

**CITY OF DOVER PLANNING COMMISSION  
MARCH 17, 2025**

The Meeting of the City of Dover Planning Commission was held on Monday, March 17, 2025, at 7:00 PM as an In-Person Meeting and also using the phone/videoconferencing system Webex. The Meeting Session was conducted with Chair Mr. Witham presiding. Members present were Mr. Michael Lewis, Mr. Roach (virtual), Mrs. Denney, Mrs. Maucher (virtual), Mr. Baldwin, Dr. Jones (virtual), Mr. Reaves (virtual), Mrs. Welsh (virtual), and Mr. Witham.

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

**APPROVAL OF AGENDA**

*Mrs. Denney moved to approve the Agenda as submitted, seconded by Mrs. Welsh and the motion was carried 9-0.*

**APPROVAL OF MEETING MINUTES OF FEBRUARY 18, 2025**

*Mrs. Denney moved to approve the Planning Commission Meeting Minutes of February 18, 2025, seconded by Mrs. Welsh and the motion was carried 9-0.*

**COMMUNICATIONS & REPORTS**

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, April 21, 2025 at 7 PM.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on February 24 & 25, 2025 and March 10 & 11, 2025.

Mrs. Melson-Williams stated that they continue to interview for positions and hope to have some news for you in the near future. Just a reminder to all residents of the city, there is a Spring Clean-up that is scheduled to start on March 31, 2025, running for a little over a week where they do additional pickup of materials. See the Public Works portion of the website for more information on that. Likewise, there is information that is coming out about the mulch giveaway. We are getting ready to move into the spring flushing season from the Department of Water/Wastewater. Be aware of when they may be in your neighborhood for those activities.

**OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS**

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

**OLD BUSINESS**

**Requests for Extensions of Planning Commission Approval:**

S-23-05 Tidal Wave Auto Spa at 245 N. DuPont Highway - Request for a One Year Extension of the Planning Commission conditional approval granted on March 20, 2023 for a Site Development Plan and Lot Consolidation Plan for two (2) parcels totaling 2.15 +/- acres at 245

North DuPont Highway. The Plan is to permit construction of a 3,690 SF Car Wash facility, 24 vacuum spaces, and associated site improvements. The properties are zoned C-4 (Highway Commercial Zone). The parcels consist of a total of 2.15 +/- acres and is located on the northeastern corner of N. Dupont Highway and White Oak Road. The owner of record is TWAS Properties LLC. Property Addresses: 245 and 243 N Dupont Highway. Tax Parcel IDs: ED-05-068.18-01-13.00-000 and ED-05-068.18-01-12.00-000. *The Final Plan Approval was granted October 15, 2024.*

**Representative:** Ms. Jenna Cooper, Bohler Engineering (virtual)

Mrs. Melson-Williams stated this application S-23-05 is the Tidal Wave Auto Spa. It is proposed for development at 245 N. DuPont Hwy which is the intersection of Route 13 and White Oak Road. It was previously the location of a Rite Aid building. The Planning Commission did review it in March 2023. The applicant did move through the process following that meeting and has achieved Final Site Plan approval; that happened in October 2024. They have reviewed a Permit in late December for the project; however, at this point they more than likely would not be started before the end of March. Hence, that is the reason they are seeking their opportunity for a one-year extension. If there are any particular questions, she can try to field those, or we can ask the representative that has joined us online.

*Mrs. Denney moved to approve S-23-05 Tidal Wave Auto Spa at 245 N. DuPont Highway for a one-year extension from March 31, 2025, seconded by Mr. Baldwin and the motion was carried 9-0 by roll call vote. Mrs. Denney voting yes; she thinks that in our particular economic state right now, it is difficult for some developers to move ahead on things and she thinks giving them an extra year to get themselves together both paperwise and financially is necessary. Mrs. Maucher voting yes. Mr. Baldwin voting yes. Dr. Jones voting yes. Mr. Reaves voting yes. Mrs. Welsh voting yes. Mr. Lewis voting yes. Mr. Roach voting yes. Mr. Witham voting yes; given the economic conditions and the progress that is being made.*

S-23-15 Walker Road Professional Center Medical Buildings at 101 Mont Blanc Boulevard - Request for a One-Year Extension of the Planning Commission conditional approval granted on July 17, 2023 for the Site Development Plan Application to permit the construction of two 19,800 SF office buildings, parking, and other site improvements. The parcel totals 2.615 acres +/- and is zoned CPO (Commercial and Professional Office Zone) and is subject to the COZ-1 (Corridor Overlay Zone). The property is located on the southwest corner of Walker Road and Saulsbury Road, and east of Mont Blanc Boulevard. The owner of record is Walker Pavilion, LLC and equitable owner is Walker Road Professional Center, LLC. Property Address: 101 Mont Blanc Boulevard. Tax Parcel Number: ED-05-067.19-04-52.00-000. Council District 1. Waiver Request: Elimination of Loading Spaces. *The Final Plan Approval was granted January 17, 2024.*

**Representative:** Mr. Mike Glick, Lighthouse Construction

Mrs. Melson-Williams stated that this is Site Plan Application S-23-15 Walker Road Professional Center at 101 Mont Blanc Boulevard. It is actually at the southwest corner of Walker Road and Saulsbury Road. It went through Planning Commission review in July of 2023;

however, the applicant is here for another reason this evening so they went ahead and got this one on the Agenda. They do have Final Plan Approval that was granted in January 2024; however, they have not moved forward with construction of the building and she is sure that the applicant can provide some information on that. They are asking for a one-year extension. That timeframe for a one-year extension would be based on the July date of your initial action and not a March date.

Mr. Glick stated that they are asking for a one-year extension as they continue to work through the development of the project and lease out of the buildings.

