**CITY OF DOVER PLANNING COMMISSION**
**AGENDA**
**Tuesday, February 19, 2013 – 7:00 P.M.**

**City Hall Council Chambers**
**15 Loockerman Plaza, Dover, Delaware**

PLEDGE OF ALLEGIANCE
ROLL CALL

APPROVAL OF AGENDA

ADOPTION OF MINUTES OF REGULAR MEETING of January 22, 2013

COMMUNICATIONS & REPORTS

1) The Planning Commission Quarterly Workshop is scheduled for Wednesday, February 20, 2013 at 4:00pm in the City Hall Conference Room.

2) Institute for Public Administration (IPA) of the University of Delaware – Planning Training Series for 2013:
   a. "Land-Use Law and Regulation" on February 22, 2013, 9:00am-12 noon at Paradee Center. Register by February 15, 2013.
   b. "Land-Use and Development Administration" on March 15, 2013, 9:00am-12 noon at Paradee Center Register by March 8, 2013.

3) "Fair Housing 101" Training on February 28, 2013, 6:00pm-8:00pm at Dover Public Library. Presented by State Division of Human Relations, the City of Dover, and Delaware State Housing Authority.

4) Reminder: The next Planning Commission regular meeting is scheduled for Monday, March 18, 2013 at 7:00pm in the City Council Chambers.

5) Report on City Council actions

6) Update on Planning activities:
   a. Update on Workshop on Discussion – Role and Scope of Historic District Commission and Historic District
   b. Other Activities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW BUSINESS

NEW DEVELOPMENT APPLICATIONS

1) SB-13-02 Lands of Conard at 633 Long Point Road – Public Hearing and Review of a Minor Subdivision to create three (3) parcels of land from the existing 167.561 acre ± parcel. The parcel will be subdivided into a 161.8836 acre +/- parcel, a 2.8189 acre ± parcel, and a 2.5 acre ± parcel. The property is zoned A (Agricultural Zone) and subject to the AEOZ (Airport Environs Overlay Zone) and the SWPOZ (Source Water Protection Overlay Zone). The property is located on the west side of Long Point Road south of White Oak Road. The property owner is Joan Conard. Address: 633 Long Point Road. Tax Parcel: LC-05-069.00-01-07.00-000. Council District 3. *Waiver Request: Elimination of Sidewalk along Long Point Road. This application supersedes previous application SB-11-01.*

2) C-13-01 Daycare Center at 1344 Forrest Avenue – Public Hearing and Review of a Conditional Use Site Plan to allow for the establishment of a large family daycare facility. The property is zoned C-2A (Limited Central Commercial Zone) and is subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side of Forrest Avenue west of Independence Boulevard. The owner of record is Newwind Properties, LLC. Address: 1344 Forrest Avenue. Tax Parcel: ED-05-076.10-01-51.00-000. Council District 1.

3) US-13-01 Greentree Shopping Center at 25-140 Greentree Drive – Public Hearing and Review of a Unified Comprehensive Signage Plan application to permit the construction and implementation of signage for the Shopping Center consisting of two pylon signs, monument signs at entrances, and wall signs for the tenants. The property is zoned SC-2 (Community Shopping Center Zone) and is subject to the COZ-1 (Corridor Overlay Zone). The property is located on the north side of Forrest Avenue (Route 8) between Independence Boulevard and Kenton Road. The owners of record are Greentree Village Center LP and Stevens/Anstine 1987-1 LP. Addresses: 25-83 and 87-140 Greentree Drive (excluding 50, 121 and 125 Greentree Drive). Tax Parcels: ED-05-076.06-06-67.00-000 and ED-05-076.06-06-66.00-000. Council District 1.

4) MI-12-24 Comprehensive Rezoning and Text Amendment: AEOZ (Airport Environs Overlay Zone)
   a) Proposed Amendments to the *Zoning Ordinance*: AEOZ (Airport Environs Overlay Zone) - Public Hearing and Recommendation to City Council on proposed amendments to the *Zoning Ordinance* to update the provisions of the AEOZ (Airport Environs Overlay Zone). This Ordinance amends Appendix B: Zoning, Article 3 Section 22 – Airport Environs Overlay Zone (AEOZ) including the Land Use Compatibility Table. Ordinance # 2013-01.
   b) Comprehensive Rezoning: AEOZ Zoning – Public Hearing and Recommendation to City Council on proposed rezoning of 685 properties in the eastern portion of the City by changing the boundary of the Airport Environs Overlay Zone (AEOZ) in accordance with the *2010 Air Installation Compatible Use Zone (AICUZ) Study* published by the Dover Air Force Base. The proposed changes involve revisions to the noise contours boundaries now as the Noise Zones A-D of the AEOZ zoning classifications. Ordinance #2013-02.

ADJOURN

THE AGENDA ITEMS MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

Posted Agenda: February 8, 2013 at 8:30am

**CITY OF DOVER PLANNING COMMISSION**
**January 22, 2013**

The Regular Meeting of the City of Dover Planning Commission was held on Tuesday, January 22, 2013 at 7:00 PM with Vice Chairman Tolbert presiding. Members present were Mr. Shomo, Mr. Tolbert, Mrs. Still, Mr. Holden, Dr. Jones and Mr. Ambruso. Colonel Welsh, Mr. Holt and Mr. Baldwin were absent.

Staff members present were Mrs. Townshend, Mrs. Melson-Williams, Ms. Cornwell, Ms. Duca and Mrs. Mullaney. Also present was Mr. Terry Jaywork, Mr. Herbert Konowitz, Mr. Franklin Everett, Mr. Kyle Burchard, Mr. Tim Glass and Mr. Jack Richter.

## APPROVAL OF AGENDA

*Dr. Jones moved to approve the agenda as submitted, seconded by Mr. Ambruso and the motion was unanimously carried 6-0 with Colonel Welsh, Mr. Holt and Mr. Baldwin absent.*

## APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF DECEMBER 17, 2012

*Mr. Shomo moved to approve the Planning Commission minutes of December 17, 2012, seconded by Mrs. Still and the motion was unanimously carried 6-0 with Colonel Welsh, Mr. Holt and Mr. Baldwin absent.*

## COMMUNICATIONS & REPORTS

Mrs. Townshend stated that Kristen Mullaney will now be doing the meeting minutes for the Planning Commission meetings.

Mrs. Townshend stated that there was an Audio Web Conference "Zoning for Small Scale Businesses" that was held on January 16, 2013. The entire Planning Department staff attended the conference. She stated that she has been working with the Chamber and the real estate community on a number of changes to the commercial zones and the information presented in the seminar was very helpful.

Mrs. Townshend stated that information on the Institute for Public Administration Planning Series for 2013 was located within the packet information that was distributed before the meeting. The session also known as Planning 101, is scheduled for Friday, January 25, 2013. It gives the legal framework in which the Planning Office operates. She stated that if members were interested in attending, they should contact the Planning Office to become registered.

Mrs. Townshend stated that the next Planning Commission meeting will be held on Tuesday, (due to the holiday) February 19, 2013 at 7:00 PM in the City Hall Council Chambers. The next Quarterly Workshop is scheduled for Wednesday, February 20, 2013 at 4:00 PM in the City Hall Conference Room.

Mrs. Townshend provided an update on the regular City Council and Utility Committee meetings held on January 14, 2013.

Mr. Tolbert noted that they will miss Diane Metsch (previous Secretary) and shared a thank you to her from the Planning Commission.

## OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Townshend presented the audience information on policies and procedures for the meeting.

## OLD BUSINESS

1.) Requests for Extensions of Planning Commission Approval: None

## NEW BUSINESS

## NEW DEVELOPMENT APPLICATION

1) SB-13-01 Lands of 1151-1155 Walker Rd, LLC – Public Hearing and Review of a Minor Subdivision to create two (2) parcels of land from the existing 1.779 acre ± parcel. The parcel will be subdivided into a 1.196 acre ± parcel and a 0.6594 acre ± parcel. The property is zoned IO (Institutional and Office Zone). The property is located on the north side of Walker Road west of Saulsbury Road. The property owner is the 1151-1155 Walker Road, LLC. The equitable owner of one parcel is Dover Interfaith Mission for Housing Inc. Addresses: 1151-1155 Walker Road. Tax Parcel: ED-05-067.18-01-79.00-000. Council District 4. *Waiver Request: Subdivision Waiver of Requirement for Lot Frontage on a Public Street*

**Representatives**: Mr. Terry Jaywork, Board of Directors for Dover Interfaith Mission; Mr. Herbert Konowitz, Vice President of Board of Directors for Dover Interfaith Mission; Mr. Frank Everett, managing member of 1151-1155 Walker Road, LLC

Mrs. Melson-Williams stated that this is a Minor Subdivision Plan application located on the north side of Walker Road, west of Saulsbury Road. The property consists of 1.779 acres of land and is improved with two (2) buildings, a parking lot area, stormwater management and landscaping. The developer is intending to subdivide the parcel into two (2) lots: the front lot being adjacent to Walker Road known as Lot 1 and a parcel to the rear labeled as Lot 2. The property is zoned IO (Institutional and Office) and the various set-backs of that zoning district would then apply to each of the lots proposed to be created.

Mrs. Melson-Williams further stated the project has actually submitted a proposal for a number of easements both for access and to deal with the shared parking and stormwater facilities on what is an improved site. This property was initially developed to this current format through an application that the Planning Commission considered during a meeting in May 1999. It was developed as an office complex and those are the two (2) buildings that are presently located on the site. Most recently, the Planning Commission in May 2011 considered a rezoning application that changed the zoning of the property from CPO (Commercial Professional Office) to its current zone IO (Institutional and Office).

Mrs. Melson-Williams further stated that with this project, they are proposing a subdivision into two tracts of land. There is one waiver request related to this subdivision, which is a subdivision waiver of the requirement that each lot have frontage on a public street. This requirement is found in our *Land Subdivision Regulations*. In this case, the Planning Commission will make a recommendation, which then is forwarded on to City Council for their review and final action. The requirement for lot frontage

is also found in the *Zoning Ordinance* related to building permitting for development activities. In the *Zoning Ordinance*, it mentions that a Building Permit cannot be issued for construction or alteration of a building upon a lot that does not have lot frontage or legal permanent access to a public street. With this subdivision proposal, they are proposing a cross access that would give Lot 2 the rights to cross Lot 1 to reach the public street Walker Road. With this project, the Planning Office has provided a code review of the plan itself as well as a recommendation on the waiver request of the applicant.

Mrs. Melson-Williams further stated that this is just for the subdivision of the land. Any new uses for either of the buildings may be subject to other review processes with the City. The other agencies have provided comments regarding the project. Those include comments from the Public Works Department, City Electric Department, DelDOT and the Kent Conservation District. The Fire Marshal's Office did not provide comments for the subdivision. Some of the comments in the Public Works section are elements related to utility planning that will be necessary because of the split of the subdivision.

Mr. Jaywork stated that the Dover Interfaith Mission for Housing has been looking for an opportunity to setup transitional housing facilities. The way that the overnight shelter is operating at this time, allows men who meet the standards to stay at the shelter for 90 days and then they must move on. The organization would like to setup transitional housing which would be a little more permanent. These men would live there, pay rent, have jobs in the community and so on. Mr. Everett had the property rezoned a couple of years ago because he was contemplating a similar project for young adolescents of legal age, with nowhere to go. Under the contract of sale, the Dover Interfaith Mission has an option to purchase the front portion of land. They would have similar intentions for that parcel as well, in the future.

Mr. Jaywork further stated that located in the staff report is a cross easement agreement that would be executed by the parties that would not only take care of access to the rear property but also provide for who would maintain it. There are also cross easement agreements for the erosion and stormwater management facilities, for the utilities on the property and so on. Although the use of the back building is designed for offices at this time, those offices would be converted into rooms to be occupied by the residents. He stated that there will be no exterior changes made to the buildings. In terms of parking, both parcels will meet the off-street parking requirements but he points out that the transitional housing use may result in fewer vehicles than if used for office space. Mr. Jaywork stated that if there are any questions about the past use or the rezoning, Mr. Everett will assist or if there are any questions about the intended use, Mr. Konowitz is available.

