

CITY OF DOVER PLANNING COMMISSION
September 15, 2025

The Meeting of the City of Dover Planning Commission was held on Monday, September 15, 2025, at 6:00 PM as an In-Person Meeting and also using the phone/videoconferencing system Webex. The Meeting Session was conducted with Chair Mr. Witham presiding. Members present were Mr. Michael Lewis, Mr. Roach (virtual – arrived at 7:15PM), Mrs. Denney (arrived at 6:45PM), Mrs. Maucher, Mr. Baldwin, Dr. Jones, Mr. Reaves (virtual), and Mr. Witham. Mrs. Welsh was absent.

Staff members present were Mrs. Dawn Melson-Williams, Ms. Sharon Duca, Mr. Dan Griffith; City Solicitor, Mr. Jason Lyon (virtual) and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Mrs. Melson-Williams stated that application Site Development Master Plan S-25-12 Blue Hen Corporate Center Pad Sites Master Plan has been deferred. They received a request from the applicant involving S-25-12 Blue Hen Corporate Center Pad Sites Master Plan. The applicant made that request and the letter was included in your meeting packet. They asked to defer consideration of that application until the next meeting in October. We thought that at this point, since part of their public notice was completed, we needed to take action on it during your adoption of the Agenda. It will be rescheduled for an upcoming meeting, which they believe will be the October meeting and they will have to complete public notice again for that application.

Mrs. Maucher moved to approve the Agenda as presented, less the application S-25-12 Blue Hen Corporate Center Pad Sites Master Plan, seconded by Dr. Jones and the motion was carried 6-0 with Mr. Roach, Mrs. Denney, and Mrs. Welsh absent.

APPROVAL OF MEETING MINUTES OF JULY 21, 2025

Mrs. Maucher moved to approve the Planning Commission Meeting Minutes of July 21, 2025, seconded by Mr. Baldwin and the motion was carried 6-0 with Mr. Roach, Mrs. Denney, and Mrs. Welsh absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, October 20, 2025, at 7 PM. We do have applications for that evening so please mark your calendars.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on July 28 & 29, 2025, August 11 & 12, 2025, and September 8 & 9, 2025.

Mrs. Melson-Williams stated that in case you haven't noticed, we are missing a Planning person yet again. Mr. Chris Salzano who had been with us this summer as a Planner II, resigned his position in late August and moved to the private sector and a shorter commute. We are once again looking for a Planner II. We do have a new member of our Planning Staff and that is Mrs. Debbie O'Brien who is joining us. She will be taking over the Community Development Manager position as Mrs. Tracey Harvey will be retiring later this year. There is some overlap

there for training purposes.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Melson-Williams presented the audience information on policies and procedures for the In-Person Meeting and Virtual Meeting using the Webex system.

OLD BUSINESS

Requests for Extensions of Planning Commission Approval: None

NEW BUSINESS

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan - Public Hearing and Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2. *Waiver Requested: Percentage of Lots on a cul-de-sac. This property was reviewed in 2013-2015 as SB-13-06 Jefferson Terrace Subdivision; however, the plan was never finalized. Application for Conceptual Subdivision Plan SB-23-01C was conditionally approved by the Planning Commission in March 2023; previous waiver requests were unsuccessful, and the plan expired. The properties were examined again under Conceptual Subdivision Plan SB-24-01 and were denied by the Planning Commission on August 19, 2024.*

Representatives: Mr. Troy Adams, Mountain Engineering Services Inc.; Mr. Emanuel Ehize, property owner (online)

Mr. Witham stated that there has been a request by a resident to delay this process (for SB-25-02). *(The Chair allowed the resident to speak.)*

Mr. Stephen LeBoon – 1025 Westview Terrace Dover, DE 19901

Mr. LeBoon stated that he submitted a formal postponement request to allow all parties time. He thinks it is the most crucial and critical thing to do at this time. Me and my neighbors are waiting on the Davis, Bowen and Friedel engineer's report of the recent study of the extraordinary water issues in our development. He thinks it's prudent that we receive this Report and its findings in totality so that he and his neighbors can look at it and then we can perceive forward with formal objections regarding this application. This application was denied last year by this same Commission. This has been ongoing for 14 years which is a long time. He would like to get this Report, and so do his fellow neighbors, from the architects and engineers; so, he asks for the postponement.

Mr. Witham asked if he was speaking on behalf of his neighbors. Responding to Mr. Witham, Mr. LeBoon stated yes. He believes that Ms. Joan Siple notified this Commission and there are other neighbors like the Beikers, and Ralph and Jean Taylor who live next door to him. He does not want to revisit this right now; he would just like to get the postponement and then make formal objections like they did last year.

The Chair allowed others to speak on the Request to postpone.

Mr. Tom Frasier – 1102 Monroe Terrace Dover, DE 19901

Mr. Frasier stated that this parcel butts up to his land and he supports the request to postpone this matter.

Mr. Ronald Rhodes – 1112 Monroe Terrace Dover, DE 19901

Mr. Rhodes stated that he has two properties that but up and adjoin the road that crosses Jefferson Terrace Extension. He has some concerns about the water too and how they would put the roadway through the two lots that he owns that join up with property being six to eight feet below those road grades. He also supports the postponement of this application.

Mr. Griffith stated that this is just a reminder to the Commission, but the Commission does not vote on applications from members of the public. There can be a motion made by a member of the Commission for postponement that Commission members can act on. But members of the public can make requests to make public comments, but the Commission does not vote on applications from members of the public.

Mr. Lewis asked that given the fact that we already approved the agenda which includes the hearing, are we even allowed to postpone it? Responding to Mr. Lewis, Mr. Griffith stated that you can still vote to postpone the application. Again, it would have to be on a motion made by the member of the Commission.

Mr. Witham asked if the applicant for this application was present. Responding to Mr. Witham, Mrs. Melson-Williams stated yes, he is. Planning Staff stands ready to begin the presentation as we do with all applications with the Staff summary and then there are representatives of the application here. Their engineer is here in the room and the property owner has joined us online.

Mr. Witham stated that they will ask the property owner to state his/her position. He believes that the property owner submitted a letter in opposition. Responding to Mr. Witham, Mrs. Melson-Williams stated that the property owner of the application did not submit a letter. When we would get to public comments, there written public comments that Staff received and we would enter at that time, those items into the record. There are two of those comments that are basically requesting postponement of consideration of the application and then there is a letter of support from another individual that was provided to our office.

Mr. Witham stated that what he is trying to do is allow the folks who are moving forward with this application to state their position on the record. If they do not wish to do so, then he will turn it over to the Commission to decide on this particular application. There may be a person who represents a number of individuals who lives in the community or around the community, who

may oppose this application for the acceptance of this subdivision hearing.

Mr. Adams stated that he is a little bit confused. He is here to represent this application tonight. Responding to Mr. Adams, Mr. Witham stated that he gave him an opportunity to come forward and make an opposition.

Mr. Adams stated that he is not making a statement in opposition. He is here to represent in favor of it. I'm the professional representing the application.

