

CITY OF DOVER PLANNING COMMISSION
September 21, 2026

The Meeting of the City of Dover Planning Commission was held on Monday, September 21, 2026, at 7:00 PM as an In-Person Meeting and also using the phone/videoconferencing system Webex. The Meeting Session was conducted with Vice-Chairwoman Mrs. Denney presiding. Members present were Mr. Michael Lewis, Mrs. Donna Lee Williams, Dr. Jones, Mrs. Welsh, Mr. Reaves (virtual) and Mrs. Denney. Mrs. Maucher, Mr. Roach and Mr. Baldwin were absent.

Staff members present were Mrs. Dawn Melson-Williams, Mr. Chris Salzano, Mr. Alex Dewey, Ms. Kate Mills (virtual), and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Dr. Jones moved to approve the Agenda as presented, seconded by Mrs. Welsh and the motion was carried 6-0 by voice vote with Mrs. Maucher, Mr. Roach and Mr. Baldwin absent.

APPROVAL OF MEETING MINUTES OF AUGUST 17, 2026

Mrs. Welsh moved to approve the Planning Commission Meeting Minutes from August 17, 2026, seconded by Mr. Lewis and the motion was carried 6-0 by voice vote with Mrs. Maucher, Mr. Roach and Mr. Baldwin absent.

COMMUNICATIONS & REPORTS

Mrs. Denney stated that the next Planning Commission regular meeting is scheduled for Monday, October 19, 2026 at 7PM in the City Hall Council Chambers.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on September 14 & 15, 2026.

Mrs. Melson-Williams stated that the Department of Water/Wastewater has now set their Fall flushing schedule of the water system to be in the timeframe of October 4, 2026 – October 23, 2026. More information about what part of the City they will be in on a given timeframe will be issued by that Department. She will note that the Downtown Dover Partnership is hosting an Open House on September 22, 2026 to give information on various Downtown project updates. That is being hosted at The Hive located on W. Loockerman Street with a timeframe of 4:30-6:30PM. With continuing construction activity here in Downtown, just beware that there may be detours associated with the Legislative Hall Parking Garage which over on Martin Luther King Jr Blvd S and East Avenue area. With the Downtown Mobility Center, they are moving to do a dry-run of large truck deliveries for that project as a test run tomorrow with future deliveries planned out in the coming months for that project. That could affect Division Street and S Bradford Street as well as Loockerman Street.

Mrs. Melson-Williams stated that the last thing that she will note from the Planning Office is really associated with that Housing Reform Study that is going on, Senate Joint Resolution 8 (SJR8). There is an upcoming workshop titled: Planning Housing in Dover. It is scheduled for October 14, 2026 to be held at the Dover Public Library. The timeframe is 4:30-6:30PM. It's an open-house format with other presentations and small group activities. There is a flyer about that but we wanted

to at least announce that initially to you all this evening. You may hear a little bit more about it when we get to the presentation later this evening from the consultant team about that workshop. It is meant to gather public input about some of the things they are seeing related to housing and what preferences may be on the public side.

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

Revised Development Applications:

HI-25-01 Revised #2 and S-25-07 Revised #2 The Old Post at 55 Loockerman Plaza – Public Hearing and Review for Revised Architectural Review Certification and Revised Site Development Plan Application for redevelopment of the Old Dover Post Office property consisting of 1.267 acres for a mixed-use project (commercial and residential uses) known as The Old Post as Revised. This Revised #2 Plan proposes the demolition of the existing building in its entirety and reconstruction of the front building portion in its current form adding the second-floor addition to the front wings of the building and with the four-story rear Building Addition. Architectural Revisions request utilization of an EIFS brick exterior cladding system in place of the conventional and thin brick materials for the building elevations. This Revised #2 Plan seeks to increase the apartment unit count from 42 to 45 units while keeping the exact same building footprint and total building square footage as previously approved. The overall project will consist of a building with forty-five (45) residential apartment units and commercial space and with parking and other site improvements. The property is zoned C-2 (Central Commercial Zone), subject to the SWPOZ (Source Water Protection Overlay Zone), and subject to the H (Historic District Zone). The property is located on the north side of Loockerman Plaza and adjacent to Innovation Way. The owner of record is The Old Post, LLC. Property Address: 55 Loockerman Plaza. Tax Parcel: ED-05-077.05-04-53.00-000. Council District 4. *For Consideration with Revision: Parking Strategy Statement and Active Recreation Area Plan. Application HI-25-01 was considered for Architectural Review Certification at the Historic District Commission Meeting of February 20, 2025 and as Revised at their November 20, 2025 Meeting. Application S-25-07 was granted conditional approval of the Site Plan and Architectural Review Certification by the Planning Commission on March 17, 2025 and as Revised at their December 15, 2025 Meeting.*

Representatives: Mr. Sal Leone, FAD; Mr. Carl Atkins, FAD; Mr. Chad Warren, Davis, Bowen & Friedel; Mr. John Buckalew (virtual)

Mrs. Melson-Williams stated that this is the project for The Old Post located just a little to the east of where we are tonight at the location of the old Post Office Building. This application is back for what we call Revision #2. The applicant has proposed revisions to the project that has necessitated its reappearance before both the Historic District Commission and then also the Planning Commission this evening. With this project, the changes she will note specifically. The first is a

proposal to demolish the entire building. The original proposal for the project was to demolish just the rear wing of the building; the kind of warehouse portion of the building. Their further review of the project and planning for construction has shown that they are now making the request to take down the front section of the building as well. With that front section to be reconstructed basically with the same form as how it exists today. The reconstruction of that front façade portion of the building will include the addition of a second floor on what we call the wings of the building. That is the areas to the left and right in that top image, opposite of where to find the columns. The second key piece of revision for this project is related to the exterior surface materials for the wall systems. They are now proposing a brick EIFS system. The applicant has brought information about how that system works and what it consists of. All of this is in order to lighten the load of the building after finding not so great ground conditions at the subject site. With these two Revisions, the building basically remains in the same footprint with the same scenario for a parking lot on the west and north ends of the building. There continue to be sidewalks along the road frontages. The Active Recreation is a series of garden spaces with amenities in them that flanks the building. The project to basically reconstruct the building has made some changes to the unit count that is proposed for this location. Originally, it was proposed with 42 apartment units. With this Revision, there is some floor plan work that was able to be accomplished that would set the number of units at 45. While that makes changes to the overall unit count, they can still comply with the Active Recreation provisions for that increased number and their parking strategy basically remains the same with onsite parking as well as the existing agreement for what they will call the east row of parking that's adjacent to their west property line. That east row of parking is in agreement with the City of Dover as the property owner for the Library parcel. Tonight, the Planning Commission is looking at the Revised Architectural Review Certification and basically a re-approval process for the Site Plan itself. As noted, the Architectural Review Certificate revisited the Historic District Commission. That happened on Thursday of last week. Included in the meeting packet is that Architectural Review Staff Report that was issued to Historic District Commission. She can verbally report to the Commission that the Historic District Commission in considering this application has recommended approval of the project as Revised to include that full demolition of the existing building and its reconstruction in the format shown and also authorized the use of a brick finish EIFS system for building rather than regular brick. They heard that and also referenced that Staff Review Report for some of the other minor comments. It comes to you with a recommendation approval from the Historic District Commission. The applicant is here along with several project representatives.

Mr. Leone stated as Mrs. Melson-Williams had mentioned when the project first came around, we had some additional soil borings done by the builder and then we had two soil borings that were supplied to us when the property was purchased; those were done outside of the building. Come to find out, the property itself was built on an old landfill years ago and it is terrible soils. It can't support any weight so we have to a very expensive project called ridged inclusions which is kind of like what they are doing at the Mobility Center down the street. The reason why we couldn't save the front of the building is because the only practical way to get the footers in would be angled ridged inclusions which was virtually impossible. We had several engineers come out and try to figure out different ways to do it and it just wouldn't work. Hence the reason for taking down the front of the building and rebuilding it as it is now. With that, if we take away the brick feature and go with the EIFS, we can take a lot more weight off of the footers and just make the building a lot more suitable for the site.

Mrs. Welsh stated that she sees on the sample that it's an insulation board. There won't actually be any texture to the brick; it's just going to be basically how its shown there? Responding to Mrs. Welsh, Mr. Atkins stated that it is textured. What Mr. Leone is holding is the actual color. They color matched the existing brick of the Old Post so that we can make it look more like the old.

Mrs. Denney stated that it feels like real brick but from storm proof, hurricane proof, etc., like security wise from storm damage or weather issues, how does that work? Responding to Mrs. Denney, Mr. Buckalew stated that EIFS systems are designed and tested to withstand hurricanes. Obviously, Delaware may fit into that hurricane zone area but yes, it is going to be able to withstand quite a bit of wind. Obviously, trees and things of that nature that are flying through the air, not so much but once again, a lot of claddings will be damaged due to the fact that you have some type of act of God or wind driven event that is quite powerful. EIFS systems are designed to be able to withstand inclement weather of all types.

