



PETITION TO AMEND ZONING DISTRICT
Public Hearing Before the Planning Commission
April 17, 2023

Applicant/Equitable Owner: Leander Lakes III, LLC

Owner: Jireh Christian Center Inc.

Address: 2161 Forrest Avenue, Dover DE

Location: South side of Forrest Avenue west of Dover High Drive

Tax Parcel: ED-05-075.00-01-05.00-000

Overall Parcel Size: 11.9973 acres+/-

Present Use: Existing Place of Assembly (Church Building), parking lots, and open lawn areas

Comprehensive Plan Designation: Residential Medium Density

Present Zoning: R-10 (One Family Residence Zone) and COZ-1 (Corridor Overlay Zone)

Proposed Zoning: RM-2 (Medium Density Residence Zone) and COZ-1 (Corridor Overlay Zone)

Request: To amend the zoning of the parcel at 2161 Forrest Avenue from R-10 & COZ-1 to RM-2 & COZ-1. The proposed use is multi-family residential.

File Number: Z-23-01

Ordinance Number: 2023-04

I. APPLICATION SUMMARY:

This Rezoning Application is for a parcel of land consisting of 11.9973+/- acres. The property is zoned R-10 (One-Family Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning for the property is R-10 (One Family Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side Forrest Avenue west of Dover High Drive. The owner of record is Jireh Christian Center Inc. The equitable owner is Leander Lakes III, LLC. Property Address: 2161 Forrest Avenue. Tax Parcel: ED-05-075.00-01-05.00-000. Council District 1. Ordinance #2023-04.

Existing Property:

At 2161 Forrest Avenue, there is an existing church building on the subject property known as Density Christian Church. The building was constructed prior to the property becoming part of the City. The subject parcel of 11.9973+/- acres has frontage on Forrest Avenue and then runs in a southerly direction to the northwest side of Isabelle Isle, a named drive aisle within the adjacent existing Leander Lakes Apartment complex. The property has a tree-lined entrance drive from Forrest Avenue which leads to the parking lots flanking the church. From this drive aisle, there is a limited access connection to Bliss Bayou (named drive aisle) near Buildings 9 and 10 of the Leander Lakes Apartment complex. A portion of this entrance drive aisle is located on the adjacent Leander Lakes property within an existing access easement

Previous Applications:

The property was annexed into the City in early 2007 along with several other properties on the west side of the City following the annexation of the Carey Farm for the site of the new Dover High School (AX-06-09). At the time of annexation, the property was zoned to R-10 (One Family Residence Zone) and COZ-1 (Corridor Overlay Zone). A few years later about 30 acres of the property was subdivided from the church tract and rezoned to RM-2 and COZ-1 before being developed as the Leander Lakes Apartment Complex (Z-09-01). The Destiny Christian Church at one time proposed a building addition with Administrative Site Plan S-19-04, but the project did not commence.

Surrounding Land Uses

The surrounding parcels are zoned residential. Located to the north across Forrest Avenue (Route 8) are a series of lots with single family homes which are outside City limits and under the jurisdiction of Kent County. The property is surrounded on two sides (east and southeast) by existing Leander Lakes I Apartment complex (on two parcels) which is zoned RM-2. This adjacent multi-family development of 240 apartment units is known as Leander Lakes (S-12-18) was constructed beginning in 2012. The property immediately adjacent to the west is the 25-acres of land proposed for the future Leander Lakes III Apartment complex of 200 units (S-23-04) which is proposed to be subdivided from the tract to the west which is the future site of the Calvary Baptist Church (C-19-06) at 2285 Forrest Avenue.

II. COMPREHENSIVE PLAN COMPLIANCE REVIEW

In the *2019 Comprehensive Plan*, the Land Development Plan (Map 12-1) recommends that this property be used for Residential Land Uses as Residential Medium Density. The assumptions, goals and polices for Residential Land Uses Areas are listed in the *2019 Comprehensive Plan* excerpts presented below (pages 12-2 and 12-3):

Assumptions: Residential Land Uses

1. With the high cost of housing, it is essential to the economic well-being of the community to provide for a range of housing opportunities for all income levels and age groups.
2. A more efficient and effective interior circulation pattern within residential areas will provide improved traffic circulation, school bus access, service delivery access, emergency response services access, and alternative access points. These elements can help foster a greater sense of community among residents while providing them with greater convenience.
3. A more efficient and effective residential development pattern can be achieved by encouraging the development of land closer to existing neighborhoods, making the delivery of police, fire, ambulance, sanitation, school transportation, sewer, water, and electric services easier and less expensive.
4. Proper separation of incompatible land uses through physical distance and buffering creates stronger neighborhoods.