Mr. Witham stated that we have a request for the postponement of the public participation of this application. If you are here to represent the applicant on the conceptual plan, then the question is to you have a position with respect to the request made by the other individuals to postpone this hearing.

Mr. Adams stated that he disagrees with them. Responding to Mr. Adams, Mr. Witham stated so you do oppose.

Mr. Adams stated that he does oppose the postponement.

Mrs. Maucher stated that she doesn't know if this is jumping ahead, but she is curious about the Study and what information it would or would not provide that would generally lead to our decision. If the Study would support or otherwise demonstrate that it's not a good project, then she might be inclined but she doesn't know enough about the Study. If the engineer is available and would like to speak to that or if we go through the whole process and then get to that. She doesn't know the proper process.

Mr. Witham stated let's turn to our Planner who may explain the process. This is the first step of the detailed process that will take place if the Commission hears the preliminary application.

Mrs. Melson-Williams stated that before you this evening there is an application for a Conceptual Subdivision Plan. That Conceptual Subdivision Plan has a review report. Normally, the process includes the opportunity for Staff to summarize that report and then the applicant to speak to their application and then there would be a public hearing. After which time, the Planning Commission could ask questions and then take action in regards to the application. The process for a Subdivision involves this first step, which is this Conceptual Subdivision Plan Review. There is a second step which is a Preliminary Subdivision Plan Review process; again, that requires an application and public hearing before this body. As a second step, it is a more detailed type of submission for that second step.

Mrs. Denney arrived at the meeting.

Mrs. Melson-Williams stated that basically for a Subdivision, it is really a three step process. This Conceptual Subdivision Plan review, the Preliminary Subdivision Plan review, and then the third step is an administrative process to deal with the Final Plat. This evening, it is consideration of a Conceptual Subdivision Plan. What Mr. Witham has been trying to put into the record is the consideration of the request that we have received from a member of the public to postpone

consideration of this application. As noted by the Solicitor, you cannot vote on that action to postpone specifically. It would have to be a motion coming from a Planning Commission member to then act upon.

Mrs. Maucher stated that her question was more to the Report mentioned in the request to postpone. What is that Report? What information would that give us? At this point, are those details necessary? She understands that it's a three step process. This Report that is mentioned is an onsite analysis at the end of all of this.

Mr. Witham stated that we do not have this Report. Responding to Mr. Witham, Mrs. Maucher stated she understand that we are waiting for the Report, hence the request by a resident that is impacted by this development to postpone pending the results of that Study. But she doesn't understand what that Study is.

Mrs. Melson-Williams stated that the member of the public references a Drainage Improvement Study that is underway for the Westview Terrace area which is located to the west of the subject property that is seeking subdivision consideration. The reference to Davis, Bowen and Friedel is an engineering consultant that she believes is under contract with the City to develop that Study. It is called the Drainage Improvement Engineering Support for the Woodbrook Development. Again, that is located to the west. She is not sure if Mr. Jason Lyon can elaborate on what that Study is but she believes that it focuses on an area to the west of where this subdivision is proposed.

Mr. Lyon stated that this Study is to evaluate the drainage concerns of Woodbrook. The scope is to the west of this application. It is west of Westview Terrace; inclusive is the pond that is adjacent to Westview Terrace and upstream of that pond towards the northwest. It should be noted that when this pond drains, it does drain under Westview Terrace to the east to the area of this development.

Mr. Witham further stated that as our Planner indicated, the only way that this application can't be considered is if there is a motion to approve the delay. There is no motion to delay so we will have to proceed.

Mr. LeBoon stated that last time, this project was denied. He is trying to give this gentleman his benefit of the doubt to allow the inspection of the findings of this Report. I am being very fair. I think I should be commended for that. If the postponement is not granted, then hopefully we will seek it from Council in the next few weeks. He just thinks it is in the best interest for this party and all of the neighbors. It says it right here, this project aims to address long standing flooding. He has already said it to this Commission; the Governor's Order has prohibited his property from being built on or near a floodplain. So, I hope you would grant it. Responding to Mr. LeBoon, Mr. Witham stated that you do understand that this isn't part of it. This is a process. The only thing that is before the Commission today is the public hearing of the Conceptual Subdivision Plan. It is not a final application.

Mr. LeBoon stated true, but he is just trying to wait for the Report. If the Report says there is no flooding in the area and contradicts the engineer and 80 years of history, so be it. But he thinks

that is why they have rushed this application. They rushed to get it in here because they know this Report is pending.

Mrs. Denney stated that she is coming in late but she has gone over everything and she is obviously familiar with this application. The last time they were here, she felt that she should have made a motion or at least brought something up for discussion and she didn't. Of course now, it is back again and she is reminded of that. Managing the Town of Camden, being on Board of Adjustment and being involved with the County, and many other things that she has been involved in that involve Planning, the one way that we can get Kent Conservation in there doing what they are supposed to do is to do an evaluation. If need be and the word comes down from Kent Conservation that there needs to be a stormwater management pond or whatever done there, then that comes from the people who know. In doing that, it doesn't always make everybody happy because they tend to be inundated and it takes longer. So, that is never the desire of the developer or the property owners who are trying to do something different. But, if it were to move forward, then Kent Conservation can come in and pretty much the people who will say this can be done and manage the stormwater. Or if there are too many wetlands or whatever the issue is, Kent Conservation is the place to find out. They are not going to find out while we sit around and twiddle our thumbs because they have such a full plate like every other agency. They are not going to go out and do it just because we would like to have information. She just wants to throw that out to the members of the Commission as a food for thought.

Mrs. Melson-Williams stated that Mr. Reaves has indicated that he wishes to speak. She is not sure that he has that ability; if not, she can read what he placed in the chat. She is not hearing Mr. Reaves. Through the chat, he indicates the following: "I believe that the engineer report is crucial to the decision of the Planning Commission. I have a question about the non-receipt of the engineer report."

Mr. Reaves moved to approve the delay of SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan pending the review of the engineer report based on their request for the waiver, seconded by Dr. Jones.

Mrs. Denney asked if the delay will be until the Report comes in so that we, with Report in hand, can then make a better decision. Is it delayed or tabled? Responding to Mrs. Denney, Mr. Witham stated that since Mr. Reaves made the motion, he will ask whether that is a friendly amendment to his motion.

Mr. Adams stated that typically he has seen it where he has the ability to testify and represent the application and not get blindsided by this gentleman bringing up something that has been brought up about three times before about stormwater. You have not even heard the fact that there is a Puncheon Run Study that has been done. And if you look in the notes that are here, the Conservation District is okay with the approach of how we are handling the stormwater which satisfies the requirements of the Puncheon Run Study. This community has done this every single time and it is just to confuse the situation. His job as a civil engineer is to project the client. That is part of his duty. Also, he is supposed to meet the intent of the Code and also present a technically acceptable plan that is reviewed by those particular agencies that are experts in those particular areas. We have done that. We meet the intent of the Code. We are on track to

meet all of the technical requirements. That is not an issue. In the Report (Puncheon Run Study) that I just read there is not a problem. So his client, who bought this property in 2022, had a delay at least three times to this point dealing with the stormwater. There is nothing more that he can do. This gentleman has spent his money, paying taxes here, wants to develop this property and, it's an infill situation that is just sitting there. He is going to make all of the improvements. If they are willing to buy the property; great, take it off of his hands but that is not what we are here to do.

