

CITY OF DOVER PLANNING COMMISSION
APRIL 15, 2024

The Meeting of the City of Dover Planning Commission was held on Monday, April 15, 2024 at 7:00 PM as an In-Person Meeting and also using the phone/videoconferencing system WebEx. The Meeting Session was conducted with Chair Mrs. Maucher presiding. Members present were Mr. Cooper, Mr. Roach (virtual), Mr. Witham, Mrs. Denney, Mr. Baldwin, Dr. Jones, Mr. Reaves, Mrs. Welsh (virtual), and Mrs. Maucher.

Staff members present were Mrs. Dawn Melson-Williams, Ms. Katherine Oehmke, Mr. Jason Lyon (virtual), and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Dr. Jones moved to approve the Agenda as submitted, seconded by Mr. Witham and the motion was carried 9-0.

APPROVAL OF MEETING MINUTES OF MARCH 18, 2024

Mr. Witham moved to approve the Planning Commission Meeting Minutes of March 18, 2024, seconded by Mr. Baldwin and the motion was carried 9-0.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, May 20, 2024 at 7:00PM in the City Hall Council Chambers.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on March 25 & 26, 2024 and April 8 & 9, 2024.

Mrs. Melson-Williams stated that this week kicked off spring cleaning so read the advisements issued by the Department of Public Works as to your opportunity for some specialized pickup of certain items here in the City. We are also in the time period of flushing and if you need more information on that, see the website postings related to that from the Department of Water/Wastewater.

Mrs. Melson-Williams stated that they included in the packet the next course that is being offered by the University of Delaware Institute for Public Administration. This one is an in-person session titled "Creating a Flood Ready Community" and it is scheduled for May 9, 2024, from 9AM to noon at the St. Jones Reserve. They have done this presentation in conjunction with the Coastal Training Program and the Sea Grant Delaware as well as DNREC. If you are interested in attending that, please let Staff know so that they can register you for that event activity.

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:**

S-21-11 McKee Road Apartments at 1385 McKee Road: Request for Extension – Review of Request for a One-Year Extension of the Planning Commission conditional approval granted on April 18, 2022 of a Site Development Application for the construction of sixteen (16) 10,000 SF garden style apartment buildings each containing twenty-four (24) units for a total of 384 apartment units. Also proposed are sixteen (16) garage buildings, a Club House with Pool, walking paths, picnic areas, a dog park, playing field, parking, and other site improvements. Action included approval of partial elimination of upright curbing, partial elimination of frontage sidewalk, reduction of parking requirements, and a partial cash-in-lieu of Active Recreation Area construction. The property is zoned RG- 2 (General Residence Zone) and C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). This development application is only for the residential zoned portion of the property. The commercial portion will be developed under separate application. The property is located on the east side of McKee Road near the intersection of McKee Road and Scarborough Road. The owner of record is McKee Cap, LLC. Property Address: 1385 McKee Road. Tax Parcel: ED-05-067.00-02-57.00-000. Council District 4.

Representatives: Mr. Jonathan Street, Becker Morgan Group

Mrs. Melson-Williams stated that this application appeared before the Planning Commission in April 2022. With that, the Planning Commission granted conditional approval to a Site Development Plan for an apartment complex to consist of 384 dwelling units spread out across 16 buildings. The property is zoned RG-2 (General Residence Zone). At that meeting, the Planning Commission did act on approving their Active Recreation Area Plan and a component of that is a cash-in-lieu payment as some of the area was not laid out for construction on the property. Additionally, Planning Commission acted on several waivers for the project which included a waiver to allow elimination of upright curbing in select areas related to stormwater management and the elimination of a sidewalk for a portion of the property that is located north of the McKee Road and Scarborough Road intersection. That is a signalized intersection that exists today. The sidewalk elimination is in the area where the grade starts to change to rise up with the bridge that crosses the railroad tracks. Additionally, there was a waiver to reduce the parking that was approved that reduced it by 96 spaces with the condition that 50 spaces be set aside should they be required once the project was operational. As a follow up to the Planning Commission meeting, the applicant has worked through what we call the Check Print review process and achieved all agency approvals in a timely manner. Final Plan approval was granted by the Planning Office in September 2023. This evening, they are here for a one-year extension. The *Zoning Ordinance* dictates that from the date of Planning Commission conditional approval, they have two years to finalize the plan and then take action in the form of having permits issued and authorized construction commencing. So at this point, they have finalized their plan and achieved that approval, but there have been no applications for permit activity to commence construction of the project. They are here seeking a one-year extension; it's something that the Planning Commission has the ability to approve.