Mr. Witham asked what seems to be the issues with respect to proceeding. Responding to Mr. Witham, Mr. Glick stated that the economy is moving slower than we would like.

*Mrs. Welsh moved to approve S-23-15 Walker Road Professional Center Medical Buildings at 101 Mont Blanc Boulevard for a one-year extension from the July 17, 2023 Site Plan Application, seconded by Dr. Jones and the motion was carried 9-0 by roll call vote. Mrs. Welsh voting yes; for reasons stated. Mr. Lewis voting yes. Mr. Roach voting yes. Mrs. Denney voting yes; she thinks that the flavor of the year is the economy right now so she thinks it is necessary. Mrs. Maucher voting yes. Mr. Baldwin voting yes. Dr. Jones voting yes. Mr. Reaves voting yes. Mr. Witham voting yes; given what's being stated on the record.*

**Update on Development Applications – Active Recreation Area Plan Reviews:**

C-25-01 Lands of 4BL, LLC: Cecil Street Townhouses at 207 N. West Street

**Representative:** Mr. Cameron Llewellyn of 4BL, LLC

Mrs. Melson-Williams stated that at the February Planning Commission meeting when you considered this application, it had yet to appear before the City Council’s Committee of the Whole: Parks, Recreation and Community Enhancement Committee because of a cancellation due to snow. You did go forward and act upon the application, but they wanted to back track and fill in the gaps there regarding its Active Recreation Area review before that Committee. That Committee was looking at the potential for a Cash-in-Lieu of Active Recreation Area plan for that project. It was a project for four townhouse units to be on a property subdivided at 207 N. West Street. The Council Committee of the Whole Parks and Recreation Committee did motion to approve that request at their meeting on February 25, 2025 and then they specifically noted that the specific amount of the Cash-in-Lieu would be determined upon submission of the appraisal and we still await that. And then subsequently at City Council on March 10, 2025, the report of the Committee on that item was approved as part of the Council actions that evening. The applicant is here in the room this evening, as he continues to follow his application through the process.

Mrs. Melson-Williams stated that she just really wanted to update the Commission on this application. There is no need for a motion. She thinks their motion that evening (in February) gave some indication that you were aware that the Active Recreation Area Plan for that project was still completing all of its necessary reviews.

C-25-02 Villages of Maple Dale - Phase 3: Planned Neighborhood Design - Senior Citizen Housing Option (Revised)

**Representative:** Mr. Doug Barry, Pennoni and Associates (virtual)

Mrs. Melson-Williams stated that this application was reviewed by the Planning Commission at their meeting in February and also because of that snow cancellation, its review of the Active Recreation Area Plan before the Council Committee of the Whole: Parks, Recreation and Community Enhancement Committee was actually delayed. That Committee did review the Active Recreation Area Plan for this project as you can see on the screen at their meeting on February 25, 2025. They did take action to recommend approval of the request. If you will note (she thinks they did at the meeting), there previously was a plan for a sand volleyball court but that was changed and updated to be a pickle ball court. The Parks and Recreation Committee did have some discussion about the pickle ball court and some questions about that. They did indicate some suggestions to make sure there was shade and some benches in that area but ultimately did recommend approval for the plan for this project. That recommendation from the Committee moved forward to City Council and they adopted that Committee Report at their meeting on March 10, 2025. This evening, we do have representative from the engineering firm that has joined us online should there be any general questions. But again, it's an update to kind of fill in the gaps on that Active Recreation Area plan review since your February meeting where you took action to grant conditional approval.

There were no questions.

Mrs. Melson-Williams stated that again, that was just meant to be an update on the review for that Active Recreation Area Plan for the Village of Maple Dale Phase 3: Planned Neighborhood Design - Senior Housing Option.

**NEW APPLICATIONS**

C-25-03 New Harvest Baptist Church at 1462 N. Little Creek Road – Public Hearing and Review of a Conditional Use Site Plan for a Place of Worship (Church) building of 11,900 SF and related site improvements. The subject property is zoned RG-2 (General Residence Zone). The property consists of 4.6686 acres on the south side of North Little Creek Road and east of Acacia Place. The owner of record is New Harvest Baptist Church. Property Address: 1462 N. Little Creek Road, Dover DE. Tax Parcel: ED-05-068.19-03-02.00-000. Council District 3.

**Representative:** Mr. Kevin Minnich, Minnich Engineering

Mrs. Melson-Williams stated that tonight we are looking at a Conditional Use Site Plan C-25-03. It is for a proposed place of worship known as the New Harvest Baptist Church. It is located at 1462 N. Little Creek Road. The property that they are looking to develop is currently vacant and is zoned RG-2. It is just over 4.6 acres of land. Their proposal is for a place of worship building and a series of parking spaces. You can see on the image on the screen, the bottom is a stormwater management facility. It has one access point from N. Little Creek Road which is at the top of the page. With the project, they have done some value engineering and are looking at