Mr. Witham stated that he notes that the Report of the Kent Conservation District is a part of the DAC notes and its advice would be to the applicant. It states that the approved stormwater plans have expired due to construction never taking place. A new set of plans adhering to the current stormwater regulations will need to be submitted for approval. That indicates to him, that in some point in time, we are going to have to hear this engineer report before we can get final approval to your construction plans. As he has said before, this is the first step. He realizes that there have been earlier denials of this project, but this is the first step as a Conceptual Plan. You are going to have to come before this body again as you know because you have done this before. He is pointing out that this is a new plan and it starts again. It is only a preliminary application at this point in time.

Mrs. Denney stated that in the letter that is before us on the screen which comes from Kent Conservation, it does say "they (Kent Conservation District) will be reviewing stormwater management plan for the proposed Ekaman Subdivision. The conceptual layout of the plan appears to align with the recommendation approach for managing the stormwater site for development based on the findings of the Puncheon Run Flood Study. But it says before the proposed plan is approved, Kent Conservation District will complete a detailed plan review and verify that the proposed stormwater management plan meets the requirements of the Puncheon Run Flood Study." While she is certainly empathetic to the fact that this land owner probably feels as though it is the never ending story, but getting just a letter from Kent Conservation is indicative to the fact that they are working on trying to come up with a plan. The other thing that she just wants to add and again, she should have said this when we addressed this before; when Kent Conservation gets in there and makes a stormwater management plan, it is not just going to be for these five lots. It may add great relief to everybody else in that development because there will be room for the water that is now causing issues for the people in that development.

Mrs. Melson-Williams stated that Mr. Reaves did clarify his motion as she thinks that was what you were looking for at one point.

Mr. Reaves moved to table SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan until the Report is furnished and the community has had ample time to review and bring this action forward.

Mrs. Melson-Williams stated that she believes that he is referring to the Report that is related to the Woodbrook improvements.

Mr. Witham stated that we will turn to our City Solicitor for comments.

Mr. Griffith stated that this is a very technical point. A “motion to table” requires that it is to be taken up at the very next meeting. You are considering something that may or may not be available for the next meeting. The correct term or be a motion to “postpone” the application.

Mr. Reaves moved to postpone SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan until the engineering report (Report for the Woodbrook Development Improvement Study) is furnished and the community has had ample time to review and bring this action forward, seconded by Dr. Jones and the motion was carried 5-2 with Mr. Roach and Mrs. Welsh absent. Mr. Reaves voting yes. Mr. Lewis voting no; in consideration of the fact that this is step one of a multi-step process. We are going to have to be back here at some point anyway. We have somebody at least ready to talk about it. We have multiple studies to still to wait. He says we can at least get started with it. Mrs. Denney voting yes; to give this Commission any opportunity to see the reports and have a better idea of what the engineers are thinking with regard to the stormwater management. Mrs. Maucher voting yes. Mr. Baldwin voting yes; he thinks we should be able to see the reports from the engineer before we can make a decision. Dr. Jones voting yes; she too believes that they should have every bit of information that we possibly can have and if the residents can have as much information as possible in order to make an informed decision. Mr. Witham voting no; he thinks this slows the process down because this is a part of a multi-step process in gaining approval. Eventually, we are going to have to have this Report in before we can finally approve the plan for construction. He knows this has been an ongoing matter and it has been a thorn in their sides for quite some time. It seems to him that any further delay will not be beneficial for the citizens of Dover.

S-25-01 Revised Dover Mobility Center Garage at 133 S. Governors Avenue – Public Hearing and Review of a Revised Site Development Plan Application, Parcel Consolidation Plan, and associated Revised Architectural Review Certification for construction of a four story, multi-purpose parking garage structure to be known as the Dover Mobility Center Garage. The structure is revised to consist of 329 parking spaces, welcome and retail space, a management office, and retail and storage spaces. There have been architectural changes as designed, including the removal of the S Bradford Street garage entrance. The subject site involves a series of parcels in the block between S. Governors Avenue and S. Bradford Street north of Minor Street Alley. The properties are zoned C-2 (Central Commercial Zone) and subject to the H (Historic District Zone). The owners of record are the Downtown Dover Partnership, City of Dover, Capital City Transformation Alliance, and Main Street – Dover Inc. Property Addresses: 133 S. Governors Avenue, 139 S. Governors Avenue, 145 S. Governors Avenue, 136 S. Bradford Street, 148 S. Bradford Street, 150 S. Bradford Street, and 132 S. Bradford Street, Dover. Tax Parcels: ED-05-077.09-02-10.00-000, ED-05-077.09-02-09.00-000, ED-05-077.09-02-08.00-000, ED-05-077.09-02-24.00-000, ED-05-077.09-02-25.00-000, ED-05-077.09-02-27.00-000, and ED-05-077.09-02-23.00-000. Council District 4. *Previously Approved: Tree Mitigation Plan. For Consideration: Revised Parking Strategy Statement. This Revised project was the subject of HI-24-09 Revised for Historic District Commission Review and Recommendation on the Architectural Review Certification on August 21, 2025. The project is also associated with MI-24-10 Request for Alley Abandonment: Part of Alley Between S. Governors Avenue and S. Bradford Street.*

Representative: Mr. Mike Riemann, Becker Morgan Group; Mr. Michael Cane, Core States; Mr. JD Bartlett, EDiS Company (virtual); Mr. Todd Stonesifer, President of the Board for the

Downtown Dover Partnership (virtual)

Mrs. Melson-Williams stated that this is S-25-01 Revised Dover Mobility Center Garage. The main address location is 133 S Governors Avenue. It actually makes up a series of lots that span the width of the block between S. Bradford Street and S. Governors Avenue. This is just to the north of the Minor Street Alley which is about a half a block north of Loockerman Street. This application was previously before the Planning Commission earlier this year; however, there have been some revisions to the Plan itself. Specifically, architectural changes as to the design of the building that removed one of the garage entrances, the one that was joining to S Bradford Street. So, in doing so Staff, per your *Zoning Ordinance*, has recognized this as a substantial change so the project has most recently been back to the Historic District Commission at their August 21, 2025 because this building is proposed within the Historic District. So, part of the action is associated with an Architectural Review Report. The property is zoned C-2 (Central Commercial Zone) and is located in the H (Historic District Zone). The overall design has predominantly stayed the same. There have been some changes to what they programmed for the first floor of the building. There is a larger welcome and retail/office space that will take up some of the first floor which is all associated with the redesign of the garage entrance to only be served by the S. Governors Avenue entry.

Mr. Roach arrived (virtually) at 7:15PM.