Mr. Street stated they are here to simply ask for a one-year extension on the approval as Mrs. Melson-Williams stated; they've got all of their approvals and they have been working through permitting. Frankly, they have been working through contracting since about October. If anyone is familiar with the contracting business and construction business right now, it is very difficult to get contractors on board with a project this size. The plans are out to bid and they are working through contractors right now. They can't pull Permits until they get contractors and contracts in place. That is currently what they are doing, but they just need more time.

Mr. Reaves asked what timeframe they anticipate to have this done with the contractors. Responding to Mr. Reaves, Mr. Street stated that contracting usually takes a month or two. Once they select a contractor and then there is a process of the contractor getting us in the door depending on whose handling it with the developer with information to either the City or DelDOT for a Permit. Generally, it takes a couple months.

Mr. Reaves asked if they have any other communication with DelDOT or status with DelDOT as far as the intersection and the light at the intersection. Responding to Mr. Reaves, Mr. Street stated no, other than the Signal Plan being approved. The Signal Plan was developed with the project. That got approved with the project; they wouldn't approve the project until the Signal Plan was done. The Signal Plan is done and there is a requirement on the Plan that the signal is to be installed by the fifth CO (CO of the fifth building). It is at DelDOT's discretion when they turn the signals on and when they operate them, but they (the applicant) have no control over that. The Plans call for the signal to be built and installed and ready by the fifth building CO.

Mr. Reaves asked Mrs. Melson-Williams, with the approval that they gave the conditional approval for the CO to be completed with the fifth building, and that approval to spark DelDOT to turn on the traffic signal, is there any way that we can look at that particular stipulation that we have in that approval? Responding to Mr. Reaves, Mrs. Melson-Williams stated with that question about the timing of that approval, your original approval of the project from the Planning Commission noted your interest in having that signal happen as soon as possible with that intersection based on the public testimony that you heard that evening. However, access for that property is to McKee Road which is a State maintained road; thus, DelDOT dictates the Entrance Plan approval and thus the signal construction details such as how and when all of that happens. It is certainly part of their Plan in that the Record Plan includes this note regarding construction. Then it's at the discretion of DelDOT about when it becomes operational as part of their DelDOT review of this project's Entrance Plan. The City really can't supersede what DelDOT ultimately dictates.

Mr. Reaves stated that he understands that; however, he believes that waiting for the fifth CO to be issued once that construction is completed is going to put an extreme safety burden on the City and the State because if you are having construction vehicles moving in and out of that location without a traffic signal, that location is extremely dangerous. He really doesn't understand the feasibility of that to be with that stipulation. Responding to Mr. Reaves, Mr. Street stated that the signal itself, according to the TIS and the warrants for signals that DelDOT controls, isn't even warranted until the complete project is built out. The entire residential piece doesn't even trip the DelDOT warrants. They pushed DelDOT to at least have it installed with the beginning of the project. Normally, DelDOT doesn't allow that; and they won't install the

signal until the signal is warranted. It is in their sequence construction for the Entrance Plan that the signal is to start at a certain time independent of CO's in the sequence which calls out step 1, step 2 and step 3. It has the general stabilization and the MOT (Maintenance of Traffic) for anything that is going to happen at the entrance. Then that next step is to begin construction of the signal itself. Again, the signal wasn't warranted until the complete build of the project. They pushed to at least have it completed by the fifth building. DelDOT was willing to accept that and that is what they ultimately decided as a compromise as to not installing them until at the end of the project. Obviously, the residents want it and everyone in that area wants it; so, that's what they pushed for.