Goals: Residential Land Uses

To develop and maintain an adequate supply of housing of varying type, size, and densities that are aesthetically pleasing and located within neighborhoods designed or redesigned to promote convenience, conservation, and access to the greater community, but which are properly buffered through distance and landscaping from incompatible land uses.

Policies: Residential Land Uses

- Allow flexibility in housing styles and types while regulating gross density within residential developments.
- Require linkage streets and sidewalks between adjoining residential subdivisions and street right-of way stubs to adjoining vacant developable land.
- Encourage the separation of residential areas from incompatible uses through buffering distances and the use of transitional zoning categories.
- Encourage high density residential development in infill areas that are near essential services, public transit, and employment opportunities.
- Permit limited compatible neighborhood commercial uses that support surrounding residences within residential areas.

The following is an excerpt from the *2019 Comprehensive Plan* regarding Residential Medium Density land uses (pages 12-4 and 12-5):

Recommendation for Residential Medium Density

Residential Medium Density land uses involve a maximum gross density of eight (8) dwelling units per acre. This type of development may include single family houses on smaller lots, duplexes, townhouses, and some apartments. Some Manufactured Home Park developments would also be considered Residential Medium Density. Medium density residential uses are permitted in the following zoning districts: R-8 (One Family Residence Zone), R-7 (One Family Residence Zone), RM-1 (Medium Density Residence Zone), RM-2 (Medium Density Residence Zone) planned to reflect the historic patterns and mix of land uses common to Dover's early development, RG-1 (General Residence Zone), RG-2 (General Residence Zone), RG-3 (Group Housing Zone), RGO (General Residence and Office Zone), and MH (Manufactured Housing Zone).

The Land Development Plan recommends that Residential Medium Density uses be permitted near existing and planned service and employment centers and in locations well supported by transportation infrastructure and mass transit services. Areas identified as Medium Density Residential can be looked at as potential receiving areas under a transfer of development rights program. Areas in the northern portion of the city are appropriate for Residential Medium Density development.

West Side Neighborhood: Residential Medium Density

Residential Medium Density development on the West Side tends to be located to the periphery of the area where both existing development, ongoing development and vacant lands are found. These areas are buffered by older residential areas and public/institutional uses but could be impacted by traffic and circulation concerns driven by commercial activities along the two major roadways, Route 8/Forest Avenue and McKee/Scarborough Road.

Existing mix of housing types such as in the Village of Westover Planned Neighborhood Design (PND) and Village of Cannon Mill Planned Neighborhood Design (PND) are nearing the end of construction in those developments. A newer development, Chestnut Grove Farms has started construction and will build a variety of single-family detached homes, duplexes, and townhouses.

The Rezoning Request to RM-2 (Medium Density Residence Zone) is consistent with the Land Use Classification of Residential Medium Density. Table 12-1: Land Use and Zoning Matrix (from the *2019 Comprehensive Plan*) specifies that the following zones are compatible with this Land Use classification. See the excerpt from Table 12-1 given below. It is noted that the Residential Medium Density Land Use Category identifies several zoning districts that allow for a mix of residential unit types.

Residential Medium Density	R-10 (One Family Residence) R-8 (One Family Residence) R-7 (One Family Residence) RM-1 (Medium Density Residence) RM-2 (Medium Density Residence) RG-1 (General Residence) RG-2 (General Residence) RG-3 (Group Housing) RGO (General Residence and Office) MH (Manufactured Housing) C-1 (Neighborhood Commercial)
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III. ZONING REVIEW

Request for RM-2 (Medium Density Residence Zone) Zoning

The following description of the RM-2 zoning district is provided from Article 3 §7 of the *Zoning Ordinance*.