Mrs. Melson-Williams stated that the Development Advisory Report Committee made use of the original report and then they did the update to it. The C-2 (Central Commercial Zone) has some bulk standards. They are complying with those including stepping back of the front façade. The Architectural Review Certification for this project does have one consideration and that is for alternative bulk standards related to the side yard setback. We find that side yard setback along the south and north property lines; so along the Minor Street Alley and then the northern property line. In the case of the C-2 (Central Commercial Zone) it would require a side yard setback of 5 (five) feet; however, given the slightly parallelogram, the building when placed on the property then the setback from property lines ranges from less than 1 (one) foot to just over 5 (five) feet depending where you are along those property lines. We made a recommendation that previously the Planning Commission granted this relief for that as part of that Architectural Review Certificate. With this project, they provided a parking summary. Really, it's a garage and it includes bicycle parking as well. The project will include an area for dumpsters that are built into the building. They are working through that design. But the building architecture shown on the image on the screen shows the S. Governors Avenue view of the building. It tends to have brick elements on the lower floors and then transitions to a concrete system for what are the upper floors of the parking garage. It's meant to be a building that focuses as much on the pedestrian and their street level experience for this building. The project also requires a Tree Mitigation Plan as the building pretty much takes up the entire property. As previously approved, the Tree Mitigation Plan will be them planting the required trees which there are 13 (thirteen) that are required for this project, somewhere here in the Downtown area on land that either the Downtown Partnership already owns or in working with the City as to finding places for those required tree plantings. There is the Development Advisory Committee Report with a series of Code reviews that the Planning Office did and the other regulatory agencies providing comments as well. Ultimately, they will have to satisfy all of those agencies. Included in your packet is also the Architectural Review Staff Report that provides the recommendation from the Historic

District Commission from their August 21, 2025 meeting. The Historic District Commission recommended approval of the Revised Architectural Review Certificate for the project and that Report goes on to detail the elements of their project proposal and how the project has changed with its most recent design change regarding the entry to a garage itself. So, those are the kind of the key Report items for this application. Tonight, you are considering a Site Development Plan, as part of that the revisions and the Revised Architectural Review Certification including the alternative side yard setbacks, confirming again, the Tree Mitigation Plan, and the consideration and recognition of their Parking Strategy Statement as it was revised.

Mr. Riemann stated that they have members of their project team here if there are specific questions and we need to bring somebody up to answer those questions. They are here to present a revision to the Dover Mobility Garage that this body previously approved with many of the elements that Mrs. Melson-Williams has outlined. The revision, while here as considered a major revision in terms of requirements to come back before the body, really is pretty minor. This comes from really interest and outreach that this project has done since they were before this body. Obviously, the word is out about the project and what is happening in Downtown Dover which is very positive with respect to this project and the project that we are going to talk about after this. As a result of that interest outreach and some of the visibility that this project has had, we've had an opportunity to bring a tenant immediately into this building. The revision stems from accomplishing that and modifying the interior of the building. Most of the modifications are related to the interior portions of the building. The building itself still sits in the general location it did the last time you approved it. All of the setbacks that Mrs. Melson-Williams was referring to are the same as what they were last time that we were here before you. What we did was add some additional retail/office space that we are in negotiations with a tenant for that space right now and that is really the reason for the revisions to these plans. It is very positive news and he thinks what they all hoped for this interest to bring some employment to Downtown. They added about 13,000 SF of retail/office space on the ground floor. We have also modified the access. The blue area on the screen is representing the office space. A lot of the elements are still there with the bike rental and bike shop and all of those things that we talked about last time that everyone recalls. The access to Bradford Street has been eliminated with this change so we do have access solely on Governors Avenue. We have met with DelDOT and worked through that with them. No concerns there; they have commented the same in the Report that you have in front of you. We did have to go back to the Historic District Commission with this change to look at the exterior of the building. They did recommend a conditional approval. We did implement all of their recommendations regarding the exterior. With the image on the screen, the bottom elevation is looking south towards the garage and the top elevation is looking north. It's a lot of the similar elements that you would have seen before. No major changes from that standpoint but we did go back to the Historic District Commission and present the project to them. We have reviewed the Staff Report which is always very thorough. We have no concerns with the recommendations that are in there; everything is to be expected. Those are really the majority of the changes for this project and he is happy to answer any questions. Our team is here and we are looking forward to moving onto the next steps.

The next image on the screen shows looking from S Bradford Street. So, you can see where the access to Bradford is removed and that provides that connection of that retail office space to Bradford Street.

Mrs. Maucher asked why they removed the Bradford Street exit/entrance. Responding to Mrs. Maucher, Mr. Riemann stated that with the retail space there now, connecting all of that retail space there really, that flow no longer worked. So, we felt it was necessary.

Mrs. Maucher stated that since they are kind of tied together; this project and the next project, will spaces be permitted in this parking garage for residents and businesses. Responding to Mrs. Maucher, Mr. Riemann stated that it is expected that the residents would use parking spaces in this garage. As far as arrangements of how that will work, he would ask someone else to comment on that if there are more specifics. But yes, we are expecting that residents will use the parking garage.

Mr. Witham asked for the reason for the reduction in 400 spaces to 319 spaces. Responding to Mr. Witham, Mr. Riemann stated that it is a function of adding the ground floor (areas). We lost some parking spaces on that floor.

Mr. Witham stated that he has a question about the windows. There was some discussion from the Historic District Commission about the windows. Are the windows designed to stand up to the sun? He is concerned because we experienced some deterioration in the windows at the new Kent County Court House. There is a fog that is now inside the windows. He wants to know if any of those issues are taken into consideration for this project. Responding to Mr. Witham, Mr. Cane stated that their intended purpose is to specify the most energy efficient and code specific windows for this project; so yes, they will take that into account. He is not sure on the specifics of those windows specifically, but they are intending to provide the best windows that they can. In terms of one of the Staff comments, these are not going to be reflective. These were just a regular transparent glass window for these office spaces.

Mr. Witham asked if they could also explain the lighting on the site, particularly from a safety standpoint and for the benefit of your customers. Responding to Mr. Witham, Mr. Cane stated that obviously all of the lighting they are designing will be aligned with the standards of the Historic District. We want to make sure that they align aesthetically with the surroundings and also provide the safety and lighting that is required for a building such as this.

Mr. Witham opened the public hearing.

Mr. Zach Prebula – Kent Economic Partnership 555 Bay Road Dover DE 19901

Mr. Prebula stated that they are in support of this project. That faster that we get this project in motion, the faster we will be able to attract businesses and have more people walking the Downtown Area and improve the area.

Ms. Chelle Paul – Dover, DE resident

Ms. Paul stated that she had a few quick questions. The actual adjustments that were made was that those adjustments that rectify the question of the land issue? If that information was never provided, do you have that information on file with regard to the question about the issue with the ownership of the land? Responding to Ms. Paul, Mrs. Melson-Williams asked if she was asking about the ownership of the property.