Mr. Witham asked what contracts for subcontractors or contractors you have in place at this time? Responding to Mr. Witham, Mr. Street stated that they aren't handling the contracts themselves. That is up to the developer and he is unaware of the contracts that they have now.

Mr. Witham asked if there could be some currently in place that you are not aware of. Responding to Mr. Witham, Mr. Street stated that it's possible but he doesn't believe that there are. He doesn't believe that they have selected a general contractor to handle the whole thing.

Mr. Witham asked what efforts are being made now to move this project along, if you have no contracts currently in place. Responding to Mr. Witham, Mr. Street stated that it was actively bid. They are reviewing the bids and documents and they are going to be selecting a contractor. He doesn't have a general schedule on that.

Mr. Witham asked if he knew when that was going to take place. Responding to Mr. Witham, Mr. Street stated no, that is handled by them (the developer).

Mrs. Denney stated that in light of the fact that this has already been approved and we are simply here to address the extension. She thinks that the perfect questions have already been asked about the traffic light and the timing. At this point, she would make a motion.

Mrs. Denney moved to approve S-21-11 McKee Road Apartments at 1385 McKee Road: Request for Extension for a one-year extension, seconded by Mr. Baldwin and the motion was carried 9-0 by voice vote.

Mr. Reaves asked if there was anything open under Old Business for public comment or is that closed? Responding to Mr. Reaves, Mrs. Maucher stated no, that was closed. The public hearing for that application has already been heard.

NEW APPLICATIONS

Z-24-03 Lands of Linda Duncan at 600 Forest Street - Public Hearing and Review for Recommendation to City Council on a rezoning application for a parcel of land consisting of 0.51 acres+/- . The property is zoned IO (Institutional and Office Zone) and subject to the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone). The proposed zoning for the property is C-2A (Limited Central Commercial Zone) and remaining subject to the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone). The property is located on the south side Forest Street and near the west end of Loockerman Street.

The owner of record is Linda Duncan. The equitable owner is Erin Barrett. Property Address: 600 Forest Street. Tax Parcels: ED-05-076.12-02-44.00-000 & ED-05-076.12-02-45.00-000. Council District 4. Ordinance #2024-09.

Representative: Mrs. Erin Barrett, equitable owner

Ms. Oehmke stated that the applicant for this application, Erin Barrett is here as the equitable owner and she is present. They are looking to rezone 600 Forest Street from IO (Institutional and Office Zone) to C-2A (Limited Commercial Zone). They are going to stay in the H (Historic District Zone) and it's part of the SWPOZ (Source Water Protection Overlay Zone). There is a slight difference in the bulk standards between the two zones. Basically, it's reducing the number of available floors that they can go up with the new development of a structure. It is going from ten to six. The property is in the Historic District; so, once the Rezoning has been approved and they move forward creating a plan, they still need to get Architectural (Review) Certification from the Historic District Commission. Because of our new parking regulations, they will have to provide a parking plan at that time. In looking at the use comparison, the main difference in the IO (Institutional and Office Zone) and the C-2A (Limited Commercial Zone) is that it allows for residential. She has outlined on the screen, the C-2A (Limited Commercial Zone) residential uses. In reference to the *Comprehensive Plan*, both zones are in the Mixed Use Land Use category. The Mixed Use Comprehensive Plan goals are listed on the screen with the last one highlighted as "encouraging mixed use of residential and commercial uses in the Downtown Area." You can see that the Source Water Protection Overlay Zone has some prohibitions. None of these uses listed on the screen are what are intended for the development, but it's just giving you an overview of what things cannot go there.