Mr. Buckalew stated that EIFS stands for Exterior Insulation Finish System. It's been around since 1969. As he stated in his testimony on Thursday of last week, what you have here is a non-structural cladding system where a traditional brick system is 60 pounds per square foot. The EIFS system being passed around the room is about 2.5 pounds per square foot. It also incorporates EPS foam that is more or less going to create CI, which is Continuous Insulation, on the building. He basically told the Commission on Thursday, what do you do when it's cold? You put a sweater on. This building will have what is known as a sweater all over it on the outside, creating continuous insulation which will help to reduce all of your heating and air costs throughout any given year. It is comprised of an air/vapor barrier, the styrofoam, a base coat, and a mesh that gives the exterior more strength and of course the decorative coating. There is an extra step involved in the project of the Old Post where they are going to incorporate a brick motif that is done with a stencil. The applicator puts it on the wall and then puts the finish coat over the stencil and then comes back the next day, carefully pulls the stencil away to give you the look of the brick along with the texture and finish color which he knows they matched for FAD. He believes that is there in the room in order to give you the same color that is on the building today before it's being demolished.

Mrs. Donna Lee Williams stated that tonight is her first official meeting of the Planning Commission so please have some patience with her as she asks questions. She is curious because as she looks at the second item that was passed around which shows the insulation and outer coating that outer coating looks awfully thin to her. She was wondering what studies you have done to make sure that this material is not chipped away within a very short period of time causing an eye sore in the community. She also wonders about safety concerns. Responding to Mrs. Williams, Mr. Buckalew stated that as far as the durability of the product, EIFS systems have been known to last in excess of 30 years. The only maintenance issue on an EIFS system is the sealants which is the caulking around windows and doors. The actual base coat and mesh sits at about 1/4 inch thick and it is a cementitious product so when you tap on it, it's quite durable. If it's ever punctured or damaged, it can be fixed relatively quickly and with ease. So, like he said, these systems do have a long durability so there shouldn't be any issue with whether or not it's going to perform over time. As far as safety is concerned, can you elaborate a little more about what it is about the safety you were asking?

Mrs. Donna Lee Williams stated that she knows traditional brick buildings provide quite a bit of safety and security for the people who are living and working in those buildings. She is curious as to how this will hold up especially as we are talking about a significant number of residential units. Responding to Mrs. Williams, Mr. Buckalew stated that the safety factor is one in which there is no chance for the EIFS system to come dislodged off of the building and fall to the ground or hit someone. Worst case scenario if that were to happen, it's not a heavy product; it's 2.5 pounds per square foot. Unlike a brick veneer or some type of man-made stone veneer that may get dislodged over time and come down; that's like a rock falling down and could hit someone. Very few EIFS systems that have been adhesively attached have failed over the years due to some act of God or wind driven event. They even perform better than the old mechanically fastened EIFS systems which were popular about 15-20 years ago.

Mrs. Denney stated that this product is cemented to the styrofoam and all of that. Responding to Mrs. Denney, Mr. Buckalew stated yes, and that's attached to the plywood for the sheathing.

Mrs. Denney asked with the cement as well? Responding to Mrs. Denney, Mr. Buckalew stated that's correct. The cement that embeds the mesh in the sample is also an adhesive. It's put on the back of the styrofoam and a special tool called a notched trap makes vertical notched rivets from the 2-foot height of the foam. All of the foam is 2 foot by 4 foot and it's installed in a running bond pattern and all of these systems now are required to have moisture drainage which this system does. That's in case incidental moisture gets behind the system and has a way through gravity to get out. Now EIFS systems have evolved from barrier systems to now moisture drainage systems and that is the system that will be applied at the Old Post. The base coat serves two purposes. It's the adhesive to adhere the EPS foam to the vertical notch rivets and that's on top of the DryVit air and vapor barrier which is a blue color which is shown on the sample. There is also a black material that runs in the window rough openings and doors that is also a DryVit products. All of these products are compatible; they can all touch one another and they will all work together. That is all part of the air and vapor barrier system. Then the windows go in and then they put the styrofoam up and then they wrap the styrofoam or they take the surface tension and smoothness off the foam and then you are ready to apply the same adhesive base coat and embed that blue mesh that you see. Once again, that is the cementitious process of the base coat prior to receiving the acrylic based finish coat which is the red on the brick sample that you see there.

Mrs. Denney stated that this is obviously a specialized cement product. She is sitting here with a brand new hip that is only two weeks old and is cement in her body; so, she has really good faith in cement by the way. It is a similar type of specialized cement. Responding to Mrs. Denney, Mr. Buckalew stated yes, this is not something that you are going to go pick up at Home Depot or Lowes. This is all DryVit products made by DryVit and tested by DryVit and warranted at the end of project by DryVit as well.

Mrs. Welsh stated that the cementitious top coating that you are going to put on, with the expanse of the building, she just wants to state that she is really concerned about being able to maintain the color throughout the building so that when you look at the building, you don't see one wall that looks different. She knows that you are going to mix the colors as you put them on; it's just sometimes the batches do turn out a little different. So she just wanted to voice that as a concern. Responding to Mrs. Welsh, Mr. Buckalew stated that they do all of their own in-house tinting

whether it is five pails or five-hundred pails. What they do is they take specific pails aside and make a sample of it and then match that on the next 50-60 pails. It is quite involved but they to ensure that the pails will be within a certain coloring so that there is not a lighter group of pails on the building to obviously be an aesthetic issue. We do our best to mitigate that problem and if there is an issue, we will be standing by right there to come up with a solution.

Dr. Jones stated that for this system that you are using, do you know of another building in the area where this has been used? Responding to Dr. Jones, Mr. Buckalew stated it sure has. They say that EIFS systems are hidden in plain sight. If you were to leave where you are at right now and turn left on Loockerman, the hotel about a ¼ of a mile down the road; the Home 2 Suites is wrapped in an EIFS system. If you are on the business part of Route 13 right at the next light, you have the McDonald's, the Burger King, and there is a Hispanic restaurant. If you go towards Dover Racetrack, he believes that there is a casino there; that entire building has this type of system on it. So, there are quite a few local areas to witness what EIFS systems are and he is sure that they are all different ages as well. As far as the custom brick templates which are going to be applied here at the Old Post, there is a project that Mr. Leone can get to you. It's in Laurel, DE called The Blow and it was just done about 6 or 7 months ago. So, if you want an idea of what a new custom brick application looks like, that is a good example. His largest project to date of custom brick, which is the same system that you are going to get at the Old Post, is the hotel and casino at Wind Creek in Bethlehem, PA. He is sure that you could go to Google Maps and take a look at a 45,000 SF of a red-like color on that building as well that turned out to be a very nice project fully warranted. EIFS systems are very popular and there is a lot of it down in your area.

Mrs. Denney stated that he had mentioned 30 years. She lives in a brick house that is 135 years old. We have 200-year-old buildings and 250-year-old buildings here. Actually the City of Dover, which was the capital of the State that started the Nation, had 13 brick houses, which 8 of those are still standing. So, when somebody says 30 years, it doesn't feel like a whole lot. We are just talking colorwise or fabric-wise? Where did the "30 years" estimate come from? Responding to Mrs. Denney, Mr. Buckalew stated that is a great question. He does not have the answer for you on that but EIFS systems have only been in this country for 50 years or so. They came about in 1969. He does know that there are a number of projects that are barrier systems that are over 30 years or are approaching 40 years from the mid 1980's when EIFS systems really started to take on more form in the commercial sector along with residential. But remember, it's a cladding; it is not structural. It can be repaired and replaced and you can change the color of it as well if there is a fading issue. DryVit is proud to say that we have incorporated in our acrylic finishes at no extra charge, a technology that is called StratoTone pigments that makes the color last up to ten years. It is guaranteed for five years but they really stretch it out to ten years. That is something that is unique to DryVit and not the other manufacturers. We think that is a win win for everybody at no extra charge, and we do stand behind it.

Mrs. Denney opened the public hearing and after seeing no one wishing to speak, closed the public hearing.

Mr. Michael Lewis moved to approve HI-25-01 Revised #2 and S-25-07 Revised #2 The Old Post at 55 Loockerman Plaza to include the Revised Architectural Review Certification and Revised Site Development Plan Application for redevelopment of the old Dover Post Office property,

seconded by Mrs. Welsh and the motion was carried 6-0 with Mr. Roach, Mrs. Maucher and Mr. Baldwin absent. Mr. Lewis voting yes. Mrs. Williams voting yes. Dr. Jones voting yes. Mr. Reaves voting yes. Mrs. Welsh voting yes; it looks like a well thought-out project and it's going to be a great use of the old facility and maintain a lot of the historical aspects that we have come to know about the old Post Office. Mrs. Denney voting yes; she thinks it's a very good and practical solution too; although she is saddened that the entire building has to come down, she thinks it is going to be quite a lovely improvement to our community. Just because she has to, she gives a shout out to a gentleman, a freed indentured servant named Absolam Gibbs who bought a piece of land that had soil to make brick with and he made most of the bricks for the historic buildings in Kent County Delaware.