Ms. Paul stated that the question is did the changes that were made, did that resolve the issue

with regards to the ownership of the property. There were questions about if the City of Dover actually owned that property and if they were actually able to provide the information with regards to ownership of the property. Responding to Ms. Paul, Mrs. Melson-Williams stated that this subject site is made up of six different parcels and then an additional parcel. There are a series of them that are currently owned by the City of Dover but by resolution action by City Council, will be transitioning to the Downtown Dover Partnership. She is not sure if the project team has some additional information on that.

Ms. Paul stated that she thinks the question with the parcel was, was the ownership actually sent over? Was the legal process followed the proper way in order to take over ownership? Responding to Ms. Paul, Mr. Riemann stated that he thinks this is all stemming back to the alley discussions that we had. That issue has been put to bed. It has been through Council. It has been through the right processes. Yes, all legal channels have been followed. In our opinion, this issue is resolved; and this is completely unrelated to that.

Ms. Paul stated that you stated that it was resolved, but she will deal with that on a different day. As far as the changes and things of that nature, that's fine. We just wanted to make sure the matter of the property was worked out. Responding to Ms. Paul, Mrs. Melson-Williams stated that she will note for the record that there is Council Resolution #2024-08 that was a Resolution authorizing the donation of a series of City owned properties to the Downtown Dover Partnership. That was acted upon by City Council on September 23, 2024. It was almost a year ago that it moved through a Council review process. There are a series of what are the existing parking lots at this project site that were in City ownership at the time of the beginning of this project.

Mr. Witham seeing no one wishing to speak and no written correspondence, closed the public hearing.

Mrs. Maucher moved to approve S-25-01 Revised Dover Mobility Center Garage at 133 S. Governors Avenue revisions inclusive of the Revised Architectural Review Certification with the Alternative Side Yard Setbacks, the Tree Mitigation Plan and the recognition of the Revised Parking Strategy Statement, seconded by Mrs. Denney.

Mrs. Melson-Williams asked if Mrs. Maucher is also including by reference the DAC Report and its recommendations. Responding to Mrs. Melson-Williams, Mrs. Maucher stated yes, that would be the basis of her motion.

Mrs. Maucher moved to approve S-25-01 Revised Dover Mobility Center Garage at 133 S. Governors Avenue revisions inclusive of the Revised Architectural Review Certification with the Alternative Side Yard Setbacks, the Tree Mitigation Plan, the recognition of the Revised Parking Strategy Statement and the DAC Report and its recommendations, seconded by Mrs. Denney and the motion was carried 8-0 with Mrs. Welsh absent. Mrs. Maucher voting yes; based on DAC comments and Staff recommendations. Mr. Baldwin voting yes. Dr. Jones voting yes; it is a welcomed addition. Mr. Reaves voting yes. Mr. Lewis voting yes. Mr. Roach voting yes. Mrs. Denney voting yes; she thinks the changes that were made in accordance with the recommendations are fine. She thinks this is a really good project doing good use. Mr. Witham

voting yes; based upon the DAC comments and the presentation.

S-25-11 The Governor: Mixed Use Building at 120 S Governors Avenue – Public Hearing and Review of a Site Development Plan Application, Parcel Consolidation Plan and Architectural Review Certification for the construction of a four story, 169,080 SF Mixed Use Building including a grocery, retail and restaurant spaces, a child day care, 120 apartment units, and a roof-top courtyard with site improvements of a parking lot, a courtyard, and landscaping. The main parcel contains 1.70 +/- acres. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The property is located on the west side of South Governors Avenue and halfway between Reed Street and West Loockerman Street. The owners of record are Downtown Dover Development Corporation c/o Downtown Dover Partnership and The City of Dover. Property Addresses: 120 S. Governors Avenue, 105 S. New Street, 111 S. New Street, and 115 S. New Street. Dover. 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, ED-05-077.09-01-43.00-000. Council District 4. *Waiver Requests: Opaque Barrier – Fence Component and Tree Mitigation Plan. For Consolidation: Parking Strategy Statement. This project was the subject of HI-25-02 for Historic District Commission Review and Recommendation on the Architectural Review Certification on July 17, 2025.*

Representatives: Mr. Mike Riemann, Becker Morgan Group; Mr. Michael Cane, Core States; Meagan Whetstone, Mosaic Development Partners; Mr. Bob Bloczynski, Core States (virtual); Mr. Todd Stonesifer, President of the Board for Downtown Dover Partnership (virtual); Mr. J.D. Bartlett, EDiS Company (virtual); Ms. Leslie Smallwood, Mosaic Development Partners

Mrs. Melson-Williams stated that this is likewise a Site Development Plan. This is its first appearance here with the Planning Commission. It is located on the west side of S. Governors Avenue and in this case, extends across to New Street. The main parcel is 120 S. Governors Avenue, known to most as the Acme Site; the Acme grocery store building is no longer there. But this project also encompasses three related properties which are three properties that have frontage on S. New Street and those include 105, 111 and 115 S. New Street. Those are currently vacant lots. The City is the owner of two of those lots and has signed the application for submission here for this Site Development Plan Review. The project is zoned C-2 (Central Commercial Zone) and falls in the H (Historic District Zone). It is a building of 4 (four) floors and has a number of uses that are proposed with the first floor encompassing things such as retail space, child day care center, and other retail opportunities on that first floor. Then moving to upper floors, we do see a rooftop courtyard on the second floor and then the remaining portions of that floor and the upper floors are residential apartment units from a mix of one to three bedroom units as currently proposed for a total of 120 residential dwelling units. The property as noted again is in the C-2 (Central Commercial Zone). There are some provisions and design standards in the C-2 (Central Commercial Zone) and they have complied with those. The idea for a child day care facility is technically considered a Conditional Use in this zone and that is when a child day care center is serving more than 13 (thirteen) children in the facility. You will be considering that as part of the application this evening. There are parking requirements and outdoor play space requirements associated with the day care facility. With the project being located within the H (Historic District Zone), it is subject to the Architectural Review Certification process. For this property, it visited the Historic District Commission at their meeting on July 17, 2025. There is the Architectural Review Staff Report which also includes the

recommendation from the Historic District Commission in regards to the project. The Historic District Commission did recommend approval of the Architectural Review Certificate subject to the comments and information in that Review Report. We will talk about the architecture in a moment. The project, since it is a Site Plan, has a number of site elements. The building, while it has a main front on S Governors Avenue, for the New Street side of the building, it being U-shaped, has an outer court area where you can also access the building. There is a small surface parking lot that is accessed off of S. New Street which also gives access to a loading area at the rear of the proposed grocer location; so, that is at the bottom of the image on the screen. There is a series of development pieces for those three parcels to the north. That is where you would find the concept for a playground space, a dog run, and some connecting walking systems there. Both frontages will have the requirements for sidewalks. The applicant has also presented information about the trash strategy for this building which is a little unique in having to deal with the multiple users. There is one site related waiver request and that is focused on the opaque barrier requirements. This is subject to being implemented on part of the northern property line of the main part of the building. The next slide shows the Landscape Plan. An opaque barrier occurs when there is a non-residential use adjacent to a residential use. There is a residential use to their north on S Governors Avenue. They are going to implement the landscape screening that's required but is seeking relief to eliminate the fence component in that area finding that the landscaping should be sufficient. That is a hedge planting interspersed with trees. There is a fairly short distance between that property line and that north side of the building where you find a sidewalk to access some of the facilities off of that side as well.

