

PETITION TO AMEND ZONING DISTRICT

First Reading before the Dover City Council on February 25, 2026
Development Advisory Committee Review –Applicant DAC Meeting of March 4, 2026
Public Hearing Before the Planning Commission on March 16, 2026

Application: Lands of ASMA Property, LLC at 317, 319, and 325 W. Division Street
Rezoning IO to C-1A

Previous Application: Z-21-06 Lands of Ingram at 317, 319, and 325 W.
Division Street: Rezoning from C-1A to IO (approved with Ordinance #2021-21)

Owner: ASMA Property LLC

Addresses: 317 W. Division Street, Dover DE
319 W. Division Street, Dover DE
325 W. Division Street, Dover DE

Location: Located on the northeast corner of the West Division Street and North
Queen Street intersection

Tax Parcels: ED-05-076.08-05-03.00-000, ED-05-076.08-05-02.00-000, and ED-05-
076.08-05-01.00-000

Size: 0.05 acres +/-, 0.13 acres +/-, and 0.08 acres +/-
Total of 0.26 acres +/- (11,628 SF +/-)

Present Use: Single Family Detached Dwelling, previous Auto Sales & Service Building
(Vacant Building), and Parking Lot

2019 Comprehensive Plan – Land Use Category: Mixed Use

Present Zoning: IO (Institutional and Office Zone)

Proposed Zoning: C-1A (Limited Commercial Zone)

Reason for Request: Rezoning the property for retail use

File Number: Z-26-02

Ordinance Number: #2026-08

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

I. APPLICATION SUMMARY:

This Rezoning Application is for three parcels of land located at 317, 319, and 325 West Division Street. In order of east to west, the parcels consist of 0.05 acres +/-, 0.13 acres +/-, and 0.08 acres +/- for a total of 0.26 acres +/- (11,628 SF +/-). The properties are zoned IO (Institutional and Office Zone). The proposed Zoning for all three properties is C-1A (Limited Commercial). The properties are located on the northeast corner of the West Division Street and North Queen Street intersection. The owner of each parcel is ASMA Property LLC. Property Addresses: 317, 319 and 325 West Division Street. Tax Parcels: ED-05-076.08-05-03.00-000, ED-05-076.08-05-02.00-000, and ED-05-076.08-05-01.00-000. Council District 4. Ordinance #2026-08.

The First Reading of this Proposed Ordinance was scheduled for February 23, 2026; however, was completed on February 25, 2026 by City Council following a postponement due to weather. Public Hearing before the Planning Commission is scheduled for March 16, 2026, and the Public Hearing before the City Council on April 13, 2026.

Existing Property:

The existing properties are vacant and contain two structures, a building associated with a former auto dealership (auto sales and service building) and a single family detached dwelling (occupied residential rental). The properties are located on the northeast corner of the West Division Street and North Queen Street intersection. The applicant is seeking rezoning to allow for future use of the property as a retail store. Any redevelopment of the site will be subject to a separate application submission for plans or permits.

Surrounding Land Uses

The properties are bounded by an alley on the north and an alley on the east side of 317 W. Division Street. Parcels adjacent to the subject properties are zoned C-3 (Service Commercial Zone) to the north, RG-1 (General Residence Zone) to the northeast, and C-1A (Limited Commercial) along the east border. Properties at all other corners of North Queen Street and West Division Street intersection are also zoned as C-1A.

Previous Application

In 2021, the subject properties were rezoned from C-1A (Limited Commercial Zone) to IO (Institutional and Office Zone) under application Z-21-06. A new use for the properties was not established under that zoning classification. The properties were sold to the current owner in 2024.