The next slide shows two maps from Sanborn Maps which are used for the fire (insurance) in the early turn of the century. One is dated 1885 and one is from 1910. You can see that the street has been renamed. The building that was torn down that used to exist is there at the top of the triangle in the middle of those two screens. It was the home of the J. A. Hartnett Milling Company. There are also two pictures that were provided by the Public Archives in Dover. The first one is for 1939 and you can see that this building in the left picture that is a one-story with a door and two windows; we will be seeing that in a little bit. These are pictures of what the site used to look like. In 1979, they did a National Register of Historic Places inventory and this is the picture was provided for the Victorian Dover inventory. The Harnett family operated The Hartnett Inc., a local lumberyard for 110 years; and in 1999, there was a demolition due to a fire. In 2010, there was a Planning Commission approval for a four-story building similarly designed to the existing First Capital Center (otherwise known as Duncan Center) that did not receive a Final Plan Approval. The next slide shows pictures that were provided by the applicant. You can see in the lower left hand picture, the central door with the two windows. You can see that the brick is slightly different. That's what the original building was and there was some extension of the building at some point. Those buildings are no longer standing. The next slide shows what our current mapping looks like. You can see the red line that means that it is a State maintained road so any Entrance Plan to Forest Street would need to have a DelDOT approval plan. The next slide is a survey dated 2010 that they have asked to be updated. There are some missing boundaries for some parcels; so, that is in the works. The next slide shows an estimation from our Engineering Department. You can see that Loockerman actually extends a little bit further

than what our previous GIS system shows. You can see that at the end of Loockerman is the former train station which is now a State owned building that they use for offices. The next slide shows that the site is both in the City of Dover Historic District as well as the Victorian Dover Historic District of the National Register of Historic Places. Neither this particular property nor the train station is listed individually on the National Register.

Mrs. Barrett stated that she is the equitable owner looking to develop this property. They would like to put in a multi-use building with some commercial properties on the first floor and then some residential on the two floors above that which would be a total of three floors.

Mrs. Denney asked if at this point they have any interest for the commercial use for development. Responding to Mrs. Denney, Mrs. Barrett stated that she wishes she did. She thinks that if you build it, they will come. So she is hoping to get something off the ground and then lure in either a coffee shop or a pizza shop or something that would complement that building and area as a whole.

Mr. Reaves asked how she planned to maintain the Historic District with the property that she is constructing. Responding to Mr. Reaves, Mrs. Barrett stated that she has hired the very best, Becker Morgan Group. She is planning to have them come up with a brilliant design. She would like to incorporate some brick that would follow through similar to the area and pull in some historic. She lives in a house that was built in the 1700's; so, she likes that colonial look and feel.

Mr. Witham stated that he understands that she wants mixed use at this site. What type of residential units are you proposing? Responding to Mr. Witham, Mrs. Barrett stated that she would like to do studio, one-bedroom, and two-bedroom apartments. Not high end but for a good working class. It is right by a bus stop which she thinks will be to their advantage. She met with Bayhealth and they have a need for fifty apartments. She was hoping to do some type of long term lease with them that would allow their residents to stay here. They feel like residents come here and they do their residency and then they move on because there is not a lot that Dover has to offer and they have no housing. It's a great location right between Bayhealth and Eden Hill Medical Center. We have the Air Force Base. She is not looking to do super high end; only one and two bedroom. She is not going to be targeting families living there. There won't be a whole bunch of amenities right on-site because the site is small but sparking any type of growth in that area, she thinks would be great for Downtown.

Mr. Witham asked if she was relying on Becker Morgan Group to scope out the number and dimensions of those apartments. Responding to Mr. Witham, Mrs. Barrett stated yes, she is putting all of her eggs in that basket.

Mrs. Maucher opened the public hearing.

