City of Dover

DATA SHEET FOR SITE PLAN REVIEW & ARCHITECTURAL REVIEW CERTIFICATION

DEVELOPMENT ADVISORY COMMITTEE MEETING OF September 3, 2025

PLANNING COMMISSION MEETING OF September 15, 2025

Plan Title:	The Governor: Mixed-Use Building at 120 S. Governors Avenue, S-25-11
Plan Type:	Site Development Plan
Location:	On the west side of South Governors Avenue and halfway between Reed Street and West Loockerman Street in Dover, DE
Owners:	Downtown Dover Development Corporation c/o Downtown Dover Partnership and the City of Dover (parcels at 105 and 115 S. New Street)
Addresses: (Related Properties)	120 South Governors Avenue 105, 111, and 115 South New Street
Tax Parcel: (Related Properties)	ED-05-077.09-01-44.00-000 ED-05-077.09-01-37.00-000, ED-05-077.09-01-42.00-000, ED-05-077.09-01-43.00-000
Size:	1.7622 acres +/- (main parcel) 1.9813 acres +/- (total of all parcels)
Present Uses:	Vacant lot – Building with former auto retail store and child daycare center was demolished
Proposed Use:	Mixed Use Commercial (Grocery, retail, restaurant, child day care center) and Multi-family Housing (Apartments) and associated parking
Zoning:	C-2 (Central Commercial Zone) H (Historic District Zone)
Building Area:	Total Square Feet: 139,306 square feet (also listed as 169,080 SF)
Off Street Parking:	13 vehicle parking spaces including 1 van accessible ADA parking space, and 40 bicycle parking spaces
Sewer & Water:	City of Dover
Waiver Requests:	Opaque Barrier – Elimination of Fence Component Tree Mitigation Plan (for off-site tree planting)
For Consideration:	Architectural Review Certification Parking Strategy Statement Active Recreation Area Plan

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: September 3, 2025

City of Dover Planning Office

APPLICATION: The Governor: Mixed-Use Building at 120 South Governors Avenue

FILE #: S-25-11 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP PHONE: 302-736-7196

Note: This Review Report was initially prepared by Staff of the Rossi Group (under a Planning Service contract with eh City of Dover.) The Report was completed with additional review and editing by the City's Planning Office.

I. PLAN SUMMARY

This Application is for Review of a Site Development Plan Application and associated Architectural Review Certification to permit construction of a mixed use commercial and multi-family (apartment) building in Downtown Dover, to be located between South Governors Avenue and South New Street, midway between Reed Street and West Loockerman Street. The proposal includes a four-story, 139,306 SF Mixed-Use Building that includes space for retail, child daycare, 120 residential apartments, and a roof-top courtyard, with 13 vehicle parking spaces and associated site improvements. The 1.76+/- acre main property is a vacant lot that was formerly an auto parts retail store and daycare center. The property is zoned C-2 (Central Commercial Zone) and is subject to H (Historic District Zone). The owners of record include the Downtown Dover Development Corporation c/o Downtown Dover Partnership and the City of Dover. Property Addresses: 120 South Governors Avenue, 105 South New Street, 111 South New Street, and 115 South New Street. Tax Parcels: ED-05-077.09-01-44.00-000, ED-05-077.09-01-37.00-000, ED-05-077.09-01-42.00-000, and ED-05-077.09-01-43.00-000.

The Project Site is subject to Application HI-25-02 Mixed-Use Building at 120 South Governors Avenue. At the July 17, 2025 meeting of the Historic District Commission, the Commission considered the Application and have provided a Recommendation on the Architectural Review Certification for the project. *(See attached Recommendation Report.)*

Previous Applications

The property owners are the Downtown Dover Development Corporation c/o Downtown Dover Partnership and the City of Dover. On June 20, 2024, the Historic District Commission granted approval of the Architectural Review Certification allowing demolition of the previous structure, a one-story Auto Parts/AutoPlus retail store and daycare center, located at 120 South Governors Avenue (HI-24-05). On March 14, 2025, the applicant submitted the initial filing of the application for redevelopment to the Historic District Commission. The application was held at the request of the applicant while additional design refinements were made to the submission. The applicant made design changes to the proposal and submitted an updated 120 South Governors Avenue Mixed-Use

Development Narrative Letter, Site Plan set, and Architectural Graphics set with building elevations and 3-D views, to the Department of Planning and Inspections on June 13, 2025. It was reviewed as HI-25-02 before the Historic District Commission on July 17, 2025.

There was previous proposal in 2011 for demolition of the building and redevelopment of the property with applications HI-11-04 Acme Site Redevelopment Master Plan and S-11-11 Lands at DDP at 120 South Governors Avenue: Master Plan. The plans were never finalized and expired.

Preliminary Land Use Services Review (PLUS):
The PLUS Review is required by a City of Dover Memorandum of Understanding (MOU) for certain types of projects. Due to its Downtown Dover Redevelopment Target Area, this project was not required to complete PLUS Review process.