HI-25-02 Revised and S-25-11 Revised The Governor: Mixed Use Building at 120 S Governors Avenue – Public Hearing and Review of a Revised Architectural Review Certification and Revised Site Development Plan Application 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 Revision includes refinement to the building architectural elevations and materials, and adjustments to the building entrances, courtyard and loading areas. The main parcel contains 1.70 +/- acres. The properties are zoned C-2 (Central Commercial Zone) and partially subject to H (Historic District Zone). The properties are 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: 105 S. New Street, 111 S. New Street, 115 S. New Street, 120 S. Governors Avenue, Dover, DE. 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 Approved for Opaque Barrier – Fence Components and Approved Parking Strategy Statement. This Application HI-25-02 was considered at the Historic District Commission Meeting of July 17, 2025 and granted conditional approval of the Site Plan and Architectural Review Certification by the Planning Commission with Application S-25-11 The Governor 120 S Governors Avenue on September 15, 2025.*

Representative: Mr. Eli Storch, NORR; Mr. Greg Reaves, Mosaic Development Corporation (virtual); Mr. Shawn McAnally, NORR (virtual)

Mr. Salzano stated that before you is a revision to an existing project, S-25-11 Revised The Governor: Mixed Use Building at 120 S Governors Avenue. The property is zoned C-2 (Central Commercial Zone) and is H (Historic District Zone). The Planning Commission has been provided with a set of Minutes from the July 17, 2025, Historic District Commission as well as the Architectural Review Certification Report provided to the HDC at their September 17, 2026. The HDC met last Thursday, September 17, 2026, to discuss their business on this project and after discussions, elected to not grant the Architectural Review Certification. In doing so, the HDC cited concerns with the New Street façade engagement on that side of the façade but did commend the applicant for the excellent façade that's on the other locations on Governors Avenue. Originally the project proposed a 169,080 SF mixed use building including retail, restaurant, grocery, and a child day care space as well as 120 apartment units with a rooftop courtyard. The original building is to be 60 feet tall clad in masonry colors and copper brown paneling with matte black trim and fiber cement panels in natural tones with black and dark bronze decorative metal elements. The

primary changes to this building include changes to that architectural façade. The new façade consists of a taller ground floor with trimwork detailing, storefront window systems, and then an entry clad in a dark gray color. The revised upper floors 2 through 4 are presented in a more building section pattern using increased amounts of brick and other sections which are clad in two colors; taupe and white fiber cement panels. The Revisions include an introduction of divided-lite windows which are more reflective of the surrounding area of architectural language. There have also been additional façade articulations proposed along on the South New Street to support the continuity of design on all sides of the building. There have been storefront windows incorporated to the grocery facing elevation and integrated canopies have been added to activate the sidewalk throughout. The design on the South New Street elevation has also been changed to allow the opportunity for a mural although that may have been subject to change; he will leave that up to the applicant to explain. The overall shape and size of the building has not changed. There has been movement of an egress tower from the more prominent side of the building over towards the New Street side of the building where there is an existing service area. There has been movement of the loading area to prevent clashes with the fire lane by moving that loading door, again, to near the service area. Staff recommendations can be found on Page 106 of your packet. The applicant has also provided before and after renderings which can be found on Pages 143-153 of your packet.

Mr. Storch stated that it's been wonderful to join this project and to get to work with everyone on the team as well as the Mosaic group as we dig in and look at the project. It was a really good summary of what has taken place here as we took over a building that was previously approved by the Historic District Commission. We have worked on this interesting and complicated site that has two front doors; a more retail specific door on Governors Avenue and then the more textured façade with depth along New Street that has the child care facility and the grocery store as well the entry points into the residential. We tried to look at evidence to bring more of that historic texture to a façade that they felt was lacking some continuity. It had a lot of materials and a lot of elements. Looking at a lot of the historic details that we saw around town and that we were seeing close by and really feeling that that simple, singular color brick you referenced right before he got up here that referenced that local clay. Maintaining that color was really important and then bringing to it the warm palette of a little bit darker and a little bit lighter and the black and taupe to make sure that we had something that was really appropriate and historically contextual. As mentioned, looking at the existing Site Plan, we are in very much the exact same shape. The one point that he did want to bring up is that shown on the screen at the bottom left hand corner of the building, we have added loading internal to the grocery store. He thinks that is a big upgrade because rather than sliding by on the side of the building, we can now bring loading now into the building and maintain a lot of the back house grocery facilities or other uses inside the building. It makes for a cleaner and nice façade along New Street along with that goal of making sure New Street is activated and doesn't feel like the back of house. They really wanted to make sure that that got brought inside and it makes for a cleaner elevation and a better use for that side of the building. The next slide shows where we began looking at a lot of different elements but less tied together. Then we jump forward looking at some of the specifically historic detailing at the first floor which then lead to the symmetry and the addition of the brick really trying to emphasis the color palette and making it warm and consistent but also making sure there was lots of warm detail at the base welcoming people into the different parts and pieces of the building whether it be residential, retail, supermarket, or otherwise. The next screen shows as you turn the corner; we are trying to maintain that brick wrapping corner. The brick does turn the corner and makes the strong

elements that we are very happy with and feel very good about as that brick turns the corner and makes sure you can feel the depth and the shape of the architecture. As we move around onto New Street, the way that the grocery store is now oriented, allows us to have a lot more glazing. Now just down the corridor into that entrance, you can see that white material which uses a lot of language from the front of the building in terms of how it's detailed historically. That white color makes it pop and really draws the eye down to that residential entry behind those plantings and The Governors screen wall. Then you have the brick elements of the one story of the grocery store reflected across into that child care facility along there. The next slide, which had some of the most contention at the Historic District Commission meeting, you can see the grocery store there with the one entry point. Then as we were looking forward in re-orienting the internal plan as it became real, we were able to incorporate a lot more glazing along that face of New Street so that as you encounter this grocery store, you are seeing into it. You are reading the light, the activity, and the energy off of it as well as the child care facility which is going to have really nice access out to the outdoor space. Obviously, there is required outdoor private space for the children, but that will be well connected to that child care center. Then we look to bring those colors around matching the taupes, the whites, and those dark colors. We looked at how we could add some public art into the designs. That square on the elevation represents an as yet to be determined piece of public art that we are happy to consult and coordinate on what that is meant to be. As a team, we are open to suggestions there. At the bottom, you can see where we added in that door to make sure that we have a loading dock that is properly closed off to make sure that back of house in the grocery store stays back of house and the focus is on the central connector piece.

Dr. Jones asked if there was going to be issues with loading and pedestrian traffic. How is it going to be controlled or managed? Responding to Dr. Jones, Mr. Storch stated that the grocers schedule their deliveries at very specific times to make sure it's times when there are very limited people walking the site and when the grocery store is closed. Those are happening at off hours so you can get those trucks in and out without any issues. He thinks their loading conditions are a lot better now so we can bring the trucks into the building and rather than them being on the side of the building. He thinks they will turn in a lot with a much cleaner radius than they previously had. They will be able to get off-street and off of the property more quickly than previously. Grocery stores are a significant challenge. They have logistical plans for how they schedule all of those deliveries and make sure that it's happening at the right times of day and night so that they can slide doors closed where there are people moving around on-site.

Mrs. Melson-Williams stated that for clarification, what's before the Planning Commission tonight really focuses on consideration of a Revised Architectural Review Certification. That Certification appeared last Thursday before the Historic District Commission and as Mr. Salzano noted, at that time, the Historic District Commission did not recommend approval of the Architectural Review Certification for this overall Revision in these images that you are seeing on the screen. We said that we would report that. They had a rather lively discussion on the New Street frontage of this property. The project team has been working on how to address some of those measures. The applicant can share a little bit about how this perhaps might be changing. They will be resubmitting that information back to the Historic District Commission. This evening, we felt it best for you to continue the review of the project because it was subject to an advertised public hearing. But you certainly have a couple of options and then you could act upon what you could hear this evening. You could "push pause" and wait for the Historic District Commission to fully act on the proposed

Revision to this project. So, you've got a couple of options. There are other members of the project team that are here in the audience if you need to hear from them; more on the developers side as well as the engineering side. There are not really much changes on the engineering or Site Plan side of things for this project. It's really building architecture. If the applicant wants to talk a little bit about how they have been working to respond to the concerns of the Historic District Commission. This could certainly be an opportunity for that as well.

Mr. Storch stated that he would be happy to. Their team is already working to take those comments into consideration because we take them very seriously. We are looking forward to making some additions to make the Historic District Commission more comfortable and happy with this particular view coming off of New Street. The first element that will be added will be at the high level. Some of that cornice work that is on the Governors Avenue façade will wrap around especially those high white elements so that you will see a thicker more articulated cornice along the rear of the section over the grocery store, the front doors to the grocery, the child care, and the residential and then that sort of front piece that is engaging for that front space that is engaging with the outdoor space for the child care. That cornice work will be added. All of the windows will be shown in black so that we will have black windows consistently around the entire building. We will also be doing some additional articulation on that first floor brick element that will be some additional coursing. If you look pretty closely on this rendering, there is a double soldier course lintel over the openings of the grocery store and some of the other window openings. That coursing will continue around the building and create a datum line which will allow our signage to come sit on our canopies at the right scale to where it can be properly illuminated and will look really wonderful in front of that element. At the top of that one story brick element, they will also be adding additional coursing and cornice work so that it won't be the same thickness as you see up at the top of the building because once you are at that lower elevation, it can feel rather heavy. We will be adding coursing and that cornice work around the first floors of the brick elements here on New Street. Additionally, on top of the grocery store, there is an outdoor amenity space for the residents of the building. That comes with the capability to do a bunch of planting work. Now that is still in design in terms of what that looks like; beds, pots, planters, all of that sort of stuff. But we are able to make sure that the handrail and that planting is a little bit better reflected on top of where it says "Grocery" and to the right. On the building itself, that darker gray section, we will be incorporating a window which is at the end of a hallway, but you can see where we have the double wide window on the right and the single, we will have another one of those single windows within that gray mass. That will continue to break up the elevation with more fenestration. Anything that we are looking at in terms of a mural or public art will be incorporated into the design of that rather than a place holder that we show here. We will provide not a recommendation but something that shows what it could look like or what it could appear as, as we proceed. We have heard a lot of comments and we want to make sure that we are responding to them because we are proud of the design. We want to make sure that people are as happy with New Street and they are the Governors Avenue.