Mr. Jonathan Street – 500 Troon Road Dover, DE 19901

Mr. Street stated that he is not here representing Mrs. Barrett at all. He sits on various boards and commissions with the City. He works Downtown and he and his family are also residents of the City. Echoing what she said, it's just what Downtown needs to spur development. It's in keeping with the *Comprehensive Plan* and the Master Plan and what the City is really trying to do over

the next few years.

Mrs. Maucher closed the public hearing.

Mrs. Denney stated that she is retired now for many years but there was a time when she did a lot of recruiting of physicians here to Dover. It was a very difficult thing to do especially in the beginning when Bayhealth was just a minor hospital. Her feelings were that what was happens is that these guys and girls do their residencies and they go through all of the schooling and residencies and the reward in the end is a beautiful place to live. The wives would say sometimes how they couldn't wait. But they would come here and the wives would say there was no place to shop and there is no place for this or that and that was really a stumbling block. Now we have a residency program here which is magnificent because we are drawing more and more of the best. If you live here for a short period of time, you realize, as she did when she first came here to Dover from up north that you are right in the middle. You have the beaches. You get up on Saturday morning and then you can be at the Metropolitan Museum of Art. We are surrounded by art. We have art here. She was on the committee that helped develop the sports center. You can grab a train and be over in DC quickly. We are surrounded by the arts, but we don't really show that to people because when you first get here it is just apparent. It has to be really pointed out to you. She thinks that this is a great use and it's very much needed here because they come and do their residency and they need a place to home but they don't necessarily need a place to entertain and do all of those things yet. She thinks that these apartments will lend themselves very well.

Mrs. Denney moved to recommend approval to City Council for Z-24-03 Lands of Linda Duncan at 600 Forest Street for the Rezoning of the land from IO (Institutional and Office Zone) to C-2A (Limited Commercial Zone), (remaining subject to H (Historic District Zone) and SWPOZ (Source Water Protection Overlay Zone), seconded by Dr. Jones and the motion was carried 9-0 by roll call vote. Mrs. Denney voting yes; she thinks that this is an excellent use and it's in keeping with everything that we are trying to do here for Downtown Dover. Mr. Witham voting yes; this is an excellent plan and he wishes the very best for the applicant. It certainly meets the Comprehensive Plan. The use that is being requested is compatible with surrounding uses. Mr. Baldwin voting yes; based on Staff recommendations and the fact that it is a fit in the Comprehensive Plan. Dr. Jones voting yes; for reasons previously stated. Mr. Reaves voting yes; for Staff recommendations and for reasons stated previously. Mrs. Welsh voting yes; for reasons stated previously and she thinks that it is a great use of the land. Mr. Cooper voting yes; based on Staff recommendation and every single word from Mrs. Denney's statement. Mr. Roach voting yes. Mrs. Maucher voting yes; for reasons previously stated.

Z-24-04 Lands of White Marsh Environmental Systems at 1100 & 1110 S. Little Creek Road - Public Hearing and Review for Recommendation to City Council on a rezoning application for a parcel of land consisting of 10.7146 acres +/-. The property is zoned CPO (Commercial and Professional Office Zone). The proposed zoning for the property is IPM (Industrial Park Manufacturing Zone). The property is located on the south side of South Little Creek Road and west of State Route 1. The owner of record is White Marsh Environmental Systems Inc. c/o Tidewater Utilities. Property Addresses: 1100 and 1110 S. Little Creek Road. Tax Parcel: ED-05-077.12-01-03.00-000. Council District 2. Ordinance #2024-10.

Representative: Mr. Jonathan Street, Becker Morgan Group

Mrs. Maucher stated that for disclosure, she is employed by the Delaware Division of the Public Advocate and in that role they represent the rate payers of public utilities regulated by the Public Service Commission. Her office does have interactions with White Marsh or Tidewater, but she does not believe that would preclude her from voting on a Rezoning application.