As noted with this being for a residential project, they are required to have an Active Recreation Area Plan. That Active Recreation Area Plan was heard by the Parks, Recreation and Community Enhancement Committee last week. That Committee recommended approval of their Active Recreation Plan, subject to the Recreation Area Report. Because of this location of the project in the Downtown, it is required to have 75 feet of active recreation per dwelling unit. That means they need a minimum of 9,000 SF. They are providing well above that in a series of amenities, including that courtyard as a wellness area. There is some seating and open space opportunities there for probably fitness activities. There is the park area that she just mentioned that includes the playground, the dog run, and the connection walkway. Inside the building, we continue to find amenities in that there is a fitness center and other community spaces on the first floor of that building and then that rooftop courtyard that wraps part of the second floor at the site. Additionally, there is bicycle parking and they actually are including interior bicycle parking opportunities so we have noted that as part of the recreation amenities for the project. By reference, she will refer you to the Recreation Plan Review Report.

This project is required to do tree planting. They do as part of this, have a proposal to plant some of the trees onsite; however, they are seeking a request for a Tree Mitigation Plan to allow some of those required tree plantings to be planted as street trees along the frontage of the subject property rather than actually onsite. So, their tree planting is proposed to be a mix of onsite and then also the adjacent street frontages. With this, they have also identified their Parking Strategy Statement. That is probably of interest to the Commission members as parking is limited here but parking in the C-2 (Central Commercial Zone) does not have a minimum requirement based on the zone or the use and parking can be considered as a variety of alternatives. In this case, they are focusing on the nearby parking garage, the ability to utilize various modes of transportation

and the bicycle parking that they are providing as an increased measure on this project site. The next image shows the view from S. Governors Avenue. You can see that it is a four story building, again, and a mix of materials. We see use of brick masonry, again focusing on the pedestrian level and the first floor and then becoming more animated with the push and pull of that front façade including some balcony areas for some of the units on this face of the building reflecting its mixed uses as it goes forward.

Mr. Riemann asked if there were any questions because that was pretty thorough. It is always tough to follow Mrs. Melson-Williams and not feel repetitive with all of the information so he is going to try to hit some of the highlights. Like before, we have members from our entire project team either present here or online to answer any specific technical questions that there may be. As Mrs. Melson-Williams stated, we are dealing with a couple of acres here in Downtown Dover. It is zoned C-2 (Central Commercial Zone). This property has been vacant for a couple of years now at this point and he will say that the onset is somebody who has worked in Downtown Dover for about 25 years, it's just exciting to be here and talk about this application and see the things that are happening in Downtown Dover. He has got to give the Downtown Dover Partnership a lot of credit for that and the City as well for their leadership and for looking for ways to transform our Downtown and make it more vibrant. These are the exact kind of projects that do that. These are the types of projects that a lot of people talk about doing but we don't see them happen very often and tonight we are going to see that happen hopefully here in Dover. It is just very exciting for him personally and professionally.

As Mrs. Melson-Williams stated, the project is a four story mixed use project totaling about 140,000 SF. There is a mix of about 120 apartments, a 16,800 SF grocery store, a 5,500 SF day care, a 1,000 SF coffee shop, and about 2,400 SF of retail on this property. The main façade of the building fronts on Governors Avenue. That creates the presence on the street of Governors Avenue. Obviously, more of a commercial corridor where you will start to enter and proceed towards Loockerman Street. Then we have the rear of the site which accesses off of New Street. You can see the access lanes in and out there along with some additional on-site parking. We have about 13 parking spots located on-site and those will be for the everyday consumers utilizing the services that are on this site. The project does consist of a lot of active recreation as Mrs. Melson-Williams has indicated. He is not going to go through those again, but he wants to point out that from the Code standpoint, the active recreation requirement is about 9,000 SF. When you tally all of those uses up, we are at about 30,000 SF so nearly triple the requirement of active recreation on this site. We have met with DelDOT about this project and there are no concerns and that is reflected in the DAC Report that you have. We have also worked through some of the fire lane coverage. This project does meet all of the fire lane coverage throughout the project and that is indicated in the Report. This ends up also being a reduction of impervious coverage on the site as the site is almost totally impervious now. We have worked with the Kent Conservation District on how to address stormwater there and this will actually reduce stormwater because of the reduction in impervious by going from essentially almost an all impervious site to adding lots of grass and park space. We do have loading area there. It is a little tough to see on the slide but may be easier to see in your packets on the south side of the project and then we do have some trash location on the north side of the site accessing directly off the drive aisle along with some interior trash storage. Mrs. Melson-Williams did mention the opaque barrier so he just wants to talk about that a little bit. With the waiver on the north side of the

property, we are going to landscape that but we wanted to avoid an opaque barrier or a wall there for a couple of reasons. One being that there are some existing trees that sit just on the other side of the property line on our neighbor's property. So if we were going to install a wall or barrier there, it could impact those trees and we don't want to do that. So, in lieu of a wall or fence, we are thinking landscaping might be the more appropriate use for those reasons. In addition, the neighbor's property drains onto us so if we were to put some kind of wall or fence there, it could potentially block drainage and we don't want to do that. We are going to make sure that we pickup that drainage and bring it into our drainage system and not impede the drainage that is happening today. So for those reasons, that is why we submitted the request for the opaque barrier but we will still have the landscaping. So visually, we are going to accomplish the intent and objective of the Code. For tree mitigation, this is similar to the Mobility Garage where we are going to do tree mitigation along the street in lieu of on-site. The site is primarily taken up by the building itself in this case. We have gone through the Staff recommendations and we have no concerns. There was commentary about a crosswalk. As he has mentioned in the previous application, we would have mainly residents parking in the garage and then crossing Governors Avenue to come into the site. There was a recommendation from MPO talking about HAWK signals. He is not sure a HAWK signal makes the most sense, but we do think that a specific crosswalk with some sort of flashing lights. Ultimately, it is DelDOT's decision. They are going to decide exactly how to do that as they have done this before a few times. You can picture the Bayhealth crosswalk that exists with flashing lights or if you have ever been on Main Street in Newark. They have a specific crosswalk with certain design elements that really makes it safe for people to cross in those instances. We will work with DelDOT to achieve that as we go through the detailed entrance plan process. We have no issues with that recommendation as its written and we plan to work to implement that. This project is going to provide housing that is much needed; not just in Dover, but throughout the State and throughout the Country. We have seen a massive housing shortage nationally and everybody has felt the ramifications of that. Affordability is the major issue for everyone, not just a select subset of our population at this point. This project is going to help deliver that to Dover. As was mentioned, we have gone through the Historic District. They have recommended a conditional approval. He does have with him Mr. Michael Cane again, from Core States and just walk through a little bit of the architectural elevations with you.