Article 3 Section 7. - [Medium density residence] RM-2 zone.

7.1 *Uses permitted.* In an RM-2 zone, no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purposes, except the following:

- (a) Any use permitted in one-family residence zones;
- (b) One-family lot-line dwellings, not to exceed one such dwelling per lot;
- (c) Duplex dwellings;
- (d) Multiplex dwellings;
- (e) Townhouses;
- (f) Roominghouses accommodating not more than five roomers.
- (g) Garden apartments.

7.2 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

7.3 *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and related accessory structures. The approval shall be required prior to the issuance of certificates of occupancy for a change of use.

7.4 *Maximum density.* The gross residential density in an RM-2 zone shall not exceed eight dwelling units per acre.

7.5 *[Signs.]* Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.
(Ord. of 2-12-2001)

COZ-1 (Corridor Overlay Zone)

The purpose and requirements of the COZ-1 (Corridor Overlay Zone) are given in Article 3 §27 of the *Zoning Ordinance*. The COZ-1 regulations include the following:

Article 3 Section 27. – Corridor overlay zone 1 (COZ-1).

27.1 *Purpose*. The corridor overlay zone (COZ) is established for the following reasons:

- (a) To promote superior urban corridor development and the highest quality built environment;
- (b) To foster coordination and linkage among corridor properties and with adjacent lands;
- (c) To preserve the functionality and efficiency of the roadway for traffic movement; and
- (d) To achieve a visually balanced streetscape environment which is friendly to the pedestrian and motorist alike.

27.2 *Superior urban design*. For the purposes of this ordinance the term "superior urban design" shall meet the following criteria:

(a) Superior urban design places a strict and primary importance on the pedestrian. The concept should lend itself to interconnectivity while presenting building structures as aspects of the street, not simply islands existing in the "sea of roads". The design should encourage fewer car-trips, as well as promote automobile trips on an interconnected local street system rather than trips that utilize the arterials. In demonstrating superior urban design, an applicant must show that the plan presented exceeds the requirements of the zoning ordinance in at least two of the following areas:

- (i) Transportation amenities for bicycles, pedestrians and transit that exceed those required by the zoning ordinance;
- (ii) Architectural features including, but not limited to: LEED-certified buildings; unique architecture not replicated in other locations; use of architectural elements such as entry porticos, porte-cocheres, colonnades, cornices, porch columns and balusters, band courses, coins, water tables and other trim that enhances visual quality and function of the structure; and use of the highest-quality construction materials.
- (iii) Landscaping that exceeds the requirements of this section, including robust use of trees, shrubbery, and flowering plants to screen parked cars; water gardens and ponds; arboretums; tree preservation measures;
- (iv) Public spaces and art including, but not limited to, sculpture, memorials, murals, public court yards and pocket parks, and fountains;
- (v) Green technologies for stormwater management, as well as green energy technologies such as geothermal heating and cooling and solar energy supplies.

(b) The city planner shall develop policy guidance on how the concept of superior urban design will be evaluated.

27.3 *Zone boundaries*. The COZ encompasses the lands adjacent to the following roadways as outlined on the City of Dover Zoning Map as set forth in [article 2](#), section 2 of this ordinance:

- (a) Delaware Route 8 (Forrest and Division Streets) from the railroad tracks in a westerly direction to the city limit line.
- (b) McKee/Saulsbury Road (County Road 156) from the intersection at Dennys Road (County Road 100) in a southerly direction to the terminal intersection with West North Street (County Road 73).

27.4 *Permitted uses*. Land use shall be governed by those provisions of this ordinance related to the specific zoning district designations of each property as depicted on the zoning map.

27.5 Site development plan approval. Site development plan approval in accordance with [article 10](#), section 2 shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change in use. When the zoning district regulations specify that a particular use requires conditional use approval in accordance with [article 10](#), section 1, the provisions of that article shall apply. Site development plans and conditional use site plans for properties within the COZ shall reflect compliance with the development guidelines of this article, in addition to all other applicable codes and regulations.

27.6 Development guidelines.

27.61 Setbacks:

a. Front yards.