Mrs. Melson-Williams stated that this is the Lands of White Marsh Environmental Systems. The property is located at 1100 & 1110 S. Little Creek Road. The image on the screen is the view of their front entrance and then the property is sizeable; it's 10.7146 acres. It extends to the south. While the property has a property line that is shared with State Route 1, no access is granted to that roadway. Access to the property as it exists today is S. Little Creek Road. The property currently has a couple of existing buildings hence the building addresses that are addressed individually, but they are only dealing with one tract of land. Currently, the zoning is CPO (Commercial and Professional Office Zone). The two main buildings there are office uses. They are seeking to rezone to IPM (Industrial Park Manufacturing Zone). For this property, the *Comprehensive Plan* has a Land Use Category of Office and Office Parks. You can see that both the CPO (Commercial and Professional Office Zone) which is its current zoning and the proposed zoning request for IPM (Industrial Park Manufacturing Zone) comply with that Land Use Category. The Development Advisory Committee Report includes some more detailed information about the *Comprehensive Plan* and how that is looked at. Specifically, their request is to go to the IPM (Industrial Park Manufacturing Zone) and the uses are a little more leaning towards the manufacturing world if you will. It does still involve the office type use. Perhaps the biggest difference is when it comes to the ability for storage. The current owner/tenant is looking to expand their operations and with that, they would like to be able to store their materials and equipment on-site. The CPO (Commercial and Professional Office Zone) would require that all storage occur within enclosed buildings. The IPM (Industrial Park Manufacturing Zone) does give the flexibility where they could have something more along the lines of a work yard area or space for outdoor storage. That is some of the reasoning behind their request to rezone. The Planning Staff has looked at this and does note while both zones allow for the office type use that the IPM (Industrial Park Manufacturing Zone) is probably more appropriate given the targeted future for this property by the applicant. They do note that it would be limited to development in the conventional individual lot provisions of the IPM (Industrial Park Manufacturing Zone). It does not meet the IPM (Industrial Park Manufacturing Zone) requirement for a planned industrial park which would be a development of multiple individual lots with some type of internal road system. It doesn't meet the bulk standards for that. Otherwise, actually the bulk standards related to things like setbacks and height, in the IPM (Industrial Park Manufacturing Zone) are actually greater so they are more restrictive. In that case, for a lot coverage percentage they are the same but that would be all for any kind of future development and that is not what we are here tonight about. We are looking at the Rezoning and whether the use is allowed in the IPM (Industrial Park Manufacturing Zone) and if it would be appropriate in this given area. Staff has found that it does meet the *Comprehensive Plan* goals when you look at the Office Land Use Classification focus. There is existing infrastructure in the area related to water, sewer and electric. Our other services related to police, fire and EMS currently serve this location because certainly it's within the City. The Planning Commission is charged this evening in looking at three main factors when you consider a Rezoning. Those are related to whether the use is

permitted by the proposed change would be compatible with the existing uses in the area. The property is adjacent to another property that is also zoned CPO (Commercial and Professional Office Zone) on the east. To the west is what was developed under the Tudor Industrial Park. It's a series of multi-tenant buildings with a variety of uses from storage to otherwise more industrial nature. She has already noted about the public services and infrastructure and whether they exist or can be created or expanded. That would be the case if they were looking for any type of expansion on this property with a future development. DelDOT would be evaluating their entrance and whether there needed to be any offsite transportation improvements but that would come along with any kind of development proposal. The third factor that the Planning Commission is charged to look at is whether it's in compliance with the *Comprehensive Plan*. The Development Advisory Committee Report was presented to the Planning Commission. Tonight, they are making a recommendation on a Rezoning as recommendations go forward to City Council for their own public hearing and final action.