II. PROJECT DESCRIPTION

The application proposes construction of a mixed-use commercial and multi-family (apartment) building with associated site improvements for the development of 'The Governor.' The property is located on the west side of South Governors Avenue and midway between Reed Street and West Loockerman Street. It is bounded by South New Street on the west. The four-story structure is being designed to include 120 residential apartment units, a rooftop courtyard, grocery, retail and restaurant spaces, and a child day care facility with other site improvements such as a parking lot, courtyard, and landscaping. *Capital City 2030: Transforming Downtown Dover Master Plan (Capital City 2030)* identified this project as a priority project for the revitalization of Downtown Dover.

The Governor will be located directly across from the proposed Site Plan S-25-01 Dover Mobility Center (Parking Garage), which is also prioritized in the *Capital City 2030*. Additionally, the proposed mixed-use redevelopment project will support an additional revitalization strategy within the Master Plan, which is to increase the number of mixed-income residents living in downtown, provide access to food within Downtown Dover, and increase retail and service opportunities. It is also identified as a Key Project in the Downtown Development District Plan.

Surrounding Land Uses
The subject property is within the Downtown Development District, located one block north of Loockerman Street. The site is bordered by South Governors Avenue to the east and South New Street to the west. As previously noted, the parcels are zoned C-2 (Central Commercial Zone) and within the Historic District. Properties immediately adjacent to the subject project location are also zoned C-2. Others in the immediate area are zoned RG-1 (General Residence Zone). The subject property is currently vacant with recent demolition of the one-story Auto Parts/AutoPlus retail store and daycare center; (known as the Acme site). The largest of the subject parcels is within the H (Historic District Zone), as are properties to the south and east, as well as to the north fronting South Governors Avenue. The smaller parcels that are adjacent to the main subject of this application are outside of the H (Historic District Zone). Properties west of the subject site across South New Street are also outside of the H (Historic District Zone). Surrounding uses are a combination of mixed use and residential, with a church located at the southeast corner of South New Street and Reed Street.

III. ZONING REVIEW

C-2 (Central Commercial Zone)

The subject property is zoned C-2 (Central Commercial Zone). Article 3 §13 of the *Zoning Ordinanc*e details the permitted uses within the C-2 (Central Commercial Zone) as well as design standards. Article 4, §4.14 provides the bulk standards for the C-2 zone. The subject property fronts on two streets, South Governors Avenue and South New Street. The C-2 zone requires a zero minimum front setback and a zero minimum side setback, but a minimum of five feet if a side setback is provided. Per the Site Data table, the front setback ranges from 6.16 feet on South Governors Avenue to 52.27 on South New Street. Side setback ranges from 10.9 feet on the north lot line to 21.7 feet on the south lot line.

The building height and number of stories (at four stories) are in compliance with the C-2 zone. The floor area ratio (FAR) proposed is 1.81, which is in compliance with the maximum FAR allowed of 5.0. The total lot coverage of the project is listed as 78.6%. The C-2 zone does not have a maximum lot coverage requirement.

The C-2 zoning district also includes some design standards provisions. See the code excerpt below:

> Article 3 Section 13
> 13.5 Design standards. The following standards shall apply to the site and building development in the central commercial zone (C-2):
>
> 13.51 Façade articulation. Building facades should incorporate design elements to provide a base, middle, and top of the building to reinforce the pedestrian scale at the street level.
>
> 13.52 Height. For buildings greater than four stories in height, then the upper floors above the fourth story shall step back six feet for fifty percent of the width of the primary facade. For buildings greater than six stories, then the upper floors above the sixth floor shall step back an additional six feet on the primary façade. These step back areas may begin at a lower height than these minimums as part of the building design in order to be compatible with the character of the area.
>
> 13.53 Step back areas. The step back areas should be open to the sky and can be open air balcony spaces or other design architectural features that are not enclosed spaces.
>
> 13.54 Off-street parking. Off-street parking lots shall not be permitted to be situated between the street line and the primary facade of the principal building. Consideration should be given to locating parking to the side or rear of the building.
>
> 13.55 Screening. Any off-street parking lots provided shall be screened from the street line by buildings, landscaping, or other means. Off-street parking lots shall be screened from adjacent residential zones and residential uses. This screening provision does not apply to adjacent alleys.

The plan as presented complies with these design standards. The façade on S. Governors Avenue includes step backs at the second floor level and above.

Child Day Care Facility

The proposed use of a portion of the building as a child day care facility is required to be considered as a Conditional Use per *Zoning Ordinance*, Article 5 Section 14 and Article 10 Section 1. When serving more that thirteen (13) children the facility meets the definition as a Child Day Care Center. It also requires a parking rate based on the one space per adult attendant and one space per every ten children and also outdoor play space per State requirements.

H (Historic District Zone)

The main parcel of the project site is located in the H (Historic District Zone) and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections. The H (Historic District Zone) is described in *Zoning Ordinance*, Article 3 Section 21 with the following purpose statement:

> **Article 3, Section 21. - Historic district (H).**
> 21.1 *Purpose.* The purpose of this historic district regulation is to preserve and enhance that unique character and value of the old portion of Dover as an area of special charm and interest. It is particularly intended that the regulations prevent, in the historic district, any change of conditions that would be deemed to be a disfigurement or degradation of the present unique visual and architectural qualities of the district.

