CITY OF DOVER, DELAWARE
PLANNING COMMISSION MEETING
Monday, August 17, 2026 at 7:00 PM

City Hall Council Chambers, 15 Loockerman Plaza, Dover, Delaware

REVISED AGENDA

THIS AGENDA HAS BEEN REVISED BY ADDING ITEM #2 – REQUEST FOR EXTENSION - for S-24-11 Warehouse Building at 601 Garrison Oak Drive (Lot 3 - Garrison Oak Business and Technology Center) under OLD BUSINESS – Requests for Extension of Planning Commission Approval (with subsequent agenda items renumbered).

Written comments are accepted via mail to City of Dover – Planning Commission, P.O. Box 475 Dover DE 19903 and via email at CompPlan@doverde.gov

IN-PERSON and VIRTUAL MEETING NOTICE

The Planning Commission Meeting for August 17, 2026 will be held as an In-Person Meeting at City Hall in City Council Chambers at 7:00 PM and as a Virtual Meeting using Webex, an audio/video conferencing system as an electronic means of communication. The public is welcome to attend in person or virtually with the participation information below to join by phone or computer.

PUBLIC PARTICIPATION INFORMATION
City of Dover Planning Commission Meeting of Monday, August 17, 2026

Join By Phone: Dial +1-650-479-3208
Access Code: 253 083 23041
Password from Phones: 3683772

Join Online: https://bit.ly/PCMeeting08172026
Webinar Number: 2530 832 3041
Webinar Password: DoverPC

If you are new to Webex, get the app now at https://www.webex.com/ to be ready when the meeting starts. For problems accessing the meeting, please call the Planning Office at (302) 736-7196.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF AGENDA

APPROVAL OF MINUTES

1. Adoption of Meeting Minutes of July 20, 2026

COMMUNICATIONS & REPORTS

Meeting Reminder: The next Planning Commission regular meeting date is September 21, 2026 at 7:00 P.M.

Update on City Council Actions

Department of Planning & Inspections Updates

OPENING REMARKS CONCERNING MEETING PROCEDURES FOR APPLICATIONS

OLD BUSINESS

Requests for Extension of Planning Commission Approval

2. S-24-11 Warehouse Building at 601 Garrison Oak Drive: Extension Request – Request for One Year Extension of the Planning Commission Approval granted on August 19, 2024 for Site Development Plan for a 100,000+/- SF Warehouse Building with associated site improvements. The site is located at Lot 3 of the Garrison Oak Business & Technology Park. The property is zoned IPM-2 (Industrial Park Manufacturing Zone – Business and Technology Center) and subject to the SWPOZ (Source Water Protection Overlay Zone: Tier 2 – Primary Wellhead Protection Area). The property of 12.813 acres is located on the west side of Garrison Oak Drive on the inside of the loop. The owner of record is Garrison Oaks LLC. Property Address: 601 Garrison Oak Drive. Tax Parcel: LC-05-068.00-02-03.00-000. Council District 3. *Approved Waiver Requests: Partial Elimination in Upright Curbing and Reduction of Parking Requirement. Approved: Performance Standards Review Application. The Final Site Plan Approval was granted April 28, 2026.*

Revisions to Applications:

3. HI-24-07 Legislative Hall Building Addition at 411 Legislative Avenue: Revision for West Entrance ADA Ramp – Update and Action for a Revised Architectural Review Certificate for the addition of an ADA Ramp located at the West Entrance of Legislative Hall. The proposal includes an approximately 160 feet proposed ramp in length, while also providing access to a new accessible entrance created within the exiting west façade. A temporary ramp may also be proposed for during construction. This is associated with the Site Development Plan for the Legislative Hall Building Addition project. The main property of 2.80 acres+/- is zoned IO (Institutional and Office Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone) and the H (Historic District Zone). The subject property is located on the east side of Legislative Avenue as the block between Martin Luther King Jr. Boulevard North and Martin Luther King Jr. South. The owner of record is the State of Delaware. Property Addresses: 411 Legislative Avenue and Court Street. Tax Parcels: ED-05-077.09-05-15.00-000 and ED-05-077.09-05-14.00-000. Council District 4. *This Application HI-24-07 was considered at the Historic District Commission Meeting of October 17, 2024 and granted*

conditional approval of the Site Plan and Architectural Review Certification by the Planning Commission with Application S-24-19 Legislative Hall Building Addition on November 18, 2024. This Revision for the West Entrance ADA Ramp was considered at the Historic District Commission Meetings of June 18, 2026 and July 16, 2026.

NEW APPLICATIONS

4. US-26-01 Dover Commerce Park Comprehensive Signage Plan – Public Hearing and Review of a Unified Comprehensive Signage Plan for the Dover Commerce Park (previously known as Dover Industrial Park) consisting of a thirty-two (32) square foot, 9 feet-4-inch-tall freestanding sign to identify the campus. The campus is to consists of three multi-tenant flex warehouse buildings (Buildings A, B, C) with parking and site improvements including a shared entrance with an adjacent building at 300 Lafferty Lane. The property is zoned M (Manufacturing Zone) and is subject to the AEOZ (Airport Environs Overlay Zone): Accident Potential Zones I & II. The property consists of 19.74 acres. The property is located on the north side of Lafferty Lane, approximately one-quarter mile west of Horsepond Road. The owner of record is Dover Industrial, LLC. Property Address: 350 Lafferty Lane. Tax Parcel Number: ED-05-077.16-02-05.00-000. Council District 2. PLUS Review # 2024-08-08. *The campus is under development as Phase 2 of this project was granted conditional approval by the Planning Commission with Site Plan S-25-10 Dover Industrial Phase 2: Warehouses in July 2025. Phase 1 of this project was approved as Site Plan S-24-13 Flex Use Facilities Commercial Warehouse in September 2024 and with Final Plan is under construction.*

NEW BUSINESS

5. MI-26-10 Active Recreation Provisions Update – Presentation and Discussion of Potential Changes to Active Recreation Requirements for Residential Development

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

PUBLIC COMMENT OPPORTUNITY – An opportunity is given for members of the public to provide comments to the Planning Commission not specifically related to Applicants with Public Hearings.

ADJOURN

Posted Agenda: August 7, 2026

Revised: August 17, 2026

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(e)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING

CITY OF DOVER PLANNING COMMISSION
July 20, 2026

The Meeting of the City of Dover Planning Commission was held on Monday, July 20, 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. Lewis, Mr. Roach (virtual), Mrs. Maucher, Mr. Baldwin, Dr. Jones, Mrs. Welsh, Mr. Reaves (virtual) and Mrs. Denney. Mr. Witham resigned from the Planning Commission effective July 2, 2026 leaving one vacancy.

Staff members present were Mrs. Dawn Melson-Williams, Mr. Alex Dewey, and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Mrs. Maucher moved to approve the Agenda as presented, seconded by Mrs. Welsh and the motion was carried 8-0 by voice vote.

APPROVAL OF MEETING MINUTES OF JUNE 15, 2026

Mrs. Welsh moved to approve the Planning Commission Meeting Minutes from June 15, 2026, seconded by Mrs. Maucher and the motion was carried 8-0 by voice vote.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, August 17, 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 June 22 & 23, 2026 and July 13 & 14, 2026.

Mrs. Melson-Williams stated that this is Mr. Dewey's second meeting as a member of the Planning Staff. So, if you didn't get a chance to meet him last month, he is a Planner I in our office.

SPECIAL RECOGNITION

Resolution for the Service of Mr. William L. Witham Jr. on the Planning Commission.

Resolution

Whereas, William L. Witham Jr. became a member of the City of Dover Planning Commission by appointment on January 8, 2024 and has served with diligence and distinction in this capacity as an advocate for sound land use planning in the public interest; and,

Whereas, William L. Witham Jr. has played a role in ensuring fundamental fairness and careful forethought in the planning and development of the Capital City through his service on the Planning Commission; and,

Whereas, William L. Witham Jr. served in the position of Chair of the Planning Commission since his election to the position on August 19, 2024 through the present; and,

Whereas, William L. Witham Jr. has influenced the pattern and appearance of development in Dover through his actions to ensure compliance with the City's *2019 Comprehensive Plan* as adopted; his participation in the review and implementation of various text amendments to the *Zoning Ordinance*; his concerns for the public's health, safety, and welfare when considering applications; and,

Whereas, William L. Witham Jr. completed his service on the City of Dover Planning Commission on July 2, 2026.

Now Therefore Be It Resolved That, the City of Dover Planning Commission does hereby express its sincere appreciation to **William L. Witham Jr.** for his faithful and diligent service to the Citizens of the City of Dover as an active member of the City of Dover Planning Commission and extends its very best wishes to **William L. Witham Jr.** in his continued service to the community.

Mrs. Maucher moved to approve the Resolution for Mr. William L. Witham Jr as she is sad to see him leave because he was a great member of the Commission and has done a great job, seconded by Dr. Jones and the motion was carried 8-0 by voice vote.