Mr. Street stated that he has stood up here many times before when he gets asked to do a Site Plan. With this one at least they know that they want to do. It's two things and that is outdoor storage of some of their key infrastructure components and with the possibility of indoor storage as well. IPM (Industrial Park Manufacturing Zone) is the only zone that allows for that; otherwise they would just stick with their current zoning and just go through and permit the building and permit the yard area. They are looking to do something similar to what Eastern Shore (Natural Gas) and Chesapeake Utilities' plan looked like a few years ago when they moved their headquarters to just south of the old Blue Hen Mall. They have their building which is their headquarters and office space, they have a place for their trucks as a covered canopy, and then they've got a warehouse and a gravel yard that stores their pipe and some of their valves. That is zoned IPM (Industrial Park Manufacturing Zone) and that allows for that. CPO (Commercial and Professional Office Zone) doesn't allow for this and that is really what Tidewater wants to do. To echo Staff's comments, it's in keeping with the *Comprehensive Plan*. The neighboring Tudor Industrial Park is zoned C-3 (Service Commercial Zone) but frankly it operates as an industrial park. The neighbor on the east side is CPO (Commercial and Professional Office Zone) as well. They are not really wanting to change the use of what they are doing; they just want to look for some outdoor storage. Tidewater is a critical infrastructure provider and frankly what they are looking to do is beef up their storage of components. If we get hit with some kind of shortage of supply chains and everything else we've been hearing for the last five years that they want to be able to do supply key infrastructure as needed. As he said, it's in compliance with the *Comprehensive Plan*, public services are available, and it is permitted use with the zone.

Mrs. Maucher asked where they currently store material and is there anticipation of increased truck traffic. Responding to Mrs. Maucher, Mr. Street stated that there is no change from what they currently do. They have a small storage place over on the north side of the Chick-fil-A in Camden. There is actually a tank over there. But it's really not secured and they are looking to keep this more secure. No real increased traffic, just trying to beef up their supply of what they need.

Mrs. Maucher opened the public hearing.

Mr. Zack Prebula – Kent Economic Partnership at 555 Bay Rd Dover, DE 19901

Mr. Prebula stated that they are in support of this project for many reasons. One, this will allow the company to continue to grow here in Kent County by allowing them to add additional warehousing and storage to beef up their inventory and better serve their customers allowing them to grow here in Kent County. Another reason is that industrial zoning is very limited in the Kent County area. So by adding this to our inventory, we can add to our industrial inventory in the County and be able to attract businesses and support the local businesses in those zonings. They ask the Planning Commission to please support this project.

Mrs. Maucher closed the public hearing.

Mrs. Denney moved to recommend approval to City Council for Z-24-04 Lands of White Marsh Environmental Systems at 1100 & 1110 S. Little Creek Road as she thinks this is an excellent use for what exists there. She thinks that it is very important for us to assist and keep businesses such as Tidewater here operating. If at some point they can't expand and store their goods, then we always have the potential to lose those businesses. If we are going to have that zoning, she feels like it is the perfect place. She feels like it's extremely compatible with the other things that are going on out there. Sometimes when it comes to things that are industrial you are feeling lesser evils, but it meets all of the requirements. She doesn't feel that way. She thinks this is an good and appropriate and a compatible use for this property, seconded by Mr. Witham and the motion was carried 9-0 by roll call vote. Mrs. Denney voting yes; in keeping with her comments when she made the motion. She does think that it's an excellent use. She thinks that it's very much compatible with what else is going on there and the area seems to fall together appropriately for this project. Mr. Witham voting yes; he supports the Rezoning based upon the comments of Mrs. Denney and because of Staff recommendations as well. It seems to him that all factors which they are to consider under Article 10 Section 5.36 have been met. Mr. Baldwin voting yes; for reasons stated. Dr. Jones voting yes; based upon Staff recommendations and comments that have already been stated. Mr. Reaves voting yes; for reasons stated and Staff recommendations. Mrs. Welsh voting yes; for reasons stated by Mrs. Denney. Mr. Cooper voting yes; for reasons previously stated. Mr. Roach voting yes; for reasons previously stated. Mrs. Maucher voting yes; for reasons previously stated.

NEW BUSINESS

Meeting adjourned at 8:01 PM.

Sincerely,

**Kristen Mullaney
Secretary**