Dr. Jones questioned how many occupants were anticipated during the first transitional phase? Responding to Dr. Jones, Mr. Konowitz stated that they are expecting 30-32 occupants. The intention is to run this transitional housing as a dormitory. There will be resident advisors on each floor. These will be paid positions. They will also have a full time chef to feed the residents. Mr. Konowitz further stated another interesting thing that has developed since the last meeting with DAC is that they plan to house disabled Veterans in wheelchairs. A school is being setup in Dover to train these men to be watchmakers. This was done during the Second World War; there was a high demand for these people. Once the course is completed, these men should be able to land a job making between $50,000 and $60,000 a year. Mr. Konowitz stated that by creating this transitional housing, they are going to be able to care for foster kids who have aged out, disabled Veterans and also disabled people.

Mr. Tolbert questioned how long it would take these men to complete the training? Responding to Mr. Tolbert, Mr. Konowitz stated that he believed it was ten (10) months but that he was not 100% sure.

Mr. Tolbert further questioned if they intended to have other kinds of training at the facility? Responding to Mr. Tolbert, Mr. Konowitz stated that there would be no other training offered at the present time.

*Mr. Tolbert opened a public hearing and after seeing no one wishing to speak, closed the public hearing.*

*Mr. Ambruso moved to approve SB-13-01 Lands of 1151-1155 Walker Road, LLC and the waiver request portion, based on the applicant's acceptance of the Planners' recommendations, seconded by Dr. Jones and the motion was unanimously carried 6-0 with Colonel Welsh, Mr. Holt and Mr. Baldwin absent.*

S-13-01 7-Eleven at 127 S DuPont Highway – Public Hearing and Review of a Site Plan to allow for the construction of a 2,590 SF retail building with gas pumps and associated site improvements. The property is zone C-4 (Highway Commercial Zone). The property is located at the northeast corner of South DuPont Highway/Route 13 and East Loockerman Street. The owner of record is Lin Properties, LLC. Address: 127 South DuPont Highway. Tax Parcel: ED-05-077.06-01-61.00-000. Council District 2. *Waivers Requested: Reduction in Arterial Street Buffer and Tree Mitigation. This application is also associated with a Board of Adjustment application V-13-01 regarding setbacks.*

**Representatives**: Mr. Kyle Burchard, HFA; Tim Glass, Lane Engineering

Ms. Cornwell stated that this is a Site Plan application for the construction of a 2,590 SF convenience store with four (4) gas pumps, to be located at the corner of East Loockerman Street and South DuPont Highway. As noted in the staff report, they needed to get to the Board of Adjustment. The Board of Adjustment did meet on January 16, 2013 and granted variances for both the front yard and rear yard setback. A revised Site Plan sheet was given to each Planning Commission member, showing the variances granted by the Board of Adjustment. The Board of Adjustment granted a twenty (20) foot front yard setback and a six (6) foot rear yard setback for the canopy. Also on the desks of all Planning Commission members are revised architecture showing there is only one gas pump (in each row) for the gas canopy. The parking for the site requires thirteen (13) parking spaces, they are providing fourteen (14). The bicycle parking calculation is one (1) bicycle parking for every twenty (20) parking spaces, so only one (1) bicycle parking needs to be provided. Sidewalks are being provided along East Loockerman Street and South DuPont Highway. There will also be two (2) interconnections into the site: one off of South DuPont Highway and one off of East Loockerman Street. Also provided will be the required dumpster and required lighting and also there is no loading space required.

Ms. Cornwell further stated that there are two (2) waiver requests. One is for a reduction in the arterial street buffer. South DuPont Highway is classified as an arterial street so a thirty (30) foot arterial buffer is required along South DuPont Highway. In the staff report, the reduction was nineteen (19) feet. Based on the variances granted by the BOA, the amount of landscaped grass area in the front of the building is now down to fifteen (15) feet. So the application would be asking for a fifteen (15) foot reduction in the arterial street buffer. The applicant is also asking for tree mitigation. Currently, there

is no grass on the site and the applicant will be providing some landscaping grass. However, trees located along South DuPont Highway within the arterial street buffer do not count against their overall tree planting requirement so they are a few trees short. Staff noted that there are a few trees on site that they may need to relocate or lose based on the location of underground utilities. They have asked for a tree mitigation waiver allowing them to plant at least one (1) or more trees off site, located within the City of Dover to meet their tree planting requirement.

Ms. Cornwell stated that the architecture of the building is a brick building with a green metal mansard roof. There is a tower feature at the corner of the building on South DuPont Highway and East Loockerman Street. The building will have storefront window systems on all sides of the building. The canopy is a flat roof with brick around the columns and it actually has a fiber cement board as a watertable feature for the columns for the canopy. Site circulation for the site, is that they will actually have an entrance off of South DuPont Highway. Currently they have two (2) entrances, they are closing the one closest to the intersection of East Loockerman Street and South DuPont Highway. They will be maintaining the entrance farther north on South DuPont Highway. They are also proposing to use an existing cross access easement off of East Loockerman Street that shares access between the Edgehill Shopping Center and Where Pigs Fly.

Ms. Cornwell further stated that other agencies have provided comments, including the Kent Conservation District, the Fire Marshal's Office, the Public Works Office and DelDOT.

Mr. Burchard suggested a couple of adjustments to the material types on the building. The material being used is not a full brick facade, it's a cementitious brick material. It's not a full masonry building but it has the appearance of brick. In addition to the landscaping around the building, if there are other utility conflicts they would like to extend the tree planting waiver to plant additional trees.

Mr. Glass pointed out that in trying to utilize this site, a small corner lot with two (2) existing accesses currently onto South DuPont Highway; they had to take several iterations about how the improvements of the site were going to fit. In reviewing the Comprehensive Plan, there are a couple of sections that are key to this. There is specific language about how infill and redevelopment, particularly on commercial sites in town, should be encouraged and to the extent that any new updates to the *Zoning Ordinance* might help that activity occur should be encouraged. Also with regards to the corridor, cutting down on entrances is an encouraged access management. Mr. Glass stated that because of the entrance being lost they have lost some flexibility in site access points, from two (2) down to one (1). To be able to affectively circulate traffic in and around the site safely, with an adequate distance between the canopy and the building itself resulted in what you see now.

Mr. Glass further stated that one of the things that he thinks is nice, as Ms. Cornwell announced is that right now there is absolutely no grass space on this corner. There are no tree canopies or landscape areas at this time and with this plan they are proposing a building closer to the street line. For more of an urban feel, they are proposing sidewalk connections and grass and green space that will be added around that corner. Mr. Glass believes that it will help from an architectural and streetscape prospective as well.

Mr. Holden questioned how stormwater management will be addressed? Responding to Mr. Holden, Mr. Glass stated that they have had conversations with the Kent Conservation District early on and because of the fact that the site is 100% impervious right now. The way to deal with the quantity is

going to be through a stormwater waiver request. The grading is not intended to change or move water off in any different directions that what is happening now. So as long as the existing drainage patterns are maintained and they are doing something to cut down that impervious lot coverage, then they will be eligible to pursue the stormwater waiver.

Mr. Holden also questioned if they expect to get a quality and quantity waiver. Responding to Mr. Holden, Mr. Glass stated that based on conversations, yes because they are adding so much green space and landscaping that the quality components of taking a site from more impervious and less green to less impervious and more green would satisfy the intent of quality treatment.

Dr. Jones questioned if there is any concern for rear access and traffic? Mrs. Townshend stated that in the DelDOT comments, DelDOT has indicated that they will require a traffic impact study. The three (3) locations that DelDOT wants studied are the entrance off of East Loockerman Street into the shopping center, the entrance off of Route 13 and the intersection of Route 13 and East Loockerman Street. Mrs. Townshend further stated that she has met with DelDOT and they are onboard with getting a scoping meeting fairly soon.

Mr. Burchard stated that they have a traffic engineer in contact with DelDOT to setup that follow up and discuss those issues.

Mrs. Townshend further stated that these issues will be addressed. If the City needs to address them, then they will have the Public Works Department work on that through the TIS.

Mr. Tolbert questioned if the building facade material, fiber cement board will look like brick? Responding to Mr. Tolbert, Mr. Burchard stated yes, it will look like brick. The fiber cement board comes in panels and latches together. It's a lighter weight construction so that it gives the appearance of brick and the seams blend together fairly well so that it has the appearance of brick.

*Mr. Tolbert opened a public hearing.*

**Mr. Jack Richter – 733 Oak Dr Dover DE 19901**

Mr. Richter stated that he was a resident of Dover and that he represents the Richter Family Partnership that owns the adjacent properties to the north and east of this property. He stated that he and his associates applaud the desire to redevelop the property. He stated that they want the business to succeed, but they want it to succeed safely. Mr. Richter pointed out that the gasoline pumps and canopy that are located along the east side of the property are very close to his property line. He believes that there is something on the plans or in the staff report stating that the property just across that line was a cross access alley. Mr. Richter further stated that the Richter Partners own this property. He stated that they constructed the pavement, they maintain the pavement, and have a liability for that pavement. Richter Family Partnership has access agreements with the rest of the shopping center owners. Mr. Richter stated that they do not have an access agreement with this developers about a cross access. He stated that he was unsure as to how they would operate the proposed gas pumps without crossing their property lines. Mr. Richter stated that they want to enter into a formal agreement during the developmental process for this cross access.

Mr. Richter further stated that he and his associates are concerned for safety. There is a considerable amount of traffic on this pavement. There is short cutting that going between Division Street and East

Loockerman Street, in order to avoid the congestion on South DuPont Highway and to avoid the lights at Division Street and East Loockerman Street. He believed that his brother counted just fewer than 200 per hour during the peak hour. There is an access point shown on the plans that is very close to East Loockerman Street. He is unsure of how that will operate with all of the traffic congestion located there. Additionally, the site plan shows a curb that is constructed on their property. He again pointed out the need for a cross access agreement. Next, with the location of the gas pumps, they are unsure how that will operate with the tanks but that may exasperate the problem at this time.

Mr. Richter closed by stating that he and his associates love the redevelopment of this property. They want it to succeed. They have concerns for safety on their property and again they believe that a cross access agreement is necessary and they would like to work with the developers to get this agreement in place.

*Mr. Tolbert closed the public hearing after seeing no one else wishing to speak.*

Mr. Ambruso stated that he understands what Mr. Richter was saying, that they would like to enter into an agreement in order to iron out possible problems ahead of time. But does that fall into our area of performance? Responding to Mr. Ambruso, Mrs. Townshend stated that in the DAC comments it does specify that a cross access easement is required on page five (5) of the staff report: 10. Provide a copy of the cross access easements for the property to access the property from the Shopping Center. Mrs. Townshend stated if there is not a written easement, this will need to be documented as part of the plan approval following Planning Commission.

Mr Ambruso questioned if it would be better for staff to know that is in place before making a decision? Responding to Mr. Ambruso, Mrs. Townshend stated that this is simply a requirement that the developer provide that documentation in order to access the site from the neighboring property.

Mr. Ambruso questioned if that agreement should be intact before the Planning Commission makes a decision? Responding to Mr. Ambruso, Mrs. Townshend stated that was not necessary at this time. If the application is approved with the DAC comments, then the Planning Office will not sign off on it unless that access agreement is in place. So if the access agreement is not in place, then this application will be back to Planning Commission to make sure there is access to the site.

