

CITY OF DOVER PLANNING COMMISSION
JULY 15, 2024

The Meeting of the City of Dover Planning Commission was held on Monday, July 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. Witham, Mr. Baldwin, Dr. Jones, Mr. Reaves, Mrs. Welsh, and Mrs. Maucher. Mr. Roach and Mrs. Denney were absent.

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

APPROVAL OF AGENDA

Mrs. Welsh moved to approve the Agenda as submitted, seconded by Dr. Jones and the motion was carried 7-0 with Mr. Roach and Mrs. Denney absent.

APPROVAL OF MEETING MINUTES OF JUNE 17, 2024

Mrs. Welsh moved to approve the Planning Commission Meeting Minutes of June 17, 2024, seconded by Mr. Witham and the motion was carried 6-0 with Mr. Roach and Mrs. Denney absent and Mrs. Maucher abstaining (due to absence from that meeting).

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, August 19, 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 June 24 & 25, 2024 and July 8 & 9, 2024.

Mrs. Melson-Williams stated that for the Department of Planning and Inspections updates, she doesn't really have much. It is the summer time, there are a lot of special events that our employees are involved in. As she noted, licensing procedures will be moving forward and we are still deficient in a couple of Staff positions that have not been filled at this point.

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 APPLICATIONS

S-24-10 Stoltzfus LLC Warehouse at 1285 College Park Drive – Public Hearing and Review of a Site Development Plan for a 5,120 SF Warehouse adjacent to an existing 10,000 SF Warehouse and other site improvements. The property is 1.507+/- acres and zoned M (Manufacturing Zone).

The property is located north of College Road in the College Business Park on the north side of College Park Drive adjacent to the railroad tracks. The owner of record is Stoltzfus, LLC. The property address is 1285 College Park Drive. Tax Parcel: ED-05-067.00-02-12.02-000. *Waiver Requests: Reduction of the Parking Requirement, Elimination of Upright Curbing, Opaque Barrier – Elimination of Fence Component, and Partial Elimination of Sidewalk. For Consideration: Performance Standards Review Application.*

Representative: Mr. Dave Heatwole, Siteworks Engineering

Mrs. Melson-Williams stated that this is a Site Plan application, the Stoltzfus Warehouse at 1285 College Park Drive. The existing site is just over 1.5 acres in size and is currently zoned M (Manufacturing Zone). For the present use, there is a warehouse building on the property and with this application, they hope to add a second warehouse building to that location. There are a number of waivers that the applicant has requested in regards to this project. First, is the elimination of upright curbing and that Waiver has been approved by the City Planner as part of the review process. There is a reduction for the parking requirement based on the size of the buildings in total. The required number of parking spaces is twelve (12) and with some slight adjustments to the existing parking lot to make improvements to it, there will be a total of eleven (11) parking spaces. They are seeking a Waiver to reduce the parking from nineteen (19) spaces to eleven (11) spaces which is a reduction of eight (8) parking spaces. Additionally, with this project there are loading areas. The existing warehouse building has a loading dock and the new proposed warehouse building will also have a loading dock area. They are providing bicycle parking and adding that rack near one of the entry doors. The next Waiver Request is the partial elimination of sidewalk. For this project, a portion of the frontage already has existing sidewalk; however, it does not fully continue around the entire cul-de-sac frontage of this parcel. They are seeking relief from the sidewalk provision because of the breaks and the lack of probability that there will be pedestrians traveling really beyond the initial parking lot area which is what you first come to in the sidewalk network. The other Waiver Request is related to the Opaque Barrier and that is the elimination of the fence component. This property has an existing woodland area on the north side of the lot. They are looking to maintain the trees in that area and utilize some of the trees towards the tree planting requirement; however, the Opaque Barrier requirements of our Code have two components. First is the Opaque Barrier which is either a fence, wall or berm and then the second component is the landscape component. In the image on the screen of the Site Plan, you can see the dashed line area is about the extent of the woodland area with the series of existing trees. So, they are looking for relief from having to construct the fence component which would require removal of trees and other vegetation in order to implement it. The property is adjacent to a tract of land that is zoned residentially that is poised for development but not in the immediate adjacent area of our subject site this evening. With this project, because of the M (Manufacturing Zone), there is the requirement that the Planning Commission consider their Performance Standards Review Application. In this case, the applicant has outlined how the project will not have any of the objectionable elements that are to be considered during that process. The DAC Report elaborates on that more specifically. Overall, the Development Advisory Committee Report includes the comments from the Planning Office, noting that they have granted approval for the elimination of upright curbing recognizing the existing condition of the current parking lot and are recommending approval of the other three Waivers for the partial elimination of sidewalk, the reduction in the parking requirement, and that elimination of the fence component of the opaque barrier. The Development Advisory Committee Report also