II. COMPREHENSIVE PLAN COMPLIANCE REVIEW

In the *2019 Comprehensive Plan*, the Land Development Plan (Map 12-1) recommends that this property be used for Mixed Use land use. The *2019 Comprehensive Plan* describes strategies and recommendations for Mixed Use Areas, which includes a mix of residential, commercial, civic, institutional, and occasionally industrial uses. The associated goals and policies are listed in the *2019 Comprehensive Plan* excerpts presented below (pages 12-7 through 12-9); see excerpt below:

MIXED USE AREAS

Dover is a community whose character is determined by its history, changes in its economic base, or by regional and national events. Resulting Mixed Use areas are characterized by a finely scaled mix of residential, commercial, civic, institutional, and occasionally industrial uses. Typically reflecting the long-term cycles of growth and

change in the community, these traditional development patterns emerge where no single use category is predominant. These areas reflect close proximity of uses and structures, neighborhoods developed around walkability versus automobiles, varied architectural styles typically with grid-based street patterns, and an array of social and economic determinates. Mixed Use areas can reflect the historic pattern of development such as in Downtown Dover, an area where a mix of uses is driven by a primary set of uses such as around Bayhealth Hospital, or they can be an area where a new development should foster walkability and close interactions among activities and uses in a traditional neighborhood setting.

Goals: Mixed Land Use

The overall goals for Mixed Use areas are:

1. Encourage creation of neighborhood centers.
2. Within the close-knit neighborhood fabric there are opportunities for the creation of urban centers. These centers should be established along major roadways and feature mixed use development, pedestrian-friendly public environments and opportunities for connection to future transit.
3. In order to encourage non-automobile access to the center, the activities should be clustered within a one-half mile radius (or 10-minute walk) and be located so as to draw upon residents from a number of surrounding neighborhoods.
4. Develop strategies that will encourage the creation of well-defined public street spaces and pedestrian-friendly village areas that encourage walking and bicycle use. This may include on-street and behind building parking, and the creation of build-to lines for new development.
5. Improve access that limits public access to open spaces areas such as pedestrian, bicycle, and transit networks to parks and natural areas.
6. Encourage the Mixed Use of residential and commercial uses in the Downtown area.

Recommendations for Mixed Use Areas

The Land Development Plan sets forth recommendations for the four largest distinct Mixed Use areas.

Downtown Dover – Historic Core and Center City: Mixed Use Area

Downtown Dover is the City's primary Mixed Use area. The historic City center clustered around The Green dates back as early as the 1700s. It expands to also include the traditional City pattern of grid streets which developed during the 19th and early 20th centuries. As a result of its earlier development, Downtown Dover, like many other historic cities, includes a variety of intermingled land uses. The Downtown area, which

includes the traditional Loockerman Street business district, is broadly bounded by Wesley College on the north, the railroad tracks on the west, Bayhealth-Kent General Hospital on the south, and St. Jones River on the east. It includes a street level mix of residential, commercial, office, cultural, and institutional uses.

Downtown Dover is the traditional and symbolic center of the community and is vitally important to the overall image and identity of the City. As the State's office complex and other businesses and services make Downtown the largest area of employment in the City, Downtown Dover is vital to the economy. It is important to preserve the area as a safe, convenient, and aesthetically pleasing business environment. Downtown provides a unique and affordable commercial environment where locally owned businesses reflect the small-town nature of the community.

Downtown also provides a residential environment with a wide variety of housing types near commercial, cultural, education, and employment resources. The age of the buildings and infrastructure in the Downtown area requires special attention and incentives to assist in continual use and revitalization activities. Downtown lacks the vibrancy of years gone by and its revitalization will hinge on mixed land uses and developing a commercial niche. Removal of blighted conditions, rehabilitation and redevelopment of traditional residential areas, and reestablishment of neighborhood identity will be important components of the City's strategies and initiatives.

The goal of the Land Development Plan is to enhance the role of Downtown Dover as a major employment, residential and commercial center as well as the symbolic and cultural heart of the community. Efforts should strive to recognize its unique heritage and historic resources and to provide for mixed use development allowing greatest variation of uses. Activities to reestablish the economic and social vitality of Downtown neighborhoods are encouraged.

Recommendations: Downtown Dover – Mixed Use

- Master plan the Loockerman Street corridor.
- Enhance the Downtown area through economic development and historic preservation programs.
- Continue to support the preservation and adaptive reuse of buildings and infrastructure through public investments, property maintenance enforcement, housing grants, and financial incentives.
- Promote zoning districts and regulations that support the traditional mixed-use nature of the Downtown area.
- Support revitalization of Downtown residential neighborhoods.