potentially phasing construction of the building with the northern part of the building which includes the sanctuary space being constructed first and then the southern portion of the building perhaps being constructed later. Additionally, they have looked at the parking. The parking for the site for a place of worship facility is either based on a floor area calculation or a seat count. In this case, the floor area calculation governs requiring a minimum of sixty parking spaces. Their overall parking lot shows a proposal for 121 parking spaces including those that would be handicap accessible/ADA accessible. They are looking at proposing to construct the parking in two phases: an initial Phase I which would be the parking closest to the building and then a Phase II area with the remaining portions of the parking lot should they be needed. This project will require tree planting. They are showing a tree planting plan (the image on the screen). Likewise, their site access from N. Little Creek Road will be subject to a DelDOT Entrance Plan and permit. The project will also include lighting and it has a dumpster. Sidewalks are proposed along the frontage as well as a connecting sidewalk bringing you to the building itself. The building architecture was provided. This is basically a one-story building; it is a metal structure. The entrance is on the west side of the building facing the parking lot where you see kind of the turned gable entry with a canopy design. They are looking to include a series of windows and shutters. Part of the comments from the Planning Office included a recommendation for them to look a little closer at the north elevation to ensure that there are not large expanses of blank area for that. The DAC Report includes some minor changes and updates that were needed to their Plan. They are not seeking any waivers this evening. One thing of note for this project site is that while it would be on City Water, they are proposing onsite septic. This location is some distance from the closest sanitary sewer so they are working with the Department of Water/Wastewater and DNREC in regards to an alternative for taking care of those service needs on the project site. The Development Advisory Committee Report also included the comments from the various review agencies both here at the City and the State agencies as well. Again, this is a Conditional Use Site Plan. In the RG-2 (General Residence Zone), this type of use is subject to Conditional Use review, which is why it is here before you this evening.

Mr. Minnich stated that he was here representing the New Harvest Church and this Conditional Use Site Plan. As usual, Mrs. Melson-Williams did a great job of doing a summary on the project. We are in agreement with the items that need to be addressed in the DAC Report and they are just asking for the Commission's conditional approval for the Conditional Use Site Plan.

Mr. Witham stated that he noticed on the Site Plan there were a number of classrooms noted. Responding to Mr. Witham, Mr. Minnich stated that they would be for Sunday School.

*Mr. Witham opened a public hearing and after seeing no one wishing to speak, closed the public hearing.*

Mrs. Maucher asked if the applicant is agreeable to Staff's design recommendation regarding the façade. Responding to Mrs. Maucher, Mr. Witham stated that the applicant is coming forward but he believes that the applicant did say that he agrees with all of the DAC comments.

Mr. Minnich stated that was correct, they are in agreement with that recommendation.

*Mrs. Maucher moved to approve C-25-03 New Harvest Baptist Church at 1462 N. Little Creek*

*Road, seconded by Mrs. Welsh and the motion was carried 9-0 by roll call vote. Mrs. Maucher voting yes; based on DAC comments. Mr. Baldwin voting yes. Dr. Jones voting yes. Mr. Reaves voting yes (typed his response in the chat). Mrs. Welsh voting yes; it is going to be a good use of the vacant space there and the changes to the façade should make it a very pleasing building. Mr. Lewis voting yes. Mr. Roach voting yes. Mrs. Denney voting yes; she thinks it is a very well thought out plan. Mr. Witham voting yes; based on the DAC comments and it appears to be well thought out and a very good design.*

SB-25-01 Minor Subdivision Plan for McKee Road Apartments at 1385 McKee Road – Public Hearing and Review of a Minor Subdivision Plan to divide the 78.60-acre parcel into three (3) lots. The proposed lots consist of Lot 1 of 13.44 acres; Lot 2 of 59.90 acres, and Lot 3 of 5.26 acres. The property is the subject of a Site Plan approved for development of a multi-family community consisting of garden style apartment buildings (384 units) with garages, Clubhouse with Pool, parking, and a commercial portion for future development. The property is zoned RG-2 (General Residence Zone) and C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the east side of McKee Road near the intersection of McKee Road and Scarborough Road. The owner of record is McKee CAP, LLC. Property Address: 1385 McKee Road. Tax Parcel: ED-05-067.00-02-57.00-000. Council District 4. *This property was the subject of Site Plan S-21-11 McKee Road Apartments granted conditional approval by the Planning Commission on April 18, 2022 and Final Plan Approval on September 21, 2023.*

**Representative:** Mr. Jonathan Street, Becker Morgan Group (virtual)

Mrs. Melson-Williams stated that this is a Minor Subdivision Plan SB-25-01. The property is the McKee Road Apartments development site which is located on the east side of McKee Road. The plan shown here, McKee Road is going to be at the bottom and kind of curves up on the left hand side of the image. The overall site for this property is 78.6 acres and they are proposing to divide the tract into a series of three lots of varying sizes. Lot 1 being 13.44 acres, Lot 2 being 59.9 acres, and then Lot 3 being 5.26 acres. Lot 3 is the portion of the site which is zoned C-2A (Limited Central Commercial Zone). We currently do not have a development plan for that portion of the site other than where the entrance drive for the overall project will come through that property. The other two lots of Lot 1 and Lot 2 fall within that RG-2 (General Residence Zone) and a portion of Lot 2 and Lot 3 are subject to the COZ-1 (Corridor Overlay Zone). This project was previously reviewed through Site Plan Application S-21-11 for McKee Road Apartments. It was before the Planning Commission back in April 2022 and has achieved its Final Site Plan Approval for the development of the site. They do have a site work permit and other permits in place with DelDOT. They are starting some of their infrastructure work out there with the project. The reason for it to be before you this evening is that they are looking to divide the tract into several parcels, some of which is related to financing the project. Lot 1 is kind of the northeastern most portion of the project site. That is where we find one grouping of the approved apartment buildings for the complex. Lot 2 includes where the clubhouse is and the second area of buildings for the project. Lot 3 is the one that would be subject to a future development plan for that C-2A (Limited Central Commercial Zone) area. The project does appear to comply with bulk standards for the appropriate zoning districts. Planning Staff in their review has asked that the applicant submit a follow-up sheet to allow us to confirm that the

setbacks are in fact in place and that the location of the subdivision lines does not impact any of the setbacks for the proposed buildings on the site. They have noted a couple of minor updates to the plan sheet to make sure that it adequately reflects any of the previous notes related to action taken on and related to the development of this overall tract as an apartment complex. The various regulatory agencies have provided comments. In most cases, it is no objection to the Subdivision. The Kent Conservation District has noted that they will also have to execute some shared use agreements as things such as stormwater will cross property lines and there will be additional easements related to other utilities on the project site as well. There were significant comments from the Dover Kent County MPO because of this parcel being adjacent to the railroad corridor; however, a lot of their concerns are related to the initial land use development of the site which has already been approved for this location. This evening, you are looking at a Minor Subdivision Plan. There are no new waiver requests for consideration related to that. This plan will just be noting all of the previous waiver requests associated with the development of the apartment complex that was done under S-21-11.