includes the comments from the other regulatory agencies from their first initial look at this application.

Mr. Heatwole stated that he is here tonight to represent the applicant and what they are proposing to do is essentially add another warehouse building that is half as big as the one that we have. The idea is that they will match the existing features of the building. They met with the City Fire Marshal's Office and there is going to have to be certain building conditions met which he believes is a barrier wall constructed between the two buildings. They will have two buildings on this site and they will look alike. The idea is to extend that look another sixty-four (64) feet towards the railroad track and there will be three (3) feet in between the buildings. Even though there is going to be two buildings here, the applicant intends to utilize the parcel as one unit. Right now, it is Sid Harvey's Distribution Warehouse and he has refrigeration parts that he sells out of it. It is wholesale so the public does not come to this site. It is in College Business Park so there are a lot of other warehouses and similar uses in this business park. They have five (5) employees at the facility now and they do not expect to add any employees because of this addition. They are just out of warehouse space and they need some additional space. They plan to add a second building and they are not planning to put any bathrooms or no additional water and sewer connections because the main office will be back at the first building on the site. There is no manufacturing that is happening. They are ordering parts in and then they are putting them on trucks and taking them to different places on the peninsula. The warehouse is fairly simple. It is going to match that same height at twenty-two (22) feet tall. They are going to have one fourteen (14) foot door and then two (2) pedestrian accesses. One that you can see pictured here and then there is one on the far side of the building. Their stormwater for this site is fairly simple. When they did the original stormwater pond, they anticipated that the site would develop further so there is capacity in that pond. The only thing that they need to do is just extend a swale from the top end near the railroad track side and just pull it near the railroad track side and just pull it down towards the pond and tie into the existing positive drainage there that will get the water to the pond. There is not a lot of disturbance that has to take place to get this building in and functioning. As Mrs. Melson-Williams mentioned, there are quite a few trees on the property, so he had the surveyors locate quite a number that would satisfy the tree planting requirement for the site. They located those trees and have shown them on the Site Plan. There is that back wooded portion of the site towards the back which they would like to leave in its current condition. They feel like it serves as a nice buffer to the adjacent residential property but right now there is nothing back there, it is just vacant woodland at this point. They are proposing up to 36% lot coverage, that might be plus or minus when they get the final design, but they are right in that neighborhood. As Mrs. Melson-Williams mentioned, they are not planning to add any parking. There are twelve (12) spaces now. They have one (1) ADA space but they do not have van accessible ADA space which is three (3) feet bigger than a normal ADA space. So to get the van accessible ADA space per Code, they ended up losing a space unfortunately. Right now, they have five (5) employees and they are not necessarily all there at the same time so there is plenty of parking. Often, there are three or four cars there according to the owner. They are not planning to add more employees and the building is not open to the public. As Mrs. Melson-Williams mentioned, there are several Waivers. There is the parking waiver. The parking is not needed right now; so, to add would just create additional impervious area. Then there is the pedestrian access waiver which would mean extending a sidewalk around the right-of-way there. They have the existing truck dock that is just outside of that right-of-way area where that

sidewalk would generally want to be and they have a couple driveways there. The parcel to the south is also developing. It is his understanding that they are not putting in a sidewalk around their side of the cul-de-sac either.