	Residential	Nonresidential
	Min. Max.	Min. Max.
McKee/Saulsbury	60' to 80'	40' to 50' *
Route 8—Artis Drive to Mifflin Road	60' to 80'	None
Route 8—Mifflin Road to Saulsbury Road	40' to 60'	40' to 60' *
Route 8—Saulsbury Road to R.R. line	20' to 30'	20' to 30'
Subdivision streets	(Setback provisions of article 4 shall apply)	

* When the applicant can demonstrate to the satisfaction of the planning commission through the site plan review process that the proposal involves a superior urban design, the maximum setback may be increased to no more than 90 feet from the property line on Route 8 from Mifflin Road to Saulsbury Road and on McKee and Saulsbury Roads.

27.62 Building placement. Buildings shall be situated on the property so as to maximize the use of the frontage along the roadway and shall have the longest side of the building arranged parallel and square to the roadway. When the applicant can demonstrate to the satisfaction of the planning commission that, due to specific constraints related to lot configuration, alternative building placements may be permitted.

27.63 Parking.

(a) **Location.** Parking shall not be permitted to be situated within the front yard, nor between the right-of-way line and the building, except in the following instances:

(i) Automobile service stations;

(ii) Properties in a shopping center (SC) zoning district, in which case, parking may be permitted between the building and the roadway, provided that such parking [shall] be limited to five rows of single parking spaces between the road and the storefront;

(iii) When the applicant can demonstrate to the satisfaction of the planning commission through the site plan review process that the design presented involves a superior urban design, parking may be permitted between the building and the street, provided that such parking within this area shall be adequately landscaped and screened from the roadway.

(b) **Required number of spaces.** See specific district requirements in [article 4](#).

(c) **Layout.**

(i) Parking lots shall be arranged in such a manner so that not more than 20 parking spaces in a row shall be permitted without a landscaped island. No more than six rows of 20 spaces shall be provided without provision for a landscaped median. Parking islands shall be a minimum of ten feet wide and planting medians shall be no less than eight feet wide.

(ii) There shall be a landscaped buffer area of at least 12 feet in width between the building and parking lot and drive areas. The buffer area shall include provisions for a sidewalk of at least six feet and no greater than eight feet in width. The buffer area and sidewalk shall be grade separated from the parking lot by concrete curbing of at least six inches in height.

(d) *Landscaping.* Design shall be simple and easy to maintain and shall consist of a combination of hardy canopy trees, low evergreen shrubs and turf grass, and shall be designed in accordance with landscape guidelines set forth in [article 5](#), section 15 of this ordinance and as follows:

(i) *Interior landscaping.* A minimum of five percent of the interior area of a parking lot shall be reserved for landscape purposes. This provision shall include the landscaping of all required parking islands and medians. Shade trees shall be incorporated within the landscaped islands whenever and wherever practicable.

(ii) *Parking lot screening adjacent to public right-of-way.* Low profile screening shall be required when parking spaces would result in vehicles facing onto the roadway. Screening may consist of a low wall, evergreen hedge with a minimum height of two feet at the time of planting, planted three feet apart on center, and a maximum height of three feet at maturity, or earth berm. Should a low wall be used, such wall shall be accompanied by evergreen shrub plantings on the roadway side of the wall and spaced ten feet apart on center.

(iii) *Reserved.*

27.64 Site access.

(a) *Entrance width and radii.* Site entrances shall have a minimum width of 24 feet. Entrances involving a median divider shall be at least 35 feet in width. Entrance radii shall be a minimum of 15 feet and a maximum of 25 feet.

(b) *Number of entrances and curb cut spacing.* One curb cut shall be permitted for each street which abuts a site. For sites with street frontage in excess of 300 linear feet, one additional curb cut may be permitted. For sites with street frontage in excess of 600 linear feet, two additional curb cuts may be permitted.

Multiple curb cuts on a property shall have a minimum spacing distance in accordance with the following schedule:

Speed Limit	Maximum Spacing (Ft.)
25	105
30	125
35	150
40	185
45	230
50	275

(c) [*Shared access.*] Shared access shall be provided, whenever possible, for entrances to adjoining uses, including residential driveways.

(d) [*Cross access.*] Cross access shall be provided among abutting uses of similar use categories, whenever possible, to provide linkage between properties as an alternative to re-entering the corridor to access both existing and future neighboring properties.