*Mr. Ambruso moved to approve S-13-01 7-Eleven at 127 South DuPont Highway and the waiver requests as long as all DAC requirements and recommendations are met, seconded by Dr. Jones and the motion was unanimously carried 6-0 with Colonel Welsh, Mr. Holt and Mr. Baldwin absent.*

**Meeting adjourned at 7:49 PM**

**Sincerely,**

**Kristen Mullaney**
**Secretary**

Professional Development and Training Opportunities for Local Government

offered through the

Institute for Public Administration at the University of Delaware

## *Land-Use Law and Regulation*

This session qualifies for certificate credit in the Academy for Excellence in Local Government Leadership, and the Delaware Planning Education Program (as **Planning 102**).

### Basic Information

**Friday, February 22, 2012, from 9:00 a.m. to 12:00 noon**
**University of Delaware Paradee Center**
**69 Transportation Circle**
**Dover, Delaware**

**Registration fee: $50.00 / Registration deadline: February 15, 2012**

### Course Description and Details

This course focuses on land-use law. It begins a review of the basic principles governing land-use law. Topics include police power, delegation of authority, nuisances, due process, equal protection, just compensation, vagueness, and vested rights. Participants will then learn about Delaware court decisions affecting local land use.

### Course Topics

**Basic Terms and Concepts**
**A Summary of Tools**
**Zoning, Subdivision, and Site-Plan Review**
**Other Approaches to Land-Use Control**

### Course Instructors

Edward O'Donnell, AICP
Policy Scientist and Instructor
Institute for Public Administration
University of Delaware

Max Walton, Esq.
Parnter
Connolly Bove Lodge & Hutz
Newark, Del.

**Please register for this and other Local Government Training events online at**
***www.ipa.udel.edu/events.html***

**Note: Registration for this event can only be done online.**

Professional Development and Training Opportunities for Local Government

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Institute for Public Administration at the University of Delaware

## *Land-Use and Development Administration*

This session qualifies for certificate credit in the Academy for Excellence in Local Government Leadership, and the Delaware Planning Education Program (as **Planning 103**).

### Basic Information

**Friday, March 15, 2012, from 9:00 a.m. to 12:00 noon**
**University of Delaware Paradee Center**
**69 Transportation Circle**
**Dover, Delaware**

**Registration fee: $50.00 / Registration deadline: March 8, 2012**

### Course Description and Details

This is primarily a hand-on course designed to build the skills for administering and interpreting land-use regulations. Participants will be introduced to zoning, subdivision, and land-use codes and how they are linked to municipal comprehensive plans. In-class exercises will provide an opportunity for participants will analyze and interpret a land-use and development code to formulate answers to typical land-use administration questions and to review development plans.

### Course Instructors

Linda Raab, AICP
Planning Consultant
Institute for Public Administration
University of Delaware

Ann Marie Townshend, AICP
Director of Planning and
Community Development
City of Dover

**Please register for this and other Local Government Training events online at**
***www.ipa.udel.edu/events.html***

**Note: Registration for this event can only be done online.**

# FAIR HOUSING 101:

*FREE Fair Housing Training for Elected Officials and members of City and State Boards and Commissions*

**PRESENTED BY:**

**DIVISION OF HUMAN RELATIONS, CITY OF DOVER, AND DELAWARE STATE HOUSING AUTHORITY**

**OBJECTIVES**

- **Basic understanding of the fair housing laws.**
- **Awareness of protected classes.**
- **Knowledge of fair housing rights and responsibilities.**
- **Understanding of Affirmatively Furthering Fair Housing.**
- **Understanding the linkages between zoning, land use and fair housing.**

**Thursday, February 28, 2013**

**6 PM – 8 PM**

**Dover Public Library**

**35 Loockerman Plaza**

**Dover, DE**




**RSVP to:**

**Tracey Harvey, City of Dover**
**tharvey@dover.de.us**
**302-736-7175**

**OR**

**Karen Horton, DSHA**
**karenh@destatehousing.com**
**302-739-4263**

**February 28, 2013**

**6 PM – 8 PM**

**Dover Public Library**

**35 Loockerman Plaza**

**Dover, DE**

City of Dover

DATA SHEET FOR MINOR SUBDIVISION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF February 6, 2013

PLANNING COMMISSION MEETING OF February 19, 2013

| | |
|---|---|
| Plan Title: | Lands of Conard at 633 Long Point Road*<br>SB-13-02 |
| Plan Type: | Minor Subdivision Plan |
| Property Location: | On the west side of Long Point Road, just north of South Little Creek Road |
| Tax Parcel Numbers: | LC05-069.00-01-07.00-000 |
| Owner: | Joan L. Conard |
| Site Area: | 167.6 ac +/- |
| Parcels to be created: | Lot 1: 161.8836 acres +/-<br>Lot 2: 2.8189 acres +/-<br>Lot 3: 2.5 acres +/- |
| Sewer & Water: | Water: Private Well<br>Sewer: Residential septic system |
| Zoning Classification: | A (Agricultural Zone)<br>SWPOZ (Source Water Protection Overlay Zone)<br>Tier 2 – Primary Wellhead Protection Areas<br>AEOZ (Airport Environs Overlay Zone)<br>Noise Zone A |
| Waiver Requested: | Elimination of sidewalk |

* The property is part of the Delaware Agricultural Lands Preservation program as an Agricultural Preservation District and Purchase of Development Rights proeprty.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: February 6, 2013

CITY OF DOVER PLANNING

APPLICATION: Lands of Conard at 633 Long Point Road

FILE #: SB-13-02 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Janelle M. Cornwell, AICP PHONE #: (302) 736-7196

PLAN SUMMARY

This Minor Subdivision Plan proposes the subdivision of 167.6 ac. ± of land into three (3) parcels: one 2.5 acre ± parcel, one 2.8189 acre ± parcel, and one 161.8836 acres ± parcel. The property is zoned A (Agricultural Zone) and is subject to the SWPOZ (Source Water Protection Overlay Zone): Tier 2 and the AEOZ (Airport Environs Overlay Zone): Noise Zone A. The property is located the west side of Long Point Road north of South Little Creek Road. The owner of record is Joan L. Conard. Property Address: 633 Long Point Road. Tax Parcel: LC05-069.00-01-07.00-000.

This subdivision of land and any future development on the parcels are subject to the requirements found in the City of Dover *Zoning Ordinance*. Article 3 §23 and referenced sections outline the permitted uses for the A (Agriculture Zone). Article 3 §29 references the SWPOZ (Source Water Protection Overlay Zone) and establishes the requirements for the properties as they are developed in this area (though the residential uses as proposed here are exempt from those requirements). Lastly, the subdivision is affected by the AEOZ (Airport Environs Overlay Zone) Noise Zone A. Single family residences are a permitted use in Noise Zone A and the primary design consideration placed on development of these properties for residential use is the requirement for the implementation of noise reduction at 25db. The AEOZ is referenced in Article 3 §22. The property is proposed to be removed from the AEOZ as part of the proposed amendments to the Zoning Map (MI-12-24).

Previous Application

A Minor Subdivision Plan application was previously granted Conditional approval by the Planning Commission at their meeting of April 18, 2011 (SB-11-01). The plan was not recorded. This Minor Subdivision Plan (dated January 4, 2013) will supersede the previous application.

Site Considerations

For the Minor Subdivision Plan, the proposed parcels are in compliance with the lot requirements of the *Zoning Ordinance*. The parcels will be subdivided into one 2.5 acres ± parcel, one 2.8189 acre ± parcel, and one 161.8836 acres ± parcel. The proposed lots do not have specific setback, lot dimension, nor lot coverage requirements within the A (Agriculture Zone) Zoning District. Parcel 2 contains the existing driveway and farm house and out buildings. Parcel 3 will be a new residential lot from the existing farmland. It will be located

along Long Pont Road.

Waiver Request: Elimination of Sidewalk

Sidewalk is not present along Long Point Road in front of the proposed lots. The applicant has submitted a waiver request to eliminate the required sidewalk. The plans must be corrected to show the required sidewalk unless a waiver is granted by the Planning Commission.

Delaware Agricultural Lands Preservation

The Conard farm is part of the Delaware Agricultural Lands Preservation program and has a preservation easement on the parcel in question. The details of this easement as it pertains to the proposed subdivision limit the amount of land that may be used for residential purposes to eight (8) acres or one acre for every twenty acres of usable farm land. The subdivision as proposed complies with this requirement. In addition to this, the Conard farm is restricted to using the newly created parcels for the residential use of family members and farm labor only.

National Register of Historic Places

The farm property is listed in the National Register of Historic Places as part of the Little Creek Hundred Rural Historic District. It is known historically as the Bellach Farm (Delaware Cultural Resource Survey #K-5685.7 and K-2036). The existing farm dwelling dates to the c. 1760 and the farm out building date to the late nineteenth and early twentieth century. Also in the vicinity of the subject property is the Hughes-Willis site (Delaware Cultural Resource Survey # K-5686.6 and K-486). A significant prehistoric archeological site is also listed on the National Register.

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

CITY AND STATE CODE REQUIREMENTS:

1) The Plan will need to be updated to reflect any changes recommended or approvals by the Planning Commission.

2) The General Notes will need to be updated to reflect any waivers granted by the Planning Commission.

3) Provide a cross access easement for the use of the shared driveway.

4) Indicate that the City of Dover is an adjacent property owner across Long Point Road. Tax parcel LC05-0069.00-01-09.00-000. Zoning A, SWPOZ Tier 2.

5) Indicate the following in the Data Column on the Plan Sheet:
    a.) Indicate with the zoning that the property is also zoned SWPOZ Tier 2, and AEOZ Noise Zone A.
    b.) Revise the acreage of Lot 1 in the Data Column to state 161.8836 ac.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Waiver Requested: The following is Staff recommendation regarding the waiver requested
   a) Recommendation on waiver to eliminate the required sidewalk – Staff supports the waiver request to eliminate the required sidewalk along Long Point Road. The area is isolated and there are no sidewalks along the road. It is not abutting development that would benefit from the implementation of sidewalk at this time. Further, the existing property extends into the right-of-way for Long Point Road and should the road be expanded, any sidewalk along it would likely be replaced or implemented at that time.

ADVISORY COMMENTS TO THE APPLICANT:

1) In the event, that major changes and revisions to the plan occur in the finalization of the plan contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies making recommendations in regards to the plan.

2) Following Planning Commission approval of the Minor Subdivision Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff. Upon determination that the Plan is complete and all agency approvals have been received, copies of the Plan may be submitted for final endorsement.

3) Upon final approval and endorsement, this Minor Subdivision Plan must be recorded at the Kent County Recorder of Deeds Office.

4) The applicant shall be aware that Minor Subdivision approval does not represent a Site Plan approval for development. A separate application process is required for Site Plan Review.

5) The applicant shall be aware that Minor Subdivision approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover.

**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: JANUARY 30, 2013**

**CITY OF DOVER Electric & Public Works Departments**

**APPLICATION:** **Lands of Conard, 633 Long Point Road**

**FILE #:** **SB-13-02**

**REVIEWING AGENCY:** **City of Dover Electric and Public Works Departments**

**CONTACT PERSON:** **Steve Enss - Electric**
**Jason A. Lyon, P.E. – Public Works**

**CONTACT PHONE #:** **Electric 302-736-7070, Public Works 302-736-7025**

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

1. The Electric Department has no objection to Minor subdivision.

### WATER

1. Due to the fact that this property qualifies for the Agricultural Land Preservation category, City of Dover water service is not required. The property is currently being served by a private well.

### WASTEWATER

1. City of Dover sanitary sewer service is not available to these lots. Onsite systems will be required.

### STORMWATER / STREETS / GROUNDS

1. None

### SANITATION

1. Currently, this site has solid waste service through the City of Dover. Per the City of Dover Code of Ordinances, each residence shall have its own separate trash service. Please contact the City of Dover to set up collection on each residential site.