Mrs. Denney stated that this is very well thoughtout and it lends itself to our history as well as adding some newer elements. Interestingly enough, when she opened her packet and looked at that she thought this is not Madison Square Gardens; we are not going to have a big TV. She thinks a mural will be really nice there. Responding to Mrs. Denney, Mr. Storch stated that he doesn't think Dover has a digital sign ordinance.

Mrs. Denney stated that she also has a position with Kent County where everyone tries to find out when she is not going to be at their meeting because she is really tough on signs. The thing with the sign is, you have rules and regulations about the sign but the one thing that you absolutely cannot dictate is what goes on that sign because of the freedom of speech which she hold dear to her heart. But she has fifteen grandchildren and one great-grandchild with another on the way, she does care what goes up and so the bigger the sign is, the bigger the problem.

Mr. Storch stated that the signage dimensions are shown slightly too large here in his opinion. We will compress them down into that sort of 14-15-inch range where they can sit properly mounted on top of the canopy which will give nice texture and depth and reduce the size of the lettering a little bit.

Mr. Greg Reaves of Mosaic stated that he has been here for both presentations. The screen shows the original design that was approved by our team. This was the original design that has already been approved by our team. When we brought NORR on, what we gave as a challenge was that we had asked them to take an opportunity to see if they could bring a building that really spoke more closely to the historic nature of the Downtown District. They took on that challenge and he felt that they did a really terrific job by bringing architectural designs from other buildings and he thinks they showed that in the first page. He thinks as a team, they are incredibly proud of what they have been able to do here. This façade is more expensive but it's certainly a higher quality, in our view, than what was presented in the past. The treatment that they are using with the brick with the cement panel that's here and with the way that we are treating the façade changed particularly at ground level, and how we are using that space. Also, on New Street if you look at that entrance versus this entrance, there is definitely an improvement that really speaks to the fact that we recognize that this is also a front entry; that this is also a historic destination. We moved to a brick front here. That was a CMU block that's now a brick. He feels that what they have done here really does meet the moment of design. That large area that you saw was where we really had to move the stairway for efficiencies and for the grocery store to operate effectively in that space. What it created was an opportunity for that moment which could be an art piece. What we wanted to do was use that image space to put really a pane; of art. It won't be anything that we are putting signage on or digital signs, but we do a lot of this work in a lot of places and this would be an amazing moment from our standpoint to be able to work with the community to do something that is really special and that brings life to New Street. That was the intention of that and we still feel very good about it.

Mrs. Denney opened the public hearing and after seeing no one wishing to speak, closed the public hearing.

Mr. Michael Lewis moved to approve HI-25-02 Revised and S-25-11 Revised The Governor: Mixed Use Building at 120 S Governors Avenue to include the Revised Architectural Review Certification and Revised Site Development Plan application, seconded by Mrs. Welsh and the motion was carried 4-2 by roll call vote with Mr. Roach, Mrs. Maucher and Mr. Baldwin absent. Mr. Lewis voting yes. Mrs. Donna Lee Williams voting no; she is not comfortable voting yes given the recommendation of the Historic District Commission. Dr. Jones voting yes; she thinks that it's an attractive facility both on Governors Avenue and New Street and that's important. Mr. Reaves voting no; pending the decision from the Historic District Commission. Mrs. Welsh voting yes;

with the changes that they have made and showed us tonight, particularly on the Governors Avenue façade, she thinks they did an admiral job there and from what she has seen and heard tonight, she has faith that the managers of the project will work to resolve the issues that were of concern with the Historic District Commission. She thinks that they have made good faith efforts to take care of that so far and she believes that they will continue to do so and work on that. Mrs. Denney voting yes; because she thinks that this is a sorely needed improvement in that area. She thinks it lends itself very well to the historic aspect as well as complimenting what is yet to come and she has every faith that they will work with the Historic District Commission to make everything satisfactory and we are not the end.

NEW APPLICATIONS

S-26-13 Winner Subaru Building Additions at 1387 North DuPont Highway – Public Hearing and Site Development Plan Review to permit the construction of 12,346 SF in Building Additions to the existing auto dealership building and site improvements on a 5.48-acre parcel for Motor Vehicle Sales and Service Establishment. The project entails the construction of a new 8,817 SF +/- Building Addition, a new 3,336 SF +/- Building Addition, and an additional new 193 SF +/- Building Addition, and associated parking and site improvements. The property is zoned C-4 (Highway Commercial Zone) and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone): Tier 3-Excellent Recharge Area. The property is located on the east side of North DuPont Highway and northwest of the entrances to the Dover Mall. The owner of record is 1387 N. Dupont Highway, LLC c/o Michael Hynansky and lessee is Winner Dover 1387, LLC c/o Michael Hynansky. Property Address: 1387 North DuPont Highway, Dover DE. Tax Parcel: ED-05-057.00-01-15.00-000. Council District 3. *Waiver Requested: Reduction of Arterial Street Buffer.*

Representative: Mr. Mike Riemann, Becker Morgan Group; Mr. Sean Larry, Winner Subaru

Mr. Dewey stated that S-26-13 is a project for the Winner Subaru Building Additions Site Development Application. It is located on the east side of N DuPont Highway and northwest of the entrance to the Dover Mall at 1387 N DuPont Highway. The property is currently zoned C-4 (Highway Commercial Zone) and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone): Tier 3-Excellent Recharge Area. In terms of the site overview plan, the Site Plan as shown on the screen is going to add a building addition to the northern building used by the Winner Subaru dealership while the existing structure to the south continues to house the Volkswagen dealership which will be remaining unchanged. Construction for the Winner Subaru dealership includes a 3,336 SF building addition to use on the left side of the existing building for service intake bays. There will be an additional 8,817 SF building addition in the rear of the existing structure for the service area. The front of the building also proposed a 193 SF building addition while changing the front from parking spaces to an outdoor patio area with seating. Also, the Site Plan for this project proposes pavement to be repaved on the northwestern side where the proposed 3,336 SF building addition is to be constructed and in front of the property. Altogether, this adds 12,346 SF Building Addition to the existing Winner Subaru auto dealership building and site improvements.

The property is zoned C-4 (Highway Commercial Zone) which permits motor vehicle sales and service establishments. So, while the southern tip of the parcel falls within the SWPOZ (Source Water Protection Overlay Zone): Tier 3-Excellent Recharge Area, he wants to clarify that the proposed Site Plan work itself is located entirely outside of the boundary of that so there will be no site work happening in that area. In terms of parking, the Winner Subaru building parcel has a detailed parking description plan outlining their various parking designations. This project plans to take away 7 parking spaces from the front building to install that patio that he mentioned earlier. While also taking about an additional 23 parking spaces and one handicapped parking space to accommodate that building addition located on the northwestern side of the property; that 23 also includes the 7 in the front. In the rear parking lot of the property as you will see, there is a proposal of electric vehicle parking stations to be installed where there is an existing parking lot. So overall, despite the decrease in this small amount of parking, the applicant's parking strategy is still deemed well within compliance given the surplus of 172 parking spaces on the site. So, the site also has requirements for bicycle parking, lighting, sidewalk, curbing, and dumpster requirements which are all included in the DAC Report from this packet. The property also proposes to remove and replace one of the existing pylon signs currently in the parking display area in the front area of the existing Subaru showroom structure. Additional signage for the property is proposed near the roof line as well as on the left and the right elevations and for handicapped parking as well. It should also be made aware for the applicant that the property is currently governed by the Unified Comprehensive Sign Plan US-15-01, which received final plan approval in January 2016. This covers the existing illuminated wall sign that is presently there and the freestanding signs on both showroom buildings. Any proposed new signage would need to go through a separate review and permitting process.