Mr. Witham stated that he deeply appreciates this Resolution. He is not sure that he deserved all of those allocates, but he will take them without argument. As he indicated earlier, it was really a pleasure for him to serve on the Commission, and he appreciates every one of you here who assisted him in learning the game. He doesn't think he has served on any body that has been more generous and more thoughtful about serving the public.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

Requests for Extensions of Planning Commission Approval: none

NEW APPLICATIONS

AX-26-03 Lands of Johnson at 102 Fox Hall Drive - Public Hearing and Review of an Annexation Request and Rezoning Request for a parcel of land totaling 1.6390 acres +/- located at 102 Fox Hall Drive. The property is currently zoned RS-1 (Residential Single Family Zone) in Kent County. The proposed Zoning is R-20 (One Family Residence Zone). The property is located on the south side of Fox Hall Drive to the west of but not adjacent to Kenton Road. The annexation category according to Dover's 2019 Comprehensive Plan is Category 1: High Priority Annexation Area and the land use designation is Residential Low Density. The property owners are Frances and Bruce Johnson. Property Address: 102 Fox Hall Drive. Tax Parcel: ED-00-076.05-01-06.00-000. Proposed Council District 1. Ordinance #2026-13. *The First Reading of this Annexation Request was completed on June 8, 2026. Public Hearing before the Planning Commission is scheduled for July 20, 2026 and City Council on August 10, 2026.*

Representative: Mr. Bruce Johnson, property owner

Mr. Dewey stated that this is application # AX-26-03 and the property address is 102 Fox Hall Drive. The lot size is about 1.64 acres. The property is currently zoned RS-1 (Residential Single Family Zone) in Kent County and contains a single family detached dwelling on the property. The applicant is currently seeking R-20 (One Family Residence Zone) as part of their Annexation request into the City. The *2019 Comprehensive Plan* for the City designates the property as a Category 1: High Priority Annexation Area and the plan's Land Use Category is Residential Low Density. The property is already continuous to land in the City of Dover which makes it actually eligible for consideration of annexation. With all Annexations, we primarily look at the Land Use Category which is planning for the types of land use for a particular area. This is identified as Residential Low Density. The R-20 (One Family Residence Zone) does match up with the Land Use Classification. The property location is shown on the screen at 102 Fox Hall Drive. It is located actually in the northwest quadrant of Dover. The property lies about 3 miles west of the St. Jones River and it sits between the local watershed of Fork Branch to the north and the Puncheon Run to the south. The lot rests in a semi-wooded and suburban micro-environment. Off to the west, there is actually a property that is annexed already into the City of Dover and it is in R-20 (One Family Residence Zone). It is not shown on the page but if you would like to see that, we can bring that up. Planning Staff is recommending approval of the Annexation. For one, it is in an enclave. That will help fill one of the holes within the City of Dover's boundary. It is also R-20 (One Family Residence Zone), which the applicant is seeking. So, it is consistent with other developments in the area surrounding this parcel which include a number of residential zones such as R-20 (One Family Residence Zone) and R-8 (One Family Residence Zone). Thirdly, it is predominantly in a zone with other single-family dwellings. The Planning Commission is charged with reviewing this for a recommendation. It is a request for Annexation and Rezoning. They need to evaluate three factors when looking at the Rezoning. The first is whether the uses are permitted in the proposed zone change that would be compatible with the existing uses and zones in that area. The second is whether there are adequate public services and infrastructure that actually exists in the area or can be reached to serve this area. The third is whether the proposed change is in accordance with the City's *Comprehensive Plan*. The DAC Report also includes comments from the Department of Water/Wastewater and Public Services. In this case, the property is currently being served with electric from the City. The applicant has worked with the City's Department of Water/Wastewater for procedures on permitting and impact fees in order to make the connection with water and sewer. Also, the Fire Marshal's Office has no particular comments at this time, and the other agencies include DelDOT and the Kent Conservation District. They really have no objection to the Annexation as well as the Dover/Kent County MPO.

Mr. Johnson stated that as far as Mr. Dewey's presentation, the only mistake is that the annexed property is to the east of us not the west. (Staff Note: There are lands to the east that are in the city already. There is a property further west at the end of Fox Hall Drive that was annexed in 2021.) He thinks it is pretty clear why he is here. They are looking to hook up to City sewer and by doing that, we need to also hook up to the water.

Dr. Jones asked if Mr. Johnson was in agreement with the comments coming from Planning Staff and that there are some costs associated with some of the services that you are responsible for.

Responding to Dr. Jones, Mr. Johnson asked for an example of what an upgrade to the property would be.

Mrs. Melson-Williams stated that a couple of the agencies noted that if for some reason in the future there was an additional development beyond the single family house that is there now; and that you understand that there other implications to that including fees that would be related to additional sewer and water connections and things of that nature should you look to divide this lot in the future. She knows that you are not interested in that; but you have a single-family house there on somewhat of a larger tract for most properties here in Dover.

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

Dr. Jones moved to recommend approval to City Council for AX-26-03 Lands of Johnson at 102 Fox Hall Drive on the basis of the fact that it is compliant with the Comprehensive Plan and the Priority Annexations and also based upon DAC comments and the recommendation from Staff, seconded by Mrs. Welsh.

Mrs. Melson-Williams stated that she just wants to clarify the motion. In the case of an Annexation, you are the recommending body so you are recommending its Annexation and that as noted in the DAC Report that the property be zoned R-20 (One Family Residence Zone). Responding to Mrs. Melson-Williams, Dr. Jones agreed.

Dr. Jones moved to recommend approval to City Council for AX-26-03 Lands of Johnson at 102 Fox Hall Drive on the basis of the fact that it is compliant with the Comprehensive Plan and the Priority Annexations and also based upon DAC comments and the recommendation from Staff and to include the zoning of R-20 (One Family Residence Zone), seconded by Mrs. Welsh and the motion was carried 8-0 by roll call vote. Dr. Jones voting yes; everything seems to be in order and there are no real wrinkles in this application. Mr. Reaves voting yes; for reasons previously stated. Mrs. Welsh voting yes; for reasons stated by Dr. Jones. Mr. Lewis voting yes; based on Staff recommendations. Mr. Roach voting yes; based on Staff recommendations and comments from Dr. Jones. Mrs. Maucher voting yes; based on DAC comments and Staff recommendations. Mr. Baldwin voting yes. Mrs. Denney voting yes; in keeping with the recommendations of the Planning Commission and she thinks that this application for this property to be added as R-20 (One Family Residence Zone) to this development is a great idea and is keeping with our Comprehensive Plan.

MI-26-08 Request for Street Abandonment: Liberty Street – Public Hearing and Review for Recommendation to City Council of a request for abandonment of a 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. Liberty Street consists of a right-of-way width of sixty (60) feet, a length of approximately 319.45 feet, and 19,186 SF (0.4405 acres +/-) in area. The street to be abandoned is adjacent to the parcel at 411 Legislative Avenue, Dover DE as the location of Legislative Hall owned by the State of Delaware. *This Request is associated with Site Plan Application S-24-19 Legislative Hall Building Addition.*

Representative: Mr. Brett Martine, Century Engineering

Mrs. Melson-Williams stated that this is a Request for Street Abandonment. In this situation, the Planning Commission is part of the process as a recommending body. The State of Delaware Office of OMB Division of Facilities Management has made this Request. The location of the street, known as Liberty Street and Road C, is located on the east side of Legislative Hall. Legislative Hall is at the address of 411 Legislative Avenue. The next image on the screen shows us the current location of the "U" shaped Legislative Hall Building and to the east of it is the statue and then the parking lot area and then an additional tract that is a little bit of a landscaped area. Liberty Street actually traverses through this parking lot area and it is generally aligned with the drive aisle for that parking lot. With the concept for an addition to Legislative Hall, when we looked at that back in 2024, we discovered this right-of-way that actually bi-sects two parcels associated with Legislative Hall. Upon research, it showed that it was actually street right-of-way and that proper abandonment process involves the Planning Commission and then ultimately City Council. So, the request was made and as part of that process we do look at what is going on in that existing area. While this is street right-of-way, it truly does not, in format look like your typical street. It's really just the drive aisle and other paved areas of this parking lot area. She will note that it is associated with the Site Development Plan Application S-24-19 which is the Legislative Hall Building Addition that is proposed. Planning Staff is recommending abandonment of this right-of-way area known as Liberty Street so that could allow for potential re-development associated with the proposed project at Legislative Hall. They note that any abandonment should be conditioned on the appropriate planning for relocation of any utility infrastructure that may be found in this right-of-way as well as other related items with any site development plan. The Planning Commission tonight will need to hear from the representative of the application. They will need to conduct a public hearing and then provide a recommendation on this Street/Alley Abandonment. That recommendation will be forwarded to the City's Utility Committee and then ultimately to City Council. They did provide some advisory comments regarding this Street Abandonment. Depending on the timing thereof, there may need to be parcel consolidation and potential for either utility relocations or easements if such items are found in that area. With our participating reviewers from the Development Advisory Committee, probably the most significant one is related to the Department of Water/Wastewater. There is a City water main that runs along the eastern edge of this right-of-way area. For the utilities on the electric side, they did not have anything in this area. The Fire Marshal's Office certainly notes that this area currently is an access area for emergencies and that any new addition plan associated with expansions at Legislative Hall would need to plan for appropriate fire lane coverage and emergency access. DelDOT and the Dover/Kent County MPO also provided advisory comments as well.

Mr. Martine stated that he represents Century Engineering and they are doing the civil engineering work for this Legislative Hall Addition and need to do this in order to complete that Addition which includes the expanded plaza area that is on display now. With the Building Addition pushing out about 100 feet from the existing structure today, the fire lane will still be established. The fire lane is a critical part of the safety of the building itself. The abandonment of Liberty Street really just consolidates the wedge and the already existing property for the building. They have seen the DAC comments, and they have addressed a good majority of them. The only ones that they are still working out are the potential water line that they are looking to

abandon that does go through the sliver part to the east. They are currently working with the Public Works group with our utility engineers to abandon that and reroute that to the back side (the west side of the building) to give the water pressure the correct cubic flow of water to flow on that side and of course computation and modeling that will happen within the City will verify whether or not that is appropriate for our proposed design.

Mrs. Maucher stated that she had a few questions about the DAC comments. First, from the Fire Marshal they indicate that they are using it for emergency access and they need that access to continue. Do you agree with that usage? Responding to Mrs. Maucher, Mr. Martine stated yes.

Mrs. Maucher further stated that she is a little confused by the DelDOT comment. She presumes that it is not a State maintained right-of-way. Responding to Mrs. Maucher, Mr. Martine stated no, Liberty Street is actually City of Dover and then both of the properties on the east and west of Liberty Street are state-owned. So once the abandonment of Liberty Street happens, they will just consolidate that through survey and deeds through the County.