### GENERAL

1. The final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg format) and Adobe Reader (.pdf format).

## RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

### ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS / GENERAL

1. None.

## ADVISORY COMMENTS TO THE APPLICANT

### ELECTRIC

1. The lighting for both properties are billed to one customer.

### WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. None.

### GENERAL

1. The Subdivision Plan will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

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: January 30, 2013

**D E L D O T**

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APPLICATION: Lands of Conard at 633 Long Point Road
FILE#: SB-13-02 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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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:

1. The department will require the applicant to provide the proper forms, fees, and plans in order to be issued a Letter of No Objection (LONO) for the minor subdivision.

2. Lot 1 and Lot 2 shall have a combined access to KCR 341, Long Point Road.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

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.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741 2600 EXT. 3 • FAX (302) 741 0347

**CITY OF DOVER**
**DEVELOPMENT ADVISORY COMMITTEE**
**APPLICATION REVIEW COMMENTARY**
**FEBRUARY 2013**

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**APPLICATION:** *Lands of Conard*

**FILE #:** SB-13-02

**REVIEWING AGENCY:** *Kent Conservation District*

**CONTACT PERSON:** *David C. Cahill* **PHONE #:** *741-2600 ext.3*

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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 AND STATE CODE REQUIREMENTS:

1. *Kent Conservation District has no objection to the subdivision of the above referenced site.*

ADVISORY COMMENTS TO THE APPLICANT:
The Following comments are advisory and apply to the development of a detailed site plan for this project.

- *A detailed Sediment and Stormwater Management Plan must be approved by our office prior to any land disturbing activity (i.e. clearing, grading, filling, etc.) over 5000 square feet.*

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE:

**Dover/Kent County Metropolitan Planning Organization**

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APPLICATION: Lands of Conard at 633 Long Point Road

FILE #: SB-13-02 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Jim Galvin, AICP PHONE #: (302) 387-6030

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The Dover/Kent County MPO has participated in the State's Preliminary Land Use Services (PLUS) process for several months. The MPO requested the opportunity to bring the recommendations on issues of our concern to the City as well. The MPO will limit comments to projects to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

**City of Dover Planning Commission 2/19/2013**
Project Review
S-13-02 Lands of Conard at 633 Long Point Road

Long Point Road is in a relatively remote portion of the City of Dover. While the MPO feels sidewalks are important in all areas of the City, there are no residents that use Long Point Road to accommodate. Transit is unnecessary for the same reason.

The MPO has no comment on the subdivision proposal.

**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.**

*Physical Address:*
34 The Green
Dover, DE 19901

Phone: 302-465-5567
Fax: 866-672-6428
Web: www.mountainconsultinginc.net

*Mailing Address*
P.O. Box 558
Dover, DE 19903

mountain consulting inc.

January 3, 2013

Ann Marie Townshend
City of Dover Planning & Inspections
P.O. Box 475
Dover, DE 19903

RE: Request for Sidewalk Waiver
Minor Subdivision at 633 Long Point Road

Dear Mrs. Townsend:

On behalf of the applicant, Joan L. Conard, it is requested that the sidewalk requirement be waived for the proposed Lots 2 & 3. Lots 2 and 3 are 2.50 acres and 2.82 acres, respectively, in size and front on Long Point Road as shown on the submitted minor subdivision plan. The property is zoned A (Agricultural) and located in a rural area where there is no sidewalk to tie into. For these reasons, please grant a waiver from the installation of sidewalk as required in the *Land Subdivision Regulations*, Article VI.B.

Please feel free to give me a call with any questions. I can be reached directly at 302-465-5567 or by email at tadams@mountainconsultinginc.com. Thank you for your cooperation.

Sincerely,
**MOUNTAIN CONSULTING, INC.**

Troy L. Adams, P.E.
Vice President

Cc: Joan L. Conard

City of Dover

**DRAFT**

DATA SHEET FOR CONDITIONAL USE SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF February 6, 2013

PLANNING COMMISSION MEETING OF February 19, 2013

| | |
|---|---|
| Plan Title: | Day Care of Gloria Sealy<br>C-13-01 |
| Plan Type: | Conditional Use Site Plan |
| Property Location: | 1344 Forrest Avenue |
| Tax Parcel: | ED-05-076.10-01-51.00-000 |
| Owner:<br>Lessee: | New Wind Properties, LLC<br>Gloria Sealy |
| Site Area: | 0.55 Acres |
| Proposed Use: | Large Family Day Care |
| Building Area: | Existing 2 story frame building |
| Off Street Parking: | Required – 1 space per 10 children + 1 per adult attendant<br>Proposed – 7 spaces |
| Sewer & Water: | City of Dover |
| Zoning Classification: | C-2A (Limited Central Commercial Zone)<br>COZ-1 (Corridor Overlay Zone) |
| Waiver to be Requested: | Elimination of Upright Curbing |

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: February 6, 2013

CITY OF DOVER PLANNING

**DRAFT**

APPLICATION: Day Care: 1344 Forrest Avenue

FILE #: C-13-01 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Tracey Harvey PHONE #: (302) 736-7196

PLAN SUMMARY:

This Conditional Use Site Plan Review is to permit a day care facility in an existing 1,218 S. F. building at 1344 Forrest Avenue with the associated site improvements to be known as God's Little Angels Day Care. The project area consists of one parcel of land totaling 0.55 acres ±. The property for the proposed development is zoned C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side of Forrest Avenue across from Greentree Shopping Center. The owner of record is New Wind Properties, LLC. Property Address: 1344 Forrest Avenue. Tax Parcel: ED-05-076.10-01-51.00-000.

The Day Care facilities type of land use requires Conditional Use approval by the Planning Commission based on the requirements (large family daycare home or day care center) noted in Article 5 §14 and Article 10 §1. The requirements for Day care facilities are given below:

**Section 14. Day care facilities.**

14.1 General. In order to promote the development of quality child care outside of the home (day care facilities), the following two basic assumptions have been made:

14.11 The establishment of day care services and facilities, wherever there is a need, is a necessary public objective; and

14.12 Day care programs shall be treated as community facilities and shall be permitted to locate in any zoning district, provided that need has been demonstrated, state licensing requirements have been met and no physical hazard to children can be reasonably anticipated.

14.2 Definitions.

Day care facility. For the purposes of this ordinance, the facilities described furnishing care, supervision and guidance of a child or group of children unaccompanied by a parent or guardian, for periods of less than 24 hours per day shall be defined as follows:

14.21 *Day care center*.
(a) Any place, other than an occupied residence, which receives children for compensation for day care or large family day care home; and
(b) Any occupied residence which receives 13 or more children for compensation for day care.

Day care centers shall be required to obtain conditional use approval by the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10 and to any specified requirement set forth in subsection 14.3 below, except in zoning districts where listed as a permitted use.

14.22 *Family day care home.* An occupied residence in which a person provides care for children other than his/her own family and the children of close relatives for compensation. Such care in a family day care home is limited to that care given to six or fewer children. Such child care facility shall be permitted as an accessory use in all residential zones and shall be exempt from obtaining a conditional use permit and site plan approval.

14.23 *Large family day care home.* A facility which provides child care for more than six, but less than 13 children. This care may be offered in a private home or in a property converted to the purpose of providing child day care. This form of day care facility requires the submission of a site plan application in accordance with the procedures and subject to article 10, section 2 of the zoning ordinance. If a large family day care home is not to be located in an occupied residence, then a conditional use site plan application shall be required in accordance with article 10 section 1 of the zoning ordinance.

14.3 Zoning criteria.

14.31 *Number of children.* Day care centers shall be limited to a maximum of 50 children in all residential zones.

14.32 *Outdoor play area.* Must meet the state requirement for day care centers.

14.33 *Off-street parking/loading.* One space per each adult attendant, plus one space for every ten children.

14.34 *Signs in all residential zones.* Signage shall be limited as follows:

(a) *Family day care homes and large family day care homes.* One wall-mounted sign limited to two square feet.
(b) *Day care center.* One sign, wall-mounted or freestanding, limited in area to 12 square feet. The planning commission shall consider the location of such sign as part of the conditional use review and may approve a lesser amount of sign area if deemed necessary by the commission to protect the general health, safety and welfare of the public in general and the residents of the immediate neighborhood in particular.

*Signs in nonresidential zones.* Day care centers within nonresidential zoning districts shall be governed by the sign regulations in effect for the particular nonresidential zoning district in which the day care center is located.

14.35 *Licensing requirements.* Day care facilities must meet state standards, and a license from the state shall be submitted to the department of planning and inspections prior to the issuance of a City of Dover Business License.

(Ord. of 5-14-1990; Ord. of 4-25-1994; Ord. of 4-23-2007(3))

PROJECT PROPOSAL

The existing building on the property is proposed to be occupied by the day care only with no residential use. The application submission states that twelve (12) children will be attending the day care with two adult attendants.

The project proposal for twelve (12) children at God's Little Angels Day Care would be classified as a "Large Family Day Care" by the *Zoning Ordinance* as it provides care for more than six children but less than 13 children. If the number of children increases to 13 or greater, then it would be considered a "Day Care Center."

Day Care facilities also require licensing through the State of Delaware. The number of children permitted in a Day Care facility is determined by State of Delaware along with mandated child to attendant ratios.

The Plan shows an outdoor play area on the northern side of the site in front of the existing building. There are State requirements, which dictate the size of this area based on the number of children. The applicant must provide documentation that the size of the play area is adequate to suit the needs of the children it serves. Fencing for the play area is identified on the plan. Access/egress into the playground area appears to be directly from the building.

PREVIOUS APPLICATION:

In March of 2009, the Planning Commission reviewed Application C-09-02 Day Care of Gloria Sealy to permit the Conditional Use of a Large Family Day Care in an existing 2 story framed building located on the south side of Forrest Avenue. The Planning Commission granted conditional approval on March 16, 2009 including approval of a waiver to eliminate upright curbing and denial of a waiver to eliminate the opaque barrier, with Final Plan Approval on May 8, 2009. The Certificate of Occupancy for the previous daycare was issued on June 24, 2009. As the property has been vacant, the review process is required to establish the type of daycare facility at the site.

PARKING SUMMARY

The plan shows a total of seven (7) parking spaces. The previous Site Plan was approved with five (5) parking spaces; five (5) have been constructed including one handicap space (four spaces along the west property line and one space relocated to along east property line). The applicant is proposing to add one (1) additional parking space along the westerly property line and construct the remaining original parking space for a total of seven (7) spaces. The number of required spaces shown on the plan is based upon the requirements for a day care facilities in Article 5 §14.33, which requires one space per ten (10) children plus one space per adult attendant. The parking complies with the requirement that it not be located in the front yard and not between the building and the right-of-way for the corridor street.

The total size of the building does not require a loading space as per *Zoning Ordinance*, Article 6 §4.23.

BUILDING ARCHITECTURE

The submission does not include Architectural Elevation drawings since the existing building will be utilized. The site has an existing two story building with a pitched roof. The primary entrance to the building is located facing Forrest Avenue. A secondary entrance is located at the rear of the building adjacent to the parking area. The building is considered to be an existing condition on the site in regards to the building requirements for the Corridor Overlay Zone.

SITE CONSIDERATIONS

Since the applicant is proposing to expand the parking area, the previous waiver request to eliminate the required upright curbing must be requested with this application. **A written waiver request regarding the elimination of upright curbing must be submitted by February 6, 2013 for consideration by the Planning Commission.**

Delaware 8 Concept Plan and Operations Study

In 2007, the Dover/Kent County Metropolitan Planning Organization developed and approved the *Delaware 8 Concept Plan and Operations Study* to identify circulation improvements along the Route 8 corridor on the west side of Dover, from the railroad tracks to Artis Drive. The study identifies a concept for a street to interconnect properties along the south side of the Route 8 corridor between Independence Boulevard and Mifflin Road. The plan indicates a 50 foot wide strip of land reserved for future road improvements.