IV. ARCHITECTURAL REVIEW CERTIFICATION

Zoning Ordinance, Article 10 §3.2 outlines the review process for Architectural Review Certification and related building height, bulk, and setback standards. This process begins with Review by the Historic District Commission; this occurred on July 17, 2025.

Review of DESIGN STANDARDS AND GUIDELINES

The subject property is located in the H (Historic District Zone) within the Loockerman Context. The Loockerman Context is described on pages 2-7 and 2-8 of the *Design Standards and Guidelines for the City of Dover Historic District Zone.* The *Design Standards and Guidelines* describe this context as "a coherent, densely-built commercial area that would have an attractive mix of historic and new buildings and related parking." Location within the Dover Historic District Zone requires proposals for demolition, new construction, building additions, and certain renovation or rehabilitation activities to existing buildings to receive an Architectural Review Certificate.

As stated in the *Design Standards and Guidelines for the City of Dover Historic District Zone*, an Architectural Review Certificate will be granted "if it is found that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district." In accordance with Article 10 §3.2, the Historic District Commission will provide a recommendation to the Planning Commission regarding the project's compliance with the architectural review standards.

This proposal must be reviewed for conformity with the design criteria guidelines found in Chapter 3: Maintenance, Repair, Preservation and Restoration of Existing Historic Buildings and Chapter 4: New Construction, Additions, Demolition and Relocation. Information on the review considerations is given below.

New Construction

The *Design Standards and Guidelines* for New Construction (Chapter 4: pages 4-1 through 4-8) provide the design criteria and development guidelines. The guidelines specify the following individual considerations for new construction to be considered in review by the Historic District Commission (and Planning Commission) of the project for Architectural Review Certification:

- Style
- Scale *(building to reflect dominant cornice and roof height of adjacent buildings)*
- Elevation of the First Floor
- Floor-to-Floor heights
- Bays, windows, and doors *(size, relationship, spacing of)*

- Absolute Size *(compare overall size of new building)*
- Massing *(relationship of solid-to-void)*
- Orientation *(location of primary façade)*
- Proportions *(comparison of height to width of building and elements)*
- Materials
- Forms *(shape of building and roof to be complementary)*
- Siting *(location of building on lot and in relation to street)*
- High density/ large-scale construction

Design criteria and development guidelines specific to the Loockerman Historic Context are detailed on page 4-6 of the *Design Standards and Guidelines* and provide that "the siting of new construction in the Loockerman historic context should conform to the building line of adjacent buildings, to reinforce the sense of the 'wall' of buildings, especially along Loockerman Street. New commercial buildings should occupy the full width of their lot at the street line. Freestanding "object" buildings that do not conform to the street and lot lines should not be permitted in the Loockerman historic context. Where a commercial building is built adjacent to a vacant lot, it should be built with a party wall in anticipation of subsequent new construction being built adjacent and up to the property line." The *Design Standards and Guidelines* Chapter 3 includes information about the use of certain materials within the Historic District.

The *Design Standards and Guidelines* note that "the vacant lots to the north and south of Loockerman Street are not desirable locations for large-scale construction, because they are in the transition area between the commercial and residential zoning districts."

HISTORIC DISTRICT COMMISSION - RECOMMENDATION

The Historic District Commission considered the application HI-25-02 on July 17, 2025, regarding an Architectural Review Certificate for construction of The Governor: Mixed Use Building at 120 S. Governors Avenue. **The Historic District Commission considered the proposal for construction and has provided a recommendation to the Planning Commission in regard to the Architectural Review Certification for the project. The specific recommendation involved consideration of the Design Standards and Guidelines. See attached Recommendation Report from the Historic District Commission.**

The Planning Commission should act upon the Architectural Review Certification as part of any motion to approve this project, or as a separate motion if necessary. In taking this action, the Planning Commission is to consider the standards and guidelines found in Chapter 4 of the Design Standards and Guidelines for the City of Dover Historic District Zone and other referenced sections.

V. PARKING SUMMARY

The C-2 (Central Commercial Zone) does not include a minimum parking requirement. Additionally, Article 6 §3 of the *Zoning Ordinance* states:

> For new construction within the downtown redevelopment target area, as described in appendix C of the Dover Code of Ordinances, there is no minimum off-street parking requirement based on use. To utilize this exception, a parking strategy statement must be submitted for review as part of the site development plan approval required by appendix B, zoning, article 10, section 2.

The applicant has submitted a Parking Strategy Statement with the application. A summary of the key points in the Parking Strategy includes the small parking lot of thirteen (13) spaces on the site,

utilization of parking availability in the Dover Mobility Center (Parking Garage), on-site bicycle parking (exterior racks and interior storage areas), and opportunities for other modes of transportation including pedestrian, bicycle, and public transit.

Bicycle Parking

Bicycle parking shall be provided for parking spaces at a rate of one (1) bicycle parking space for every twenty (20) parking spaces. Based on the 13 parking spaces provided, 1 bicycle space is required. The Plans submitted include 40 bicycle parking spaces consists of 20 spaces in an interior storage space and exterior bicycle racks within the west facing court and at the front entry on Governors Avenue.