Mrs. Denney stated that when you abandon that street, will there still be parking there? There are staff and representatives of the government that park there. Will that completely abandon their parking, or will it still have parking but just be private? Responding to Mrs. Denney, Mr. Martine stated that there will still be parking along Martin Luther King Jr Boulevard North and South and then the Legislative Avenue to the west, but parking within that abandoned area will no longer be needed due to the Parking Garage that just broke ground about two weeks ago.

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

Mrs. Welsh moved to recommend approval to City Council for application MI-26-08 Request for Street Abandonment: Liberty Street, seconded by Mr. Michael Lewis.

Mrs. Maucher stated that she knows that the Staff recommendation will have some conditions placed upon approval. Is that included in the motion? Responding to Mrs. Maucher, Mrs. Welsh stated yes, it will be now.

Mrs. Welsh moved to recommend approval to City Council for application MI-26-08 Request for Street Abandonment: Liberty Street to include all Staff recommendations, seconded by Mr. Michael Lewis and the motion was carried 8-0 by roll call vote. Mrs. Welsh voting yes; the request is appropriate for the compliance needs to complete the addition to the Legislative Hall Building. Mr. Michael Lewis voting yes. Mr. Roach voting yes. Mrs. Maucher voting yes; based on DAC comments and Staff recommendations. Mr. Baldwin voting yes; based on the forementioned statements. Dr. Jones voting yes; based upon previous comments. Mr. Reaves voting yes; based on the DAC comments and the reasons previously stated. Mrs. Denney voting yes; it is completely necessary as part of the expansion of Legislative Hall.

NEW BUSINESS

Annual Meeting of the Planning Commission (Nomination and Election of Officers and

Appointments to Subcommittees)

Mrs. Melson-Williams stated that as part of the By-laws of the Planning Commission, the meeting in July is deemed the Annual Meeting. As part of the Annual Meeting, those activities include the election of officers. One thing that she will note is that at the present time, the annual appointments or re-appointments have not been made by the Mayor and City Council, so the Planning Commission may wish to defer these Annual Meeting activities including the election of officers until a later date when that has been completed. Currently, Mrs. Denney serves as the Vice Chair and your previous Chair, Mr. Witham had to resign. She will be happy to answer more questions about that. If the Commission wants to move forward with the election of officers, Staff stands ready to address how that works here. But in the light of the fact that you are currently missing one appointed seat and also the reappointments have not transpired yet, she would suggest that you consider deferment of the election process for your officers.

Mrs. Maucher moved to defer voting on Officers until appointments and reappointments have taken place, seconded by Mrs. Welsh and the motion was carried 8-0 by roll call vote. 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. Mrs. Denney voting yes.

Mrs. Melson-Williams stated that included in the Annual Meeting is also the appointment of the Architecture Review Oversight Subcommittee for the Planning Commission. Currently, Mrs. Welsh, Mr. Roach and the Mayor or his designee serve on that Committee and then there are two members of the design professional world; previously, Dr. R.J. Chandler and Ms. Sarah Keifer have been those appointees. Typically, at your Annual Meeting you appoint that membership but she thinks that you can certainly defer action on that as well waiting for all of the other appointments to happen.

Mr. Roach stated that he doesn't mind deferring. He knows that they don't usually meet, but whether we defer action or he gets reappointed, it's fine. He knows that the last few times that they have met over the past 4-5 years, it has not been anything major. It is up to the pleasure of the Commission.

Mrs. Maucher asked if Staff has reached out to Dr. Chandler and Ms. Keifer to see if they are interested in continuing and if not, maybe that could happen in the interim if we do defer action. Responding to Mrs. Maucher, Mrs. Melson-Williams stated that Planning Staff has not reached out to those two individuals but they can certainly do that task so that you would stand ready to know their availability at a future meeting.

Mrs. Maucher moved to defer action on the appointment of the two seats of the Architectural Review Oversight Subcommittee and also that Staff reach out to the design professionals to gage their interest in continuing, seconded by Mrs. Welsh and the motion was carried 8-0 by roll call vote. 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. Mrs. Denney voting yes.

PUBLIC COMMENTS OPPORTUNITY

There was no one wishing to provide comments.

Meeting adjourned at 8:10 PM.

Sincerely,

Kristen Mullaney
Secretary

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

PLANNING OUR
CLIENTS' SUCCESS

August 12th, 2026

Mrs. Dawn Melson-Williams AICP,
City of Dover
Department of Planning and Inspections
P.O. Box 475
Dover, DE 19903-0475

RE: **Site Plan Approval Extension Request – S-24-11**
LOT 3 – GARRISON OAK BUSINESS AND TECHNOLOGY CENTER
Application No. S-24-11
Project Number: 2009076.11

Dear Mrs. Melson-Williams:

On behalf of the applicant and equitable owner, we respectfully request a one (1) year extension of approval S-24-11 referenced as Warehouse Building at 601 Garrison Oak Drive. The City of Dover Planning Commission originally approved of this project at their meeting on August 16, 2024.

The reason for the extension request is that the applicant needs more time to finalize end users for this project before pulling permits.

Thank you for your consideration in this matter. Please contact me directly should you need additional information.

Sincerely,

BECKER MORGAN GROUP, INC.

Jonathan N. H. Street
Senior Associate

MJA/jns

200907611bi-COD-Extension-Request-ltr.docx

BECKER MORGAN GROUP, INC.

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City of Dover

ARCHITECTURAL REVIEW REPORT for REVISED PLAN
Recommendation from the Dover Historic District Commission Meeting of July 16, 2026
And Staff Review Report
Previous Recommendation from the Dover Historic District Commission on October 17, 2024

Application:	Revision for West Entrance ADA Ramp – Legislative Hall Building Addition, HI-24-07
Owner:	State of Delaware
Location:	West side of Legislative Hall Addition perpendicular to Martin Luther King Jr. Boulevard North and Martin Luther King Jr. South
Address:	411 Legislative Avenue and Court Street
Tax Parcels:	ED-05-077.09-05-15.00-000 and ED-05-077.09-05-14.00-000
Size:	Ramp of 160 linear ft
Present Uses:	Legislative Hall
Proposed Use:	Legislative Hall – West Entrance ADA Ramp Revision to Legislative Hall Building Addition
Present Zoning:	IO (Institutional and Office Zone H (Historic District Zone) SWPOZ (Source Water Protection Overlay Zone) ROS (Recreational and Open Space Zone) H (Historic District Zone)
For Consideration:	Architectural Review Certification of Revision for West Entrance ADA Ramp

This Report for **Revised HI-24-07 Legislative Hall Building Addition: Revision for West Entrance ADA Ramp** was updated upon submission of a Revision for a West Entrance ADA Ramp located at Legislative Hall. The Planning Staff deemed the revision of adding the ADA Ramp to warrant its presentation to update the project's Architectural Review Certification review with the Historic District Commission and Planning Commission. Application HI-24-07 was initially considered by the Historic District Commission on October 17, 2024, and then considered by the Planning Commission on November 18, 2024, as Site Plan S-24-19 Legislative Hall Building Addition.

ACTION OF THE HISTORIC DISTRICT COMMISSION (Revision for ADA Ramp):

The Historic District Commisssion at their Meeting of June 18, 2026, began review of a Revision for the West Entrance ADA Ramp as associated with HI-24-07 Legislative Hall Building Addition. Following the presentation by the project architecture team, the Historic District Commission took action to recommend redesigning the building entrance door opening from the ramp to better reflect a symmetrical window arrangement at the entrance point and they requested resubmission of the redesign.

The Applicant made further design revisions and consideration of the updated application continued at the July 16, 2026 Meeting of the Historic District Commission. The following members were present at the July Meeting: Chairman Eric Czerwinski, Vice-Chair Mrs. Ellen Richardson, Mrs. Ann Horsey, and Ms. Kathleen Baker. The application was represented by Dan Ridgely and Gabe Cheung for Studio JAED. The updated Revision documents included the cover letter, plan, and redesigned elevations in response to the June 2026 comments of the Historic District Commission.

Action Taken by Historic District Commission:

The motion to recommend approval passed 3-1 of the members present for this application at the July 16, 2026 Meeting. **The Historic District Commission recommends approval of the Revised Architectural Review Certificate for Application HI-24-07 Revised Legislative Hall Building Addition at 411 Legislative Avenue and Court Street: Revision for West Entrance ADA Ramp on the applicant's presentation and plans (as Revised July 8, 2026) with reference to the Staff notes in Staff Recommendation Report.**

During the Meetings, the Historic District Commission heard the applicant's presentation on the Legislative Hall Building Addition Revised Project Revision for the inclusion of an ADA Ramp on the West Entrance of the building. This included their response to the series of Staff Comments and Recommendations. They presented information on the Revisions for the addition of an ADA Ramp located at the West Entrance of Legislative Hall site and building; ramp and door architectural features and materials; maintaining the symmetry of the building; and other site items. Questions focused on the location of the ramp in reference to the historical façade of the west entrance of Legislative Hall, ADA Ramp elevation detailing and materials, location of handicap parking relative to the location of the proposed ADA Ramp, design of the door connecting the ADA Ramp to the building, and other site features. *The Meeting Minutes of the Historic District Commission are still being prepared; the Meeting recording will be posted on the City's website.*

The following is the Architectural Review Staff Report as prepared for the June 18, 2026 Meeting of the Historic District Commission with notations on its redesign updates.