Dumpster Construction

A reserved site location of the dumpster pad is shown on the plan in accordance with Article 5§ 6.12 of the Z*oning Ordinance*. Depending on the trash collection services to the property this dumpster pad and enclosure may be required to be constructed per Article 5 §6.18.

C-2A Zoning

The property is zoned C-2A Limited Central Commercial Zone. The existing building is not changing or enlarging. The site is in compliance with the bulk standards for the zoning district.

COZ-1 Corridor Overlay Zone

This site is located within the Corridor Overlay Zone. Due to the existing nature of the site and the use of the existing building with few changes to the site layout, the requirements of the COZ-1 are evaluated on a case-by-case basis for this project to see if they qualify as an existing condition, which does not need to be altered for this project.

Building placement, building architecture, landscape buffer area adjacent to parking and drive aisles, and required side yard landscaping are all considered existing non-conforming aspects of the site and are not subject to change.

The plan is in compliance with other aspects of the COZ-1 providing perimeter tree plantings, frontage landscaping, adequate open space, cross access entrance, and parking behind the structure.

TREE PLANTING AND LANDSCAPE PLAN

The submitted plan sheet set includes the requisite Landscaping Plan elements. Based on the total site area of 24,001.5 S.F., eight (8) trees would be required. The site meets the requirement for plantings with a combination of new tree plantings and existing trees on site.

The fence and landscape components of the opaque barrier have been constructed as required in the *Zoning Ordinance* with the Planning Commission granting exception from implementing the fence and landscaping in the area of the driveway.

The COZ-1 (Corridor Overlay Zone –1) includes specific tree planting requirements along property lines. One tree per fifty feet of frontage is required which accounts for two required plantings on the north and south property lines. Additionally, one tree per 75 feet is required on the non-frontage perimeters for a total of six (6) trees on the east and west property line. The proposed tree plantings for the site include: Yoshino Cherry, Swamp White Oak, and Red Maple. It appears that these tree plantings may not have been previously planted.

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

CITY AND STATE CODE REQUIREMENTS:

1) The data columns will need to be updated prior to Final Approval with the following:
   a) Any updates to the data column resulting from changes to the site layout including parking and impervious cover.
   b) Any changes recommended or approvals granted by the Planning Commission.

2) Ensure that tree and shrub plantings do not conflict with utilities lines such as sewer, water, hydrants, etc. and that separation distances are maintained. The required tree plantings must be implemented on the property.

**3) A waiver request must be submitted to eliminate the upright curbing for the parking lot expansion. A written request must be submitted to the Planning Office by February 6, 2013 for consideration by the Planning Commission.**

4) The requirements for the maximum children allowed for a Large Family Day Care is twelve (12) children. Exceeding this number will require additional code compliance in accordance with the *Zoning Ordinance.*

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Recommendation on Waiver Request: Staff will provide a recommendation upon submission of the waiver request.

ADVISORY COMMENTS TO THE APPLICANT:

1) In the event, that major changes and revisions to the Conditional Use Site Plan occur in the finalization of the Site Plan contact the Department of Planning and Inspections. Examples include building additions, relocation of site components, and increases in change in the number of children. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

2) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.

3) Following Planning Commission approval of the Conditional Use Site Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff and to each DAC participant providing comments. Upon determination that the Plan is complete and all agency approvals have been received, copies of the Plan may be submitted for final endorsement.

4) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections and permits are required.

5) Construction may have an effect on the adjacent property owners and visitors to this site. Any work requiring the closing or rerouting of potential customers or visitors to adjacent properties should be coordinated as to offer the least amount of inconvenience to the adjacent property owners.

6) The applicant shall be aware that Conditional Use Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

7) The applicant shall be aware that Conditional Use Site Plan approval does not represent a Building Permit, Business and Occupancy Licenses, and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover. At a minimum an Administrative Building Permit will be required to establish this daycare facility use in the building.

**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: JANUARY 30, 2013**

CITY OF DOVER
Electric &
Public Works
Departments

**APPLICATION:** **DAYCARE CENTER, 1344 FORREST AVENUE**

**FILE #:** **C-13-01**

**REVIEWING AGENCY:** **City of Dover Electric and Public Works Departments**

**CONTACT PERSON:** **Steve Enss - Electric**
**Jason A. Lyon, P.E. – Public Works**

**CONTACT PHONE #:** **ELECTRIC - 302-736-7070 PUBLIC WORKS – 302-736-7025**

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

1. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: http://www.cityofdover.com/Public-Documents-4017/.

### WATER

1. Our office has no objection to the conditional use proposed for the subject property.
2. Due to the fact that this property is changing uses, water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) water meter for the building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.

### WASTEWATER

1. Our office has no objection to the conditional use proposed for the subject property.
2. Sizing (flow) calculations must be submitted for all sanitary sewer laterals (other than for single-family dwellings) showing that velocity and all other requirements are met. All proposed wastewater utility components must meet the requirements of the Public Utilities Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.

### STORMWATER/ SANITATION/ STREETS/GROUNDS

1. None

### GENERAL

1. The final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg format) and Adobe Reader (.pdf format).

## RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

### ELECTRIC

1. The proposed building location will require that the electric service be relocated at the owners expense.

### WATER / WASTEWATER / STORMWATER / STREETS/GROUNDS/GENERAL

1. None

### SANITATION

1. Currently, this site has solid waste service through the City of Dover. As depicted on the plan, the dumpster location is not acceptable for future service, due to the fact that parking spaces are proposed in front of the dumpster pad. Please redesign said pad or provide a design that is suitable for private service.

## ADVISORY COMMENTS TO THE APPLICANT

### ELECTRIC

1. None

### WATER / WASTEWATER / STORMWATER/SANITATION/STREETS/GROUNDS/GENERAL

1. None

### GENERAL

1. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

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: JANUARY 30, 2013

CITY OF DOVER FIRE MARSHAL

APPLICATION: Daycare Center at 1344 Forrest Ave

FILE #: C-13-01 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: David Truax, Fire Marshal PHONE #: (302) 736-7011

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:

Proposed building is single story daycare center. Primary fire lanes are required to be 24 feet wide and cover the side of the building that has the primary entrance and exit. Secondary fire lanes can be reduced to 16 feet wide. Both can be no closer than 10 feet to the building and no farther than 50 feet from the building. Fire lanes shall cover 75% of the proposed building if not sprinklered and 35% if building is sprinklered.

Any gas fired HVAC equipment must be equipped with emergency cut off switches remotely located.

Address numbers of at least 12 inches in height must be placed on the street side of the building visible from the street.

Any natural or LP gas bottles, meters, values, regulators, etc., must have impact protection.

Design official required to submit plans for building and fire plan review.

Building cannot be occupied or construction or renovations started until completion of building and fire plan review.

All required means of egress shall have an exit discharge consisting of a non slip surface, and leading to and terminating at a public way

More than five children below the age of 2 ½ years of age building shall be sprinklered.

If building is not sprinkler, all portions of the exterior of the first floor shall be within 400 feet of a fire hydrant.

If building is sprinklered, all portions of the exterior of the first floor shall be within 600 feet of a fire hydrant.

Sprinkler system if required shall be monitored.

If building is sprinklered, Fire Department connection to be located within 50 feet of main entrance.

If building is sprinklered, Fire Department connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.

Fire alarm system required.

Knox Box required.

Project to be completed per approved Site Plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

After any application has been approved by the Planning Commission, the applicant has a maximum of thirty (30) days to appeal to the Code Board of Appeals Committee.

All comments from this office, approved by the Planning Commission are at the expense of the owner/applicant.

The proposed building will be reviewed under Daycare Occupancy.

The City of Dover uses the 2012 NFPA Life Safety Code, 2009 IBC, latest editions of all other NFPA Codes and the 2009 Delaware State Fire Prevention Regulations.

The Dover Fire Department request that a 8 ½ X 11 copy of the floor plan and site plan be submitted to Station 1, attention Fire Chief, prior to the Certificate of Occupancy being issued.

**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: January 30, 2013

**D E L D O T**

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APPLICATION: Daycare Center at 1344 Forrest Avenue
FILE#: C-13-01 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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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:

1. The department has no comments, but the applicant will be required to obtain an entrance permit from the DelDOT's Central District Office for this project.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

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.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741 2600 EXT. 3 • FAX (302) 741 0347

**CITY OF DOVER**
**DEVELOPMENT ADVISORY COMMITTEE**
**APPLICATION REVIEW COMMENTARY**
**FEBRUARY 2013**

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**APPLICATION:** *Daycare Center at 1344 Forrest Avenue*

**FILE #:** C-13-01

**REVIEWING AGENCY:** *Kent Conservation District*

**CONTACT PERSON:** *David C. Cahill* **PHONE #:** *741-2600 ext.3*

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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 AND STATE CODE REQUIREMENTS:

1. *Kent Conservation District has no objection to conditional use site plan of the above referenced site.*

ADVISORY COMMENTS TO THE APPLICANT:
The Following comments are advisory and apply to the development of a detailed site plan for this project.

1. *The plans show that the existing gravel parking is being paved and some additional paved parking is being proposed. The applicant must contact the Kent Conservation District prior to construction for additional requirements.*

2. *If at any time expansion or earth disturbing activity (clearing, grubbing tree clearing etc.) takes place and exceeds 5000 square feet; a detailed Sediment and Stormwater Management Plan must be submitted and approved to the Kent Conversation District.*

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE:

**Dover/Kent County Metropolitan Planning Organization**

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APPLICATION: Day Care Center at 1344 Forrest Avenue

FILE #: C-13-01 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Jim Galvin, AICP PHONE #: (302) 387-6030

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The Dover/Kent County MPO has participated in the State's Preliminary Land Use Services (PLUS) process for several months. The MPO requested the opportunity to bring the recommendations on issues of our concern to the City as well. The MPO will limit comments to projects to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

**City of Dover Planning Commission 2/19/2013**
Project Review
C-13-01 Lands Day Care Center at 1344 Forrest Avenue

The location is immediately across DE 8/Forrest Avenue from the Greentree Shopping Center. There are sidewalks serving the site. The site is on the DART bus routes 100 and 101 with stops at the south side of Forrest Avenue, just east of Kenton Road, at Greentree Plaza, and at Bennington Road on the south side of Forrest Avenue. If there is sufficient potential ridership to warrant a transit stop, please contact Lisa Collins, Planner with DART at lisa.collins@state.de.us or by calling (302) 576-6067. Forrest Avenue through the City and beyond is a Regional Bicycle Route with wide shoulders or multi-use trails.

Given all of these elements, the MPO has nothing to cite for the Day Care Center.

**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

DATA SHEET FOR UNIFIED COMPREHENSIVE SIGN PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF February 6, 2013

PLANNING COMMISSION MEETING OF February 19, 2013

| | |
|---|---|
| Plan Title: | Greentree Village Shopping Center<br>US-13-01 |
| Plan Type: | Unified Comprehensive Signage Plan |
| Property Location: | North side of Forest Avenue, east of Kenton Road |
| Property Addresses: | 1-140 Greentree Drive |
| Tax Parcels: | ED-05-076.06-06-67.00-000<br>ED-05-076.06-06-66.00-000 |
| Owners: | Greentree Village Center, LP<br>Stevens/Anstine LP |
| Project Professional: | Kent Signs |
| Site Area: | 13.477 acres +/- |
| Existing Signs: | Two (2) pylon signs, two (2) monument signs, and thirty-three (33) wall signs. |
| Proposed Signs: | Number: 37 signs (2 pylon signs, 2 monument sign, and 33 wall signs<br>Square Feet: 2,367 SF |
| Zoning Classification: | SC-2 (Community Shopping Center Zone)<br>COZ-1 (Corridor Overlay Zone) |
| Roadway Classification: | DE Route 8 – Urban Minor Arterial |

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: February 6, 2013

CITY OF DOVER PLANNING

APPLICATION: Greentree Shopping Center Unified Comprehensive Signage Plan

FILE #: US-13-01 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Janelle M. Cornwell, AICP PHONE #: (302) 736-7196

PLAN SUMMARY:

This is an application to the Planning Commission for a Unified Comprehensive Signage Plan Approval. The plan includes the construction and implementation of signage for the Shopping Center consisting of two pylon signs, monument signs at entrances, and wall signs for the tenants. The property is zoned SC-2 (Community Shopping Center Zone) and is subject to the COZ-1 (Corridor Overlay Zone). The property is located on the north side of Forrest Avenue (Route 8) between Independence Boulevard and Kenton Road. The owners of record are Greentree Village Center LP and Stevens/Anstine 1987-1 LP. Addresses: 25-83 and 87-140 Greentree Drive (excluding 50, 121 and 125 Greentree Drive). Tax Parcels: ED-05-076.06-06-67.00-000 and ED-05-076.06-06-66.00-000.