Mr. Street stated that Mrs. Melson-Williams is correct. This is nothing new to the City to subdivide a piece of property once construction starts getting ramped up. The City has approved this in the past. With the Landing Square Subdivision for the State Police Building and the Government Services Building, they used that same financial means to finance the project themselves. The subdivision of the land is for the bulk of the project, the first set of buildings. The second subdivision which is the third Lot is the commercial piece. They figured they would just save some time to not have to come back through to subdivide the commercial piece off to itself. It is already zoned that way. The Subdivision will require some cross access easements between the lots which is typical for a subdivision like this and also some easements for sewer and water and the services themselves. They have already been in contact with DelDOT and the Kent Conservation District and understand the process to move forward with them to gain their letters of no objection. In addition, they have reached out to the community's representative of Emerald Pointe across the street which is going to be the most impacted by any of the construction itself. So, they wanted to let them know what is going on and a tentative schedule of construction. He is sure that anyone in the City is aware that cones are already being placed out and construction is ramping up for the project itself.

Mrs. Denney stated that obviously she would believe that he is aware of the comments that were made by the Dover Kent County MPO and she was hoping that he might be able to address those comments. Responding to Mrs. Denney, Mr. Street stated that in their DAC Meeting, Mr. Petit de Mange elaborated on that. He believes the study that he was referring to was talking about parcels adjacent to railroads. He guesses that he was unaware that the project had been through an approval previously and he was merely stating that for the record. Mrs. Melson-Williams can back him up on that since she was there. The bulk of the pedestrian and bicycle improvements that he thinks that Mr. Petit de Mange was also referencing in his comments are already taken care of with the plan. We have a pedestrian shared use path across the frontage all the way up to the Scarborough McKee intersection, that next light. All of those improvements are permitted and will be filled with the Entrance Plans for the Subdivision itself as well as crosswalks and pedestrian improvements at the intersection with the Emerald Pointe Subdivision.

Mrs. Melson-Williams stated that the MPO comments did provide a lot of information about

some recent Freight Plan studies and Railroad Corridor studies that they have been involved in. She thinks that if this had come forth before a plan for residential development, they may have had a different scenario there but the applicant chose to pursue the residential route. The last half of the MPO's comments do focus on bike and pedestrian improvements. A number of them as noted are actually part of the Site Development Plan that this project site is basically kicking off construction for so you are going to see those items that they make note of implemented already because they were already included in the design concepts for pedestrian and bicycle improvements along that frontage.

Mrs. Denney stated thank you for that information. When she was managing the Town of Camden, it was Camden and Wyoming plans that were going on. Dealing with railroads can be pretty touchy, so she just wanted to ask some questions about that.

Mr. Witham stated that apparently the applicant has already obtained Entrance Plan approval from DelDOT. Is that correct? Responding to Mr. Witham, Mr. Street stated yes.

Mr. Witham stated that this project is going to develop to the point where you are going to need a signalized intersection. Where will that be exactly and what type of signalized connection is it going to be at this site? Responding to Mr. Witham, Mr. Street stated that the signal that is planned right now is for the intersection of the Emerald Pointe Subdivision, the subdivision that is part of this application, and McKee Road. That signal plan was developed, designed and approved by DelDOT in conjunction with our Entrance Plans. Our Entrance Plans and frankly the entire Site Development Plan would not have been approved or moved forward without that approval of that Signal Plan. Now what accompanies that Signal Plan and that Entrance Plan is a letter agreement with DelDOT that the developer had to enter into. That letter agreement with DelDOT specifies basically the phasing of the construction of the signal itself. The signal is to start prior to a certain permit and the phasing of the construction of the signal will have to commence and be finalized before certain permits. That signal is moving forward and once that starts, it doesn't really stop because the developer essentially pays by the day for any DelDOT inspections. So once they start the entrance work and/or signal work, they want to complete it as soon as they can because it's a blank check book for DelDOT to just keep charging them for inspection fees daily. That is all under way and it's in the planning stages for construction on how that's all going to be scheduled.

Mrs. Melson-Williams stated that if you are looking at the image on the screen, that intersection that is the entrance to the site is in the lower right hand corner. You can see a little bit of the cross shaped intersection there. It's just above one of the certification signatures. It's part of Lot 3. The entrance comes across Lot 3 and then continues across Lots 2 and 1.

Mr. Reaves asked if that during the construction phase, they were going to have flag personnel directing traffic during that time period and where would they be located? Responding to Mr. Reaves, Mr. Street stated that any construction that occurs within the right-of-way, depending on what they are doing, there is traffic safety measures that DelDOT deploys and that the developer and the contractors will have to deploy. That is controlled by DelDOT depending on what they are doing. On a normal construction day depending on what they are doing, hopefully on McKee Road, you won't see much traffic other than entering or exiting. If it requires flaggers by

law, then they will have to have flaggers. But on a daily operation, there shouldn't be too much activity in and out. He does not have a construction schedule; he is not in charge of construction. That would be a question for the contracting team but they may change from week to week depending on what they are doing. Any kind of safety operations or safety measures that need to be managed will be managed by the contractor or the construction team.