I. PROJECT DESCRIPTION:

The Historic District Commission will act on a recommendation for a Revised Architectural Review Certificate for the addition of an ADA Ramp located at the West Entrance of Legislative Hall. The proposal includes an approximately 160 feet proposed ramp in length, while also providing access to a new accessible entrance created within the exiting west façade. A Temporary Ramp is also

proposed during construction. This is associated with the Site Development Plan for the Legislative Hall Building Addition. The main property of 2.80 acres+/- is zoned IO (Institutional and Office Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone) and the H (Historic District Zone). The subject property is located on the east side of Legislative Avenue as the block between Martin Luther King Jr. Boulevard North and Martin Luther King Jr. South. The owner of records is the State of Delaware. Property Addresses: 411 Legislative Avenue and Court Street. Tax Parcels: ED-05-077.09-05-15.00-000 and ED-05-077.09-05-14.00-000. Council District 4. *This Application HI-24-07 was considered at the Historic District Commission Meeting on October 17, 2024 and granted conditional approval of the Site Plan and Architectural Review Certification by the Planning Commission with Application S-24-19 Legislative Hall Building Addition on November 18, 2024.*

The original application (for the Legislative Hall Building Addition) was considered and motioned to recommend for approval, passing with 3-0 of the members present for the application by the Historic District Commission at their Meeting of October 17, 2024. They provided a recommendation in regard to the Architectural Review Certification for the Legislative Hall Building Addition and Associated Site Improvements. The recommendation reflected consideration of the *Design Standards and Guidelines for the City of Dover Historic District Zone* and the project's compliance with the architectural review standards to the Planning Commission. The Planning Commission granted conditional approval of the Architectural Review Certification on November 18, 2024.

Surrounding Land Uses

This subject property location in the block bounded by Legislative Avenue, Martin Luther Kings Jr. North, and Martin Luther King Jr. Boulevard South is part of the Capital Complex where multiple State buildings and offices are located. Across the street to the north is the Delaware Public Archives and to the south across the street is the Tatnall Building (offices) and the proposed location of the Legislative Hall Parking Garage and the Del-One Credit Union Building. Surrounding properties are zoned IO (Institutional and Office Zone) with other open space areas like the Legislative Mall area zoned ROS (Recreational and Open Space Zone). The surrounding properties are within the H (Historic Zone).

Previous Applications

The Legislative Hall Building at this location was constructed c. 1931-1933 with later building additions in 1965-1970 and in 1994. Prior to that the Delaware General Assembly met in the Old State House building located on The Green. (Previous Application: MI-94-17 Legislative Hall: Proposed Landscape Plan.) In October 2024, the Historic District Commission approved the application for Legislative Hall with Building Addition to create new main public entrance and Plaza area with Monument Walk (HI-24-07).

II. HISTORIC PROPERTY INFORMATION

Review of Historic Maps

A series of historic maps were reviewed by Planning Staff for preliminary information on the area and found that the area was predominately open space with scattered buildings until the 1930s when

the new Legislative Hall was constructed and the street network that we know today begins to be constructed as the Capital Complex area developed with various government buildings.

Property Information

This property is not listed in the National Register of Historic Places. The property is located within H (Historic District Zone) as established by the City of Dover. The development area consists of two parcels and a street/drive aisle area. The existing Legislative Hall Building is on the western parcel in the block and then the eastern area (street/drive aisle area and east parcel) are an existing parking lot and landscape open space area.

III. PROJECT PROPOSAL

PROJECT PROPOSAL (Revised Submission of June 2026 for West Entrance ADA Ramp):

The application proposes renovation of Legislative Hall involving the construction of a new ADA-accessible ramp. This is an addition to a previously approved project for Legislative Hall Building Addition at 411 Legislative Avenue (HI-24-07). The Applicant submission includes an architectural drawing illustration labeled as Plan Sheet SK-A.1 on June 4, 2026 that displays where the ADA Ramp is locationally in conjunction with the new Legislative Hall Addition, the new ADA parking spots, mapped accessible routes to the ramp, and an option for a temporary ADA-compliant ramp (outlined in blue). The applicant submitted three generated photos (sheet SK-A.2), dated June 4, 2024, of what the new West Entrance ADA-accessible ramp would look like from the directional views of the south, west, and north. The applicant submitted a Narrative Memo, dated June 5, 2026, describing the West Entrance ADA Ramp project and each of its accessible routes. *The ADA Ramp design was updated with a July 8, 2026 submission.* The elements of the project are as follows:

1. New Parking Spaces: New ADA-accessible parking spaces will be designated along Martin Luther King Jr. Boulevard South in an area currently utilized for assigned parking. From these spaces, users will proceed west toward Legislative Avenue and connect to a new brick-paved accessible route that replaces an existing stepping condition. The route will continue to the west side of the building, where a new accessible ramp adjacent to the west entrance will provide access to the building.

2. Accessible Routes: The SK-A.1 architectural drawing highlights four (4) accessible routes leading from parking areas to the Legislative Hall Building. Detailed descriptions of each route are included in the Narrative Memo.

3. ADA Ramp Dimension and Location: The proposed ramp is approximately 160 feet in length and provides access to a new accessible entrance created within the existing west façade. To create the entrance, an existing window will be removed and the exterior masonry wall modified to provide a new door opening at floor level. The wall area above the new opening will be infilled to match the surrounding construction. This new entrance is required because the existing west entrance contains interior steps that prevent direct accessible access from the existing exterior landing. *(Note: the format of the opening was redesigned based on Historic District Commission comments. See July 8, 2026 elevation drawings.)*

4. Temporary Ramp: A Temporary ADA-compliant ramp constructed out of aluminum is proposed to be installed only for the duration of the Building Addition construction. The Temporary ADA ramp and entrance will be removed upon completion of the construction and brick. This option also includes modification to an existing window opening to provide temporary accessible entrance into the building. Upon construction completion, the opening will be restored to its original window configuration when the Temporary Ramp is removed. *(Note: it is unclear if the Temporary Ramp option will be pursued or needed based on construction timing.)*

5. Ramp Building Material: The proposed ramp will be constructed of masonry and concrete designed to complement the historic character of Legislative Hall. Exterior-facing surfaces will utilize brick masonry matching the exterior building in color, texture, and bond pattern. Ramp and landing surfaces will consist of concrete slabs incorporating a snow-melt system for year-round accessibility and safety. Guardrails and handrails will feature a wrought-iron design (black metal) consistent with the architectural character of the Legislative Mall and Capitol Complex and City of Dover *Design Standards and Guidance*. The new accessible entrance door* will be a solid wood door matching the existing west entrance doors and will be framed with a cast stone surrounding consistent with other exterior openings throughout the building. Associated walkaways will utilize the same brick paving materials found throughout the Legislative Complex, including a herringbone brick pattern with contrasting brick borders to maintain visual continuity with the surrounding side improvements. *(*Note: The door was revised to retain the keystone and jack arch with a door configuration at the full opening height and to include the use of a transom window and glass window lights and similar white trimwork for the door.)*

6. Trees and Landscaping: Construction of the ADA Ramp will impact two existing trees and adjacent landscaping. The landscaping affected by the Temporary aluminum ADA-compliant ramp be restored upon the completion of the construction.

IV. ZONING REVIEW

The entire project site is located in the H (Historic District Zone) and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections. *Zoning Ordinance,* Article 10 §3.2 outlines the review process for Architectural Review Certification and related building height, bulk, and setback standards.

The subject project area is zoned IO (Institutional and Office Zone) The IO zone allows the use for public and institutional building and makes the development subject to provisions of regulations the IO zone. The IO zoning district has a front yard setback of 10 feet.

V. Review of DESIGN STANDARDS AND GUIDELINES

The subject property is located in the Dover Historic District Zone within the Capitol Square Historic Context. The Capitol Square Context is described on pages 2-8 and 2-9. Location within the Dover Historic District Zone requires proposals for demolition, new construction, additions, and certain

renovation or rehabilitation activities to existing buildings to receive an Architectural Review Certificate.

As stated in the *Design Standards and Guidelines for the City of Dover Historic District Zone*, an Architectural Review Certificate will be granted "if it is found that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district." In accordance with Article 10 §3.2, the Historic District Commission will provide a recommendation to the Planning Commission regarding the project's compliance with the architectural review standards.

Chapter 3: Maintenance, Repair, Preservation and Restoration of Existing Historic Buildings includes guidance related to various building elements and materials. This proposal must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. Information on the review considerations is given below.

New Construction

The *Design Standards and Guidelines* for New Construction (Chapter 4: pages 4-1 through 4-8) provide the design criteria and development guidelines. The guidelines specify the following individual considerations for new construction to be considered in the review by the Historic District Commission (and Planning Commission) of the project for Architectural Review Certification:

- Style
- Bays, windows, and doors *(size, relationship, spacing of)*
- Absolute Size *(compare overall size of new building)*
- Massing *(relationship of solid-to-void)*
- Orientation *(location of primary façade)*
- Proportions *(comparison of height to width of building and elements)*
- Materials

Also, in Chapter 4 there is guidance related to "Additions to Existing Buildings" (Chapter 4: pages 4-8 through 4-10) which outlines similar topics of Siting, Scale, Elevation of the First Floor, Floor-to-floor Height, Massing, Orientation, Proportions, Materials, Forms, and other guidance. Reading of this guidance finds that it is primarily focused on additions to residential and smaller scale buildings which have a front façade and rear. For this Legislative Hall West Entrance ADA Ramp project, the considerations for New Construction are more appropriate.

The proposed project must also be reviewed for compliance with the standards established by the *Zoning Ordinance*. The standards include items such as setbacks from property lines, lot coverage, height, etc. This Proposal for the placement of the ADA Ramps on the West Entrance appears to conform to most of the bulk requirements of the IO Zoning District.

VI. STAFF COMMENTS AND RECOMMENDATIONS

The following Staff Comments and Recommendations for this application regarding the Architectural Review Certification were originally provided in the Architectural Review Staff

Report Issued for the June 18, 2026 Historic District Commission Meeting. Notations on the redesign as presented in July are included.