From a landscaping perspective, there are a couple things to note here. The applicant is requesting a 30 foot Arterial Street Landscape Buffer reduction in a Waiver Request to the Planning Commission. This area is located along the northeastern entrance of the property between the existing site pavement and the curb where N. DuPont Highway is, it's 9 feet at its narrowest point and 15 feet at the widest point. The existing pavement along the front of the property is not going to be modified from its existing condition; so therefore; the applicant feels that that reduction is warranted. Along the southern frontage near the Volkswagen showroom, this project reduces the overall paved area to meet the SWPOZ (Source Water Protection Overlay Zone): Tier 3-Excellent Recharge Area requirements in that area. For context for the Commission, the same frontage previously received an Arterial Street Buffer Waiver under a completely separate application S-14-05, back in March 2014. The Landscape Plan shows that in the back of the property, there are going to be 27 trees proposed to be planted in the rear portion of property line as displayed. In terms of the DAC Report, there were some comments from the Department of Water/Wastewater, the Fire Marshal, DelDOT, and the Dover/Kent MPO. For the Wastewater, the applicant is going to coordinate with that Department when finalizing plans for a new sewer line to be installed as well as as-built plans required prior to the issuance of the Certificate of Occupancy. The Electric, although it's not in the DAC Report, it is worthy to note because it was mentioned during Staff and Applicant DAC which was that the City is actively working with the applicant regarding total electric load requirements necessary and additional transformers if needed. Chesapeake Utilities, once again not mentioned in the DAC Report, noted in Staff and Applicant DAC that the applicant is currently coordinating with Chesapeake Utilities regarding active natural gas service and they are going to contact Miss Utility before any site work begins. The Fire Marshal had a couple of

things regarding this application. One of them was Site Plans must clearly display a minimum of 50% perimeter access, designating fire lanes must cover at least 25% of the proposed building footprint and the fire suppression items. There needs to be a sprinkler system and it's strictly required for this project. For DelDOT, the applicant is currently working on scheduling a pre-submittal meeting with DelDOT officials. Lastly, the MPO strongly emphasizes prioritizing transportation safety throughout the site design. From a safety context on the entire stretch of N. DuPont Highway or Route 13 within Dover is designated on the High Injury Network under the MPO's Kent County Safety Plan.

Mr. Riemann stated that he has Mr. Sean Larry with him from Winner Subaru in Dover. This has been a car dealership for as long as he can remember. Winner has operated this car dealership for about the last 15 years when they acquired it. The additions that are being made today are to support the existing business that is there by expanding its maintenance capabilities for the site maintenance and repair capabilities, which we probably all know that we desperately need. You can see on this graphic, the existing buildings are in the light tan and then the additions are in the orangish kind of tan. You have a little bit in the back, that's the 8,000 SF that was referenced and then you have the 3,000 SF which is on the side north of the facility; and then a very minor addition out front. The site itself is zoned C-4 (Highway Commercial Zone). The use is consistent with the zoning that is there. The total parcel is about 5 acres. It is also important to note that this area is entirely impervious. The project is not adding additional pavement or additional impervious in this area. It is already impervious today. He knows the SWPOZ (Source Water Protection Overlay Zone) was referenced but none of the work for this project is within that zone. That zone is more on the southern portion of the parcel. The access is not being changed. It is an existing access; a right in and right out. There are turn lanes, sidewalks and all of those things there today and they are not impacting that at all. Essentially, the way this site works is the small addition on the left-hand side of the building would be for people bringing in their car for maintenance. They would go in there, check in with the agent, there and then the maintenance people would take the car into that back portion and that's where the magic happens and the repairs happen. That is the flow of things that are happening there. He did want to mention the waiver because they do have a Waiver Request in the packet. That waiver is for the 30-foot Arterial Buffer. It's a little bit odd because that's where the existing pavement is right now so that's how it is today. We are not proposing to increase that or change that; that's the limits of the existing pavements that are along the highway in its existing condition. He thinks there is a little bit of a formality in the sense that they need to request that as part of this but they are not proposing to add pavement in that particular area. As a result of the limitations we have across the frontage there, we are proposing the landscaping on the rear of the project and about 27 additional trees will be added. The next slide shows a view from Route 13 directly at the facility. So it's pretty major overhaul to the aesthetic of the building. He thinks that it is very attractive. Obviously you can see the different roof lines and some glazing. You can see on the left hand side the two garage doors which would be the new entry as you go in and check in for maintenance. You can see an outdoor covered seating area as well for customers, hopefully future car purchasers. You can see the signage on the front. They know that they will have to come back and deal with signage as a separate permitting process, but this gives you an idea of what that looks like. Also important to note, with any of these brand facilities, the architecture does go through a review process with Subaru and has to get approved by them and that approval has already happened for this.

Mrs. Denney stated that she thinks it looks great. She happens to be a frequent flyer of their business. She loves Subarus and her Subaru saved her life. She hit a full sized deer when she turned off of Route 13 to head towards Middletown and the only thing that happened to her car was that there was a hoof print in the rear front render. Several men stopped to see if she was okay. They picked up the giant deer and carried it to the side of the road and that Subaru saved her life. She is trying to understand essentially what you are asking us to relive you from on the Arterial Street Buffer which are the plantings out front but you are going to have plantings in the back, like sort of when we do in lieu of, they will all be in the back. Responding to Mrs. Denney, Mr. Riemann stated that there are sort of two different things. There is a landscape requirement which we meet and that's the trees in the back. But there is also a 30 foot Arterial Buffer because Route 13 is considered an arterial. So; there is a 30 foot buffer where essentially we can't have paving or hard surfaces. Those paving and hard surfaces already exist right now if you were to go to that site. We are not increasing that or changing that at all. It's a little of an odd request because it's an existing condition and maybe Mrs. Melson-Williams can expand on why that waiver has to come here for the Commission to act on, but it's not a condition that we are creating with this project.

Mrs. Denney stated that it's somewhat grandfathered in; it's always been there. Responding to Mrs. Denney, Mr. Riemann stated yes.

Mrs. Melson-Williams stated that your Code today includes as noted, a 30 foot Arterial Street Buffer that's supposed to be a landscaped space that is from the property line into the site. This northern building is the one that has been there for years and the pavement to place the vehicles on display in front of that building has been there for years. The remedy related to what our Code says today and then their existing condition was to have the Planning Commission act on the Waiver Request. Planning Staff is recommending that you approve that Waiver Request to reduce that landscape buffer to whatever little bit of green space is actually there. There is some green space closer to the entrance. You can see that the parking spaces have been there. The sidewalk was put in a number of years ago actually with jogs around them. It's an existing condition that can be excepted formally through action on the Waiver. Staff is recommending approval of that because of the existing conditions that exist on that northern area of the property. They have noted that other than probably resurfacing the pavement that is already there, there is no change happening there. They are adjusting where their handicapped parking spaces are because she thinks originally there were up against the building. They are providing that designated space in close proximity to their front main building entrance. The paving has been there so it's a way to act upon the existing condition and move it through the waiver process.

Mrs. Denney opened the public hearing and after seeing no one wishing to speak, closed the public hearing.

Mrs. Welsh moved to approve S-26-13 Winner Subaru Building Additions at 1387 North DuPont Highway inclusive of the waiver request for the reduction of the Arterial Street Buffer, seconded by Mr. Michael Lewis and the motion was carried 6-0 by roll call vote with Mr. Roach, Mrs. Maucher and Mr. Baldwin absent. Mrs. Welsh voting yes; she thinks the elevations show a beautiful design with the additions and they incorporate the additions into the existing building very aesthetically. Mr. Lewis voting yes. Mrs. Donna Lee Williams voting yes. Dr. Jones voting yes; she too will be happy to use the new entrance to the service area. Mr. Reaves voting yes; for

reasons previously stated. Mrs. Denney voting yes; this is another well thought out plan. She thinks that it's important that we grant this waiver because again, it's been like that forever and she thinks trying to do something different with it would create a hardship.

S-26-14 William Henry Campus Improvements at 65 Carver Road, Dover, DE – Public Hearing and review of a Site Development Plan for the demolition of an existing 140,382 SF school buildings (William Henry) and portion of the Kent County Community School (KCCS) and construction of a new 81,362 SF Kent County Secondary Intensive Learning Center, a 36,098 SF Addition for KCCS and a head house associated with the new geothermal system. The proposal also includes site work consisting of a new bus and parent dropoff/pickup loops, parking lots, vehicular and pedestrian circulation, and a geothermal system field. The property is zoned IO (Institutional and Office Zone) and also partly subject to the COZ-1 (Corridor Overlay Zone). The Owner of record is Dover Special School District (Capital School District). The Property consists of 45.46 Acres. The Property is located on the north side of Forest Street and east of Carver Road. Property Address: 65 Carver Road, Dover, DE. Tax Parcel: ED-05-076.07-01-55.00.000. Council District 4. *Waiver Request: Reduction of Parking Requirement.*

Representative: Ms. Eileen Thorp, CDA Engineering; Mr. Alex Meitzven, Traffic Planning and Design Inc.; Mr. Collin DeAscanis, CDA Engineering (virtual); Mr. Bryan Williams, ADHA (virtual); Ade Kuforiji, Capital School District

Mr. Salzano stated that before you is Site Plan S-26-14 William Henry Campus Improvements at 65 Carver Road. The property is zoned IO (Institutional and Office Zone) and the southern portion of the property containing the Booker T Washington Elementary School is also partly subject to the COZ-1 (Corridor Overlay Zone). The proposed project is not on that southern portion of the property and therefore is not subject to the requirements of the COZ-1 (Corridor Overlay Zone) but because part of the 46 acre parcel does touch it, he thought it was best to mention it. The property consists of about 45.56 acres; however, the development area specific to this project is 18.2 acres on the north side of what we are referring to as the boulevard drive aisle and just east of the recently approved Bus Lot. The proposed project includes the demolition of the existing William Henry Middle School in its entirety as well as the existing site work including parking and drive aisles on that northern portion of the site. The existing part of KCCS will be left intact. In place of the William Henry Middle School, the applicant has proposed a 36,778 SF Addition to the Kent County Community School and the construction of a new 81,362 SF Kent County Intensive Learning Center. There is also some site work that includes a geo-thermal field and as part of that geo-thermal field, there is a need for a geo-thermal head house so that is another 1,350 SF structure. When completed, the overall campus plan will be 223, 712 SF of building square footage on the site, including the existing Booker T Washington Elementary School, the expanded KCCS, the ILC, and the head house facility. Site work for this proposal includes the construction for two new bus loops, two new parent pickup and drop-off loops and there are also 3 new proposed drive aisles. One of them in the northern portion of the site, breaks off to access the northern parking lot as well as those two bus loops and then the two in the southern portion of this site take access from the boulevard drive aisle and provide access to the parent drop-off loops and to two additional parking fields in the south of this site. There is an extensive sidewalk and crosswalk network proposed throughout the site. This does include the required ADA early warning detection pads throughout, ramps and all other accommodations. Between the proposed three buildings,

there is a total parking requirement of 504 spaces. That is per the IO (Institutional and Office Zone) zoning requirement. The KCCS alone requires 227 spaces, the ILC 272 and 5 spaces for the head house facility. The applicant has requested a Waiver for about 44% requesting that the required 504 spaces be reduced to 283; representing an overall reduction of 221 spaces. The applicant cites the fact that these specialized educational facilities will really not need to accommodate more than their staff and faculty and they do not plan to do any public rentals or have a significant number of guests in the facilities. It's really just their staff and faculty that should be accommodated. Staff's Recommendations can be found on Page 194 of the packet and the proposed Site Plan can be found on Page 216. Staff is recommending approval of the Parking Waiver.