(e) *Entrance locations for adjoining properties.* Commercial site entrances shall be no closer than 25 feet to an adjoining property which is zoned residential and no closer than ten feet to an adjoining property which is in a nonresidential zoning category.

27.65 [*Signs.*] Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.

27.66 *Building height.*

(a) Buildings shall be limited in overall height to 35 feet and shall not exceed two stories.

27.67 *Open space and landscaping.*

(a) *Lot coverage.* Each lot shall have a minimum of 25 percent of the lot area dedicated to be landscaped open space. A lesser amount of landscaped open space may be permitted when it can be demonstrated to the satisfaction of the planning commission, through the site plan review process, that, due to lot configuration and existing built conditions, the required minimum is impractical.

(b) *Frontage.* Each lot shall have a landscaped open space of at least 25 feet in width, measured from the back of curb along the entire frontage of the lot, except at points of site access. Trees shall be provided along the frontage perimeter at a minimum rate of one tree for each 50 linear feet of frontage.

(c) *Side and rear yards.* A minimum of 15 feet of landscaped open space shall be provided along all side and rear lot lines when abutting a residential use and a minimum of five feet when abutting a nonresidential use. Tree plantings shall be provided along all non-frontage perimeters at a minimum rate of one tree for each 75 linear feet.

(d) *Stormwater detention ponds.* Detention ponds may be counted toward the minimum 25 percent open space area, provided that such ponds are designed to emulate natural features by incorporating irregular outline, gradual slopes (no greater than 1:4), and appropriate landscape plantings.

(e) *Landscaping.* Landscaped open spaces shall be designed in accordance with the provisions of this section, as well as the landscaping guidelines as set forth in article 5, section 9 of this ordinance.

(f) *Screening.* The following items shall be located so as to minimize visibility from the roadway, adjacent properties and other public areas, and shall be screened from public view:

- (1) Service bays;
- (2) Loading docks and platforms;
- (3) Rooftop utilities;
- (4) Satellite dishes;
- (5) Dumpsters;
- (6) Storage areas.

(g) *Standard for tree plantings.* Trees shall be of a high canopy variety and shall be limbed to a minimum height of 12 feet above grade at maturity.

(h) *Standards for shrubbery.* Shrubby shall be of a low evergreen variety and shall be limited to use as foundation plantings and for screening purposes.

(i) *Standards for ground cover.* Ground cover shall be limited to turf and ornamental grasses and ornamental evergreen ground cover plantings within required landscape areas.

27.68 *Lot configuration.* All lots within the corridor overlay district created after the enactment of this section shall conform to the following:

(a) Minimum lot area [shall be] 10,000 square feet. Service stations [shall have a minimum lot area of] 20,000 square feet.

(b) Minimum lot depth shall be 100 feet. In the C-3 (service commercial) district, the minimum lot depth shall be 150 feet.

(c) Minimum road frontage shall be at least 100 feet. In the C-3 (service commercial) district, the minimum road frontage shall be 150 feet.

27.69 *Architectural review.* The side of any building which faces the corridor (or corridors) shall be referred to as the "corridor elevation." Buildings in the COZ-1 shall be designed to front on the corridor, and the corridor elevation shall contain architectural elements traditionally associated with the front of a building. Blank walls without functioning windows are prohibited along the corridor. Windows must be incorporated into the overall design concept of the corridor elevation. Providing one or several small windows on a large corridor elevation shall not constitute compliance with this ordinance.

A "functioning window" shall be defined as a window which lets light into the interior of the structure, and is integrated and related to the interior layout of the space. In addition to functioning windows, the corridor elevation shall have the following elements:

(a) A primary entrance door or doors (except for loading doors).

(b) A primary entrance feature, such as a porch, portico, awning, entrance walk, or other similar feature.

In addition, the corridor elevation shall have one of the following elements:

(a) Landscaping integrated into the building design concept.

(b) Architectural or urban design elements which link adjacent structures together, such as plazas, walkways, colonnades, or similar features.

(c) Architectural relief, such as vertical and horizontal offsets in exterior wall elevations, band courses, lintels and sill courses, cornices, and the like, to create shadow lines.