1) Staff recommends conditional approval of the Architectural Review Certificate for the construction of the West Entrance ADA Ramp project finds the ramp addition to be of compatible design with the existing building and the other nearby buildings. The proposal complies with the intent of the *Design Standards and Guidelines for the City of Dover Historic District Zone* and with its recommendations for development in Capital Complex Historic Context. The proposed ADA Ramp brick masonry is in compliance with the masonry guidelines. The proposed new accessible entrance wooden door* is similar to the existing west entrance doors. Its surrounding cast stone frame is consistent with other exterior openings throughout Legislative Hall. The proposed guardrails and handrails made of wrought iron is consistent with the architectural character of the Legislative Mall and Capitol Complex and City of Dover historic district standards.
    a. **Staff finds the redesign of the door opening to include the transom and glass along with the retention of the keystone and jack arch to be compliant.*

2) The following conditions are recommended by Staff to improve the project's compliance with the recommended guidelines of the *Design Standards and Guidelines*. The following are recommended conditions:
    a. The selected brick choices should be compatible with the brick of the existing building.
    b. Clarify what trees and landscaping will be impacted by the construction of the ramp in the future Landscape Plan as the architectural renderings may only be concepts. If trees are displaced, then new tree plantings should occur. This is to ensure compliance with the tree planting requirements of the overall project.
    c. Any revisions or changes in the identified materials may be subject to further review by the Historic District Commission.

VII. **Historic District Commission Action on Revised Submission for ADA Ramp**

The Historic District Commission considered the Revised proposal at their Meeting of July 16, 2026 and have provided a recommendation in regard to the Revised Architectural Review Certification for the Revision for West Entrance ADA Ramp at the Legislative Hall Building. The recommendation reflects consideration of the *Design Standards and Guidelines for the City of Dover Historic District Zone.* The specific conditions of the Recommendation are noted in this Report under the heading of "Action of the Historic District Commission (Revision for ADA Ramp)."

Additional Documents Considered by the Historic District Commission on July 16, 2026:

- Letter for July 8, 2026 on Legislative Hall – West Entrance ADA Ramp, Resubmission to Revision to Legislative Hall Building Addition Project HI-24-07
- Updated Site Plan (Sheet SK-A.1 dated July 8, 2026)
- Updated Elevation Rendering Views (Sheet SK-A.2 dated July 8, 2026)

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From: Gabriel Cheung, NCARB, LEED-AP, ALEP
2500 Wrangle Hill Road, Suite 110
Bear, DE 19701
cheungg@StudioJAED.com

To: Department of Planning & Inspections
City of Dover
PO BOX 475
Dover, DE 19903

Date: July 8, 2026

Re: **Legislative Hall – West Entrance ADA Ramp**
Resubmission to Revision to Legislative Hall Building Addition Project HI 24-08

At the Historic District Commission meeting on June 18, 2026, the Commission provided feedback regarding the aesthetic treatment of the new accessible entrance proposed within the existing window opening. The Commission recommended maintaining the symmetry of the west entrance by providing a door and frame that more closely match the window being replaced and the corresponding window on the opposite side of the existing west entrance.

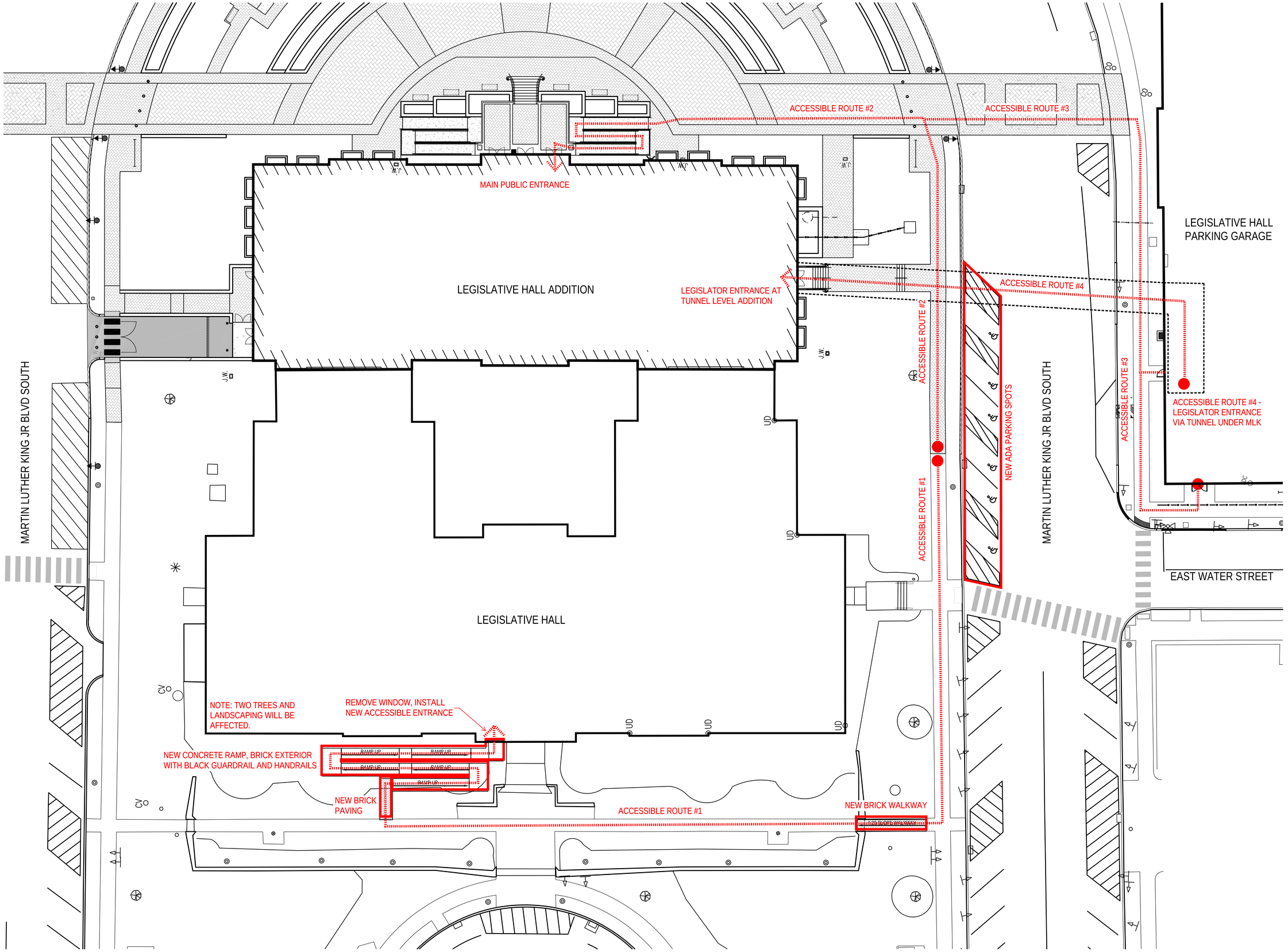
In response to these comments, we have revised the design and present the attached renderings for consideration. The revised design retains the existing keystone and jack arch while introducing a new door, frame, and transom assembly that matches the full height and proportions of the adjacent window mirrored about the centerline of the west entrance. The door and transom incorporate white muntins to complement the existing window pattern, and the frame is recessed within the masonry opening to preserve the building's historic character.

We believe these revisions respect the architectural integrity and symmetry of the existing west entrance while providing an accessible entrance during construction of the Legislative Hall Addition and as a permanent improvement thereafter.

Sincerely,

Gabriel Cheung, NCARB, LEED-AP, ALEP

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1 SK-A.1 LEGISLATIVE HALL - WEST ENTRANCE

SCALE : 1/8" = 1'-0"

6/4/2026 4:55 PM

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PROJECT
STATE OF DELAWARE
OMB/DIVISION OF FACILITIES MANAGEMENT
OMB/DFM CONTRACT #MJ1002000077
ADDITION AND RENOVATIONS
LEGISLATIVE HALL
411 LEGISLATIVE AVE
DOVER, DE 19901

REVISIONS

MARK	DESCRIPTION	DATE

SHEET TITLE

PERMANENT ACCESSIBLE RAMP WEST ENTRANCE

ISSUE
HISTORIC DISTRICT REVIEW
JUNE 5, 2026

DRAWN	CHK'D	PROJECT NO.
GC	PRC	23096

SHEET NO.
SK-A.1

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WEST ENTRANCE - VIEW FROM SOUTH



WEST ENTRANCE - VIEW FROM WEST



WEST ENTRANCE - VIEW FROM NORTH

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PROJECT

STATE OF DELAWARE
OMB/DIVISION OF FACILITIES MANAGEMENT
OMB/DFM CONTRACT #MJ1002000077

ADDITION AND RENOVATIONS

LEGISLATIVE HALL
411 LEGISLATIVE AVE
DOVER, DE 19901

REVISIONS

MARK	DESCRIPTION	DATE

SHEET TITLE

PERMANENT
ACCESSIBLE RAMP
WEST ENTRANCE

ISSUE

HISTORIC DISTRICT
REVIEW
JULY 8,, 2026

DRAWN	CHK'D	PROJECT NO.
GC	PRC	23096

SHEET NO.

SK-A.2

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City of Dover

DATA SHEET FOR UNIFIED COMPREHENSIVE SIGNAGE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 5, 2026

PLANNING COMMISSION MEETING OF August 17, 2026

Plan Title:	Dover Commerce (Industrial) Park Comprehensive Sign Proposal (US-26-01)
Plan Type:	Unified Comprehensive Signage Plan
Property Location:	Located on the north side of Lafferty Lane, approximately one-quarter mile west of Horsepond Road
Property Addresses:	350 Lafferty Lane Dover, DE
Tax Parcel:	ED-05-077.16-02-05.00-000 Shared Entrance located on property at 300 Lafferty Lane
Owner:	Dover Industrial, LLC.
Project Professional:	Selby Sign Co. as preparer of Comprehensive Sign Plan Proposal; future sign provider and installer presumed same
Site Area:	19.74 acres +/-
Existing Signs:	None
Proposed Signs:	One (1) monument sign with sign area of 32 SF
Zoning Classification:	IPM (Industrial Park Manufacturing Zone) and subject to AEOZ (Airport Environs Overlay Zone): Accident Potential Zones I & II
Roadway Classification: (per Sign Regulations)	Lafferty Lane – Urban Collector/Local Street

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 5, 2026

APPLICATION: Dover Industrial Park at 350 Lafferty Lane: Comprehensive Signage Plan

FILE #: US-26-01 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP PHONE #: (302) 736-7196

Note: This Review Report was initially prepared by Staff of the Rossi Group (under a Planning Services contract with the City of Dover). The DRAFT Report was completed with additional review and editing by the City's Planning Office.