VI. SITE CONSIDERATIONS

Loading Zone Access and Site Access

The proposed Site Plan has no vehicular access from South Governors Avenue but provides two access points from South New Street with one as an entrance and one as an exit for the one-way circulation. This access leads to the small surface parking lot and the loading zone. A loading zone is shown on the plan along the southern side of the building. This proposed loading zone narrows 21.7' to 18', which may present issues for delivery vehicles to maneuver.

Pedestrian Site Access

The proposed building presents to the sidewalk along South Governors Avenue, proving convenient pedestrian access from the Governors Avenue sidewalk. Most of the parking for this site will be provided by the adjacent Mobility Center, which is located across South Governors Avenue. Direct access via a dedicated mid-block crosswalk or other devices approved by the City and DelDOT should be installed on South Governors Avenue to safe crossing of the road. There is also sidewalk along S. New St with connections leading to the court (plaza) area with multiple building entries.

Trash Strategy

The applicant has submitted a trash strategy that is attached. The *Zoning Ordinance* requires two (2) dumpsters for the first 48 residential units, and one (1) additional for every additional 24 units. The Governor proposes 120 units, requiring five (5) dumpsters. It also requires two (2) dumpsters for any non-residential units, totaling seven (7) dumpsters. The applicant proposes two (2) external dumpsters and seven (7) internal trash rooms.

Opaque Barrier Requirements

Waiver Request – Elimination of Fence Component

The applicant has submitted an attached request to eliminate the opaque barrier portion of the buffer and to require only the continuous evergreen screen portion of the buffer along the entirety of the common property line with the parcel to the north (Lands of Family Legacy) which is currently used as residential. The Landscape Plan shows a hedge planting with Magnolia Tees interspersed as the landscaping screening.

VII. BUILDING ARCHITECTURE

The application proposes a mixed-use commercial and multi-family (apartment) building. The four-story building includes space for retail, daycare, 120 residential apartments, and a roof-top courtyard, with 13 vehicle parking spaces and recreation amenities. The proposed four-story building will be 60 feet tall. The proposed mixed-use building will feature two main material palettes. The first includes a blend of masonry colors, feature material such as copper-brown metal panels, matte black

metal trim, fiber cement panel in neutral tones, and black or dark bronze decorative metal elements and frames which will be wrapped around the building's northeast and southeast corners. The second includes neutral tones of plank siding and fiber cement panel, matte black metal trim, masonry, and black or dark bronze decorative metal elements and window frames. The building's façade on S. Governors Avenue will primarily feature retail frontages that alternate between masonry piers, glazing, fiber cement panel piers, and accent metal panels. Both street-facing elevations follow a brickwork pattern of varying orientations up to cornice lines, where it then transitions to a more muted expression for the upper levels.

The u-shaped form of the building creates an outer court on the west elevation. Per the *Zoning Ordinance*, Article 5 §2.52 defines the "court" limitations where the depth of court can not exceed the width. For this building, the court depth is 111.2 feet as compared to the court width of 51.6 feet. The Planning Commission will need to address this form during the Architectural Review Certification.

VIII. ACTIVE RECREATION AREA PLAN

Residential projects require Active Recreation Areas. The proposed development qualifies for an exemption under Article 5, §10.515 Residential developments located within the Downtown Redevelopment Target Area as defined in Appendix C. Under this provision, the applicant must provide 75 square feet of active recreation per dwelling unit with a minimum of 2,500 square feet provided on site. With 120 units, the required active recreation area is 9,000 SF. The plan identifies a park area with a dog park, playground area, and a connecting path; interior spaces including community spaces and a fitness center; a courtyard wellness area; and a rooftop courtyard amenity of 7,225 SF. The Open Space and Recreation Plan is subject to review by the Parks, Recreation and Community Enhancement Committee and will be presented to the Committee on September 9, 2025. See the attached Active Recreation Area Plan Review Report for details and comments. The Committee will make a recommendation to the Planning Commission.

IX. TREE PLANTING AND LANDSCAPE PLAN

Tree Planting Requirements

The *Zoning Ordinance* further requires tree planting at a rate of one tree per 3,000 SF of non-woodland development area. Based on the total non-woodland area for the submitted plan of 86,307 SF, 29 trees are required to be planted. The Tree Preservation and Density table indicates that 29 trees are required based on a site area of 86,037 SF. The applicant has proposed to retain 7 trees and plant 28 new trees. However, of the new trees only eighteen trees are on the site and ten are planted as street trees. This planting plan will need to be accepted through consideration of a Tree Mitigation Plan as trees are to be planted on-site.

Request for Tree Mitigation Plan

The applicant has submitted a Request Consideration of a Tree Mitigation Plan, requesting that some of required trees be planted off-site as street trees along the street frontages of the subject property. This Tree Mitigation Plan was provided for consideration by the Planning Commission at a rate of 1 tree per 1 deficit tree as per Article 5, Section 16 of the *Zoning Ordinance*; see below. The specific planting locations for the ten (10) off-site tree plantings are documented on the Landscape Plan.