Mr. Cane stated that he would also like to make a comment about how excited they are that this project has reached its milestone. He remembers co-authoring the Master Plan a few years back and this is really one of the first major steps of implementing that plan. Mimicking the Master Plan and the Mobility Center across the street, we really put an emphasis on the material palate to make sure that what we design or what we propose is the best design solution for Downtown Dover and something that fits well with its neighbors and helps continue the story of this City. We are also making sure that we achieve all setback standards. According to the new C-2 (Central Commercial Zone), with this being a four story structure it doesn't necessarily need a setback but we understand with the architecture and this building being so large, we have a setback to help mitigate the larger bulk and continue the neighborhood feel of this section of Governors Avenue. What you see at the top of the screen is the New Street elevation and what you see below is the Governors Avenue elevation. Designing this structure, we do recognize that we have two front doors. We wanted to make sure that we put the best step forward and be the best neighbor for both New Street and Governors Avenue so really putting as much detail and

attention to both elevations were paramount to us. What you can see that is similar to the Mobility Center is the public pedestrian experience is in a continuation of the Dover brick of Downtown. That's really the emphasis of wanting to drive down the height of the building to fit with its neighboring structures and then above, we translate to a more contemporary palette but still reminiscent of the historic palette itself. It is complimenting rather than replication. He would like to also point out that on Governors Avenue, we really have two forces that we are addressing both to the south with its more commercial district and larger scale buildings and then on the north, a residential situation. So what we wanted to do visually is step down the building to not be too jarring to the residents to the north. Then with the commercial down below, we wanted to match their scale and provide something that really negotiates between the two but also providing an iconic look to this building to add to the enhanced streetscape that we are proposing. The next slide shows the south elevation. When you are traveling north, this is the elevation you will see and then below, the elevation is traveling south down Governors Avenue toward Loockerman Street. The largest design decisions based off of the Historic District Commission were that we continued the brick on this elevation to the right up top to really continue that language visually. Then it's the same below having a continuation around the corner. This is a similar strategy we also had recommended for the Mobility Center and we are continuing that for The Governor across the street. The next slide shows the inter courtyard where you still see brick but the really dark up top is red brick; the line work just does not appear really well when projected. The same architectural gestures, recognizing our neighbors on New Street and it really begins to become still brick on the ground floor but that palate of more contemporary materials fold into these courtyard situations. What we see below are the two courtyard elevations both the north and south twinned together just to give you a full breath of the grocery store entrance as well as the elevation at the lower left of courtyard space going into the amenity space of the ground floor for the residents. The next slide shows the elevation rendering of S Governors Avenue showing it in a more photo real manor of the elevation itself. The next slide is a perspective looking southwest on Governors Avenue. In the forefront, you see one of the smaller retail opportunities. This is our proposed café activating the northern section of our parcel and then feeding as you go left, down to the amenity spaces of the building itself and then terminating at the lower left; the small retail opportunities to continue the energy towards Loockerman Street. The next slide shows what they are proposing for S New Street. Being the best neighbor that we can, they also want to make sure that this is a comfortable experience for the New Street corridor by really providing a lot of activity and also a safe experience traveling to the park space, which would be to the left of this image and then travel to the right of this image back down to Loockerman. You see this is the entrance to the grocery store as well as that courtyard space that was described earlier. On the left is also the day care facility as outlined on the Site Plan. Lastly, this is another New Street image looking north just showing that entry to the small parking lot itself and another vista of how this "U" shape presents itself.

Ms. Whetstone thanked the Commission for hearing their vision for this project tonight. We are thrilled to continue the conversation about how to infuse this kind of vision into your Downtown to further strengthen your existing fabric. As we started to think about this project, we wondered who is coming here? Who are the people? It's a building. It's going to have all of these impacts and it's going to look like this, but what does it mean to attract the people that Dover, then also wants to be here. She thinks what has been really exciting is that as we have talked to area

stakeholders like DSU, Bayhealth and the Air Force Base. Everyone is starting to see how their recent graduates, their new staff, all of these different emerging professionals start to come up with this idea of what they need for housing. And it's an amenity rich, wellness focus space to have a community. It is mixed income because when you are starting off, you might not have the most or you do have the income for the market amenities, and you want to be close to a community that's vibrant. Visioning for this space is the ability to both connect as Mr. Cane said to that New Street side where you are in the residential. You're really part of that walkable street but also you are connected to the Governors Avenue part of that larger zoning vision that you guys have where really maintaining that tall commercial corridor so that you really feel that you are in a dense space. They are really hoping that this becomes a strong kind neighbor to the area and also inspires future investment to start to attract other people to really make these kinds of spaces for people to land and then hopefully stay.

Dr. Jones stated that there was a day care center there prior to the demolition. Can you tell me what lead you to want another day care center there? Responding to Dr. Jones, Ms. Meagan Whetstone stated that what lead us to envision a day care center in the project was honestly because of all of the community feedback that we received. In those visioning sessions, we heard from a lot of people that a new child care facility would be really welcomed in this area especially with the types of professionals or young families perhaps that are going to come to this project. This is a small yet large center, she thinks the maximum number of kids that can be serviced by a Delaware childcare facility is 50. So, it is kind of small sized and we are trying to provide a really high quality experience by using those three additional parcels for a playground where they get to be with nature and have a more well-rounded educational experience.

Dr. Jones asked if there will be available street parking both on Governors Avenue and New Street that will serve this facility. Responding to Dr. Jones, Mr. Reimann stated right now, there is parking onsite, there is parking in the garage, there is parking on Governors Avenue, and there is parking allowed on New Street although it's not striped for it on portions of it.

Dr. Jones stated that she is very familiar with those areas, she was just sort of wondering. As a scenario, you have a childcare center that you are hoping will attract about 50 children and their parents. Has there been any consideration to providing designated parking spots for parents because there is a concern; they run in and they run out. You have these grocery stores and whatever businesses you have. She is wondering what kind of considerations there have been. Responding to Dr. Jones, Ms. Whetstone stated that there are thirteen (13) spots. She knows that it doesn't sound like a lot but because there could be people coming in and wanting to be able to stop. We wanted to make sure that those spots were allocated more for someone popping in and then continuing to move. The employees of all of the different functions of the building are envisioned to park at the parking garage across the street. But what we are envisioning is that the parents and everybody would drop off in that kind of back area on New Street.

Dr. Jones stated that is sort of what she would think as well but in her reading, there are so many parking spaces that have to be available for the employees. You say that that's going to work well with them parking in the garage? Responding to Dr. Jones, Mr. Riemann stated that the garage is a major factor in the revitalization of this whole area. When we look at the total parking counts, there is going to be about 384 net parking spaces essentially. When we look at what will

be used for the residential, the day care, some of the retail, the employees of the grocery store, etc., there is still going to be about 177 parking spaces left for the public. That is not counting on-street parking in the area.