I. PLAN SUMMARY

This is an application to the Planning Commission for a Unified Comprehensive Signage Plan Review. The plan includes the construction and implementation of signage for Dover Industrial Park, which is building a new campus at 350 Lafferty Lane. The signage is proposed to include one (1) 9 foot-4-inch-tall monument sign totaling 32 square feet. The plan does not include wall signage, only the freestanding monument sign. This is review of a revised submission from July 2026 that revised the design of the proposed sign from an earlier application filing that was deferred by the Applicant.

The campus is planned to consist of three (3) buildings which qualify as principal structures on the site, as well as a number of accessory structures. The project qualifies for the Unified Comprehensive Sign Plan process because the site will have three (3) or more principal structures under common management located on a contiguous property, as defined in Article 5 §4.8 of the *Zoning Ordinance*.

The three (3) main structures planned for the site include (labeled Buildings A, B, C):

- A 54,000 SF warehouse building, constructed in the south part of the site with some tenant occupancy
- A 45,000 SF warehouse building, to be located in the central area of the site
- A 133,000 SF warehouse building, to be located in the north part of the site

The Comprehensive Sign Plan as proposed would apply to the whole parcel and all of the building-attached (wall) signs and freestanding signs on it.

Related Development Applications

In March 2022, the original tract of land property appeared before the Planning Commission for a Site Development Plan and Subdivision. The result was the 22.86-acre property divided into a 2.99 +/- parcel (Lot 2) and a 19.74 +/-acre parcel (Lot 1) that is the subject of this application.

The smaller parcel was developed into a warehouse and distribution center for Frito Lay with Site Plan Application S-22-02. A shared entrance was constructed to serve the properties at 300 Lafferty Lane and 350 Lafferty Lane.

For the subject site at 350 Lafferty Lane, Phase 1 was considered with Site Development Plan S-24-13 Flex Use Facilities Commercial Warehouse (Business Park) at 350 Lafferty Lane. While the Plan originally proposed the construction of a 54,000 SF Flex Warehouse, a 42,000 SF Flex Warehouse, and a 123,750 SF Flex Warehouse (a total of 219,750 SF) with site improvements in a Phased Development Plan, it was refined to just focus on Phase 1 for Building A of 54,000 SF. The Planning Commission granted conditional approval in September 2024 and Final Plan approval in Spring 2025. The site and building construction for Phase 1 is generally complete with an initial tenant occupying one space of the building.

Phase 2 was reviewed by the Planning Commission as Site Plan S-25-10 Dover Industrial Phase 2. This included the proposed construction of two warehouse buildings: Building B of 45,000 SF and Building C of 133,000 SF (totaling 178,000 SF for Phase 2) with site improvements. Phase 2 of this project was conditionally approved by the Planning Commission on July 21, 2025. This Site Plan is still working through the Check Print Review Process.

II. SIGNAGE REGULATIONS

The subject site has frontage on Lafferty Lane classified as a Local Street. The property's frontage is considered "adjacent to residential" according to the definition in Article 5 §4.3 of the *Zoning Ordinance*.

> *Adjacent to residential:* Property lines which are situated within 200 feet and which front on the same street as a parcel, or group of parcels containing residential uses, or that are zoned for residential uses, excluding residential uses and districts fronting on principal arterial roads.

Table 1 lists the requirements and limits for signs at the subject property's location permitted under the sign regulations of the *Zoning Ordinance*.

Table 1: "Sign Table"
Zoning Ordinance, Article 5 §4.7

Location	Use	Road Type	Permitted Signs						
			Sign Type	**Number Permitted**	**Max. Size*** **	**Max. Height**	**% of Total Wall Area**	**Setback (ROW)**	**Exclusion Zone**
Nonresidential Uses Adjacent to Residential Districts or Uses	Nonresidential Uses	Urban Local / Collector	Wall	2/frontage	32 S.F.	N/A	≤ 15%	N/A	N/A
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet
			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet

** Post sign would be in lieu of a monument sign or post and panel sign
*** Sign area refers to the smallest geometric figure or the sum of the combination of regular geometric figures that comprise the sign face.

In addition to the dimensional standards set forth in Article 5 §4.7, the *Zoning Ordinance* provides design requirements for freestanding signs in Article 5 §4.4(A).

Table 1 presents the conventional Sign Regulations for the property based on its road frontage. The applicant has requested consideration of a Unified Comprehensive Signage Plan for the property, which allows for flexibility regarding the prescribed dimensions. Under the provisions for Comprehensive Signage Plans for unified campuses and complexes found in *Zoning Ordinance,* Article 5 §4.8 of the Sign Regulations, an applicant may request that the Planning Commission grant additional signage and sign area than would be permitted under the conventional sign regulations in the *Zoning Ordinance*.

The *Zoning Ordinance*, Article 5 §4.3 includes definitions related to the Sign Regulations. The following definitions are provided for "monument sign."

> *Monument sign:* A low freestanding sign that is affixed to a base that is equal to or wider than the sign itself. The height of the sign is to be measured from the finished grade to the top of the sign. (See figure 5-3.)

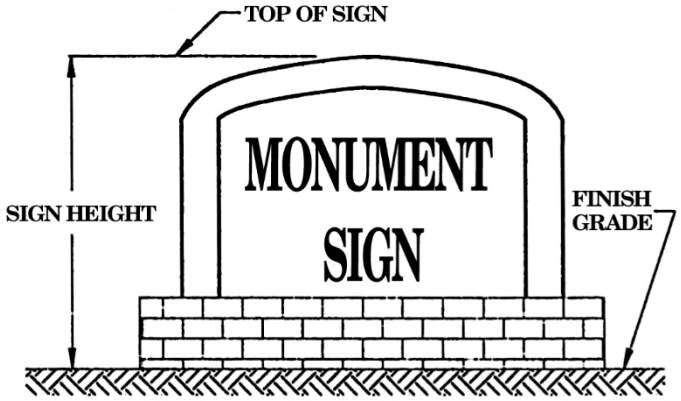


Figure 5-3: Monument Sign

Based on these definitions, the proposed sign meets the definition of a "monument sign." While the proposed dimensions of 9 feet 6 inches wide and 9 feet 4 inches tall meet the base width to total height ratio required to match the definition of a monument sign, the overall height of the sign structure does not meet height zoning requirements. The total proposed height of the monument from grade is 1-foot-4-inches over the seven (7) foot maximum for Nonresidential zones.

In considering a Unified Comprehensive Signage Plan, "the number type and size of sign proposed may not be excessive and must be in proportion to the scale of the building and the uses on the site." For the Unified Comprehensive Signage Plans, there shall be architectural harmony and unity of signs within a unified campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the complex and the surrounding area. All Comprehensive Signage Plans must comply with the design guidelines found in *Zoning Ordinance*, Article 5 §4.4. The design requirements focus on freestanding signs, the material and craftsmanship of signs, wall sign placement, illumination, and changeable signs.

III. DESIGN GUIDELINES AND OBJECTIVES FOR COMPREHENSIVE SIGNAGE PLANS

In reviewing the overall sign package, the sign locations must be reviewed individually and as a

whole. The Planning Commission must take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, business and property owners of the immediate neighborhood in particular, and shall ensure that the Site has adequate, but not excessive signage.

The Sign Ordinance specifically spells out the guidelines for the Planning Commission to use to approve or disapprove a Unified Comprehensive Signage Plan (*Zoning Ordinance,* Article 5 § 4.8 B and C). The pertinent design guidelines and objectives are as follows:

> Article 5 Section 4.8
> B. *Design guidelines for unified comprehensive signage plans.*
>
> > 1. Unified campuses and complexes applying for a unified comprehensive signage plan may not be held to the height, size, number and area regulations for signs found in other subsections of this section. However, the number, type and size of signs proposed may not be excessive, and must be in proportion to the scale of the buildings and the uses on the site.
> >
> > 2. All unified comprehensive signage plans must comply with all design guidelines found in subsection 4.4-Design requirements of this section, as well as all specific design guidelines found in this section.
> >
> > 3. Building signs shall be in harmony with the overall architectural concept for the site, and be compatible with each other and the building facades.
> >
> > 4. The freestanding signs identifying shopping centers and other unified campuses and complexes shall identify the name of the campus or complex and no more than three separate tenants within the campus or complex unless otherwise approved by the planning commission.
> >
> > 5. There shall be architectural harmony and unity of signs within a unified campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the center and the surrounding area.
>
> C. *Planning commission duties.* In reviewing and approving comprehensive signage plans, the planning commission shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, businesses, and property owners of the immediate neighborhood in particular, and shall ensure that unified campuses and complexes have adequate, but not excessive, signage. Specifically, the following objectives shall guide the commission when reviewing such plans:
>
> > 1. That the size and complexity of the campus or complex warrants the need for extra signage under the provisions of this section;
> >
> > 2. That, in respect to the number and type of entrances, the placement of signage at or near those entrances provides superior visibility in order to ensure the safety of the driving public;
> >
> > 3. That the proposed signs are adequate in number to safely direct the public to the use or uses on the site;

4. The proposed signs must not have an adverse impact on the visibility of adjacent signs, and shall be consistent with, or an improvement over, the prevailing type and style of signage in the general area;

5. That the proposed signs will be of a style and color which will complement the architecture of the site, and the area in general.

IV. SUMMARY OF SIGNAGE AND RECOMMENDATIONS

This application proposes to establish freestanding signage for an industrial complex. The submitted Plan sheet outlines the approximate placement for one monument sign, as well as design details of the monument sign such as its dimensions, panel text, and architectural details.