The applicant shall submit 12 copies of the corridor elevation at the time of application. The city planner or his/her designee shall determine whether compliance with the provisions of this ordinance has been achieved.

27.7 *Properties located on a corner lot with two frontages within the Corridor Overlay Zone.* When a property is located on the corner of two corridors within the Corridor Overlay Zone, only one of the two corridors shall be subject to the requirements of Section 27.61 Setbacks and Section 27.63 Parking, Subsection (a) Location. The frontage of the property on which the identifiable front of the building is located shall be the frontage that is subject to the requirements of Section 27.61 And Section 27.63, Subsection (a). In designing the site, in order to qualify for the relief under this subsection, the applicant must demonstrate to the satisfaction of the planning commission that the design incorporates the principles of superior urban design as defined in Section 27.2.

IV. RECOMMENDATION OF THE PLANNING STAFF:

This Request is to rezone lands from R-10 (One Family Residence Zone) to RM-2 (Medium Density Residence Zone). While both zones are residential in nature, the R-10 zone only allows single family detached dwelling units. The RM-2 zone consists of a great variety of housing types including one-family residences (detached dwellings and duplex units), apartments and multiplex dwellings (more than 2 dwelling units in same building). Both zones allow for consideration of a series of uses through a Conditional Use review process for uses like places of worship, schools, and other institutional activities.

Staff recommends that the Rezoning be granted to RM-2 (Medium Density Residence Zone) while retaining the COZ-1 (Corridor Overlay Zone) as requested for the approximate 12-acre parcel, as the proposed zoning is consistent with the *Comprehensive Plan* for the Residential Medium Density land use classification. The RM-2 allows for different housing types but limits the density to 8 dwelling units per acre. The property also is directly adjacent to other residential areas also zoned RM-2 and developed with apartment units or proposed for development as apartment units. The RM-2 zone would also allow for the place of worship use to continue if desired.

The Forrest Avenue/Route 8 corridor is a main east-west roadway that approaches the city from the west. This area is generally the western boundary of the city and this point of transition from rural areas has been generally developed for residential uses and the institutional uses of several places of public assembly (churches) and the Dover High School campus. There is existing infrastructure for water, sanitary sewer, and electric services that can be extended to serve development and the police, fire, and emergency medical services service the area.

Staff also recommends that the property remain subject to the COZ-1 (Corridor Overlay Zone) due to its frontage on Forrest Avenue. The purposes of the COZ-1 are to promote superior urban corridor development; to foster coordination and linkage among corridor properties; to preserve functionality and efficiency of the roadway for traffic movement; and to achieve a visually balanced streetscape environment friendly to the pedestrian and motorist. (*Zoning Ordinance*, Article 3 §27). The design and landscaping requirements of the COZ-1 can enhance the appearance along the corridor.

This Rezoning Request does not grant approval of a specific use for the property but makes its land use subject to a listing of uses permitted and potential conditional uses as allowed in the RM-2 zoning district. Staff notes that any potential development for the subject rezoning area would have to be in line with the zoning classification and would similarly have to follow all development design guidelines of the *Zoning Ordinance*. Were the Application for Rezoning to be recommended by the Planning Commission and subsequently approved by the City Council, the applicant would still have to submit Site Development Plans and/or Subdivision Plans and Permits for review for any new use of the site to be established.

This recommendation is being made without that benefit of hearing the comments of surrounding landowners and residents. A public hearing is required on this matter and the Planning Commission should give those comments consideration.

V. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

This Rezoning Application is a request for a zoning map amendment which changes the zoning district of a property. The Planning Commission as part of their public hearing and review process will provide a recommendation on the rezoning request to City Council. As part of the process outlined in *Zoning Ordinance*, Article 10 Section 5, the Planning Commission must evaluate the following factors when considering the request:

Article 10 § 5.36 *Report of the planning commission.* Regarding each application for a zoning map amendment, the planning commission shall provide a report to the city council stating a recommended action with regards to the proposed amendment, along with the commission's evaluation of the following factors:

(A) Whether the uses permitted by the proposed change would be compatible with the existing uses and zones in the area concerned;

(B) Whether adequate public services and infrastructure exist or can be created or expanded to serve the needs of any additional demand as a result of such change; and

(C) Whether the proposed change is in accordance with the city's current comprehensive plan.