Mr. Reaves stated that the reason he asked the question was because as the construction increases and he already noticed the barrels out on McKee Road, what happens? Due to the limit of that road and where the barrels may be placed in the right-of-way, it could be an extreme detriment to residents exiting and entering the Emerald Pointe neighborhood if there is not a flagger there that will stop the traffic in both directions to allow residents to exit and enter the community. He is asking if there is some way that they could have a conversation or some feedback to that question because it's extremely important for the homeowners and residents to be able to exit the community. Currently on McKee Road, it can take anywhere from five to fifteen minutes just to have a break to get out into the intersection. With the increased traffic, he only anticipates that it's going to be a lot more time to get in and out of that neighborhood. Responding to Mr. Reaves, Mr. Street stated that he can talk to the construction team. Are you saying that the barrels right now are impeding your ability to get out of the subdivision?

Mr. Reaves stated no, what he is saying is that during the construction if you don't have a flagger in front of the community, there is a high probability that the traffic will be bumper to bumper and there will be no opportunity to exit the neighborhood. Responding to Mr. Reaves, Mr. Street stated that he can drop a note to the DelDOT group but ultimately their safety regulations control where flaggers are located and what is called "maintenance of traffic during construction." But he can certainly drop a note to them saying that the Emerald Pointe community is concerned about entering and exiting their entrance.

*Mr. Witham opened the public hearing and after seeing no one wishing to speak, closed the public hearing.*

Mrs. Denney stated that more and more often now we are seeing those words that she really does not like, "cash-in-lieu-of". Normally, it is Recreation Area. In some cases, in order to develop a property and to make everything fit or because of wetlands and certain what she calls "practical difficulties" there is almost but not quite enough space so they do this "cash-in-lieu of" thing. She thinks that when you are developing, most especially residential property, there should be places where you have park benches and a little place to maybe walk your dog or sit and chat. Again, it's not specifically related to this, but she really thinks the "cash-in-lieu of" thing is becoming to be very frequently seen as we are reviewing plans. It's not a reason why on this particular one that she would suggest that we not accept it, but she always thinks that we should say this because there has to be an end to buying your way out of really developing something with not enough room.

Mr. Witham stated thank you for that policy suggestion. He is not sure what we as a Commission can do about that. Responding to Mr. Witham, Mrs. Denney stated that somebody just has to say it out loud. It doesn't mean anything is going to happen.

*Mrs. Denney moved to approve SB-25-01 Minor Subdivision Plan for McKee Road Apartments at 1385 McKee Road, they are going to put something there and this looks like it fits well enough, seconded by Mr. Baldwin and the motion was carried 9-0 by roll call vote. Mrs. Denney voting yes; as she said in the motion, something is going to go there and it's going to be residential and this looks like it fits the bill. Mrs. Maucher voting yes; based on previous comments. Mr. Baldwin voting yes. Dr. Jones voting yes; she considered Mr. Reaves' comments regarding the traffic but she is in favor. Mr. Reaves voting yes; he would like to stress the construction as stated in the application, the traffic device is supposed to be concurrent with the build. He knows that there is a lot of particulars with that but he emphasizes that there is an extreme requirement for us to have some way to exit and enter the community during this construction phase and he would like for that to be noted. Mrs. Welsh voting yes; for the reasons previously stated. Mr. Lewis voting yes. Mr. Roach voting yes; he agrees with the reasons stated by all of the Commissioners. Mr. Witham voting yes; this is a fairly complex project which will eventually produce a good number of apartment availability for the City of Dover which we all understand that we need more places to live at a reasonable price. The construction necessitates some degree of discomfort for the surrounding community, some of which may be avoidable and some of which may be unavoidable. He thinks the applicant is aware that they are concerned about any congestion that may adversely impact the surrounding communities.*

S-25-07 The Old Post at 55 Loockerman Plaza – Public Hearing and Review of Site Development Plan Application and associated Architectural Review Certification for redevelopment of the Old Dover Post Office property consisting of 1.267 acres for a mixed-use project known as The Old Post. The project involves the demolition of the rear warehouse portion of the existing building and adaptive re-use of the front 4,560 SF portion of the building for commercial retail and business space. 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 City of Dover and equitable owner is Old Post, LLC. Property Address: 55 Loockerman Plaza. Tax Parcel: ED-05-077.05-04-53.00-000. Council District 4. *For Consideration: Parking Strategy Statement. This project is the subject of HI-25-01 The Old Post for Historic District Commission Review and Recommendation on February 20, 2025.*

**Representatives:** Mr. Chad Warren, Davis, Bowen & Friedel; Mr. Mike Glick, Lighthouse Construction

Mrs. Melson-Williams stated that this application is S-25-07 for the property located at 55 Loockerman Plaza. It is a project known as The Old Post, probably most familiar to people as the former Dover Post Office Building on Loockerman Plaza and Innovation Way. Innovation Way is at the top of the screen on the image. The property is currently owned by the City of Dover and the developer that is here before us was the successful group in responding to the City's Request for Proposal for the project site and it is under contract to purchase the location. This property is within the C-2 (Central Commercial Zone). It is also within the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone) does include a portion of this property but because it's in the Downtown Redevelopment Target Area, there are exemptions from some of those provisions. First, she wants to start with the fact that it's in the H (Historic