Freestanding Signage: Summary of Signage and Recommendations

The applicant is requesting one monument sign, with the location specified on the site plan based on the Revised Submission of July 2026 (dated 5/21/2026). The proposed monument sign is as follows:

> The proposed monument sign is located along the Lafferty Lane frontage, southwest of the shared drive aisle entrance leading to the industrial park. The proposed location is on the southeast corner of the property, adjacent to the parking lot area of Building A. The overall structure for this monument sign is approximately 9 feet 4 inches tall (112 inches) by 9 feet 6 inches wide (114 inches), or approximately 88.635 SF in overall size. The matte gray aluminum sign cabinet sits on top of a four-foot-tall blue aluminum trim base with recessed reveals. The cabinet has matte black aluminum trim and seven (7) white acrylic tenant face panels. Cut out white acrylic, back lit, six-inch-tall letters at the top of the sign cabinet read "DOVER COMMERCE PARK." The seven (7) panels are separated by matte grey aluminum metal trim divider bars and intended for the future tenants. Four of the seven (7) panels are 12 inches by 45.75 inches set above three panels that are 12 inches by 30 inches. The area of the sign face apart from the panels and metal dividers is a black aluminum casing. The total proposed sign area is 32 SF and consists of the name line and the tenant panel area. This monument sign base also displays the property address numbers, but does not specify the height of the numbers.

The standard sign regulations of *Zoning Ordinance,* Article 5 §4 regulate permitted signage according to the property's use, road classification, and proximity to residential uses. The property has frontage on an Urban Collector/Local Street and is adjacent to residential districts or uses. One (1) monument sign is permitted per entrance on this kind of street, and each monument sign is limited to 32 SF of sign area. Based on the updated monument sign location on the property and sign area of 32 SF, the sign would be permitted under the standard sign regulations; however, the proposed height of 9 feet 4 inches exceeds the permitted height of seven feet. The Planning Commission has the authority to authorize the proposed height through the Unified Comprehensive Sign Plan.

Table 2 provides a summary of the characteristics of the monument signs proposed, compared to what is permitted under the sign regulations:

Table 2: Monument Sign Code Comparison
US 26-01 Dover Commerce (Industrial) Park

	Permitted by Code	Proposed	Difference Between Proposed and Code
Monument A (on Urban Collector/ Local Street, adjacent to residential district or use)			
Sign Area (max.)	32 SF	32 SF	Complies
Height (max.)	7 feet	9 feet 4 inches	Exceeds code by 2 feet 4 inches (this can be considered by the Planning Commission)
Setback from ROW (min.)	5 feet	Not indicated	--
Exclusion Zone (min.)	20 feet	Not indicated	--
Number of Monument Signs per Entrance, all street classifications	1	1	Complies
Design Guidelines, Art. 5 §4.8 (B)(4) freestanding signs shall identify the name of the campus or complex and no more than 3 separate tenants within unless otherwise approved by the Planning Commission.	3 tenants per sign	7 tenants	Exceeds code by 4 tenants (but an increase in number of tenants can be considered by Planning Commission)

Staff recommends approval of the proposed monument signs for reasons as follows:

a. The proposed sign area of the monument sign (32 SF) complies with the maximum sign area permitted by code (32 SF). With the division of the sign area into individual panels for a series of tenants, the number of tenant panels proposed is greater than the maximum established by code but can be permissible subject to Planning Commission approval as part of a Unified Sign Plan.
b. The proposed sign height is in keeping with the character of the area and is permissible subject to Planning Commission approval as part of a Unified Sign Plan.

VI. RECOMMENDED ADDITIONAL CONSIDERATIONS TO MEET CODE OBJECTIVES

In accordance with the *Zoning Ordinance*, Article 5 §4.8(C), the Planning Commission in reviewing and approving Unified Comprehensive Signs shall take into consideration the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents, businesses, and property owners of the immediate neighborhood in particular. The objectives of *Zoning Ordinance*, Article 5 §4.8(C) shall guide the Commission when reviewing such plans. The design guidelines of Article 5 §4.8(B) must also be taken into consideration.

1) The Sign Plan does not include wall signage for the three buildings. The applicant can submit an amended plan to include proposed wall signage. If the Unified Sign Plan does not include

proposed wall signage, wall signage will be subject to the Sign Table in the *Zoning Ordinance*, Article 5 §4.7.
2) The Sign Plan should comply with the design requirements Article 5 §4.4(A) for freestanding signs.
3) The Sign Plan should adhere to all sign illumination standards outlined in Article 5 §4.4(D).

Other agencies may recommend additional considerations to meet code objectives in accordance with their areas of expertise. Action on all considerations identified in this section and by other agencies is at the discretion of the Planning Commission.

VII. ADVISORY COMMENTS TO THE APPLICANT

1) The applicant shall be aware that Unified Comprehensive Signage Plan approval does not represent a Sign Permit. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.
    a. Each wall sign requires a permit.
    b. Each freestanding sign requires a permit.
    c. Initial facings and subsequent refacings of tenant panels on freestanding signs require permits.

2) Staff requires a final submittal and approval of the Unified Comprehensive Signage Plan, including any revisions and conditions of Planning Commission approval, before Sign Permits will be issued.

3) The total signage area will be noted in the Final Plan Approval letter upon completion of corrections to the Final Plan. This total will form the baseline and "originally approved sign area" per *Zoning Ordinance,* Article 5 §4.8(E) as related to future new or revised signs for the buildings and signs on the final approved plan.

4) Window signs are subject to regulations in *Zoning Ordinance,* Article 5 §4.9(A) and require permits. The are also provisions for directional signs.

5) Applicant is advised to consult *Zoning Ordinance,* Article 5 §4.6 related to prohibited sign types.

6) Applicant is advised to consult *Zoning Ordinance,* Article 5 §4.9(D) in its entirety related to temporary signs, which include banners, and provisions related to grand openings.

7) In the event that major changes and revisions to the Signage Plan occur in the finalization of the signage plan contact the Department of Planning and Inspections. Examples include reorientation of signage, relocation of signs, changes in sign area, etc. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regard to the plan.

8) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code

requirements.

9) The applicant/developer shall be aware that prior to any ground disturbing activities on the site that the appropriate site inspections and permits are required.

10) Signs should be placed in a manner that meets National Electrical Safety Code (NESC) requirements.

11) Be advised that the City of Dover, Department of Water and Wastewater does not permit signs to be installed within ten (10) feet of existing or proposed water lines.

12) Be advised that the City of Dover, Department of Water and Wastewater does not permit signs to be installed within ten (10) feet of existing or proposed sanitary sewer lines.

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

STAFF D.A.C. MEETING DATE: JANUARY 28, 2026

APPLICATION: **Dover Industrial Park Comprehensive Signage Plan**

FILE #: **US-26-01**

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 / GENERAL

1. None.

STORMWATER / WATER / WASTEWATER

1. No structures, including permanent signage, may be located within ten feet (10') of underground utility infrastructure. Please provide underground utilities on the plan to verify this requirement is met.

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 / WATER / WASTEWATER / GENERAL

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

STAFF D.A.C. MEETING DATE: JAN 28, 2026

APPLICATION: **Dover Industrial Park Comprehensive Signage Plan**

FILE #: **US-26-01**

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. Signs should be placed in a manner that meets NESC requirements.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

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.

US-26-01

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 07/29/26 Updated 8/5/2026

APPLICATION: Dover Commerce Park Comprehensive Signage Plan

FILE #: US-26-01 REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

CONTACT PERSON: **Jason Osika, Fire Marshal** PHONE #: **(302) 736-4457**
josika@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 ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Proposal is a comprehensive signage plan.

2. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following:

   One-family and two-family residential structures, height, the number shall measure a minimum of four inches in height, *location*, the number shall be placed on the house above or to the left or right of the front entrance, *color*, the number shall be contrasting to the background color, *Arabic numerals*, all numbers shall be Arabic numerals.

   Multiple-family dwellings, measurements, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color*, numbers shall be contrasting to the background color, *Arabic numerals*, all numbers used shall be Arabic numerals.

*Commercial, industrial and office buildings, height, t*he numbers shall measure a minimum of 12 inches in height, *location generally, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot,

*property line or driveway, s*hould the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building,

*color; each building, n*umbers shall be contrasting to the background color and shall be placed on each building in the complex,

*Arabic numerals, a*ll numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.
(City of Dover Code of Ordinances, 98-344)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please see item # 2 listed above. The address numbers need to be 12".

   08/05/26 the buildings have the address properly displayed so they are in compliance. The signage address numbers are a recommendation since the buildings are compliant.

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: Jones, Tijah (DelDOT)
To: Melson-Williams, Dawn
Cc: Hickman, Kevin (DelDOT)
Subject: EXTERNAL: DAC Comments
Date: Wednesday, July 29, 2026 9:27:51 AM

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 Dawn,

Here are the comments from DelDOT for the applications discussed in the DAC Meeting 29 July

- US-26-01 Dover Commerce Park Comprehensive Signage Plan

1. The applicant must place sign out of the frontage right-of-way, permanent easment and clear zone.

TiJah Jones
Subdivision Review Engineer
Economic Development Coordination
Delaware Department of Transportation
(302) 760-2124
tijah.jones@delaware.gov

From: Adkins, Jared (DNREC)
To: Melson-Williams, Dawn
Subject: EXTERNAL: RE: Dover Staff Development Advisory Committee Meeting of July 29,2026 Revised US-26-01
Date: Monday, July 27, 2026 4:01:51 PM
Attachments: image001.png

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.

Dawn – The Kent Conservation District has no comment on the Unified Comprehensive Signage Plan for the Dover Commerce Park (US-26-01.)