Article 5 Section 16

16.9 *Tree mitigation.*

16.91 *Planning commission waiver.* The planning commission may waive the provisions of subsections 16.52, 16.53, and 16.62, and require replacement planting for mitigation purposes should the planning commission determine, after demonstration by the applicant, that due to physical limitations of the land which would otherwise prohibit the reasonable use of the land, or for purposes of preserving, protecting and promoting the interest of public health, safety, welfare and/or public convenience. All tree mitigation plantings must occur within the corporate limits of the City of Dover. Tree mitigation may occur off-site in accordance with the provisions listed below in this ordinance:

(a) If a waiver is sought from the provisions of subsection 16.62, new tree plantings are required at a rate of 1:1. All new tree plantings shall meet the minimum size at planting requirements of the City of Dover table of trees.

(b) If a waiver is sought from the provisions of subsection 16.52 and/or subsection 16.53, then mitigation must be in the form of newly created woodland areas. New woodlands shall be created at a rate of 1.25 times the amount of woodlands to be removed. A woodland mitigation plan shall be prepared by a licensed forester, landscape architect, or certified nursery professional, for the consideration of the planning commission.

(c) All tree mitigation must occur on-site unless an off-site location is specifically approved by the planning commission. When considering off-site locations for tree mitigation, the commission shall consider:

1) A physical hardship related to the land which would otherwise prohibit compliance on the subject site;

2) Whether the mitigation plan proposed by the applicant is superior in terms of environmental benefits, tree quantity, or aesthetic qualities compared to strict compliance with the ordinance on-site.

X. CITY AND STATE CODE REQUIREMENTS:

The subject proposal has been reviewed for code compliance, plan conformity, and completeness in accordance with the agency's authority and area of expertise. The following items have been identified as elements which need to be addressed by the applicant:

1) A Tree Mitigation Plan was submitted as some of the required tree plantings are proposed for off-site planting as street trees. Ten of the new trees are proposed as street trees planted off-site. The Planning Commission must consider this request to grant the waiver to approve the Tree Mitigation Plan.

2) The Plan needs to identify the Child Day Care requirements and its compliance thereof; notes should be added to the Plan The Planning Commission must consider this as a Conditional Use application.

3) The Waiver Request for the Opaque Barrier to eliminate the fence component along the northern property line where a residential use (multi-unit building) exists. The updated Landscape Plan shows the location of the screening hedge planting. The Planning Commission must consider this Waiver Request.

4) Sheet C-001: Confirm that overall floor area of the building as conflicting information is contained within the plan documents.

5) The directional arrow on the left lane of the southern South New Street entrance should be updated to indicate that traffic can turn left (into short-term parking) or continue straight. This update should be applied to all sheets.
   a) Also consider traffic control signage/markings for the loading zone area.

6) Provide construction details for the following items but not limited to, dumpster pad/enclosure, traffic control signage, lighting fixtures, bicycle racks, handicap signage, parking spaces, etc.

7) Ensure consistency of the plan layout for the designs of the parking lot, playground, dog park, dumpster, etc. between the architectural graphics package versus the Site Plan set.

8) Landscape Plan (as Updated 9/4/2025):
   a) On Sheet Z-100, add the signature box for the signature of the landscape architect.
   b) Ensure tree planting locations do not conflict with sidewalk paving and comply with separation distances from utilities. Compare to Site Plan sheets.
   c) Show planting details.

9) The construction of the site entrances and street improvements must comply with the requirements of DelDOT and the City of Dover Public Works Department based on street maintenance responsibilities. Governors Avenue is state-maintained, and New Street is city-maintained.

10) The Historic District Commission recommended conditional approval of the Architectural Review Certificate for the construction of the project. See attached Recommendation Report for recommended conditions.
   a) The form of the outer court (depth is twice the width) must be authorized as part of the Architectural Review Certificate since the *Zoning Ordinance* requirement is depth cannot exceed the width.

11) The Active Recreation Area Plan must be reviewed by the Council Committee of the Whole: Parks, Recreation, and Community Enhancement Committee. See separate Recommendation Report.

12) Any Erosion & Sediment Control Plans and Stormwater Management Plans granted approval by the Kent Conservation District must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.

13) Clarify if a parcel consolidation is proposed to consolidate the main development parcels with the three small parcels on S. New Street. A separate Record Plan sheet will be required.

14) The Final Plan set must include notes documenting any action taken by the Planning Commission on the requested waivers and must list any additional conditions of approval.

XI. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

In accordance with the *Zoning Ordinance*, Article 10 §2.2, the Planning Commission in considering and acting upon Site Development Plans may prescribe appropriate conditions and safeguards so

that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 2.21 to 2.28.

1) Conditional Use – Child Day Care Center: Staff recommends approval of the use for a Child Day Care Center to be part of this Mixed Use Building as it is a service readily needed in residential areas. It is also within walking distance of other residential neighborhoods and employment.