District Zone). This project was reviewed by the City's Historic District Commission on February 20, 2025. The Historic District Commission was charged with making a recommendation on the Architectural Review Certification for the project. The project has several components to it. The first one is a partial demolition of the building. The image on the screen is the existing building. The portion on the front of the building or the right hand portion will remain. The rear warehouse type mail sorting area is proposed for demolition so that a new three-story portion of the building can be constructed. That three-story building is the area where a series of apartment units are proposed. The rest of the parcel is parking. You can see that in the shaded image on the plan that it has access from Innovation Way to service the parking area. The Historic District Commission took action to make a recommendation. Their Recommendation Report was provided to the Planning Commission. They recommended approval subject to a series of the Staff Comments and Recommendations, some of which the applicant detailed their responses to in a Response Letter and that has been appended to that Architectural Review Report. It clarified some of the questions on materials and intent of their original submission to that body. Tonight, the Planning Commission will be taking final action on that Architectural Review Certification and whether you feel it meets the *Design Standards and Guidelines for the City's Historic District Zone*. The project overall as noted, includes this demolition. The front part of the building will be renovated. There will be some exterior changes to that and then the biggest part of the project is the building addition to the rear. From a zoning perspective in the C-2 (Central Commercial Zone) District, they are meeting the bulk standards. They are proposing a three-story building in height and the other setbacks are met from the property lines in the C-2 (Central Commercial Zone). With the C-2 (Central Commercial Zone) zoning district, it does not include a minimum parking requirement. That was one of the recent changes to the C-2 (Central Commercial Zone) zoning district; however, it does require that the applicant provide a Parking Strategy Statement. That was included in your packet. They are providing a number of parking spaces on the site and are also in discussions with the City regarding the row of about 29 parking spaces that are closest to that property as you come in the entrance on the east end of the library to that municipal parking lot. Their strategy statement focuses on giving some details about what their strategy is for parking based on their bedroom count and recognizing the location of this property in a Downtown walkable area as well. One of the things related to parking that they do need to react to is part of the Architectural Review Certification. There is a bulk standard for parking when it is adjacent to the building. For multi-family units, there needs to be fifteen feet from the wall of the building to that first parking space. Given the configuration of the building, they are not able to achieve that on the north end of the building and are seeking consideration of the Alternative that they are showing in their plans here because of the location in the Historic District. The southernmost or the front of the building, kind of sets up how big the building can be and the balance of what's on the lot. That is a request for an Alternative Bulk Standard that you can consider as part of tonight's deliberations. Additional parking, there is a requirement for bicycle parking. This project actually puts forth a bike storage room on the interior and Staff and others have commented that to make sure that you also include exterior bicycle parking as well. The property has sidewalks along the existing street frontages and then linkage sidewalks to the building entrances from parking lot areas and those sidewalks. The image on the screen shows us the front of the building. It looks very similar to what you see there today in keeping the columns and the triangular pediment there to the building. Obviously, there are a little bit of renovations there. The biggest change is perhaps the wings on that front elevation and that is proposed as a series of sliding doors that would open up that wall system to allow for indoor and outdoor

access with potential commercial space that is located in that portion of the building. The project overall, because it includes these 36 apartment units, is subject to an Open Space and Recreation Area Plan so an Active Recreation Area Plan was presented as noted earlier to the City's Council Committee of the Whole back on March 11, 2025. That Report which was included in your packet, outlines the components of their Active Recreation Area Plan. One of them is actually visible in this location view in that there is a proposal for a rooftop patio area. It is in kind of in the upper right corner of the building when looking at it in this view. Additionally, they are proposing a dog run along the east side of the building between the building and Innovation Way as a fenced area. Then again, we noted that there is indoor bike storage. For their Active Recreation they are required because of their location in the Downtown Redevelopment Target Area to provide a minimum of 75 SF per dwelling unit of Active Recreation. Their project with those components has met that size requirement for their Active Recreation. The Parks and Rec Committee did recommend approval of that proposal for those elements. Staff also recommended approval of the Active Recreation Area noting additionally that the sidewalk network in this area can certainly lead you to other open space/green space areas such as Mirror Lake Park, Silver Lake Park, and even Legislative Mall and The Green. Additionally, those sidewalks link you to some of the nearby trail systems. The Capital City and St. Jones Greenway systems as well are in close proximity to the project site. This is a Site Plan so we did provide some revisions to the Plan in the comments from the Planning Office specifically that they recommended. The other regulatory agencies have also provided their comments. This evening, you have got a number of things to address with this Application. It is a Site Plan review, the Architectural Review Certification and then also for your consideration, their Parking Strategy Statement and the Active Recreation Area Plan.

Mr. Warren stated that he is here representing his client, Lighthouse Construction who is requesting Site Development Plan approval for the redevelopment of 55 Loockerman Street (Plaza); previously known as The Dover Post Office. The existing parcel is approximately 1.27 acres in size and is located within the C-2 (Central Commercial Zone), the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone). The H (Historic District Zone) subjects the site to an Architectural Review Certification and the parcel is exempt from the SWPOZ (Source Water Protection Overlay Zone) requirements due to its location within the Downtown Redevelopment Target Area. The existing site contains a vacant former post office and warehouse. The front pitched roof portion of the building, approximately 4,560 SF will be saved and the rear flat roof warehouse portion will be demolished and replaced with a 31,500 SF three-story apartment building providing 36 apartment units. The front original building will be renovated to allow for a restaurant on the first level and office spaces on the second level. As stated, due to the C-2 (Central Commercial Zone) the parcel is subject to a Parking Strategy for the redevelopment of the site. The developer proposes to provide 48 on-site reserved spaces for residential tenants at a rate of 1 per bedroom. Additionally, the developer acknowledges an additional 60 spaces are required by the business and restaurant occupancy. A total of 62 new parking spaces are proposed for the parcel providing a surplus of 14 spaces beyond what is needed for the apartments. 29 additional parking spaces are also proposed for the business and restaurant use on an adjacent parcel through a shared parking agreement easement with the City of Dover. The remaining balance of 17 spaces will be provided by public parking located directly adjacent to The Old Post parcel within the Library parking lot, Innovation Way and Loockerman Street, which combined offers an additional 180 parking spaces to serve the patrons of the