Ms. Thorp introduced the project team and stated that there were also members of the Capital School District here if there are questions about how these two unique schools operate that they are trying to establish on the site. For the existing William Henry School, the plan is to demolish a large portion of that school in order to add the Addition to KCCS as well as to build a new school for KCS ILC. Both of these schools have specialty programs for the student population in Kent County. In KCCS, they take care of students that have mobility issues as well as other physical impairment type issues in order to give them the education that they deserve and the facilities that they deserve. We are trying to improve that with the addition of the building. For the KCS ILC, this is basically a K-12 program to try to transition children who have behavioral issues back into the overall school system. These two facilities don't generally operate as a typical elementary school, middle school, or high school type situation. There might be some overlap in how they operate but the need is there and they are trying to fulfill that need for Kent County as well as the City of Dover and the Capital School District.

Mrs. Denney asked that ultimately there will no longer be a William Henry Middle School, or will it still exist and this will just be an addition to what is on the property? Responding to Mrs. Denney, Ms. Thorp stated that unfortunately the William Henry Middle School will be taken down in order to make accommodations for the new expansion as well as the new facility; however, the William Henry Middle School will be represented. She believes that there is a room that will be designated.

Mr. Williams (architect) stated that is correct. There are a couple of things that they are doing. The condition of the building was determined as not suitable for the investment that the District would be making and that was approved with the Department of Education and the School Board. Also it was not really suitable for the needs. As Ms. Thorp mentioned, KCS ILC is for behavioral children; it is a transitional program to get them back in. There were issues with supervision and clarity of corridors. William Henry Middle School was built up over the years and there were a lot of dead end corridors and things like that that were really not safe for security and function in this school. KCCS is not only physical challenges that these students are facing, but cognitive and other issues. They also needed more clear pathways and it's a single story facility. It was the conditions of the building for the suitability of the kids. Also, there were some things that happened to the building over the years, in particular there was a weather incident a few summers ago that did significant damage not only damaging the building but also allowing us to see the true condition of the building; things that were not visible under normal review of the building. With that being said to give some background on the purpose of why the building needed to be demolished to accommodate these two special facilities, we have been working closely with the District and the very vocal and proud alumni association to represent William Henry Middle School properly. It

has been determined that the campus will be called William Henry Campus. We are providing opportunities in both facilities for memorabilia and other displays. They are bringing plaques over and things like that. There is also a special dedicated history room. Anyone who has been in Booker T. Washington's renovation that was added on, we did something similar there. There is memorabilia room that is used as a meeting room, not only for the school but for the alumni group and that has the potential to carry over to William Henry Campus at the KCS ILC school in particular.

Mrs. Denney stated that he answered her question because she wanted William Henry to continue to be remembered. Responding to Mrs. Denney, Mr. Williams stated that there are historical markers as well that are being preserved among other things.

Mr. Mark Reaves stated that he has a question regarding a previous project that they approved in the Planning Commission. Over by Carver Road, the parking area that he believes that we approved for bus parking. Is that still something that is going to go forward? Responding to Mr. Reaves, Ms. Thorp stated yes, it is the school district's intention to move forward and build that.

Mr. Reaves asked if that would have any impact on this project. Responding to Mr. Reaves, Ms. Thorp stated no, she doesn't believe so other than the current impact that it would have with it being approved now. The overall site is actually going from a middle school type campus with an elementary school. It is actually going to be reducing the amount of traffic that will be there. When we had received the approval for the Bus Lot as well, we made sure that we got approval from DelDOT with how the movements would work with the buses. The school district agreed on how the movements for the buses who would utilize that Bus Lot and would operate coming in and out of the site. The intent is not to have them make any left hand turns on Carver Road or off of Carver Road or to Saulsbury Road as well as to Forest Street and to utilize the light at Weston Drive for all left hand turn movements.

Mrs. Denney opened a public hearing and after seeing no one wishing to speak, closed the public hearing.

Mrs. Welsh moved to approve S-26-14 William Henry Campus Improvements at 65 Carver Road, Dover, DE inclusive of the Waiver Request for the Reduction of the Parking Requirement, seconded by Mr. Michael Lewis.

Mrs. Denney stated that she might be mistaken, but she thought somewhere in this they asked that we separate the waiver or was that for another project. Responding to Mrs. Denney, Mrs. Melson-Williams stated that may have been separate. You can certainly as part of your motion, act upon a Waiver Request at the same time.

Mrs. Welsh moved to approve S-26-14 William Henry Campus Improvements at 65 Carver Road, Dover, DE inclusive of the Waiver Request for the Reduction of the Parking Requirement, seconded by Mr. Michael Lewis and the motion was carried 6-0 by roll call vote with Mr. Roach, Mrs. Maucher and Mr. Baldwin absent. Mrs. Welsh voting yes; this is going to be a great addition for the school system and she thinks it is a great use of the property. The geo-thermal thing is pretty interesting so she is anxious to see how that works. Mr. Lewis voting yes. Mrs. Donna Lee

Williams voting yes; she had two concerns as she reviewed the materials and both of those concerns were addressed to her satisfaction in response to the questions that Mrs. Denney raised. Dr. Jones voting yes; she is delighted that the name of William Henry will be retained and she wants to publicly thank the District for working with sometimes very energetic alumni in terms of what is going to happen at William Henry. Mr. Reaves voting yes. Mrs. Denney voting yes; it's about time. When she opened this she thought, this is wonderful. She had a daughter who went there and frankly it is about time. But her main concern when she opened the packet was, will William Henry continue to be honored and remembered.

NEW BUSINESS

MI-26-07 SJR8 - City of Dover DSHA Technical Assistance for Housing and Land Use Reform - Presentation on City of Dover Regulatory Analysis Summary Report

Representative: Mrs. Ann Marie Townshend, Rossi Group

Mrs. Melson-Williams stated that this is, as we promised, continued reporting on the SJR8 Project. We have with us, representation from the Rossi Group who is the consultant assigned to the City of Dover who is working with us on this project. She is going to turn it over to Mrs. Ann Marie Townshend from the Rossi Group. She has a presentation that was actually included in your packet along with the Report document that she will also be referencing.

Mrs. Townshend stated that she knows her colleague was before the Commission last month talking about the Active Recreation component and now we are moving onto that. Now we have basically the overall regulatory analysis. Just to give a little bit of background, in 2024 the Generally Assembly created the Affordable Housing Production Task Force. They released a Report and it included representatives of the League of Local Governments. One of the recommendations of their Report was zoning reform to make it easier to build houses and housing that is something other than only single family, which is most of what you see being built in the State; not necessarily in Dover though. Last year, the General Assembly passed SJR8 which is a voluntary program to allow local governments to receive technical assistance to do zoning reform. There were 9 jurisdictions in the State that applied as part of that program; Dover being one of them. There are 3 technical assistance providers each assigned to multiple jurisdictions to help with the process. She is with Rossi Group and they are working with Dover as well as three other municipalities. This is a pilot program. It's about a year long process and we are right about in the middle of it. We have spent time over the last several months digging into the *Zoning Ordinance*, the *Subdivision Ordinance*, and the processes. We have been talking to Staff and we as you know because it's in your packet, recently released the Draft *Land Use Regulatory Analysis Report*. Basically, tonight she will be going through that. Going from here, forward, we will have public engagement in October and then we will get down to drafting ordinances. Then we will be before the Commission again with the idea that this whole process will wrap up somewhere around March 2027.

