



REQUEST FOR STREET ABANDONMENT
Public Hearing before the Dover Planning Commission
July 20, 2026

Applicants: State of Delaware – OMB/Division of Facilities Management
(for Legislative Hall area)

Properties and Property Owners Adjacent to Street Segment:
411 Legislative Avenue State of Delaware
Property east of 411 Legislative Ave State of Delaware

Location: Portion of the Improved Street known as Liberty Street (Road C) located
between Martin Luther King Jr. Boulevard North and Martin Luther King Jr.
Boulevard South
See Plan Diagram for Detailed Location

Abandonment Area: ~19,186 square feet (0.4405 acres)

Tax Parcel ID #: No Tax Parcel Numbers – All public right-of-way

Present Use: Drive aisle of parking lot area associated with Legislative Hall

Proposed Use: Abandonment of Public Right-of-Way and Integration into Adjacent Parcels

Reason for Request: To abandon and integrate the Street area into the adjacent parcels
of land proposed to be consolidated for Legislative Hall Building
Addition project

File Number: MI-26-08

I. REQUEST SUMMARY

Street Abandonment Request:

The State of Delaware – OMB/Division of Facilities Management has requested that the City abandon portions of the street right-of-way known as Liberty Street (Road C) Alley between Martin Luther King Jr. Boulevard North and Martin Luther King Jr. Boulevard South

This request is being made as part of the project proposal for the Legislative Hall Building Addition project. This Request focuses on the process for Street Abandonment only as the redevelopment project has been subject to separate Site Development Plan applications and Architectural Review Certification reviews (Applications HI-24-07 and S-24-19).

Existing Area:

The subject area consists of a street right-of-way known as Liberty Street (Road C). This area currently contains part of an existing parking lot, parking lot drive aisle, and plaza area with a statue. Recent property surveys and research have shown this Liberty Street to be located within right-of-way; however, it is not in the typical format of a street. The Liberty Street right-of-way requested for abandonment is adjacent on both sides to properties held in the ownership of the State of Delaware. See Table below and attached Plan submission diagrams:

Address	Tax Parcel Number	Current Property Owner
411 Legislative Avenue	ED-05-077.09-02-15.00-000	State of Delaware
Parcel east of Legislative Avenue	ED-05-077.09-02-14.00-000	State of Delaware

Legislative Hall Building Addition project

Site Development Plan Application S-24-19 and associated Architectural Review Certification (HI-24-07) to permit renovation and expansion of Legislative Hall was previously granted conditional approval by the Planning Commission in November 2024 following recommendation by the Historic District Commission. The project includes a three-story 56,820 SF Building Addition on the east side of the existing Legislative Hall building creating a new main public entrance, a Plaza area with Monument Walk, and other site improvements. The existing parking lot and drive aisle will be removed for the Building Addition project as the area will become a Plaza Area with pedestrian access only. As part of the review of Site Plan S-24-19, Planning Staff identified the need to research this (Library Street) right-of-way area that crosses the eastern portion of the Legislative Hall Building Addition project area creating the two adjacent parcels. This review request noted that the resolution may result in abandonment and a parcel consolidation process.

II. RECOMMENDATION OF THE PLANNING STAFF:

The Planning Staff notes that the Legislative Hall Building Addition project is completing the Site Development Plan Review process as S-24-19. The project will reconfigure the access to the Legislative Hall Building to make the east side the main building entrance with an associated pedestrian plaza area. The existing parking lot currently at this Liberty Street right-of-way location will be removed during the redevelopment and parking will be accommodated in the Legislative Hall Parking Garage that is under construction. To the extent that long-term abandonment of the street right-of-way area will help accomplish this development project, Staff supports the conceptual request. Staff believes that the requested Street Abandonment should be conditioned on abandonment coinciding with appropriate planning for the relocation of any utility infrastructure in the Street right-of-way as associated with future site development plans.

III. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

The Request for Street Abandonment is to be considered by the Planning Commission. The Planning Commission as part of their public hearing and review process will provide a recommendation on the Alley Abandonment to the Utility Committee (a City Council Committee of the Whole Subcommittee).

IV. ADVISORY COMMENTS TO THE APPLICANT:

1. The Planning Commission's role is to make a recommendation to the City Council on the matter. City Council has ultimate authority on the Request for Street Abandonment.
2. Staff notes that abandonment of the public street may require relocations or easements for any existing utilities in the area. If the request for abandonment is successful, then additional coordination with various City Departments will be necessary to address utility infrastructure access, the need to maintain emergency access, and the development (and approval) of a Record Plan documenting a transfer of ownership and any associated infrastructure easements.
3. Abandonment of public streets does not constitute approval for physical alteration of such streets. Any modification or ground-disturbing activity must be reviewed through the appropriate site plan process and receive all requisite approvals from regulatory agencies. In this case, this can be achieved with the review and approval of Site Plan S-24-19 Legislative Hall Building Addition.



CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 1, 2026



APPLICATION: Request for Street Abandonment: Liberty Street
FILE #: MI-26-08
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services
CONTACT PHONE #: 302-736-7025
CONTACT EMAIL: jlyon@dover.de.us

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

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

CITY AND STATE CODE REQUIREMENTS

SANITATION / STREETS / STORMWATER / WASTEWATER / GENERAL

1. Our office has no objections to the proposed street abandonment.

WATER

1. The street proposed for abandonment contains a city-owned water main. Our office requires that a public utility easement be provided in order to maintain proper service to our customers. The easement may not contain any structures or signage as per the Water / Wastewater Handbook. It is our understanding that adjacent parcels are to be redeveloped and lot lines will be re-recorded. As utility locations are to be redesigned at that time, the public utilities easement is to be re-evaluated by the Department of Water & Wastewater with revisions made as appropriate.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

SANITATION / STREETS / STORMWATER / WASTEWATER / GENERAL

1. None

WATER

1. If the future development proposes to build on top of the aforementioned water main location, the developer shall relocate the water main to the satisfaction of the Department of Water & Wastewater. The cost of this relocation shall be the sole expense of the developer.

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

CITY OF DOVER ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
STAFF D.A.C. MEETING DATE: JULY 1, 2026

APPLICATION: Request for Street Abandonment: Liberty Street
FILE #: MI-26-08
REVIEWING AGENCY: City of Dover Electric Department
CONTACT PERSON: Shawn Burgett, Engineering Services & System Ops Superintendent
CONTACT PHONE #: 302-674-7568
CONTACT EMAIL #: sburgett@dover.de.us

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. The Electric Department has no objection to the proposed abandonment of Liberty Street. The streetlights within the proposed abandonment area are State-owned and are not maintained by the City of Dover Electric Department. The Electric Department has reviewed the proposed abandonment area and is not aware of any City of Dover Electric Department infrastructure within that area.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

1. None

ADVISORY COMMENTS TO THE APPLICANT

1. None

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 07/01/26

APPLICATION: Request for Street Abandonment Liberty Street**FILE #:** MI-26-08 **REVIEWING AGENCY:** City of Dover, Office of the Fire Marshal**CONTACT PERSON:** Jason Osika, Fire Marshal
josika@dover.de.us**PHONE #:** (302) 736-4457

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

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

CITY AND STATE CODE REQUIREMENTS:

- I. Proposal is a request for abandonment of a portion of the improved street known as Liberty Street located between Martin Luther King Jr Boulevard North and Martin Luther King Jr. Blvd South. This office has no objections

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

- I. This is currently an access area for emergency apparatus for Legislative Hall. This needs to remain emergency access until the new site plan is implemented for the Legislative Hall Addition.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
2009 IBC (International Building Code)
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
2021 Delaware State Fire Prevention Regulations
City of Dover Code of Ordinances

*If you have any questions or need to discuss any of the above comments, please call the above contact person listed.

From: [Mobley, Will \(DeIDOT\)](#)
To: [Melson-Williams, Dawn](#)
Subject: EXTERNAL: Staff Development Advisory Committee Meeting 1 July 2026 DAC
Date: Thursday, July 2, 2026 4:12:54 PM

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning.

Here are the comments from DeIDOT for the applications discussed in the DAC Meeting 1 July

1. AX-26-03 Lands of Johnson at 102 Fox Hall Drive
 1. No Objection to annexation.
3. MI-26-08 Request for Street Abandonment : Liberty Street.
 1. Please allow me to verify that Liberty St is NOT State Maintained ROW. If it is not, I have not objection to abandonment. If it is, there is a process to abandon state ROW that must be started with our ROW section. However, please ensure that the planned facility does not encroach into DeIDOT ROW which is Martin Luther King Drive.

As you pointed out, we have had some reorganization in the department. The new POCs are

Kevin Hickman (Kevin.Hickman@delaware.gov)
Tijah Jones (Tijah.jones@delaware.gov)

Will

Sincerely,

Will T Mobley III, PMP

Division of Economic Development, DELDOT

Interim Kent County Review Coordinator

Phone (302)-760-2409

Will.mobley@delaware.gov

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
ADVISORY BRIEF
D.A.C. MEETING DATE: 7/8/2026

**Dover/Kent
County
Metropolitan
Planning
Organization**

MI-26-08 Request for Street Abandonment: Liberty Street

FILE # MI-26-08

REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob

PHONE #: (302) 387-6030

Attached, please find comments submitted by Dover Kent MPO for each of the current City of Dover Development Advisory Committee (DAC) applications. These comments are a part of the MPO's ongoing goals of promoting transportation safety and connectivity within the region. They are submitted in accordance with the support given by the MPO Council on November 6, 2024.

Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission
Street Abandonment Review

MI-26-08 Request for Street Abandonment: Liberty Street

Dover Kent MPO has no objections to the proposed street abandonment. For further information on the MPO's recommendations for the Legislative Hall building addition, please see the comments provided for Application S-24-19 in November of 2024.¹

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.

¹ "City of Dover, Delaware Planning Commission – Session 1" (Minutes). City of Dover (2024).
<https://evogov.s3.us-west-2.amazonaws.com/meetings/27/attachments/17746.pdf#page=80>.