proposed restaurant. A letter detailing this parking strategy and the parking space counts has been provided to the City. As stated, they have gone before the Historic District Commission and the Parks, Recreation and Community Enhancement Committee. Both of them recommended approval. Also, they are requesting an exemption from a portion of Code. In conjunction with the Site Development Plan Application, they will be requesting exemption from City of Dover Code, Appendix B: Zoning Article 6, Section 5.3. Through the DAC process, they were informed that with six (6) parking spaces at the rear of the building that City Code prohibits parking of motor vehicles within fifteen feet of any wall of a multi-family dwelling. The parking lot to the rear of the building was designed to maximize the number of provided parking spaces in order to provide an adequate amount of parking for the proposed 36 unit apartment building, the restaurant and offices. In doing so, they were subject to several restrictions. These being the minimum parking space size, the minimum fire regulations fire lane widths, the City of Dover minimum drive aisle widths and above all, preserving the original Post Office building that fronts Loockerman Street for the Historic District Zone and Architectural Review Certification requirements. With all of these design restrictions considered, they were forced to place six (6) parking spaces less than fifteen feet from the rear of the building while preserving the original Post Office building structure. We have discussed our issue with the City's Fire Marshal and they have agreed to allow us to keep the parking within fifteen feet of the building as there is very limited access through this wall of the building in the case of an emergency. Additionally, the Historic District allows for some leniency from the typical Bulk Standards providing the need to preserve the historic buildings. The need to preserve those buildings creates a hardship for the site. In our case, they cannot move the existing Post Office building forward the necessary distance to provide the fifteen feet between the parking and the building. A letter detailing this request has also been provided to the City for review. In conclusion, they respectfully request Site Development Plan approval for the redevelopment of our Old Post project.

Mrs. Denney stated that she has concerns about this utilization of the City's and/or the Library's parking spaces in your parking space count. Our Library is well used. If you ever go down there on a Saturday morning and she does frequently because she is using the bank and she used to take her grandchildren there all the time for their activities. When she looks at this, the Library is open Monday from 10am-5pm and Tuesday, Wednesday and Thursday from 9am-8pm. So as long as the people don't come home until after 8pm, they will have plenty of space to park. She is very troubled with this. She has managed the Town of Camden and she has been on the Board of Adjustment for Kent County; she would say that she has at least 40 years doing this. Nobody has ever given her something to read that is this big. She doesn't understand that either. You have to get a magnifying glass out or a cell phone and blow it up. Aside from that, she just doesn't think the parking works for her. The other question is, in front of that building will there be a stop for a public bus? Some of those people will hopefully take a bus for transportation as opposed to driving. Maybe that will eliminate some of the parking congestion that we should be expecting. Responding to Mrs. Denney, Mr. Glick stated that the onsite parking that is with on this parcel is provided to the apartments. So, the statement that the residents would be parking on the Library or any other site other than this specific parcel is not the intent. The intent is for the public parking that surrounds this parcel which is on Innovation Way, Loockerman Street, as well as the many other public lots that are in and around Downtown Dover to service the restaurant. The restaurant would only be patrons that would be coming and going in a one to two hour period that would be serving just the restaurant. Much like any other restaurant in

Downtown Dover would utilize the public street parking. The intent is not to use the Library parking for any kind of resident parking. In addition to the resident parking on site, there is an additional fourteen spaces for the 2,000 SF of business occupancy that they have within the mixed use building. Again, there is ample parking for that business use as well. It is simply just like all other C-2 (Central Commercial Zone) properties Downtown, public parking would be utilized on the streets and the public parking lots.

Mrs. Denney stated that it just appears to her that it is going to be pretty congested parkingwise which is always a problem. When she looks at the plans of the building and sees that there are studio apartments, two people can live in a studio apartment. Many couples have done it and we all know that there are no laws that govern occupancy. You can't just say that you can only have 2 people living here and 4 people living here. You might be able to try that if you are a landlord but you can't build a building, let somebody rent part of it and govern how many people can be in that house. It looks good on paper, but it doesn't often happen that way. She just looks at this parking plan and is thinking that parking is already a problem. There are a lot of other things going on down there like the new Courthouse. We are getting a Parking Garage about six blocks away. She guesses if you come to visit somebody you can utilize that Parking Garage or some of the Library parking. But when she looks at this, she just sees parking issues.

Mr. Reaves asked if there was any way to designate the parking that is within fifteen feet to a particular apartment. Just for the ones that they are asking for the exception for. Because if there is some type of emergency or this is designated to the apartment it may be easier for them to identified to move in that case. Responding to Mr. Reaves, Mr. Glick stated that the majority of that parking is the handicap parking for the facility so they can certainly designate that.

Mr. Witham stated that he is a little confused. Is there a slide that shows where the parking is situated at the building site? Responding to Mr. Witham and referring to an image, Mrs. Melson-Williams stated that at the north end of the building you can see a couple of shaded areas. Those are actually the handicap parking and the striped areas there. There is a five foot sidewalk between these parking spaces and the building as well. There is an entrance door but there is not a large number of windows on this end of the building. For any kind of concerns from a fire perspective, the window access is along Innovation Way and then the other portion of the parking lot.

Mr. Witham stated that he is not sure about the road designation. What do you call the road that runs right behind the current old Post Office that people use? Responding to Mr. Witham, Mrs. Melson-Williams stated that the road that you go back to the DNREC parking lot or get into the other parking lot for Treadway Towers, that is called Innovation Way.

Mr. Witham stated that there is a side road that you can go from the Library around the building to get to Innovation Way. Responding to Mr. Witham, Mrs. Melson-Williams stated that is on the far left hand side of this image. It is not part of the parking lot and it is a one-way coming out of the Library coming up to Innovation Way. There is no interconnection at this point along that roadway to this proposed development.