Dr. Jones stated that she is a little uncomfortable with the thought that the parents are going to have to cross the street when they pick up their kids. Responding to Dr. Jones, Mr. Riemann stated that he thinks the drop off is going to happen on-site in the back. There is a dual lane drive that goes around the back with those thirteen (13) spots so the drop off should happen there, not in the garage.

Mr. Witham asked, exactly where are the fire lanes going? Responding to Mr. Witham, Mr. Riemann stated that Governors Avenue can be used as a fire lane. In addition to that, the Site Plan on the screen shows that horseshoe lane in the back; that provides a fire lane and then we have a fire lane that comes up the middle. Also, in the courtyard we are designing a hardscape that comes up. It's going to be designed to look like hardscape but it's going to be designed to allow a fire truck to come up in that courtyard area if needed to provide additional access.

Mr. Witham further asked if these areas were going to be marked as such. Responding to Mr. Witham, Mr. Riemann stated yes, in accordance with the regulations.

Mrs. Denney stated that obviously the apartments will have sprinkler systems. Responding to Mrs. Denney, Mr. Riemann stated that is correct.

Mr. Witham opened the public hearing

Ms. Karen Speakman – NeighborGood Partners 223 West Division Street Dover, DE 19901

Ms. Speakman stated that they are very much in favor of this proposal for this development. This will provide 70 units of affordable housing which is desperately needed in our City for both affordable low and moderate income families and workforce housing as well. We also recognize that by providing a grocer, a day care and a coffee shop it is in accordance with also their "Restoring Central Dover Plan" and which is calling for more economic development in the Downtown Area. So we are very pleased to see that as well. We actually built the four houses that are across the street on New Street that are now new homeowners. They are very attractive houses. We are very pleased with the approach that they are making off S. New Street as well. Just to share, between Habitat and ourselves, we have built over 70 houses Downtown with all homeowners. We love to see more rentals; we need more rental housing in Dover and we need it more Downtown too. We really applaud this application.

Mr. Zach Prebula – Kent Economic Partnership 555 Bay Road Dover DE 19901

Mr. Prebula stated that they are in support of this project. This project not only revitalizes a vacant area, but also provides much needed resources that Dover and Kent County need such as the housing, child care, and along with creating job opportunities.

Mr. Witham closed the public hearing.

Mr. Lewis stated that whatever pull you have with DelDOT, he would highly recommend having

some sort of well-marked crosswalk between the garage and the apartment complex. He has worked his share of late night shifts. If you are attracting people from the Base and Bayhealth to reside there, not everyone is going to be coming home at 5PM. He can attest that you get a little blurry-eyed when you are driving home at midnight or 1PM and with parking and everything. If there is some aspect or some way to have some sort of warning section there in the crosswalk between the garage and the apartment complex.

Mr. Witham stated that he echoes with his fellow Commissioner; that section of Dover is very busy right now and it's going to get busier with this development. So, any safety concerns need to be addressed and he is sure you will do that.

Mrs. Maucher asked if they need to also include the Conditional Use approval for the day care. Responding to Mrs. Maucher, Mrs. Melson-Williams stated that they might want to specifically note that they recognize that the child day care facility is a Conditional Use with the motion.

Mr. Witham stated that it was already stated that they have to approve the Architectural Review Certification as well.

Dr. Jones moved to approve S-25-11 The Governor: Mixed Use Building at 120 S Governors Avenue with the following waiver requests for the elimination of the fence component, Tree Mitigation Plan for off-site tree plantings and with due consideration for the Architectural Review Certification, Parking Strategies Statement, Active Recreation Area Plan as well as the Conditional Use for the day care center, seconded by Mrs. Denney.

Mrs. Melson-Williams asked if you are also referring to the associated Development Advisory Committee Report and the recommendation reports in making your motion. Responding to Mrs. Melson-Williams, Dr. Jones stated yes.

Dr. Jones moved to approve S-25-11 The Governor: Mixed Use Building at 120 S Governors Avenue with the following waiver requests for the elimination of the fence component, Tree Mitigation Plan for off-site tree plantings and with due consideration for the Architectural Review Certification, Parking Strategies Statement, Active Recreation Area Plan, as well as the Conditional Use for the day care center, and the associated Development Advisory Committee Report and the recommendation reports, seconded by Mrs. Denney and the motion was carried 8-0 by roll call vote with Mrs. Welsh absent. Dr. Jones voting yes; she thinks it's a great project. She is a little concerned about the safety and would hope that the applicant would keep the safety of the residents as well as the day care center foremost in mind. Mr. Reaves voting yes; for the reasons previously stated. Mr. Lewis voting yes. Mr. Roach voting yes; there are some beautiful renderings and a welcomed addition. Mrs. Denney voting yes; she thinks this is an excellent project and the housing, the day care, and the jobs she thinks will add a great deal to the Downtown Dover Area. Mrs. Maucher voting yes; based on comments made in the motion. Mr. Baldwin voting yes; for the reasons stated. Mr. Witham voting yes; based upon the presentation presented as well as incorporating the DAC comments and the comments of our Commissioners.

NEW BUSINESS

Update on Appointments to Architectural Review Oversight Subcommittee

Mrs. Melson-Williams stated that she has not yet confirmed the availability of the two individuals that you had suggested for being appointed as the design professionals on the Architectural Review Oversight Committee. She will endeavor to find out their responses prior to your next meeting. Just a reminder that as part of your Annual Meeting, that is a Subcommittee of the Planning Commission that is described in the *Zoning Ordinance*. You did at your last meeting place Ms. Kathleen Welsh and Mr. Kenneth Roach as the two Planning Commission members on that Subcommittee and then the Mayor whose designee serves. Additionally, there are two design professionals that need to be appointed to that Committee. You have put forth the names of Dr. R.J. Chandler and Ms. Sarah Keiffer; both who have served in the past. Planning Staff will be working to confirm their availability for that and report back to the Commission.

Mr. Witham stated that he assumes we can defer that until the next meeting. Responding to Mr. Witham, Mrs. Melson-Williams stated yes, in your motion previously was that Staff was to reach out to those individuals to seek their availability. Since we have not heard at the moment, she has nothing to report.

PUBLIC COMMENTS OPPORTUNITY

Mrs. Melson-Williams stated that Planning Staff will be including this on all of your meetings going forward. It gives a Public Comment Opportunity to provide comments to the Planning Commission. This would be outside of any particular application that is presented before you. If you read the FOIA Provisions at State level, all open meetings should have an opportunity for public comment.

Dr. Jones stated that she would like to take this opportunity; she is speaking for herself but hopefully on behalf of the Commission, to thank Mrs. Melson-Williams for really doing a fantastic job. She appreciates that Mrs. Melson-Williams is always there to answer the questions. She is on top of everything and we do appreciate that in terms of guiding us through this process. She wants to say thank you so very much.

Meeting adjourned at 8:38 PM.

Sincerely,

Kristen Mullaney
Secretary