As part of the Land Development Plan, Table 12-1: Land Use and Zoning Matrix specifies that the following zones are compatible with this land use classification of Mixed-Use. See the following table.

Mixed-Use	C-2 (Central Commercial) (Downtown Redevelopment Target Area Only) C-2A (Limited Central Commercial) TND (Traditional Neighborhood Design) C-1 (Neighborhood Commercial) C-1A (Limited Commercial) RGO (General Residence and Office) (Downtown Redevelopment Target Area Only) R-8 (One Family Residence) R-10 (One Family Residence) RG-1 (General Residence) RG-2 (General Residence) RG-4 (General Resident - Multi-Story Apartments) C-3 (Service Commercial) CPO (Commercial and Professional Office) IO (Institutional and Office)
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III. ZONING REVIEW

Request for C-1A (Limited Commercial Zone) Zoning

The following code excerpt of the C-1A zoning district is provided from Article 3 §12 of the *Zoning Ordinance*.

Article 3 Section 12. Limited commercial zone (C-1A).

12.1 *Uses permitted.* In a limited commercial zone (C-1A), no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following::

- (a) Retail stores.
- (b) Personal service establishments.
- (c) Service establishments.
- (d) Restaurants.
- (e) Business, professional, and governmental offices.
- (f) One family residences, including attached and semi-detached dwellings, complying with the bulk standards of the RG-1 (General Residence) zone.
- (g) Apartments and multi-family dwellings.

12.2 *Conditional uses.* The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:

- (a) Drive-throughs accessory to a permitted use.

12.3 *Uses prohibited.* The following uses are prohibited:

- (a) Fuel pumps and motor vehicle storage, sales, or repairs.

12.4 *Enclosed buildings.* All permitted uses and all storage accessory thereto, other than offstreet parking, shall be carried on in buildings fully enclosed on all sides, except for outdoor eating areas associated with restaurants and outdoor sales areas approved by the city planner.

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

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

IV. RECOMMENDATION OF THE PLANNING STAFF:

This Request is to rezone lands from IO (Institutional and Office Zone) to C-1A (Limited Commercial Zone). The current IO zone allows for business, financial, institutional, public, education, governmental, community service, and medical uses, as well as a series of accessory uses subject to conditional use review. The IO zone does not permit retail uses. See *Zoning Ordinance*, Article 3 §10.

The C-1A Zone allows some of the uses permitted within the IO Zone, but it also allows for other uses, including retail stores and service establishments. It is noted that the use of motor vehicle sales and service is not allowed as it is specifically prohibited in the C-1A zone.

As part of the process to change the zoning district of a property outlined in *Zoning Ordinance*, Article 10 Section 5, the City Planner must evaluate the following factors when considering the request:

Article 10 § 5.22 *City planner report*. For each proposed zoning text amendment, the city planner shall issue a report to the planning commission and city council, including comments from other reviewing agencies, that evaluates the following factors:

(A) Whether such change is consistent with the aims and principles embodied in the ordinance as to the particular zones concerned; and

(B) Whether such proposed amendment is consistent with the aims of the comprehensive plan of the city.

Staff recommends that the Rezoning be granted to C-1A (Limited Commercial Zone). The proposed zoning is consistent with the *Comprehensive Plan* for the Mixed Use Category classification. Rezoning to C-1A is one of the zoning districts eligible for consideration in this Land Use Category classification. The C-1A zone permits the retail store use desired by the applicant. Many of the surrounding properties along W. Division Street in the adjacent blocks are zoned C-1A.

This Rezoning Request does not grant approval of a specific use for the property but makes its land use subject to a listing of uses permitted and potential conditional uses as allowed in C-1A (Limited Commercial Zone) zoning district. If the application for Rezoning is recommended by the Planning Commission and subsequently approved by the City Council, the applicant will still have to submit plans and/or permits for review for certain uses or redevelopment of the site.

