



Department of Land Use

Department of Land Use Revised Preliminary Plan Report

To: Andrew Hayes – Fore Site Associates

Date - December 22, 2009

Application Number – 2009-0201-S

Name of Project - Columbia Place at Garden of Eden Road

Description - Proposed 149 unit age restricted condominium community
Redevelopment Plan and Rezoning

Type of Plan - Major Land Development Plan/Rezoning

Date of 1st Review - June 23, 2009

Project Review Team -

Planner Antoni Sekowski at 395-5414 or asekowski@nccde.org *AS*

Engineer Eric Laramore, P.E. at 395-5447 or elaramore@nccde.org *EL*

Historic Christine Quinn at 395-5521 or cquinn@nccde.org

Transportation John Janowski at 395-5426 or jjjanowski@nccde.org

Special Services Robert Magnotti at 395-5722 or rmagnotti@nccde.org

Public Hearings:
County Council

Status: The Preliminary Plan has been found acceptable to proceed to County Council in accordance with Articles 40.08.130B6 and 40.31.113 of the County Code. The following items will need to be addressed with a complete Record Plan submittal:

Planning:

1. Note that Table 40.08.130.B (as submitted) has been found acceptable. Once the landscape plan is complete, the applicant may propose a credit for landscaping improvements;
2. Revise the plan to remove the inset for the alternative parking design;
3. The provided supplemental exhibit demonstrates compliance with Section 40.20.225 of the County Code. Please note that the pond area and two fragmented pieces of open space located at the site entrance may not count toward the minimum acreage requirements. Revise the plan to remove your note 37;

4. The plan no longer labels the 24inch DBH specimen tree on the southerly side of building 1. Additionally, the applicant should make an effort to maintain the specimen tree located on the westerly side of the entrance. Disturbance to specimen trees may require mitigation in accordance with 40.23.320 of the NCCC;
5. It has been noted that the project proposes to utilize Table 40.04.112 of the County Code for apartment bulk restrictions. Additionally, it has been noted that internally, the townhouse and detached structures have been designed to meet the bulk standards specific to those unit types, Note that the bulk restrictions notes will need to be updated accordingly. As you are aware, the proposed site configuration and internal building spacing is subject to the approval of the Office of the State Fire Marshal. Revise your note 33 on the plan to state the following. "In accordance with Section 40.26.250 of the County Code, the plan proposes townhouse and detached apartment units without the 30 foot building spacing;
6. Revise your notes 29 and 30 to reference the Board of Adjustment application number and decision date;
7. The plan should include a note which indicates that two 9'X20' parking spaces must be provided beyond the edge of the proposed sidewalk for all attached and detached dwelling units;
8. The proposed sidewalk to the adjoining southerly property line should reflect that it will tie into a striped cross walk;
9. The Record Plan will not need to contain an existing improvements overlay or topography;

Engineering:

The Engineering Section has reviewed the revised preliminary plan submission and finds the plan acceptable. A cover letter addressing each comment within this review letter must accompany any future submission of this application. The letter must describe the manner in which each comment was addressed. If the following items are not addressed as part of any future submission, the submission will be considered incomplete, automatically denied and returned.

1. Date Received by Engineering Section:12/03/09
Date Completed by Engineering Section:12/16/09
Number of Days in the Engineering Section: 9 days
2. Provide a full hydrograph report for the pre-development 2 year frequency storm event in all future submissions of the stormwater report.
3. Please note, there are no current design standards for 'rain gardens' in the State of Delaware. Pending the degree of modification of these systems from the current

standards for bioretention facilities, review and approval from DNREC Division of Soil and Water may be required.

4. Please note, while the proposed wet pond is to be an additional amenity as proposed by this application, the facilities primary purpose is the management of stormwater runoff and all requirements of NRCS Pond Code 378; specifically with respect to safety and benching, shall be met in accordance with Section 10.3.6 of the Delaware Sediment and Stormwater Regulations.
5. The Engineering Section acknowledges that the analysis point chosen for the downstream analysis, pursuant to Section 12.04.001.F of the NCC Drainage Code, is acceptable.
6. Be advised, additional comments may be issued on this application due to future plan changes, additional or new information or based upon the level of exactness of the information submitted.

Historic:

No known Historic issues.

Standard Approvals and Comments before Recordation

1. Approval from DelDOT will be required;
2. Approval from the Office of the State Fire Marshal will be required;
3. Provide certification from the water supplier in accordance with Section 40.05.310 of the NCCC;
4. Section 40.07.700 will need to be addressed prior to plan recordation;
5. Submit a copy of the plan to the Department of Land Use, Mapping Section for review of postal addresses. Written approval, referencing the latest plan revision date, must be received prior to record plan approval;
6. Performance Surety must be provided in accordance with Chapter 40, Division 31.800 of the NCCC and current Department of Land Use policy. Initiate the Land Development Improvement Agreement by submitting the Land Development Improvement Agreement Information Sheet based either on the Formula Method or the Cost estimate Method, to this office. The LDIA must be recorded prior to plan recordation;
7. Provide monuments in accordance with Section 40.20.520 of the NCCC;
8. A Landscape Plan, Open Space Management Plan will need to be submitted and approved;

9. All condominium declaration issues will need to be addressed prior to plan recordation;
10. A Lighting Plan must be approved prior to plan recordation;
11. Provide a Maintenance Escrow note and a Residential Stormwater Management Facility Maintenance Fund note in accordance with Section 40.27.220 and 40.27.230 of the NCCC. As you are aware, appropriate amounts must be determined prior to the recordation of this plan;
12. Submit the executed and notarized maintenance organization compliance and disclosure affidavit required by Chapter 40, Section 27.140.H of the NCCC;
13. Submit a copy of the required maintenance declaration and a copy of the plan to the Division of Law and this department for review and approval. Please note that the maintenance declaration must be recorded prior to plan recordation;
14. Please note that Table 40.31.390 of the NCCC outlines time limits for expiration of plan.

CC: Kathy Craven
Jerome Heisler, Jr.
Michael J. Bennett
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