Mr. Witham asked if they anticipate any additional heavy truck use that will be increased with respect to the additional building on the site. Responding to Mr. Witham, Mr. Heatwole stated that there would be some slight additional volume due to the extra building, but the trucks that they have coming in are more like moving trucks as opposed to the big tractor trailers coming into the site. There is not a lot of space to turn around so these are smaller vehicles like UPS type of trucks.

Mr. Witham asked if they would anticipate that any of the trucks that are given ingress and egress to the site would have to be parking on the site. Responding to Mr. Witham, Mr. Heatwole stated yes, there two spaces in the existing loading dock. That truck shown on the screen is a great example. There are two spaces there and then there is also one on the left side of the building near a door. Then they would have one additional one where they could back up and unload to the fourteen (14) foot door that they are proposing.

Mr. Witham stated that there wouldn't be very much pedestrian traffic in the area at all. There is no new increased pedestrian traffic other than what you've got now. Responding to Mr. Witham, Mr. Heatwole stated right.

Mrs. Maucher 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. This project will help a local business, as you hear, expand and continue operations. By approving these Waivers, this will help it be more cost effective and allow the company to put that extra savings back into their business and to continue to grow their business here in Dover. With that being said, they ask that the Planning Commission please approve these Waivers.

Mrs. Maucher closed the public hearing.

Mrs. Welsh moved to approve S-24-10 Stoltzfus LLC Warehouse at 1285 College Park Drive inclusive of all of the Waivers requested, which would be the elimination of upright curbing that has already been approved by the City Planner, the reduction of the parking requirements, partial elimination of the sidewalk, and elimination of the fence component of the Opaque Barrier and to include the Performance Standards Review Application comments, seconded by Mr. Witham and the motion was carried 7-0 by roll call with Mr. Roach and Mrs. Denney absent. Mrs. Welsh voting yes; it is a well needed use of the space and it should definitely improve the economic situation in the City. Mr. Cooper voting yes; for reasons stated. Mr. Witham voting yes; for the reasons set forth on the record and for the excellent application submitted to the Planning Commission. Mr. Baldwin voting yes; it is a good fit and also based on the Staff recommendations. Dr. Jones voting yes; for all of the previously stated reasons. Mr. Reaves voting yes; for the previously stated reasons and the recommendation of the DAC. Mrs. Maucher voting yes; based on DAC comments.

NEW BUSINESS

Annual Meeting of the Planning Commission (Nomination and Election of Officers and Appointments to Subcommittees)

Mrs. Maucher stated that in terms of appointments for the Planning Commission, the terms expire on June 1st with three-year appointments with three members each year. There are several re-appointments that have not been made yet by City Council. So, there is a decision on the floor as to whether or not we want to precede with our meeting since we don't know if the three individuals have been re-appointed. She is asking for a motion to delay the Annual Meeting or if you want to proceed forward.

Mrs. Melson-Williams stated that Mrs. Maucher noted that this is the time of year when the re-appointments or appointment processes occur with the Planning Commission. With you having nine (9) members, they are staggered appointments with three (3) members seats coming up each year. At this point, the appointments or re-appointments have not been completed. That process involves the Mayor putting forth names of individuals and then City Council has to take action to confirm those members of the Planning Commission before they are seated. She will note that it is very specifically listed in the *Dover Code of Ordinances*, Chapter 82 - Planning Section that the incumbent members of the Planning Commission continue to serve beyond the expiration of their term in case you were concerned about that, until such time that a successor is appointed and confirmed. We can continue to function while that process is happening. It is her understanding that the Mayor's Office has been working on that but given that current status, you may wish to delay your Annual Meeting activities until that reappointment process has been completed.

Mrs. Welsh moved to delay the appointments and nominations of the officers until such time as the City Council has established the appointments of the Planning Commission members, seconded by Mr. Reaves and the motion was carried 7-0 by roll call vote with Mr. Roach and Mrs. Denney absent. Mrs. Welsh voting yes, for reasons stated in the motion. Mr. Cooper voting yes. Mr. Witham voting yes. Mr. Baldwin voting yes. Dr. Jones voting yes. Mr. Reaves voting yes. Mrs. Maucher voting yes.

Meeting adjourned at 7:41 PM.

Sincerely,

Kristen Mullaney
Secretary