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

V. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

This Rezoning Application is a request for a zoning map amendment which changes the zoning district of a property. The Planning Commission as part of their public hearing and review process

will provide a recommendation on the rezoning request to City Council. As part of the process outlined in *Zoning Ordinance*, Article 10 Section 5, the Planning Commission must evaluate the following factors when considering the request:

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

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

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

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

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

VI. ADVISORY COMMENTS TO THE APPLICANT:

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: FEBRUARY 25, 2026



APPLICATION: Lands of ASMA Property, LLC @ 317, 319 & 325 W. Division Street

FILE #: Z-26-02

REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater

CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services

CONTACT PHONE #: 302-736-7025

CONTACT EMAIL #: jlyon@dover.de.us

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

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

CITY AND STATE CODE REQUIREMENTS

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. Our office has no objections to the proposed rezoning of tax parcels ED-05-076.08-05-03.00-000, DE-05-076.08-05-02.00-000 and ED-05-076.08-05-01.00-000. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook and the Specifications, Standards & Procedures for Public Works Construction. Impact fees may be applied to this property. Future development shall comply with all aspects of the City of Dover's Cross Connection Control Program.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
STAFF D.A.C. MEETING DATE: FEB 25, 2026

APPLICATION: Lands of ASMA Property, LLC at 317, 319, and 325 West Division Street

FILE #: Z-26-02

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

The City of Dover Electric Department has no objection to the proposed rezoning of the referenced parcels.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Should the site be redeveloped or the use intensified, the applicant/developer shall be responsible for all costs associated with providing appropriate electric service and metering for the proposed use, including any required system upgrades or extensions. A completed City of Dover Electric Load Sheet shall be required at the time of site development to evaluate service capacity and transformer sizing. The appropriateness and adequacy of electric service and metering will be assessed at that time.
2. Any redevelopment shall adhere to the City of Dover's Electric Service Handbook.
<https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: February 25, 2026**APPLICATION:** Lands of ASMA Property LLC at 317, 319, and 325 W Division St**FILE #:** Z-26-02 **REVIEWING AGENCY:** City of Dover, Office of the Fire Marshal**CONTACT PERSON:** Jason Osika, Fire Marshal
josika@dover.de.us**PHONE #:** (302) 736-4457

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

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

CITY AND STATE CODE REQUIREMENTS:

1. Proposal is a rezoning application for three parcels of land. This office has no objections.
2. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms.

Dimensions of bollards. Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however, the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection.

Color of bollards. Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector.
(City of Dover Code of Ordinances, 46-4)

3. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following:

One-family and two-family residential structures, height, the number shall measure a minimum of four inches in height, *location*, the number shall be placed on the house above or to the left or right of the front entrance, *color*, the number shall be contrasting to the background color, *Arabic numerals*, all numbers shall be Arabic numerals.

Multiple-family dwellings, measurements, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color*, numbers shall be contrasting to the background color, *Arabic numerals*, all numbers used shall be Arabic numerals.

Commercial, industrial and office buildings, height, the numbers shall measure a minimum of 12 inches in height, *location generally*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot,

property line or driveway, should the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building,

color; each building, numbers shall be contrasting to the background color and shall be placed on each building in the complex,

Arabic numerals, all numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.
(City of Dover Code of Ordinances, 98-344)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. 317 W Division St needs the rental license renewed

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: [Mobley, Will \(DeIDOT\)](#)
To: [Melson-Williams, Dawn](#); [Schwartz, Joshua \(DeIDOT\)](#)
Subject: EXTERNAL: DAC Comments 25 February 26 Staff Development Meeting
Date: Wednesday, February 25, 2026 11:04:43 AM

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,

Here are the comments from DeIDOT for the applications discussed in the DAC Staff meeting:

Z-26-02 Lands of ASMA Property, LLC at 317, 319, and 325 W. Division Street

No objection to rezoning. IF parcel plans to redevelop, please schedule a pre submittal meeting with DeIDOT.

