered during the course of development (e.g., contaminated water or soil), construction activities should be discontinued immediately and DNREC should be notified at the 24-hour emergency number (800-662-8802). SIRS should also be contacted as soon as possible at 302-395-2600 for further instructions.

**VI. OWNER/DEVELOPER:** The owner shall be aware of and be prepared to comply with all comments regarding this project stated in this report. All comments must be addressed in the final plan prior to final approval. Letters of “No Objection to Final Approval” from the following agencies will be required prior to final approval:

- A.** DelDOT, Division of Highways
- B.** Kent Conservation District
- C.** Office of State Fire Marshal
- D.** Kent County Department of Public Works

This recommendation is offered without the benefit of public testimony and is based on the information presented when the application was received by the Department of Planning Services.

ENC: Data Sheet  
Exhibit A – Location and Zoning Map  
Exhibit B – Plot Plan  
Exhibit C – Left and Right Side Plot Plan  
Architectural Rendering of Front Elevation  
Letter addressing APFO requirements  
Waiver Request from County Code dtd. 1/12/15  
DelDOT Traffic Operational Analysis (TOA) Information