The Shopping Center known as Greentree Village Shopping Center site consists of two buildings. There are two main buildings (Building 1 and Building 2). The project area qualifies for the Unified Comprehensive Sign Plan because the site is considered a shopping center (Article 5 §4.8A2). This plan includes thirty-seven (37) signs totaling 2,367 square feet ±.

The shopping center was built in the late 1980's. The sign requirements at that time were different and currently the site has signage that is considered legal non-conforming especially since the revisions to the Sign Regulations in 2001. This application is to review the signage for the shopping center and determine if what is currently there is still appropriate. The applicant is currently looking to rework the two (2) existing legal non-conforming pylon signs located along Forrest Avenue and for signage for a new tenant (Redner's).

SIGNAGE REGULATIONS

The *Zoning Ordinance* permits a site on an Urban Minor Arterial road two (2) signs: one monument sign per entrance and two wall signs per frontage. Shopping Centers and structures that have multiple tenant spaces are permitted to have at least one wall sign on each unit. The following table illustrates the size and types of signs permitted under the *Zoning Ordinance*:

| Use | | Road Type | Sign Type | # Permitted | Max Size | Max Height | % of Total Wall Area | Setback (R.O.W.) | Exclusion Zone |
|---|---|---|---|---|---|---|---|---|---|
| Non-Residential uses in non-Residential Districts | Non Residential Uses | Urban Minor Arterial | Wall Sign & | 2/frontage | 64 SF | N/A | Less than 15 % | N/A | N/A |
| | | | Monument Sign or post and panel or | 1/entrance | 64 SF | 7 ft. | N/A | 5 ft. | 20ft. |
| | | | Post** | 1/frontage | 16 SF | 7 ft. | N/A | 5 ft. | 20 ft. |

** Post sign would be in lieu of a monument sign or post and panel sign.

The table above presents the traditional sign regulations for the property based on its road frontage. However, the applicant has requested consideration of a Unified Comprehensive Signage Plan for the property. Under the provisions for Comprehensive Signage Plans for unified campuses and complexes found in Article 5 §4.8 of the Sign Regulations, an applicant may request the Planning Commission to grant additional signage and sign area than would be permitted under the traditional sign regulations.

However, in considering a Unified Comprehensive Signage Plan, "the number type and size of sign proposed may not be excessive and must be in proportion to the scale of the building and the uses on the site." For the Unified Comprehensive Signage Plans, there shall be architectural harmony and unity of signs within a unified campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the center and the surrounding area. All Comprehensive Signage Plans must comply with the design guidelines found in Article 5 §4.4. The design requirements focus on freestanding signs, the material and craftsmanship of signs, wall sign placement, illumination, and changeable signs.

DESIGN GUIDELINES AND OBJECTIVES FOR COMPREHENSIVE SIGNAGE PLANS

In reviewing the overall sign package, each of the sign locations must be reviewed individually and as a whole. The Planning Commission must take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, business and property owners of the immediate neighborhood in particular and shall ensure that the Site has adequate, but not excessive signage.

The Sign Ordinance specifically spells out the guidelines for the Planning Commission to use to approve or disapprove a Unified Comprehensive Signage Plan (*Zoning Ordinance* Article 5 § 4.8 B and C). The pertinent design guidelines and objectives are as follows:

B. *Design guidelines for unified comprehensive signage plans.*

1. Unified campuses and complexes applying for a unified comprehensive signage plan may not be held to the height, size, number and area regulations for signs found in other subsections of this section. However, the number, type and size of signs proposed may not be excessive, and must be in proportion to the scale of the buildings and the uses on the site.

2. All unified comprehensive signage plans must comply with all design guidelines found in subsection 4.4-Design requirements of this section, as well as all specific design guidelines found in this section.

3. Building signs shall be in harmony with the overall architectural concept for the site, and be compatible with each other and the building facades.

4. The freestanding signs identifying shopping centers and other unified campuses and complexes shall identify the name of the campus or complex and no more than three separate tenants within the campus or complex unless otherwise approved by the planning commission.

5. There shall be architectural harmony and unity of signs within a unified campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the center and the surrounding area.

C. *Planning commission duties.* In reviewing and approving comprehensive signage plans, the planning commission shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, businesses, and property owners of the immediate neighborhood in particular, and shall ensure that unified campuses and complexes have adequate, but not excessive, signage. Specifically, the following objectives shall guide the commission when reviewing such plans:

1. That the size and complexity of the campus or complex warrants the need for extra signage under the provisions of this section;

2. That, in respect to the number and type of entrances, the placement of signage at or near those entrances provides superior visibility in order to ensure the safety of the driving public;

3. That the proposed signs are adequate in number to safely direct the public to the use or uses on the site;

4. The proposed signs must not have an adverse impact on the visibility of adjacent signs, and shall be consistent with, or an improvement over, the prevailing type and style of signage in the general area;

5. That the proposed signs will be of a style and color which will complement the architecture of the site, and the area in general.

## SUMMARY OF EXISTING AND PROPOSED SIGNS

The following tables represent a listing of all signs existing and proposed for the Greentree Village Shopping Center.

### Exterior Freestanding Signage

| Type | Location | Text | Existing Height | Proposed Height | Quantity | Existing S.F. | Proposed S.F. |
|---|---|---|---|---|---|---|---|
| Monument | East side of the site near Independence Blvd | Greentree | 2.6 ft. | 2.6 ft. | 1 | 19 | 19 |
| Monument | Southwest corner of Greentree Drive | Greentree | 2.6 ft. | 2.6 ft. | 1 | 19 | 19 |
| Pylon Sign | Along Forrest Avenue near former Blockbuster Video | Greentree Village Center with tenant names | 25 ft. | 19 ft. | 1 | 209 | 204 |
| Pylon Sign | Along Forrest Avenue near Independence Blvd. | Greentree Village Center with tenant names | 20 ft. | 24 ft. | 1 | 157 | 195 |
| **Total** | | | | | **4** | **404+/- SF** | **437+/- SF** |

**Existing Exterior Wall Signage** (Placed on the building elevations)

| Sign | Type | Location | Text | Quantity | S.F. |
|---|---|---|---|---|---|
| 2A | Wall Sign | Building 1 facing the parking lot | Wells Fargo Financial | 1 | 55 |
| 2B | Wall Sign | Building 1 facing the parking lot | The Branch | 1 | 55 |
| 2C | Wall Sign | Building 1 facing the parking lot | Hallmark | 1 | 52 |
| 2D | Wall Sign | Building 1 facing the parking lot | Some Guys Bagels | 1 | 25 |
| 2E | Wall Sign | Building 1 facing the parking lot | Gilpin Mortgage | 1 | 25 |
| 2F | Wall Sign | Building 1 facing the parking lot | Patterson Schwartz Real Estate | 1 | 50 |
| 2G | Wall Sign | Building 1 facing Building 2 | Patterson Schwartz Real Estate | 1 | 50 |
| 3A | Wall Sign | Building 2 facing the parking lot | PNC Bank with logo | 1 | 40 |
| 3B | Wall Sign | Building 2 facing the parking lot | Ward & Taylor | 1 | 55 |
| 3C | Wall Sign | Building 2 facing the parking lot | State Farm and logo | 1 | 55 |
| 3D | Wall Sign | Building 2 facing the parking lot | Chiropractor | 1 | 30 |
| 3E | Wall Sign | Building 2 facing the parking lot | Vitale's and logo | 1 | 34 |
| 3F | Wall Sign | Building 2 facing the parking lot | The UPS Store and logo | 1 | 30 |
| 3G | Wall Sign | Building 2 facing the parking lot | Cash Advance and logo | 1 | 30 |
| 3H | Wall Sign | Building 2 facing the parking lot | Pizza Delight by Giacomo | 1 | 55 |
| 3I | Wall Sign | Building 2 facing the parking lot | Giacomo's Party room | 1 | 30 |
| 3J | Wall Sign | Building 2 facing the parking lot | Lee Nails | 1 | 30 |
| 3K | Wall Sign | Building 2 facing the parking lot | Something Unique | 1 | 30 |
| 3L | Wall Sign | Building 2 facing the parking lot | Vacant | 1 | 30 |
| 3M | Wall Sign | Building 2 facing the parking lot | AAA Insurance and Travel | 1 | 45 |
| 3N | Wall Sign | Building 2 facing the parking lot | AAA Insurance and Travel | 1 | 45 |
| 3O | Wall Sign | Building 2 facing the parking lot | Coin & Sportscards | 1 | 40 |
| 3P | Wall Sign | Building 2 facing the parking lot | Bastian Homes | 1 | 40 |
| 3Q | Wall Sign | Building 2 facing the parking lot | H & R Block and logo | 1 | 35 |
| 3R | Wall Sign | Building 2 facing the parking lot | Wireless Link and Logo | 1 | 32 |
| 3S | Wall Sign | Building 2 facing the parking lot | Rice - Chinese and Japanese Restaurant | 1 | 45 |
| Rite Aid | Wall Sign | Building 2 facing the parking lot | Rite Aid Pharmacy | 1 | 129 |
| **Total** | | | | **27** | **1,130 SF** |

**Proposed Exterior Wall Signage** (Placed on the building elevations of each tenant space)

| Sign | Type | Location | Text | Quantity | S.F. |
|---|---|---|---|---|---|
| Redner's | Wall Sign | Building 2 facing the parking lot | Redner's | 1 | 162 |
| Redner's | Wall Sign | Building 2 facing the parking lot | Employee Owned | 1 | 32 |
| Redner's | Wall Sign | Building 2 facing the parking lot | Open 24 Hours | 1 | 44 |
| Redner's | Wall Sign | Building 2 facing Independence Blvd. | Redner's | 1 | 162 |
| Former Blockbuster | Wall Sign | Building 1 facing Forrest Ave. | | 1 | 250 |
| Former Blockbuster | Wall Sign | Building 1 facing parking lot | | 1 | 150 |
| **Total** | | | | **6** | **800** |

SUMMARY OF SIGNAGE AND RECOMMENDATIONS

**FREESTANDING SIGNAGE**

The applicant is requesting four (4) freestanding signs. Two (2) of the signs are pylon signs. The two (2) existing pylon signs have the name of the shopping center and tenant names on the sign. These two (2) pylon signs are proposed to be replaced by new signs. One of the pylon signs is proposed to reduce in sign area by five (5) square feet. The other pylon sign located near Independence Boulevard is proposed to increase in sign area by 38 square feet. The other two (2) freestanding signs are two (2) monument signs. One monument sign is located at the entrance of the site off of Independence Boulevard. The other monument sign is located at the entrance of the site off Kenton Road.

Greentree Village Pylon Signs

The first Greentree Village pylon sign is located near the intersection of Forrest Avenue and Independence Boulevard. The proposed pylon sign is 195 SF in sign area. This sign contains the room for ten of the tenant spaces located in Building 2. The second Greentree Village pylon sign is located along Forrest Avenue closer to Building 1. This pylon sign is proposed to be 204 SF in sign area. This sign will contain up to fifteen (15) names of the tenants in Building 1 and Building 2.