Sincerely,

Will T Mobley III, PMP

Division of Economic Development, DEIDOT

Interim Kent County Review Coordinator

Phone (302)-760-2409

Will.mobley@delaware.gov



KENT CONSERVATION DISTRICT

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

**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
MARCH 2026**

APPLICATION: Lands of ASMA Property, LLC at 317, 319, & 325 W. Division Street

FILE #: Z-26-02

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:

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

ADVISORY COMMENTS TO THE APPLICANT:

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
ADVISORY BRIEF
D.A.C. MEETING DATE: 3/4/2026

**Dover/Kent
County
Metropolitan
Planning
Organization**

Z-26-02 Lands of ASMA Property, LLC at 317, 319, and 325 W. Division Street

FILE # Z-26-02 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
Zoning Review

Z-26-02 Lands of ASMA Property, LLC at 317, 319, and 325 W. Division Street

Dover Kent MPO does not have any objections to the proposed rezoning. Note that several studies completed by the MPO have focused on the Division Street (Route 8) corridor and the need for transportation safety improvements. In 2015, the *Dover Capital Gateway Plan and Design Book* was completed, providing a master land use and transportation plan for Division Street and Forest Street. Division Street was noted for several safety issues including speeding. The alternatives for the intersection of Division Street and Queen Street proposed in this document include lane reconfigurations, medians in the roadway, bicycle infrastructure, curb extensions, and planting spaces. High-level designs are included for each of the alternatives.¹

More recently, the 2025 *Downtown Dover Pathways Plan* looked throughout downtown Dover to address the most significant safety and connectivity issues. In the study, the intersection of Division Street and Queen Street is cited as having a high frequency of bicycle and pedestrian

¹ *Dover Capital Gateway Plan and Design Book*. Dover/Kent County MPO (2015).
<https://doverkentmpo.delaware.gov/files/2019/04/Capital-Gateway-Study-min.pdf>.



crashes. Division Street as a whole is described as a barrier to connectivity, separating DSU Downtown from Loockerman Street and the rest of downtown Dover. High-visibility crosswalks, curb extensions, daylighting (improving visibility at intersections), and Rectangular Rapid Flashing Beacons (RRFBs) are recommended for each of the crossings.² Given the crash history at this intersection, it is recommended that the referenced pedestrian improvements be implemented in the near term and/or concurrent with any planned redevelopment of the subject property.

Finally, note that Division Street (Route 8) is a designated truck route within the City of Dover, as established by the City ordinance regarding truck traffic that was adopted in 2024.³ While Route 8 is an important east-west route for freight traffic in Dover, this also conflicts with the City's goal of making the downtown area more walkable and accessible. Therefore, any changes to the subject property should consider the needs of both pedestrians and the local freight industry. An interactive webmap of truck routes in Dover is available online.⁴

The MPO has no other comments at this time. Further comments regarding pedestrian connectivity, vehicle access, freight implications, and other transportation aspects will be provided if changes to the site take place at a later date.

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.

² *Downtown Dover Pathways Plan*. Dover/Kent County MPO (2025).

<https://doverkentmpo.delaware.gov/downtown-dover-pathways-loockerman-street-design/>.

³ "City of Dover Ordinance #2024-05." City of Dover (2024).

<https://www.cityofdover.gov/media/Government/Ordinances-Resolutions-Tributes/2024/Ordinance%202024%20-05%20-%20Amending%20Chapter%20106%20-%20Traffic%20and%20Vehicles%20Sec%20106-17%20Truck%20Routes%20-%20ADOPTED.pdf>.

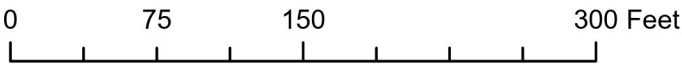
⁴ "City of Dover, Delaware Truck Route Viewer" (Webmap). City of Dover (2024).

<https://experience.arcgis.com/experience/895ed29697bf4e7b93ecc68eaddcd8a1>.





Title: Rezoning of Lands of ASMA Property, LLC
Ordinance #: 2026-08
Addresses: 317, 319 & 325 West Division Street
Parcel ID: ED05-76.08-05-03.00-000, ED05-076.08-05-02.00-000 & ED05-76.08-05-01.00-000
Existing Zoning: IO (Institutional & Office Zone)
Proposed Zoning: C-1A (Limited Commercial Zone)
Owner: ASMA Property, LLC
Date: 2/17/2026



Legend

Subject Property

Dover Boundary