Reminding you of the zoning reforms that Dover selected were: allowing ADUs and/or "missing middle" as permitted uses in residential zones (ADUs being Accessory Dwelling Units); increasing buildable density by reducing minimum lot sizes and bulk standards; increasing building heights for multifamily housing and/or mixed-use developments; establishing an

inclusionary zoning program to address affordable and workforce housing; and to allow higher density and mixed-use with residential in commercial zones and employment centers. There were other reforms that are available and the City could still pursue some of those if you so choose. About 50% of Dover's housing stock is renter occupied and 47% is owner occupied so it is almost evenly split between the two. She thinks unlike a lot of communities, Dover really is doing its job to provide housing for people across the economic spectrum and at all economic phases of life. If you look at the housing stock and the type of housing that you have, the purple color is housing that is 10 or more units per structure; so, those are really the apartment complexes. The red color shows single family detached units. Basically, that really makes up the major of the housing in Dover at this point in time. That is not new construction. It's everything. When you talk about housing affordability, there are two terms. One is cost burden and that is where a household is spending more than 30% of their gross income on housing related expenses. That includes rent and mortgage, HOA fees, but also utilities. Severe housing cost burden is where you are spending more than 50% of their gross income on housing expenses. In Dover, 44% of households are cost burdened. That means that 44% of the households are spending more than 30% of their gross income on housing expenses. 36% of households with a mortgage are cost burdened. 14% of households without a mortgage are cost burdened; so, that could be senior citizens who may not have a mortgage anymore, but they really don't have any income. So even just the utilities and the taxes and just maintaining the house is a burden. 58% of renter households are cost burdened and 23.7% of renter households are extremely cost burdened. What that means is that people are really stretched especially if they are not in a homeownership situation and she thinks we all know that it's hard now to get into homeownership. Those of us who bought houses way back, we are lucky but the younger people now are having a harder time getting into that. How much does housing cost in Dover? According to the American Community Survey 5-year estimates, Dover's median gross rent was \$1,344 per unit. We believe that is low and there are a couple reasons; one there is a lag with the 5-year estimate but the other thing is that that factors in all rents. We have quite a few communities in Dover that have subsidized housing where the rent is set based on affordability, not based on the market. This really doesn't reflect the market. We have been looking at some of the market sites. Zillow estimates that Dover's median rent is almost \$1,800 per unit. She is also going to tell you that they have also been looking and there is not much out there for \$1,800. Apartments.com estimates the monthly housing cost for renters at \$2,447. Again, these numbers are a snapshot in time. The next slide shows ownership numbers. We are not quite as high as the State or the County as a whole but you can see where in 2020-2021. Things really jumped. They have leveled off since but they have still maintained that jump. She thinks what they do know is that household incomes have not made that same degree of jump. The next slide shows the process that they underwent for this. They reviewed the *Zoning Ordinance* and *Subdivision Ordinance*. We looked closely at what the permitted residential uses are in the various zones and the process for things like Subdivisions with Minor Subdivisions being one of the obvious ones. There really is not a lot to it. There is no infrastructure; you are basically just striking a lot line but that is subject to the same process that a public hearing and everything that a much larger subdivision is. We looked at the bulk standards for the zones including those that are in the PND. The PND as you all know because you see it first-hand, one, you are allowed to approve alternative lot standards proposed by the applicant, But also even in the standards set forth in the *Zoning Ordinance*, the lot sizes tend to be smaller than what would be required in the most of the zones like RG-1 and RG-2 zones that we looked very closely at. One of the questions is, if it's okay for a PND, maybe it's okay for other things as well. We looked at the Supplementary Regulations and

that's how we got into Active Recreation. She thinks there are some other provisions within that as well. And we also looked at the off-street parking and loading facilities because again, one of the things that drives up cost of housing is the land cost and also the improvement costs. The more you have to pave and let's face it, that just causes runoff. If it's parking that is needed, that is one thing but if it's parking that isn't really needed and justified, maybe there is an opportunity to change that. There are 23 zones in Dover that allow residential uses. These make up 55% of all zoned land in Dover. She did say when she was at the Council Committee of the Whole last week, she thinks as they move forward with this she is going to have their staff take the Air Force Base off because we really don't touch it or actually exercise the zoning. For the analysis purposes, she thinks she wants to take that out. Around 6% of Dover's zoned land is identified as vacant in the County parcel data. That is not a lot but we also know Dover is relatively built out and that a lot of the vacant that is not included in this 6% is already approved for something. What we are thinking is the opportunity to really move the needle might really be in the infill and redevelopment side of things. She is going to go through each of the reforms and some of the barriers. Really we are just at this point posing questions. She will talk at the end about the public engagement that is coming up and then where we go from there.

The first reform is the ADUs (Accessory Dwelling Units). There are multiple ways to do accessory dwelling units. They can be standalone, they can be over a garage, it can be the basement of a building, or it can be a small addition to the building. As we look at adding accessory dwelling units to the permitted residential accessory uses, we need to be thinking about what types are appropriate. Things that we want to encourage the City to consider: one, the City has already basically said that accessory dwelling units are part of the strategies that they want to pursue. So we need to identify what are the zones and basically modify those zones to allow them. We need to figure out if it's all zones. Is it just where you have a single family detached home? Those are things that they will get to in that next phase of the process. Should bulk standards be adjusted to facilitate accessory dwelling units? Right now, for instance, there is a maximum height of 15 feet for an accessory structure; so, a garage or shed can only be 15 feet. If you want to do an apartment over top of a garage then 15 feet isn't going to cut it because you need to be able to go two stories. Should there be specific parking requirements? Should it be parking over what that main residential structure is required or do you just let it go? These are things that we will have to figure out. Reform #2 "missing middle" housing basically makes up those things from duplexes to small apartment structures that have fewer than 10 units; so, it's not your apartment complexes. It's not big; it's things that kind of could fit in existing communities. Especially where you have sidewalks and infrastructure for people and you have sewer and all of these things. It makes it easier to build something more affordable because again, with land being one of the major components of housing costs townhouses, duplexes, multiplexes, or whatever you want to call these different styles are more efficient to build. Your per square foot cost goes down when you start to look at that. The idea with the "missing middle" is one, they can fit in our existing neighborhoods and they are a good fill in option. If you drive around Dover just like that picture on the screen which is on her street with all the single families. But that duplex has been there longer than any of us and it doesn't bother anyone; it belongs. If you drive around Dover, you see a lot of that. You see a lot on Governors Avenue. There were three pack townhouses that were built in the 80's. South Bradford has beautiful 130 year old Victorian duplexes and somewhere along the line we decided that these things shouldn't be allowed by right in our neighborhoods, but maybe they should be. One of the things that they looked at was where are townhouses allowed by-right, by Conditional Use, and

under the PND. By right, they are allowed in the areas shown in green. As a Conditional Use, they are allowed in the areas shown in yellow. For the PND process, they are allowed in the areas shown in orange. Again, one of the questions is if we allow townhouses, duplexes, or these other types of houses. The PND is fine and it has a lot of benefits but you have a tract size of 20 acres and it's a much more rigorous process. Is there the opportunity to allow some of those things without that degree of process? We have had a lot of re-development in the RG-1 zone in the last decade so she wants to show you where RG-1 is. It is basically the yellow shown on the map. It is a lot of Downtown, Lincoln Park, and it is a lot of the older communities. One of the questions is could the RG-1 and RG-2 zone be modified to allow townhouses and duplexes by-right instead of Conditional Use. Within the Ordinance, you can set standards. You can require alley access. You can have a lot width so that they are not too packed in. You can do a maximum number in a pack. There are things that you can do to make sure that it's not too much in any one location. But could we create a scenario where these things would be allowed? In the RG-2 zone, multi-family is allowed as a Conditional Use. Again, are there ways that we could allow multi-family in the RG-2 zone without that additional process because the process costs money too? Think of all of the paid engineers who were up here tonight and that is not an inexpensive process. RG-2 and RM-2 allow garden apartments and the garden apartments is an interesting definition and it's one that she thinks has gotten very stretched. Is there a way to re-purpose that definition and make it something maybe a little different? Could the garden apartment definition be updated to become something that would be more of a "missing middle" type? The mid-rise apartments are allowed in the R-4 zone and under their definition, they require an elevator. Could a mid-rise apartment have a definition that is something that could be used more easily? We have a definition for multiplexes and it requires that each unit have independent access from the outside. Are those things that could change? It's looking at really preserving the scale of things and not necessarily that level of detail. Again, having things that might be four or five units in a building but have it at a scale where it's not a big apartment building. Stacked duplexes; we have some stacked duplexes here and you can't tell from the outside a stacked duplex from a side by side. But we require duplexes to be side by side and on separate lots. Is that really needed anymore? She is sure that it was at one point in time. Some people in places that allow it will buy a whole structure and live in one unit and whether it's side by side or stacked, rent the other one out. It helps them to have that affordability that otherwise they might not have and it provides presumably a more affordable rental much like an accessory dwelling. We have talked and she is sure you have heard quite a bit about tiny homes. She doesn't know that we need to say or do tiny homes per say but the idea of cottage court where you might have units that are maybe 800 SF or maybe even 600 SF. Maybe it's just a one bedroom bungalow where somebody could start out any maybe get a little bit of equity. We were talking the other day when we had our internal meeting with the City's team that is working on this. Jason Lyon who is our new Assistant City Manager, talked about when he lived on Pear Street. He looked at where he lived on Pear Street and it was a 5,500 SF lot and an 800 SF house. That was just fine for him and then him and his wife and then they had a baby and they moved. But that's what used to happen and now it seems like nothing wants to get built under 2,000 SF. So can we get back to some of these smaller things? For some of the larger Victorian buildings, again, it's about how you set your standards but would allowing some of them that have already been converted to apartments, would apartments be more viable? It is interesting when she was very young a long time ago; she lived at 6 S State Street which is now the Brockstedt, Mandalas & Federico office. That used to be apartments and then we had more of an office demand and the apartments at some point, weren't as well maintained and so that converted to office. After