**Staff Recommendation for Greentree Village Pylon signs**

Staff recommends approval of the two pylon signs. The two pylon signs are setback 26 feet and 36 feet from the right-of-way. Though pylon signs are prohibited along minor arterial roads (Forrest Avenue) without the signage along Forrest Avenue a number of the tenant signs would not be visible from the right-of-way. Monument would normally be an option for signage; however, monument signs are permitted at the entrances off of the road. This shopping center does not have an entrance off of Forrest Avenue.

- The overall height of each pylon sign shall not exceed 25 feet.
- Staff recommends that tenant shall not have signage on both pylon signs.

- Staff recommends that approval of the pylon signs to allow for more than three (3) tenants on each of the pylon signs.

Greentree Village Monument Signs

The shopping center has two (2) existing monument signs on the site. The first is the Greentree village Center sign that is located at the entrance off of Independence Boulevard. This 19 SF sign is an existing sign. The second monument sign is the sign located off of Greentree Drive off of Kenton Road.

**Staff Recommendation for Greentree Village Monument Signs**

Staff recommends approval of the proposed monument signs in their current location and current sign area.

**WALL SIGNAGE**

The applicant is requesting thirty-three (33) wall signs for the two buildings. The signs reflect the tenant spaces within the shopping center.

Greentree Village Shopping Center Wall Signs

The applicant is requesting a total of thirty-three (33) wall signs located on Building 1 and Building 2. The sign area for twenty-six (26) of the wall signs ranges from 25 SF to 55 SF each. The sign area for Rite Aid is 129 SF. The range in sign area from 25 SF to 55 SF allows for the different sizes in the tenant spaces. Most of the existing wall signs have a similar shape that helps provide uniformity to the wall signs. The shape of the signs is a long rectangle with the corners clipped to curves. The other signs are channel letters. The signs are primarily located over the storefront of the building.

**Staff Recommendation for Greentree Village Wall Signs**

Staff recommends approval of the wall signs with the following conditions:

- The shopping center has two types of wall signs. The signs are signage as an interior illuminated box signs with a unique shape or a sign consisting of channel letters. The signs should all have the same background shape or sign type to maintain the uniformity of the existing signs for the inline tenant spaces. The existing interior illuminated box signs have a similar shape or type. Staff recommends that the shape of the signs be maintained and that the signs that are channel letters be maintained as channel letters so they will have uniformity with all the signs.

- Staff recommends approval of the 129 SF Rite Aid Pharmacy sign.

- Staff recommends denial of the two (2) wall signs for the former Blockbuster tenant space. Staff notes that the proposed sign area of 400 SF is the same sign area proposed for the Redner's which is

located farther from Forrest Avenue and has a larger tenant space. Staff recommends two (2) wall signs with a total sign area of 200 SF.

- Staff recommends approval of the four (4) wall signs for Redner's. The four (4) signs are channel letters with a total sign area of 400 SF.

- Staff recommends one wall sign per tenant space with a maximum of 64 SF in sign area and not to exceed 15% of the wall area for the tenant space with the exceptions as noted for the former Blockbuster and the Redner's tenant space.

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

CITY AND STATE CODE REQUIREMENTS:

1) This request does not include directional signs and any other types of signage proposed for the site.

2) This request does not include the out parcel for the Hardee's Restaurant.

3) Indicate the depth of the pylon signs.

4) Indicate the overall height of the existing pylon signs.

5) Indicate the overall height of the proposed pylon signs.

6) Remove the photos of the former Superfresh Supermarket from the plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Refer to Staff recommendations for the freestanding (pylon and monument) signs and the wall signs found within the text of this Report.

2) Staff recommends retaining the landscaping around the base of the freestanding (pylon) signs. Plantings such as small ornamental trees, low-growing shrubs, ground covers, and flowering plants should be maintained and enhanced in the area surrounding the pylon signs. This will help incorporate the sign into the site landscape and improve the aesthetics of the signage and a welcoming feature to the facility. Plantings will also help to minimize the impact of the sign height in this very open area without conflicting with the visibility of the sign.

3) Staff recommends approval of the pylon signs identifying more than three tenants.

ADVISORY COMMENTS TO THE APPLICANT:

1) In the event, that major changes and revisions to the Signage Plan occur in the finalization of the signage plan contact the Department of Planning and Inspections. Examples include reorientation of signage, relocation of signs, changes in sign area, etc. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

2) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.

3) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections and permits are required.

4) Construction may have an effect on the adjacent property owners and nearby travel lanes. Any work requiring the closing or rerouting of potential customers or visitors to adjacent properties should be coordinated as to offer the least amount of inconvenience to the adjacent property owners.

5) Staff requires a final submittal of the Unified Comprehensive Signage Plan, including any revisions and conditions of Planning Commission approval, to be reviewed administratively before applications for Sign Permits will be accepted.

6) The applicant shall be aware that Unified Comprehensive Signage Plan approval does not represent a Sign Permit. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

7) Signs should be placed in a manner that meets NESC requirements.

8) Be advised that the City of Dover, Public Works Department does not permit signs to be installed within ten (10) feet of existing or proposed water lines.

9) Be advised that the City of Dover, Public Works Department does not permit signs to be installed within ten (10) feet of existing or proposed sanitary sewer lines.

**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: JANUARY 30, 2013**

**CITY OF DOVER Electric & Public Works Departments**

**APPLICATION:** **GREENTREE SHOPPING CENTER**

**FILE #:** **US-13-01**

**REVIEWING AGENCY:** **City of Dover Electric and Public Works Departments**

**CONTACT PERSON:** **Steve Enss - Electric**
**Jason A. Lyon, P.E. – Public Works**

**CONTACT PHONE #:** **Electric 302-736-7070, Public Works 302-736-7025**

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

1. Signs should be placed in a manner that meets NESC requirements.

### WATER / WASTEWATER / STORMWATER

1. No structures, including permanent signage, may be located within ten feet (10') of utility infrastructure.

### STREETS / SANITATION / GROUNDS

1. None

## RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

### WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. None.

## ADVISORY COMMENTS TO THE APPLICANT

### WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

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: January 30, 2013

**D E L D O T**

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APPLICATION: Greentree Shopping Center at 25-140 Greentree Drive
FILE#: US-13-01 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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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:

1. The department has no comments.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

- The proposed signs must not be located within the right-of-way, and they must not impede sight distances at the entrance of the shopping center.

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.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741 2600 EXT. 3 • FAX (302) 741 0347

**CITY OF DOVER**
**DEVELOPMENT ADVISORY COMMITTEE**
**APPLICATION REVIEW COMMENTARY**
**JANUARY 2013**

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**APPLICATION:** *Greentree Shopping Center*

**FILE #:** US-13-01

**REVIEWING AGENCY:** *Kent Conservation District*

**CONTACT PERSON:** *David C. Cahill* **PHONE #:** *741-2600 ext.3*

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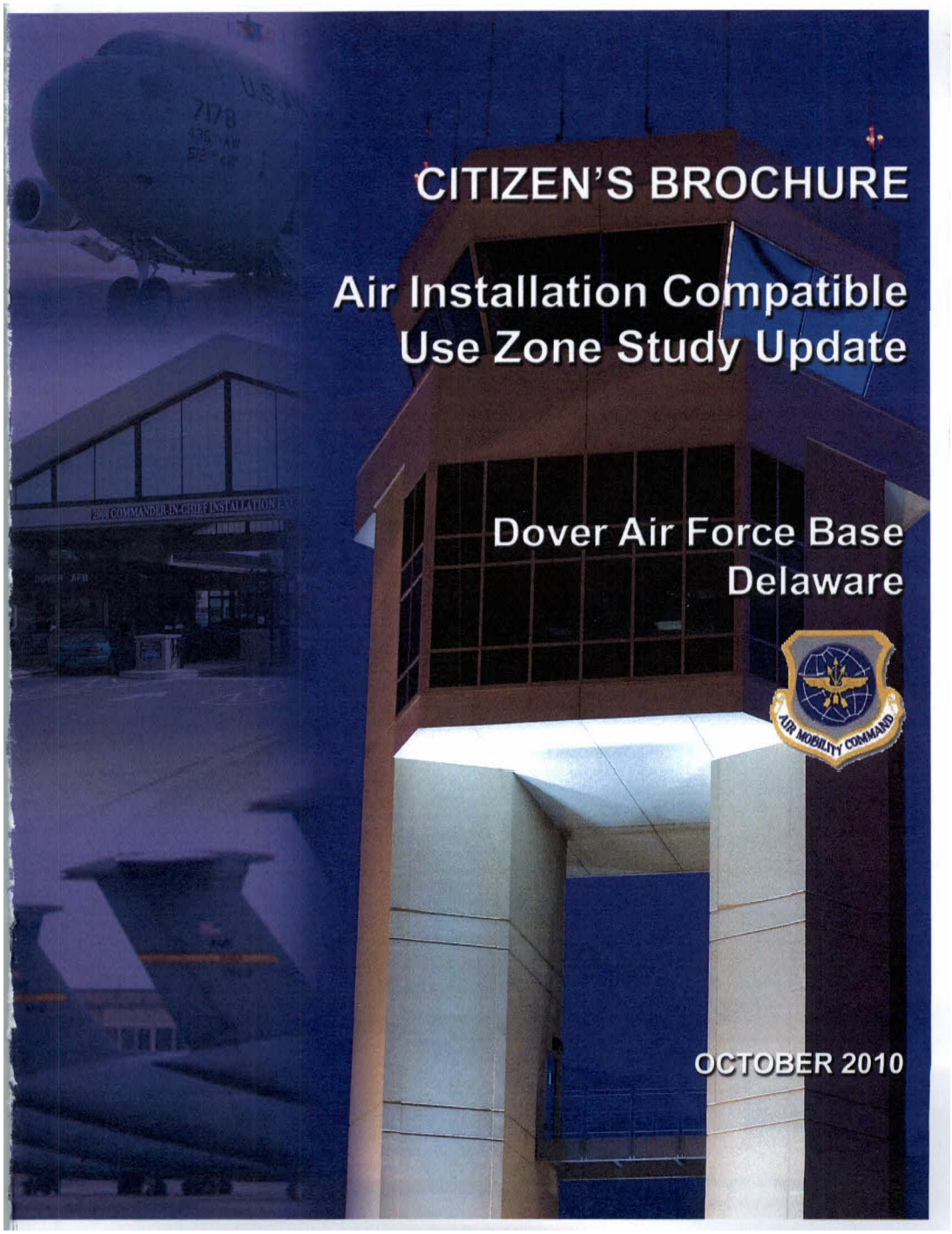
THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. *Kent Conservation District has no objection to the signage plan for the above referenced site.*

ADVISORY COMMENTS TO THE APPLICANT:
The Following comments are advisory and apply to the development of a detailed site plan for this project.

- *A detailed Sediment and Stormwater Management Plan must be approved by our office prior to any land disturbing activity (i.e. clearing, grading, filling, etc.) over 5000 square feet.*



# CITIZEN'S BROCHURE

## Air Installation Compatible Use Zone Study Update

### Dover Air Force Base
### Delaware

AIR MOBILITY COMMAND

OCTOBER 2010

## What is AICUZ?

Air Installation Compatible Use Zone (AICUZ) is a program concerning people, their comfort, safety, and protection. This brochure summarizes the AICUZ Study for Dover Air Force Base (AFB), Delaware. The AICUZ program is an extensive analysis of the effects of aircraft noise, aircraft accident potential, and land use development upon present and future neighbors of Dover AFB. The AICUZ program seeks a cooperative understanding and a reasonable solution to this intricate situation.

