

Kent County



Department of Planning Services Division of Planning

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STAFF RECOMMENDATION REPORT July 12, 2018

Application / Title	:	S-18-03 Spring Meadow Corporate
Present Zoning District	:	BN (Neighborhood Business District)
Present Use	:	Vacant
Proposed Use	:	Office Building
Relation to Growth Zone	:	Inside
Area and Location	:	1.84 ± acres located on the east side of S. Dupont Hwy. (US Rt. 13), approx. 850 ft. south of Spring Meadow Dr., south of Smyrna

I. STAFF RECOMMENDATION:

The staff recommends **CONDITIONAL APPROVAL** of the proposed Site Plan for the use as an office building based on the information submitted as the application demonstrates compliance with the conditions for approval as outlined in the Code and with the following comments, 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 shall not commence and Building Permits shall not be issued until final plan approval is given. Furthermore, §187-41(C) states that application for building permits must be made within 18 months of final approval. If no applications are received, the plan shall be considered invalid and a new application process will be required.

B. Recommendations:

1. Staff recommends the RPC give considerable attention to the architectural integrity of the proposed building and that architectural and landscape features be incorporated into the building in conformance with the Kent County Comprehensive Plan which states that:

“large expanses of blank walls are to be avoided. The public façade should incorporate windows and primary doorway entrances along the street frontage, as well as projecting elements such as eaves, cornices, canopies, projecting bays, shadow lines and overhangs.”

Architectural renderings were provided as part of this application. They show that the front of the building facing Rt. 13 will include a brick façade with windows and a door to each unit.

Staff recommends that the architectural features be incorporated on the sides of the building visible to the street. This would include features on the north, west, and south sides of the building since both side portions of the building will be visible to passing traffic on Rt. 13. The goal is to make an aesthetically pleasing experience for the employees, customers, and the citizens passing the site on Rt. 13. Further, it is recommended using multiple-façade materials as well as the general roof shape, ridge and eave heights include durable exterior surface materials that complement and are visually compatible with the color, texture, size, and scale of exterior materials reflected on existing buildings in the vicinity. The only new building in the area is the clubhouse for Spring Meadow subdivision. This is the building the applicant should look at for compatibility. (See attached exhibit.) With it being located immediately to the north, this would begin a consistent architectural style along this portion of Rt. 13 that can be replicated as more parcels are developed.

Additional guidance for this type of design can be seen in Kent County Code §187-90.1(I)(4). Revised architectural renderings showing the proposed design shall be submitted prior to final approval.

2. In the same vein, the staff recommends that any detached signage that is added to the site is built of similar materials as the sign for Spring Meadow development to the north. It is a monument style sign that is built of stone. (See attached exhibit.) This will provide a consistent visual character of signage that can be duplicated as more properties develop along Rt. 13. The sign should be no more than 32 sq. ft. in size, be no higher than 6' from grade, and be located no closer than 5' to the front property line.
3. In conjunction with the comments made by the Delaware Division of Fish and Wildlife on your previous application, the area within 100' of the wetlands must be planted with **native** trees, shrubs, or vegetation other than mowed lawn. Further, pursuant to the recommendations of Chapter 8 of the 2007 Kent County Comprehensive Plan, we do

strongly encourage the use of **native** plants as much as possible. Three non-native trees are listed in the Planting Schedule, as follows:

- Norway Maple and Callery Pear: Although these are listed in Kent County Code Appendix E, they are currently considered invasive by DNREC and the Delaware Invasive Species Council. Further, neither of these trees are native to Delaware, and as such, should be replaced with non-invasive, native trees.
- Japanese Cherry: This tree is not listed in Kent County Code Appendix E nor is it native to Delaware. This tree should be replaced with a non-invasive, native species.

II. ADEQUATE PUBLIC FACILITIES ORDINANCE

A. APFO Compliance

This application must comply with the standards of the Adequate Public Facilities Ordinance, but only the roads section will apply to a non-residential site plan.

The proposal is for a nonresidential land development and the applicant has indicated that the project will not generate more than fifty (50) peak hour trips. The applicant has indicated that there will be 28 peak hour trips. This figure is less than 50 peak hour trips and would not require a Traffic Impact Study to be completed.

To ascertain whether the area of influence of this project extends beyond the site entrance(s) of the property, the following calculations were made: The AADT (Annual Average Daily Traffic) for East Lebanon Rd. is 31,379. North Dupont Hwy is classified as a minor arterial that calls for the above number to be multiplied by 1%. Doing so results in 314 trips. The maximum number of peak hour trips generated by this use is 28 trips. Since this trip count does not exceed the above calculated value, the area of influence for this application does not extend beyond the site entrance. No traffic impact study is required and levels of service are not examined for this application.

The proposed project is compliant with the Adequate Public Facilities Ordinance.

III. BACKGROUND INFORMATION:

- The property is zoned BN (Neighborhood Business District). The professional office use currently proposed is a permitted use within the BN Zoning District. The proposed plan is in conformance with the Comprehensive Plan which calls for neighborhood commercial uses.
- The character of the surrounding area is commercial and residential in nature. There are single family dwellings to the east within the Spring Meadow subdivision. The open space and clubhouse for this community is to the north. To the south are a sewer pump

station, a billboard, and a motel. To the west, across Rt. 13, is a vacant commercial property being actively farmed.

- The applicant is required to go through the Site Plan process with approval by the RPC as the site improvements exceed 5,000 sq. ft. of impervious surface coverage. The applicant is proposing a 9,100 S.F. building and a parking area.
- Based on the parking calculation of one (1) parking space for every 200 SF of area, 46 parking spaces are required for the use. The site provides 49 parking spaces that include two (2) handicap parking spaces and one loading space.
- A Landscape Plan has been provided for the proposed tree plantings.
 - Based upon the area of this project the applicants are required to plant 13 trees. The plan meets the tree planting requirement with a combination of evergreen and deciduous trees that will be planted.
 - There are a number of plants, trees, and shrubs planted within the arterial street buffer along Rt. 10. In addition, there is a partial buffer planted along the residential lot lines to further supplement the existing trees to satisfy the requirements of buffering a non-residential use.
 - There are foundation plantings where required along the front of building. The foundation planting buffer is a combination of bushes.
 - There are plantings shown in the parking island located to the west of the handicap parking spaces as required in §205-224(C)(3). The parking island has a storm sewer pipe running under it and the applicant has expressed concern about meeting the planting requirements in this 75 square foot space. In the event that the proposed plantings cannot be located in this parking island, applicant has been advised that they will need to apply for a variance. Denial of a variance will not eliminate the planting requirement.

IV. AGENCY COMMENTS:

A. KENT COUNTY DEPARTMENT OF PUBLIC WORKS, Engineering Division

Requirements & Sources:

1. Property is “legally” located in KCSDD1, Garrisons Lake area.
2. “Technically”, there is an existing, gravity service lateral/main to the property.
3. Adherence to all applicable requirements of the Kent County Code, Chapter 128 and 180.
4. Depiction of all SS easement, right-of-way and dedication areas.
5. This office provided more specific comments to the consultant on May 18, 2018.

Comment:

1. The Engineering Division grants “Conditional Approval”.

V. **OWNER/DEVELOPER:** The owner shall be aware of and 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 shall be required prior to final approval:

- DelDOT, Division of Highways
- Kent Conservation District
- Office of State Fire Marshal
- Kent County Public Works

ENC: Data Sheet

Exhibit A – Location Map

Exhibit B – Site Plan (Cropped)

Proposed Architectural Rendering

Staff Recommended Architectural Examples from Spring Meadow Residential Development

Preliminary Site Plan