2) Architectural Review Certification: Staff recommends conditional approval of the Architectural Review Certificate for the construction of The Governor: Mixed Use Building at 120 S. Governors Avenue finding that the building to be of a design compatible with the intent of the *Design Standards and Guidelines for the City of Dover Historic District Zone*.
   a) Staff provided a series of recommendations and comments regarding the Architectural Review Certification and review of the project for compliance with the *Design Standards and Guidelines*. These items were previously identified during the review of the project by the Historic District Commission. See HDC Recommendation Report.
   b) This approval would also include authorization for the dimensions of the outer court as presented. The outer court may still be subject to other Building Code or Fire Code compliance requirements.

2) Waiver Requests: Staff recommends approval of the Waiver Request for the Opaque Barrier to Eliminate the Fence Component finding that the landscape screening is sufficient. The Planning Staff also finds the Tree Mitigation Plan acceptable to plant some of the required trees as street trees adjacent to the site.

3) Staff recommends installing parking bumpers on parking spaces to provide additional space between vehicles and light poles.

4) Traffic Considerations: Most of the parking for the residents and visitors to The Governor will be provided across South Governors Avenue at the Dover Mobility Center (Parking Garage). A mid-block crossing should be considered to clearly define a convenient and safe location for Mobility Center users to cross. The applicant should also clearly indicate how the loading zone will be used by delivery vehicles.

XII. ADVISORY COMMENTS TO THE APPLICANT:

1) The Planning Commission should act upon the Architectural Review Certification as part of any motion to approve this project, or as a separate motion if necessary.

2) The Planning Commission should act upon the request for waivers as part of any motion regarding this project application, or as a separate motion as necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.

3) In the event that major changes and revisions to the Site Plan occur in the finalization of the Plan contact the Department of Planning and Inspections. Examples include relocation of site components like paving and increases in building footprint. These changes may require resubmittal

for review by the Development Advisory Committee, Historic District Commission, Planning Commission, or other agencies and commissions making recommendations in regard to the Plan.

4) Following Planning Commission approval of the 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 the other commenting agencies. Upon determination that the Plan is complete and all agency approvals have been received; copies of the Plan may be submitted for final endorsement (Final Plan Approval).

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

6) Clarify the status of the ownership status of the parcels at 105 and 115 S. New Street as there is a specific process for the disposal of City owned properties.

7) If any specialized evaluation and review of this area was completed to determine any environment contamination and/or the site's participation in any environmental remediation program. Provide copies of any agency approvals/permits to the Planning Office so that we may be aware of any specific conditions of redevelopment.

8) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate Site Plan approvals, Pre-Construction meetings, site inspections and permits are required.

9) Construction and demolition will have an effect on the adjacent property owners, employees of adjacent buildings, and nearby sidewalks and streets. Any work requiring the closing or rerouting of potential customers, employees, or visitors to the adjacent properties (including those who park in the existing parking lot), and streets should be coordinated as to offer the least amount of inconvenience.

10) For building new construction, the requirements of the building code and the fire code must be complied with. Consult with the Building Inspection Staff and City of Dover Fire Marshal regarding these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.

11) The applicant shall be aware that Site Plan 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. Building Permits will be required for each building.

12) The applicant shall be aware that 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 may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with *Zoning Ordinance* Article 5 §4.

13) The proposed development will also be subject to City of Dover Business Licenses, Public Occupancy Permits, and Rental Dwelling Permit upon completion of construction.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: SEPTEMBER 2, 2026

APPLICATION:	**REVISED The Governor: Mixed Use Building at 120 S Governors Avenue**
FILE #:	**S-25-11 & HI-25-02**
REVIEWING AGENCY:	**City of Dover Department of Public Works and Water & Wastewater**
CONTACT PERSON:	**Kate L. Mills, P.E., Interim Director of Water & Wastewater / Engineering Services**
CONTACT PHONE #:	**302-736-7025**
CONTACT EMAIL:	**kmills@doverde.gov**

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

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

SANITATION

1. Every commercial customer shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers. The City of Dover shall provide commercial customers with a maximum of two (2), 90-gallon trash containers and two (2), 90-gallong recycling containers.
2. Trash collection site shall be oriented for side-loading pick-up if customer is utilizing City of Dover sanitation services.
3. Any commercial customer requiring more containers, or larger containers, than provided above, must utilize private service.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

STREETS

1. Final site plan approval will not be granted until a letter of no objection, signed by DelDOT is submitted to our office.
2. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb. Sidewalk and curb shall be installed for the width of the project scope.
3. Please add the following notes to the plans:
    a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free

access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.

b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
   b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
   c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that effective May 1, 2022, water mains can now be constructed using DR 18 PVC.
4. 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 proposed buildings. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meters 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.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically, this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. There shall only be one (1) water service per building. The Department of Water & Wastewater will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Water services shall be either type K copper or SDR-9. 1. All non-metallic water lines (mains and services) shall be installed with a tracer wire and identification tape. The wire shall be a minimum of twelve (12) gauge blue coated solid copper wire, wrapped around the pipe, and extending up into all valve and curb boxes. The identification tape shall be six-inches (6") wide, laid one foot (1') above the pipe, with the following text: "Caution: Buried Water Line Below". 3M marker balls, model 1423-XR, or approved equal shall be installed at every service line connection to the water main and all bends on the service line.

8. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. Please provide a specific description of the activities in this building.
9. Prior to final site plan approval, a plan must be submitted and agreed upon for the 12" water main relocation that is currently located in the alley. The 12" water main shall be cut and capped north of the proposed development with a blow off assembly.
10. A fire hydrant shall be installed at the end of the water main extension in S Governors Avenue.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
   b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "…any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer mains showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.
8. Depending on the effluent flow, the downstream pump station may be required to be evaluated by the developer / engineer to verify it can handle the additional effluent flow.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. No trees may be planted within ten feet (10') of utility infrastructure.
3. No structure may be installed within ten feet (10') of utility infrastructure, please depict all underground utilities and structures on the utility plan sheet to confirm compliance.
4. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2021 (.dwg format).
   b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. As-built plans shall be provided prior to the certificate of occupancy and shall be provided in .dwg and .pdf format.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees will be required to be paid prior to Certificate of Occupancy for this project. Each apartment unit is equal to one (1) Equivalent Dwelling Unit (EDU). The retail portion will also have impact fees, the amount will be dictated by the proposed fixture count.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees will be required to be paid prior to Certificate of Occupancy for this project. Each apartment unit is equal to one (1) Equivalent Dwelling Unit (EDU). The retail portion will also have impact fees, the amount will be dictated by the proposed fixture count.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. 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.

SANITATION / STORMWATER / STREETS

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 ELECTRIC

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUG 27, 2025

APPLICATION:	**The Governor: Mixed Use Building at 102 S Governors Avenue**
FILE #:	**S-25-11**
REVIEWING AGENCY:	**City of Dover Electric Department**
CONTACT PERSON:	**Shawn Burgett, Engineering Services & System Ops Superintendent**
CONTACT PHONE #:	**302-674-7568**
CONTACT EMAIL #:	**sburgett@dover.de.us**

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

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all existing underground electric, communications and water facilities.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.

13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. 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: https://evogov.s3.amazonaws.com/media/27/media/13108.pdf.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Provide load sheets as soon as possible for proper sizing of transformers and creation of primary fee estimates. Current load sheets can be found at the following link: https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf.

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: 09/02/26

CITY OF DOVER FIRE MARSHAL

APPLICATION: HI-25-02 and S-25-11 Revised The Governors Mixed Use Building at 120 S Governo

FILE #: HI-25-02 and S-25-11 REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

CONTACT PERSON: **Jason Osika, Fire Marshal** PHONE #: **(302) 736-4457**
josika@dover.de.us

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

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Proposal is an architectural review only using the exact footprint of S-25-11

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. It is noted that this is an architectural review only, all S-25-11 comments apply
2. In door storage is new.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
2009 IBC (International Building Code)
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
2021 Delaware State Fire Prevention Regulations
City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

From: Jones, Tijah (DelDOT)
To: Melson-Williams, Dawn
Cc: Hickman, Kevin (DelDOT)
Subject: EXTERNAL: DAC Comments
Date: Thursday, September 3, 2026 3:00:04 PM

> You don't often get email from tijah.jones@delaware.gov. Learn why this is important

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Dawn,

Here are the comments from DelDOT for the applications discussed in the DAC Meeting 02 September

- **S-26-13 Winner Subaru Building Additions at 1387 North DuPont Highway**

1. Schedule a pre-submittal meeting with the department.

- **S-26-14 William Henry Campus Improvements at 65 Carver Road, Dover, DE**

2. Schedule a pre-submittal meeting with the department.

- **HI-25-01 Revised #2 and S-25-07 Revised #2 The Old Post at 55 Loockerman Plaza**

3. Schedule a pre-submittal meeting with the department.

- **HI-25-02 Revised and S-25-11Revised The Governor: Mixed Use Building at 120 S Governors Avenue**

4. Schedule a pre-submittal meeting with the department.

TiJah Jones
Subdivision Review Engineer
Economic Development Coordination
Delaware Department of Transportation
(302) 760-2124
tijah.jones@delaware.gov

KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901• (302) 608-5370 • WWW.KENTCD.ORG

CITY OF DOVER
ADMINISTRATIVE SITE PLAN REVIEW
SEPTEMEBER 2025

APPLICATION: The Governor: Mixed Use Building at 120 S. Governors Avenue
FILE #: S-25-11
REVIEWING AGENCY: Kent Conservation District
CONTACT PERSON: Cullen Baker
PHONE: (302) 608 - 5370
EMAIL: stormwater@kentcd.org