Mr. Witham stated that there is not going to be anyway in which a person who has an apartment

will be able to exit in that back part of the building out to that roadway. Responding to Mr. Witham, Mr. Glick stated that is correct.

Mr. Witham stated that for safety reasons, he assumes you got Fire Marshal approval. Is there a need for a designated area for a fire lane on this property? Responding to Mr. Witham, Mr. Warren stated that they spoke with the City Fire Marshal and they have adequate access through Innovation Way, Loockerman Street and the small finger of the proposed parking lot. They weren't concerned with any fire lane access. They said that they have plenty the way the current site is laid out.

Mr. Witham asked what type of restaurant they were anticipating. Responding to Mr. Witham, Mr. Glick stated that they don't have that information at this time, they are just soliciting restaurants.

Mr. Witham asked if they were contemplating whether it's going to be a takeout restaurant or a sit-down restaurant. The plans indicate that it is going to be a sit-down restaurant. Responding to Mr. Witham, Mr. Glick stated that the intent would be a sit-down restaurant with an outdoor patio component with it and something that is complimentary to the residents that are associated with the building; so essentially something with not late hours.

Mr. Witham stated that this is a pet peeve of his but as a traditionalist he would like to see it occur. The old Post Office always had a flagpole out front for the United States flag. He doesn't see it on the plans. Is that something that you could contemplate? Responding to Mr. Witham, Mr. Glick stated that it is certainly something that they could consider.

Mrs. Melson-Williams stated that in one of Mrs. Denney's questions/statements, she asked a question about where the closest bus stop was. There is a bus stop that is in the vicinity near the Library on Loockerman Plaza as well as diagonally across the street over near the Townsend Building. So, within a block you've got several stops depending on which route it is.

Mrs. Welsh questioned that for the restaurant area, the doors that open to the patio, isn't that similar to the things she has seen where it's a glass garage door that comes up and down? Responding to Mrs. Welsh, Mr. Glick stated that it is a series of doors that are trimmed that would be folding left to right; it's not a garage door that would go up.

Mrs. Welsh stated that from what she just heard, you said something about an open patio in front of the restaurant. She knows that you don't have a restaurant yet, but would there be any kind of issue that might come up with noise outside at night that would impact the residents of the apartment building? Responding to Mrs. Welsh, Mr. Glick stated that it would be their intent to find a restaurant that is complimentary both with hours and type of service that would complement the residences. They wouldn't be looking for something late night with a band or anything along those lines. Certainly, something during the day where you can enjoy a lunch along Loockerman Street and not late hours into the evenings.

*Mr. Witham opened a public hearing and after seeing no one wishing to speak, closed the public hearing.*

Mr. Witham asked if they have to make three findings tonight. Mrs. Melson-Williams stated that the Planning Commission is considering the Site Plan and as part of that, the Architectural Review Certification for this project that is located in the Historic District, their Active Recreation Area Plan and then the acceptance of their Parking Strategy Statement. Certainly, all of that can be rolled into one motion or more than one motion.

Mrs. Welsh stated that before a motion is made, she missed something that she wanted to express. She thinks that they have done a great job with the exterior of the facility in the front, and she has examined the photos and the elevations in the package. It's particularly in the historic photos that they have annotated that show several different commercial establishments that are at Loockerman Street. One that she recognizes is the old Braunstein's Building which mirror and the façade on the two sides where the apartments follow that architectural detailing that is in that building. She just wants to say that she is glad that they put some effort into that and she thinks its really important that we are sure that everything is going to come to fruition as planned so that the building does have the historic façades and compatibility to the other buildings in the area that we are looking for here.

Mrs. Denney stated that she absolutely agrees. She thinks that the design is lovely and she does think it lends itself even to the way the glass doors will fold and unfold. She loves the concept, and she thinks it great. Her only issue is the parking. She thinks the design is lovely; she thinks it's in keeping and it lends itself to the nature of what is going on. It is not necessarily complete historic, but it lends itself to a combination of both of the little bit of old and a little bit of new. She also sees it utilized by people who are over in the new Courthouse at lunchtime even though those buildings have cafeterias often.

*Mr. Lewis moved to approve S-25-07 The Old Post at 55 Loockerman Plaza and the associated Architectural Review Certification for the redevelopment of the old Post Office property including the Parking Strategy Statement and the Active Recreation Area Plan, seconded by Mr. Baldwin and the motion was carried 9-0 by roll call vote. Mr. Lewis voting yes; he thinks it is much needed in the area and it's an exciting plan. He is looking forward to seeing it come to fruition. Mr. Roach voting yes; for reasons previously stated. Mrs. Denney voting yes; but she really does object to the parking. She sees problems but otherwise she thinks it is well done. Mrs. Maucher voting yes; for reasons stated. Mr. Baldwin voting yes; he thinks it is a great use of the building. Dr. Jones voting yes; for reasons previously stated. Mr. Reaves voting yes; for reasons previously stated. Mrs. Welsh voting yes; she thinks it is a professionally well done package and she thinks it's in keeping with what we are trying to accomplish in Downtown Dover. Mr. Witham voting yes; he thinks this is an excellent use of this property given the limited use of this space that the property has. He thinks that the parking arrangement is probably the best that they could come up with given the environment that they are faced with. It is a well-designed building and the only drawback that he see is that it does not have a flagpole indicated. He votes yes for the reasons stated in the record by fellow Commissioners as well as the DAC comments and the Planning Commission's statements.*

## NEW BUSINESS

**Meeting adjourned at 9:00 PM.**

**Sincerely,**

**Kristen Mullaney  
Secretary**