A Recommendation Report from the Planning Commission will be forwarded to City Council for their consideration of the Rezoning Application.

VI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The applicant shall be aware that approval of any Rezoning application does not represent Site Development Plan or Subdivision Plan approval. Following any decision made by City Council in regard to this Rezoning, then an application for a Site Plan, Subdivision Plan, and/or appropriate Building Permits must be submitted to the Planning Department prior to the establishment of a use, development activity, or any construction activity on the site. The applicant should contact the Planning Staff to determine the appropriate review process for any proposed projects.
- 2) The applicant shall be aware that approval of any Rezoning application does not represent a Building Permit, Demolition Permit, Sign Permit, or other construction activity permit approval. A separate application submission is required before issuance of permits by the City of Dover.
- 3) The applicant shall be aware that any future use and/or buildings may be subject to a separate permitting or licensing processes through the City of Dover Licensing and Permitting Division. All businesses operating in the City of Dover are required to obtain a City of Dover Business License. Certain types of uses also require a Public Occupancy Permit or Rental Dwelling Permits.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MARCH 29, 2023



APPLICATION: Lands of Jireh Christian Center Inc. at 2161 Forrest Avenue
FILE #: Z-23-01
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater
CONTACT PHONE #: 302-736-7025
CONTACT PHONE #: 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 / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. Our office has no objections to the proposed rezoning of tax parcel ED-05-075.00-01-05.00-000. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook and the Specifications, Standards & Procedures for Public Works Construction. Impact fees may be applied to this property.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

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
STAFF D.A.C. MEETING DATE: MARCH 29, 2023

APPLICATION: Lands of Jireh Christian Center Inc. at 2161 Forrest Ave
FILE #: Z-23-01
REVIEWING AGENCY: City of Dover Electric Department
CONTACT PERSON: Shawn Burgett, Engineering Services & System Ops Superintendent
CONTACT PHONE #: 302-674-7568
CONTACT EMAIL #: sburgett@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

ELECTRIC

Our office has no objection to the rezoning of: ED-05-075.00-01-05.00-000, Council District 1.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric and meters will be assessed at that time.
2. Any redevelopment shall adhere to the City of Dover's Electric Service Handbook.
<https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

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: 03/29/23

APPLICATION: Lands of Jireh Christian Center Inc at 2161 Forrest Ave

FILE #: Z-23-01 REVIEWING AGENCY: City of Dover, Office of the Fire MarshalCONTACT PERSON: Jason Osika, Fire MarshalPHONE #: (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. Proposal is a rezoning classification. This office has no objections.
2. 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)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. N/A

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



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APPLICATION: Lands of Jireh Christian Center Inc. at 2161 Forrest Ave.

FILE#: Z-23-01

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Joshua Johnson

PHONE#: 302-760-2221

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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:

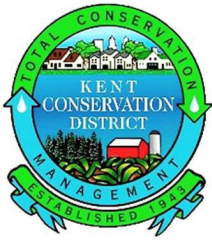
CITY & STATE CODE REQUIREMENTS:

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. DelDOT has no objection to rezoning.



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
APRIL 2023**

APPLICATION: Lands of Jireh Christian Center Inc. at 2161 Forrest Avenue

FILE #: Z-23-01

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Kate Owens

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:

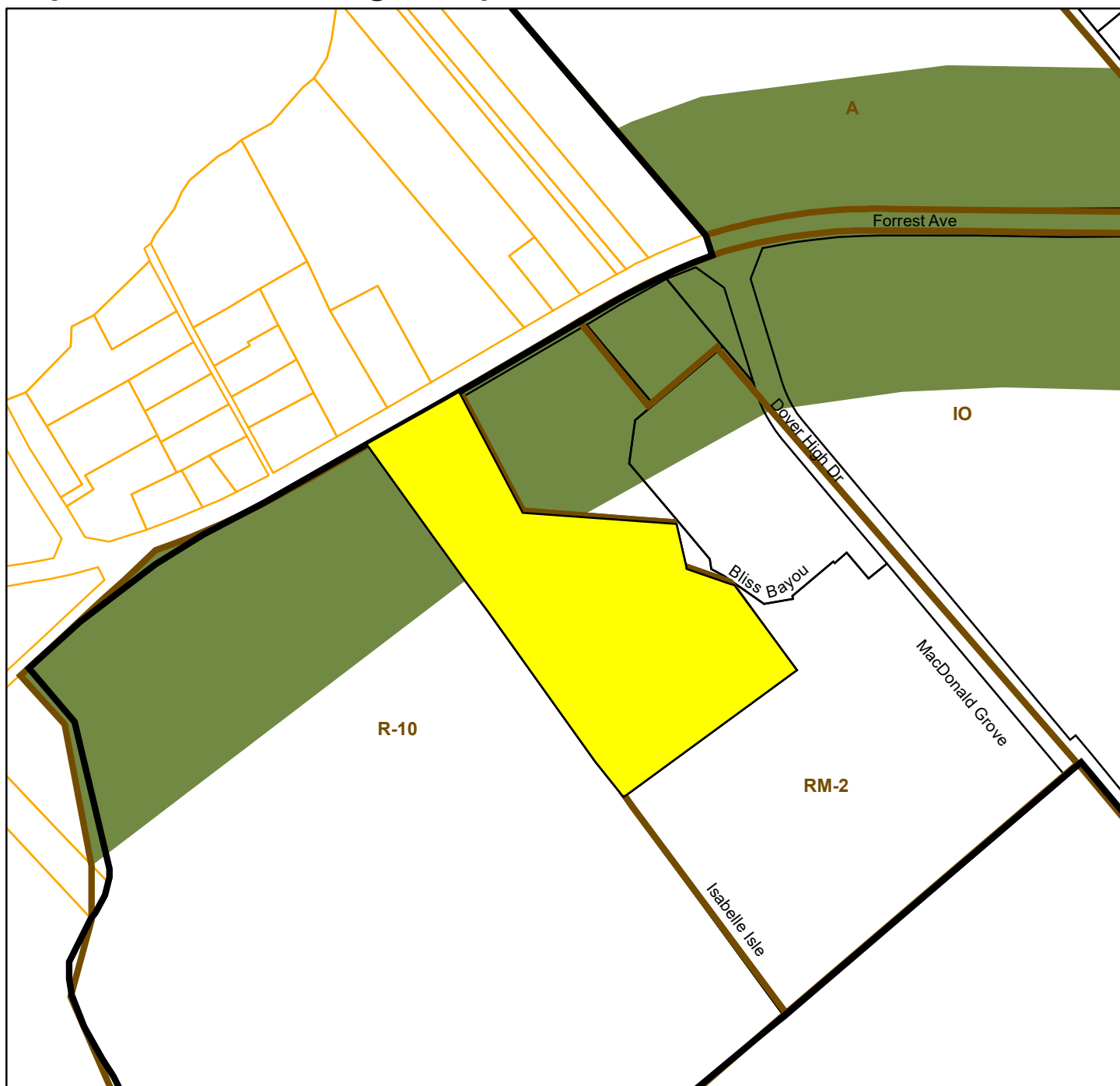
Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

Kent Conservation District has no objection to the proposed rezoning of the above referenced site.

ADVISORY COMMENTS TO THE APPLICANT:

Soil disturbance (e.g. clearing, grading, excavations, tree clearing, or stoning) equal to or greater than 5,000 square feet requires a Sediment and Stormwater Management Plan to be submitted and approved by the Kent Conversation District prior to the commencement of disturbance.



Title: Lands of Jireh Christian Center Inc.
Ordinance #: 2023-04
Address: 2161 Forrest Avenue
Parcel IDs: ED-05-075.00-01-05.00-000
Existing Zoning: R-10 (One-Family Residence Zone)
 COZ-1 (Corridor Overlay Zone)
Proposed Zoning: RM-2 (Medium Density Residence Zone)
 COZ-1 (Corridor Overlay Zone)
Owner: Jireh Christian Center Inc.
Date: 3/17/2023

Legend

- Dover Boundary
- Subject Property
- Zoning
- Dover Parcels
- Corridor Overlay Zone

0 250 500 1,000 Feet