## Is there a problem?

As employment centers, military airfields attract development in the immediate area. In the absence of compatible land use controls, inappropriate uses of land that is nearby or adjacent to the installation may be made, causing eventual conflicts between flight operations and landowners. Because land close to Dover AFB is subject to high noise levels and potential aircraft accidents, certain types of development are not compatible. However, incompatible land use areas adjacent to Dover AFB are relatively small. There are 823 acres of incompatible residential, commercial, industrial, and public/quasi-public land development within the Clear Zones (CZs), Accident Potential Zones (APZs), and four noise zones at Dover AFB.

## What does the AICUZ Program mean to me?

The AICUZ Program means protection of the public safety and health as well as protection of the Air Force's national defense mission. The AICUZ Program itself is a composite of many factors: average noise levels; accident potential; and aircraft flight paths and altitudes. Noise and accident potential zones reflecting current conditions have been combined and are displayed on the contour map on the next page. The numbers 65 decibels (dB) through 80 dB indicate the average sound levels in decibels using the Day-Night Average A-Weighted Sound Level (DNL) metric for describing the noise environment. DNL is the energy-averaged sound level measured over 24 hours with a 10 dB penalty applied to nighttime (10:00 p.m. to 7:00 a.m. as defined by the noise metric) sound events to account for increased annoyance from late night noise.

The Clear Zones (CZs) and Accident Potential Zones (APZs) are based on statistical analysis of Air Force aircraft accidents throughout the United States. The CZ, the area closest to the runway end, is the most hazardous. The Air Force generally acquires the land in the CZ through purchase or easement to prevent development. APZ I is an area beyond the CZ that possesses a significant potential for accidents. APZ II is an area beyond APZ I having a lower, but still significant, potential for accidents.

Statistically, 68 percent of Air Force accidents occur along the runway or within the CZ, APZ I, and APZ II. While aircraft accident potential in APZs I and II does not warrant acquisition by the Air Force, land use planning and controls are strongly encouraged in these areas for the protection of the public. An additional constraint involves areas that the Federal Aviation Administration and Department of Defense have identified for height limitations. Air Force obstruction criteria are based on those contained in Federal Aviation Regulation (FAR) Part 77, Subpart C, and Unified Facilities Criteria (UFC) 3-260-01, *Airfield and Heliport Planning and Design*.

The accompanying AICUZ map and Land Use Compatibility table provide a quick reference to the various noise and land use compatibility of the APZs associated with flying operations projected for Dover AFB. More detailed information can be found in the 2010 Dover AFB AICUZ Study

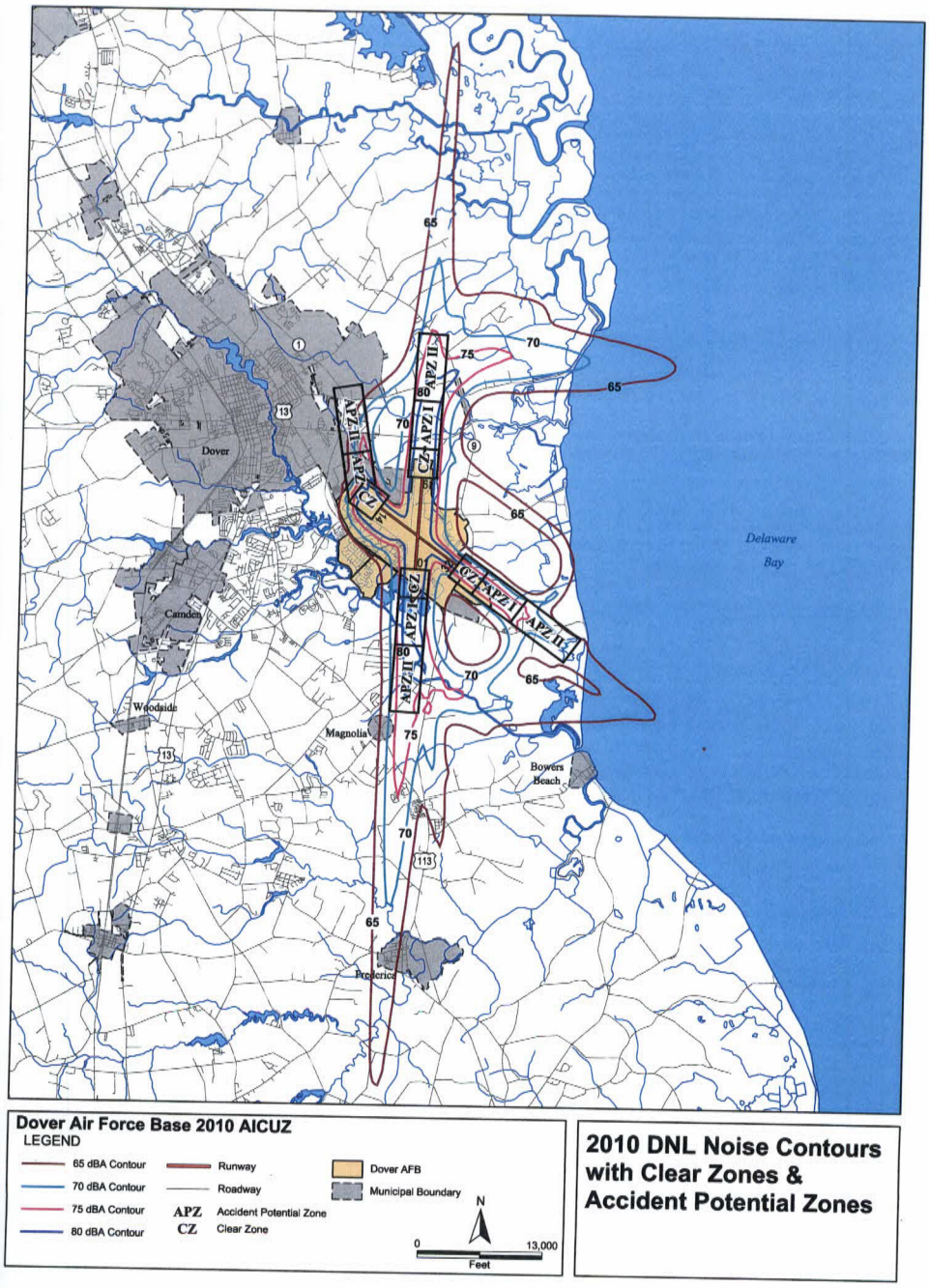
## What has been done?

Dover AFB has placed restrictions on flying activities that could adversely affect its neighbors in an effort to reduce noise impacts while maintaining safe operations. Dover AFB has also demonstrated a spirit of cooperation by consulting with local communities in the area-wide planning process relating to land use near the base. Kent County has also played a major role by supporting the Dover AFB AICUZ Program in its ongoing planning and zoning decisions. Continued cooperation between Dover AFB, the local authorities, and local populace around the base will further reduce potential land use conflicts. This action will also help to ensure that future land uses are compatible and beneficial.

## What are the benefits?

In addition to protecting the public safety and health, other benefits provided by Dover AFB include protecting the taxpayer's investment in national defense and protecting economic benefits to the surrounding communities generated by Dover AFB. The local economy is enhanced by Dover AFB's expenditures for salaries, contracts, construction, retirement pay, tuition aid to schools, health insurance payments, and off-installation accommodations for travelers.

In terms of total economic impact in the region, Dover AFB employs more than 7,000 people and generates an estimated $528 million associated with indirect jobs in the region. The economic impact is felt not only in the area of employment, but also in the total annual payroll of over $340 million that is spent in the local community. Dover AFB is a strong partner in the economic future of the region.




**Dover Air Force Base 2010 AICUZ**

LEGEND

- 65 dBA Contour
- 70 dBA Contour
- 75 dBA Contour
- 80 dBA Contour
- Runway
- Roadway
- APZ Accident Potential Zone
- CZ Clear Zone
- Dover AFB
- Municipal Boundary

N

0 13,000 Feet

## 2010 DNL Noise Contours with Clear Zones & Accident Potential Zones

## Why AICUZ now?

It is important that local governments have an understanding of the current noise and accident potential data related to aircraft operations at Dover AFB. Information provided in this AICUZ Brochure is intended to offer assistance to those planning the future of the City of Dover and Kent County. By using the updated AICUZ map and information provided in the AICUZ Study, neighboring communities are better equipped to make land use decisions and adopt land use controls compatible with Dover AFB, while accommodating growth and economic development.

The 2010 AICUZ Study updates the previous 1999 AICUZ Study, documents changes to the AICUZ for the period 1999-2010. This AICUZ Study documents changes in flight operations since the last study, includes future operations, and provides noise contours and compatible use guidelines for land areas surrounding Dover AFB. The study is based on the 2009 aircraft operations condition.

## How can I help?

Historically, citizens of the City of Dover and Kent County and personnel from Dover AFB have cooperated to better serve the needs and desires of all concerned. The Air Force has developed strategies intended to maximize the benefits of Dover AFB while minimizing annoyances. If the future of Dover AFB is to be as bright as its past, you, the citizens of this area, need to participate in the process of achieving a suitable resolution of our mutual concerns. We request your careful review of the recommendations contained in the Dover AFB AICUZ Study.

## Who prepared the AICUZ Study?

The AICUZ Study was developed by Dover AFB Civil Engineer under supervision of Headquarters United States Air Force and Headquarters Air Mobility Command.

This Citizen's Brochure is a summary of the AICUZ Study, with only the major points of the report included. The complete report is available from the Public Affairs Office at Dover AFB (302-677-3372)


### SUMMARY

**The report of the AICUZ Study includes the following community recommendations:**

- **Continue to incorporate AICUZ policies and guidelines into the comprehensive plans of Kent County and the City of Dover. Continue to use overlay maps of the AICUZ noise contours and Air Force Land Use Compatibility Guidelines to evaluate existing and future land use proposals.**
- **Review the boundaries of the Airport Environs Overlay Zone and update if necessary to coincide with the updated noise contours produced in this study.**
- **Kent County and City of Dover should continue to enforce the sound attenuation requirements for new buildings located within the DNL 65 dB, 70 dB, 75 dB, and/or 80 dB noise areas.**
- **Continue to review and modify existing zoning ordinances and subdivision regulations if needed to support the compatible land uses outlined in this study.**
- **Develop a working group representing city, county, and base planners to meet at least quarterly to discuss AICUZ concerns and major development proposals which could affect airfield operations.**
- **Continue to inform Dover AFB of planning and zoning actions that have the potential of affecting base operations.**


**LAND USE COMPATIBILITY**

| Generalized Land Use | Clear Zones and Accident Potential Zones | | | Day-Night Average Sound Level (DNL) Noise Contours | | | |
|---|---|---|---|---|---|---|---|
| | Clear Zones | APZ I | APZ II | 65-69 dB | 70-74 dB | 75-79dB | 80+ dB |
| Residential | No | No | Yes[1] | No[4] | No[4] | No | No |
| Manufacturing | No | Yes[2] | Yes[2] | Yes | Yes | Yes | Yes |
| Transportation, Communications, and Utilities | No | Yes[2] | Yes[2] | Yes | Yes | Yes | No |
| Trade, Business, and Offices | No | Yes[2] | Yes[2] | Yes | Yes | Yes | No |
| Shopping Districts | No | No | Yes[2] | Yes | Yes | Yes | No |
| Public and Quasi-Public Service | No | No | Yes[2] | Yes | No[4] | No[4] | No |
| Recreation | No | Yes[2] | Yes[2] | Yes | Yes | No | No |
| Public Assembly | No | No | No | Yes | No | No | No |
| Agriculture and Mining | No[3] | Yes[2] | Yes[2] | Yes | Yes | Yes | Yes |

[1] Suggested maximum density of 1-2 dwelling units per acre.
[2] Only limited low-density, low-intensity, uses recommended.
[3] Except limited agricultural uses are permitted.
[4] Unless sound attenuation materials are installed.

This chart is for general information. See Table 4.3 in the AICUZ Study for more detailed information.