2020, there hasn't been as much demand for offices because people aren't going into the office as much. So maybe some of those old Victorians that converted to offices and now can't get filled is there an opportunity to convert to some multi-family. Increasing building density is the idea of looking at the minimum lot sizes where in the RG-1 zone the minimum lot size for a townhome is 3,000 SF and the minimum lot size for a duplex is 5,000 SF; however, we allow a lot less in the PND. The Board of Adjustment has issued variances to reduce those lot sizes. Again, can we look at what lot sizes make sense? This is getting away from the "missing middle" here but is there benefit to increasing building heights in some of the zones? In the RG-2 zone, multi-family is allowed to go up to three stories. Is four stories acceptable? These are the things that we could discuss. Could the maximum height of multi-family in RM-2 (Medium Density Residential Zone) be increased from three to four stories? Again, just by adding a little bit of height and a little bit of density, you could bring down those costs. She doesn't want you to think that she is telling you that all of this is going to change overnight. It's going to take time and there need to be other strategies too like funding at the state level; there is a whole tool kit. This is our piece of it and she thinks this will make some of those other things go further. Within the commercial zones and employment centers what about allowing higher density mixed use? Right now, in the SC-2 you can do apartments by-right but in the C-4 (Highway Commercial Zone) it's a Conditional Use. Should that perhaps be allowed by-right? There would still need to be a Site Plan. Are there other commercial zones that don't allow residential where maybe it would make sense, SC-3, IO, CPO? CPO allows townhouses and duplexes as a Conditional Use but does it make sense to allow that by-right? She thinks they only have one place that is zoned SC-3 now and that's the Dover Mall. If you look at places like Columbia Mall in Maryland, what used to be the Hunt Valley Mall and now it's an open air mall in Hunt Valley, Maryland. Those areas have redeveloped and Columbia in particular has housing all around that mall and right now, that would not be allowed here. The next slide is a big undertaking and it is something that helped move the needle where the market isn't going to do it on its own and that's inclusionary zoning. Inclusionary zoning can either be done voluntarily or as a requirement. Where it is most effective in the cases where it has usually worked and added units, it's been a requirement. That's the idea that if you are building more than, in some cases, it's more than 11 units, or someone could start 20 that you have the certain percent. In Montgomery County, Maryland where they have one of the more successful and inclusionary zoning programs, it's a minimum of 12.5% of the units need to be affordable and the ordinance would set that affordability level. And then you can get density bonuses if you increase the percentage. This is not something that she thinks could be done by March but it is something that could really help fulfill that need. For Pre-reviewed design plans, if we are going to move in this direction there could be things like accessory dwelling units or maybe some of the multiplexes and things where especially if you wanted to be a really nice design. If you develop the plans, basically people would be able to use them. We have looked at where these have been successful and it's a mixed bag because if you have a national builder, they are going to come in with their own design. A lot of the infill stuff is not being done by large companies, it's being done by local investors and it might be something that they would look at. One of the things that they are going to do is have a focus group with members of the development community. She thinks that's where we could really find out if that's something that they would latch onto. It doesn't make sense to use it if people aren't really going to use it, but it could help you to guide the character as well. In parking requirements, the big one that we found was that it works for apartment complexes. For apartments, we have a parking minimum of 2.25 spaces per unit which again, works for a complex especially because of visitors and stuff but it doesn't really work for those 3-4 unit small buildings that might

just have 3 or 4 one bedrooms with people living by themselves and they don't necessarily need to park two cars. In conclusion, we are looking at ADUs (Accessory Dwelling Units) which happen to have a lot of benefits, the "missing middle" that could really be an infill strategy and density. In a lot of cases she thinks we are talking marginal density increases, not anything significant, mixed use and walkable neighborhoods, and then the other thing that we are looking at is there the ability to do something on the water/wastewater impact fees which we are still figuring that out as there is a lot involved. Basically that's where we are. We will be having a Public Workshop on Wednesday, October 14, 2026 at 4:30PM at the Dover Public Library. The Commission has a copy of the flyer and we are asking people if they can, to stay for the whole thing. We have a Lego activity and we are trying to make it very hands on so that people understand the challenges and then also can then visualize the solutions.

Mrs. Melson-Williams stated that she is not seeing that Planning Commissioners had any questions on that presentation. We are really looking to keep you updated on where we are in that process and certainly you received a copy of the Regulatory Analysis Summary that Mrs. Townshend talked about tonight was kind of hitting some of the high points. That document is much more involved and this will be an ongoing effort with our consultant and Planning Staff.

Mr. Mark Reaves asked if this presentation was something that Planning Commissioners have any involvement on this information. Responding to Mr. Reaves, Mrs. Melson-Williams stated yes, because ultimately any changes to the City's *Zoning Ordinance* or *Land Subdivision Regulations* is going to come through the Planning Commission as a Text Amendment that you will have public hearings on. You will make recommendations to City Council and City Council will ultimately adopt provisions. She thinks the Planning Commission is also seen as a resource of where are we having difficulties with housing and what opportunities do you see since you've been reviewing these types of plans over time. The Commission is one of the key stakeholder groups for knowing about housing in Dover. So, if you have any particular thoughts on some of the concepts that we have put forth, they would like to hear the. But this is not the last because there is going to be more to come.

Mr. Reaves asked on the October 14th meeting, how much opportunity is there going to be to voice your concerns or anything like that? How is this meeting structured so that we could have more involvement? Responding to Mr. Reaves, Mrs. Townshend stated that the workshop on October 14th will have some kind of hands-on activity. Participants will get a card and they will have to look through the eyes of somebody who holds a certain occupation in Kent County. We will have the income information, survival budget, and how much is allowed for housing. It will be some hands-on things like that but there will be a survey component. She thinks it might end up being a live interactive poll that then can still be supplemented online. Everything that we do at the Workshop or everything that we present, they want people to be able to look at online as well. So, if they can't be there they have access to the materials and can submit their comments. Yes, there will be opportunities for you to submit through a survey and other activities. When we have out public input site live, there will also be the opportunity to submit emails through that website.

Mr. Reaves stated that currently there is no public input right now. This is all being done behind the scenes. Responding to Mr. Reaves, Mrs. Townshend stated no, "Public Input" is the name of the software application. The Public Input platform will go live in October and there will be

information available about this process, and about all of the 9 participating jurisdictions. The work that has been done to date has been a little behind the scenes because it's been our team reading the *Zoning Ordinance* and reading the *Subdivision Ordinance* and talking to Staff and getting a sense of where those barriers exist. Now we are moving into the phase of the project that is asking the public to look at what we have compiled and begin to provide their feedback and enter into the dialogue.

Mr. Reaves asked how this is being shared to the public. Responding to Mr. Reaves, Mrs. Townshend stated that we are going to have this Workshop on October 14th. She anticipates that they are going to put a commercial ad in the State News. We will do press releases. It is going to be shared on the City's website and social media. As Planning Commission members, they encourage you to send it out to your networks as well.

Dr. Jones asked at what point in time will you work with housing coalitions. Responding to Dr. Jones, Mrs. Townshend stated that we actually just talked to Staff about that on Friday. We have had a lot of focus on trying to figure out logistics for the Workshop. We plan to have three focus groups. One with employers, one with the development and real estate community, and then one with the non-profit housing people which would be like Neighborgood Partners, Habitat for Humanity, Milford Housing Development, and Delaware Housing Alliance.

Dr. Jones asked if there will be an intentional opportunity to have them join you. Responding to Dr. Jones, Mrs. Townshend stated yes, absolutely.

Dr. Jones asked if they were going to utilize WBOC. Responding to Dr. Jones, Mrs. Townshend stated that is where they will do press releases.

Dr. Jones asked if they were going to contact churches. Responding to Dr. Jones, Mrs. Townshend stated that is actually one of the things on our list. That came out at Council Committee of the Whole last week, is getting it out through churches so they are going to work on getting that out too.

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

Mrs. Denney stated that it turns out that we are short so many people and it just doesn't make sense to do it this evening. She is not sure if they have to vote on it or if they can just pass on it.

Mrs. Melson-Williams stated that you can certainly recognize that while it's on your Agenda. She believes that your past motion was to defer that until all appointments and reappointments had occurred. It's her understanding that we still have one term that was technically expired in June that has either not be reappointed or a new person appointed at this point in time. She believes that Commissioner is Mr. Reaves so if the Mayor's Office has reached out to you about continuing service, please respond to them because all appointments and reappointments come through the Mayor's Office to City Council to actually complete those appointments. Seeing that you have 6 of 9 members present this evening, you could certainly hold off on it. If you want to formalize it in a motion to defer that until the next meeting, you could do that.

Mrs. Welsh moved to table the elections of Chair and Vice Chair until such time as we have all of the reappointments and all of the members can participate to vote, seconded by Mr. Michael Lewis and the motion was carried 6-0 by voice vote with Mr. Roach, Mrs. Maucher and Mr. Baldwin absent.

PUBLIC COMMENTS OPPORTUNITY -There were no members of the public seeking to provide comment.

Meeting adjourned at 10:08 PM.

Sincerely,

**Kristen Mullaney
Secretary**