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

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District's office.
2. The following notes must appear on the record plan:
   a. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
   b. The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
   c. A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. We request that the 2015 imagery be used for the existing conditions of parcels 43,42, & 37. Historically those sites had buildings that could account towards the reduction of impervious for the proposed conditions.
2. Refer to Delaware 5101 Sediment and Stormwater Regulations 5.6.2.4 for guidance in reduction of impervious for RPv Compliance.
3. Since the site is reducing the impervious coverage, we can assume that there will be a reduction of flow for the Cv and Fv storm events with no adverse impact, resulting in no need for a stormwater BMP to control the Cv and Fv storm events.
4. Please note the Kent Conservation District will not review an application more than three times. If after the third review the plan is still not found to be approvable, the application will be denied, and a new application with review fees are to be re-submitted to continue a detailed plan review.
5. As a reminder, the Kent Conservation District is required to verify that a Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under a NPDES General Permit has been received by DNREC prior to District approval.
6. A letter of no objection to recordation will be provided upon approval of the Sediment and Stormwater Management Plan.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

ADVISORY BRIEF

D.A.C. MEETING DATE: 9/9/2026

Dover/Kent County Metropolitan Planning Organization

HI-25-02 Revised and S-25-11 Revised The Governor: Mixed Use Building at 120 S Governors Avenue

FILE # HI-25-02 / S-25-11 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob PHONE #: (302) 387-6030

Attached, please find comments submitted by Dover Kent MPO for each of the current City of Dover Development Advisory Committee (DAC) applications. These comments are a part of the MPO's ongoing goals of promoting transportation safety and connectivity within the region. They are submitted in accordance with the support given by the MPO Council on November 6, 2024.

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
Site Development Plan Review

HI-25-02 Revised and S-25-11 Revised The Governor: Mixed Use Building at 120 S Governors Avenue

Sidewalks are included in the site plan, both along the property's frontage and internally. The applicant should follow both the City of Dover Code for sidewalks[1] and the DelDOT specifications for sidewalks,[2] to make sure the requirements of both entities are met. Any sidewalks that are damaged or removed during the construction process will need to be replaced.

A connection between New Street and Governors Avenue should be considered. The loading zone on the southern end of the property would be an ideal location for this complete connection.

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[1] "Dover Code: Appendix B, Article 5, Section 18." City of Dover, DE. https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOOR_APXBZO_ART5SURE_S18PEBIMUDAACRE.

[2] *Pedestrian Accessibility Standards Manual*. Delaware Department of Transportation (DelDOT) (2021). https://deldot.gov/Publications/manuals/pedestrianAccessibility/pdfs/2021/Pedestrian-Accessibility-Standards-for-Facilities-in-the-Public-Right-of-Way-2021-Edition.pdf.

The current site plan requires large vehicles to back into or out of the loading zone and exit the property by driving past the daycare, which could lead to conflicting uses during peak hours. By creating an exit onto Governors Avenue and restricting its use to certain types of vehicles (such as fire trucks and trash collection vehicles), the traffic flow of the property would be improved.

A related issue is the availability of space for large vehicles. The planned building will include 120 apartment units, a grocery store, retail and restaurant spaces, and other residential and commercial uses, all within a small area. This will result in large vehicles (such as moving vans, freight trucks, and trash collection vehicles) constantly needing to access the property. The loading zone and parking area will not always be able to fit all of these vehicles. As a result, the applicant will need to coordinate with the City of Dover and strategically direct these vehicles so that they do not obstruct the flow of traffic on Governors Avenue, a major corridor for vehicle traffic, and that they do not block the drive aisle or parking area on the property.

A crosswalk should be added to the parking area on the western side of the property, extending northward across the drive aisle and towards the daycare. Pedestrians tend to use the most direct route, which means if they are headed to the daycare, they are less likely to use the planned crosswalk that extends eastward. Another crosswalk would help with keeping these people safe and giving them a designated place to walk.

The applicant should ensure that bicycle racks are included in the plan, in order to meet the City of Dover's requirements on bicycle parking. This should be done at a rate of one (1) bicycle parking space for every twenty (20) vehicle parking spaces.[3] If more information on specific types of bicycle racks is needed, please contact Dover Kent MPO.

Finally, motorists are likely to park their vehicles and then walk across Governors Avenue between this property and the planned mobility center, either as tenants of the apartments or customers at one of the businesses. They will probably try to cross the road directly in front of the parking garage, as the nearest crosswalk is to the south at the intersection with Loockerman Street, which is not as convenient. Given the expected increase in pedestrian traffic, a crosswalk with a Rectangular Rapid Flashing Beacon (RRFB) should be considered for the purpose of creating a safe connection between the two properties. RRFBs are identified as a Proven Safety Countermeasure by the Federal Highway Administration (FHWA), and they have been shown to reduce pedestrian crashes by up to 56%.[4] They are most useful at unsignalized locations with noted pedestrian safety concerns. Dover Kent MPO is willing to work with the applicant and DelDOT to find solutions to the issue of getting pedestrians safely across Governors Avenue.

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.

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[3] "Dover Code: Appendix B, Article 6, Section 3.10." City of Dover, DE. https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOOR_APXBZO_ART6OREPADRLOFA_S3REOREPASP.

[4] *Kent County Safety Action Plan*. Dover/Kent County MPO (2025). https://doverkentmpo.delaware.gov/files/2025/06/Kent-County-Safety-Action-Plan-FINAL-June-2025.pdf#page=61.