Thanks – Jared

Jared C. Adkins, P.E.
Program Manager/Stormwater Engineer
Sediment & Stormwater Program
Kent Conservation District
1679 South DuPont Highway, Dover, DE 19901
(302) 608- 5370

From: Melson-Williams, Dawn <DMelson@doverde.gov>
Sent: Friday, July 24, 2026 10:33 AM
To: Lyon, Jason <jlyon@doverde.gov>; Osika, Jason <josika@doverde.gov>; Brown, Matthew <mbrown@doverde.gov>; Ridgeway, Jr, Roger <roger.ridgeway@doverde.gov>; Mobley, Will (DelDOT) <will.mobley@delaware.gov>; Adkins, Jared (DNREC) <Jared.Adkins@delaware.gov>; Malcolm Jacob <Malcolm.jacob@doverkentmpo.org>; Jared Hughart <jhughart@chpk.com>; Thomas, Joshua (OMB) <joshua.thomas@delaware.gov>; Matt Jordan DAFB <matthew.jordan.9@us.af.mil>; stormwater@kentcd.org; Hickman, Kevin (DelDOT) <Kevin.Hickman@delaware.gov>; Jones, Tijah (DelDOT) <tijah.jones@delaware.gov>
Cc: Melson-Williams, Dawn <DMelson@doverde.gov>; Dewey, Alexander <adewey@doverde.gov>; Townsend, Ann Marie <atownsend@DOVER.DE.US>
Subject: Dover Staff Development Advisory Committee Meeting of July 29,2026 Revised US-26-01

DAC Members:

Please see the attached Agenda for the City of Dover Staff Development Advisory Committee Meeting of July 29, 2026 at 9:00am.

With this email , the Planning Office is also completing the distribution of the Revised

documents associated with Application US-26-01 Dover Commerce (Industrial) Park Comprehensive Signage Plan. This Application was originally reviewed by the DAC back in January/February 2026 but did not move on to the Planning Commission at the request of the Applicant. They have submitted revisions to the proposal and are rejoining the process. Please provide updated comments.

A separate email invite will be sent for the Staff Development Advisory Committee Meeting. The Staff DAC Meeting Agenda is also posted on the City's website at www.cityofdover.gov in the Meeting's Calendar.

Dawn Melson-Williams, AICP
Principal Planner
City of Dover, Delaware
Department of Planning & Inspections
(302) 736-7196 Planning Office phone
(302) 736-4217 fax
dmelson@doverde.gov

Please note: My email address is changing from dmelson@dover.de.us to dmelson@doverde.gov. Please update your records accordingly.

Thank you for your email. Please be advised that the City of Dover email domain has changed to @doverde.gov as part of our ongoing efforts to improve communications. Our new domain is part of a long-range initiative to increase security and by switching to a .gov domain it provides further assurance to the public that the communications received from @doverde.gov is official, trusted information. Messages sent to our old email addresses will still be received until the conversion is completed. Kindly update your records accordingly, we appreciate your attention to this update.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

ADVISORY BRIEF

D.A.C. MEETING DATE: 8/5/2026

Dover/Kent County Metropolitan Planning Organization

US-26-01 Dover Commerce Park Comprehensive Signage Plan

FILE # US-26-01 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
Unified Comprehensive Signage Plan

US-26-01 Dover Commerce Park Comprehensive Signage Plan

Dover Kent MPO does not have any objections to the proposed Signage Plan. Further comments regarding pedestrian connectivity, vehicle access, freight implications, and other transportation aspects will be provided if changes to the site take place at a later date.

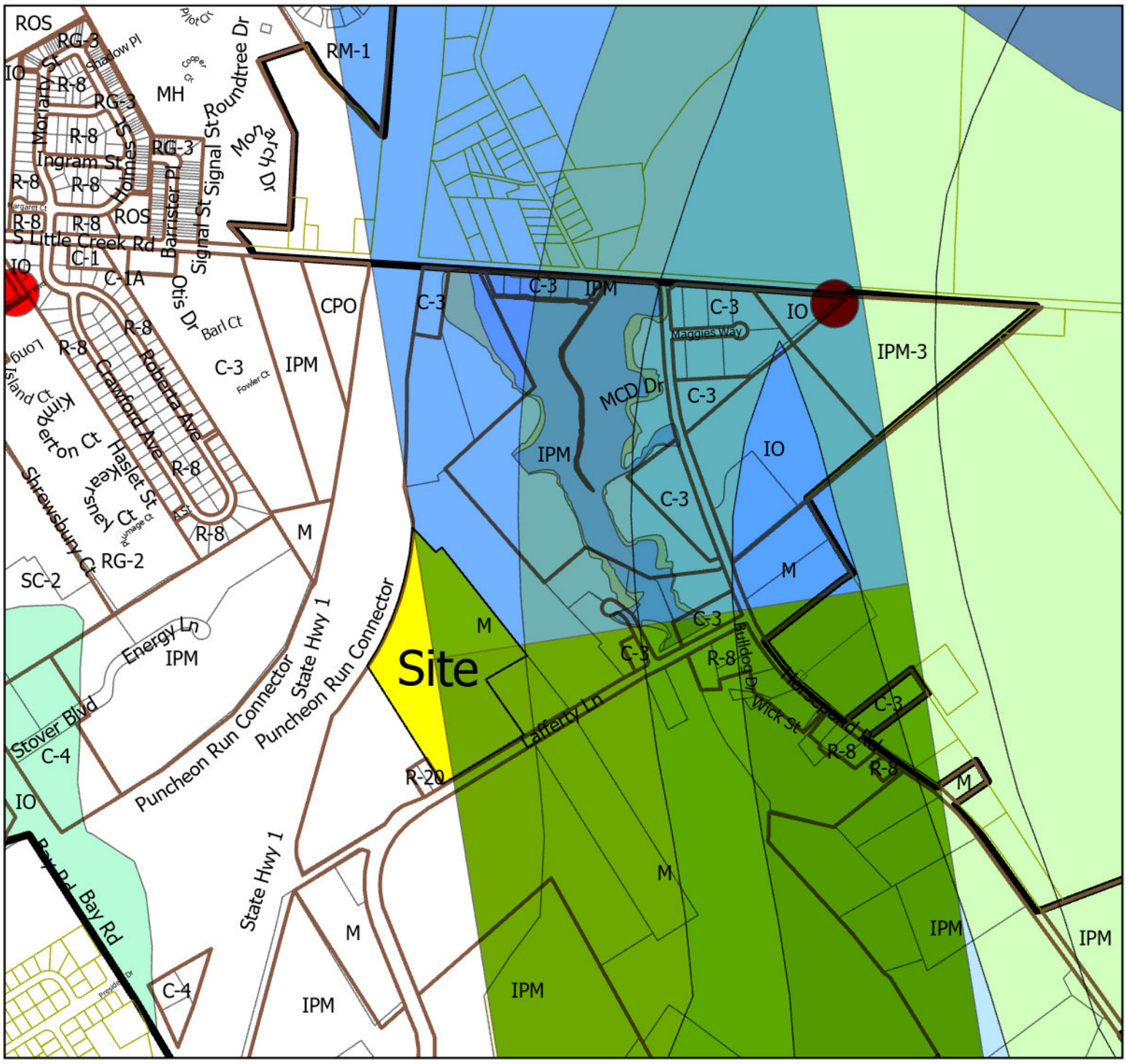
If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.

DOVER/KENT COUNTY MPO
METROPOLITAN PLANNING ORGANIZATION

City of Dover
Department of Planning & Inspections

Application No.: US-

Item 4.



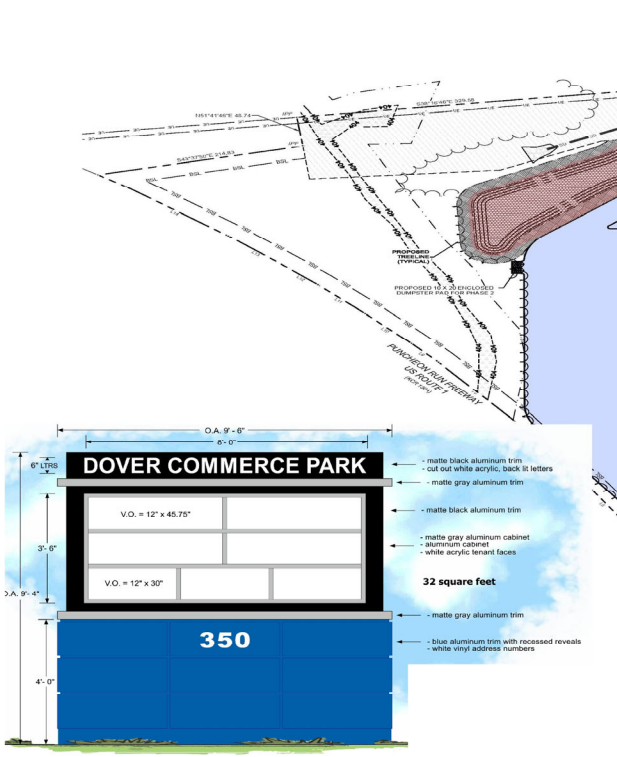
Title:	Comprehensive Sign Plan
Addresses:	350 Lafferty Lane
Parcel ID:	ED-05-077.16-02-05.00-000
Present Zoning:	IPM (Industrial Park Manufacturing Zone) and AEOZ - APZ I & II (Airport Environs Overlay Zone - Accident Potential Zone I & II)
Owner:	Dover Industrial Park, LLC
Date:	8/3/2026

0 500 1,000 2,000 Feet

N W E S

Legend

- Subject Property
- Special Flood Hazard Area
  - A
  - AE
  - X
- Noise Zone Areas Layer
  - Noise Area D
  - Noise Area C
  - Noise Area B
  - Noise Area A
- Airport Environs Overlay Zone
  - APZ I
  - APZ II
  - CZ
  - Zoning
  - Dover Boundary
  - SWPOZ Tier 1
  - SWPOZ Tier 3



PHASING KEY PLAN

REVISIONS

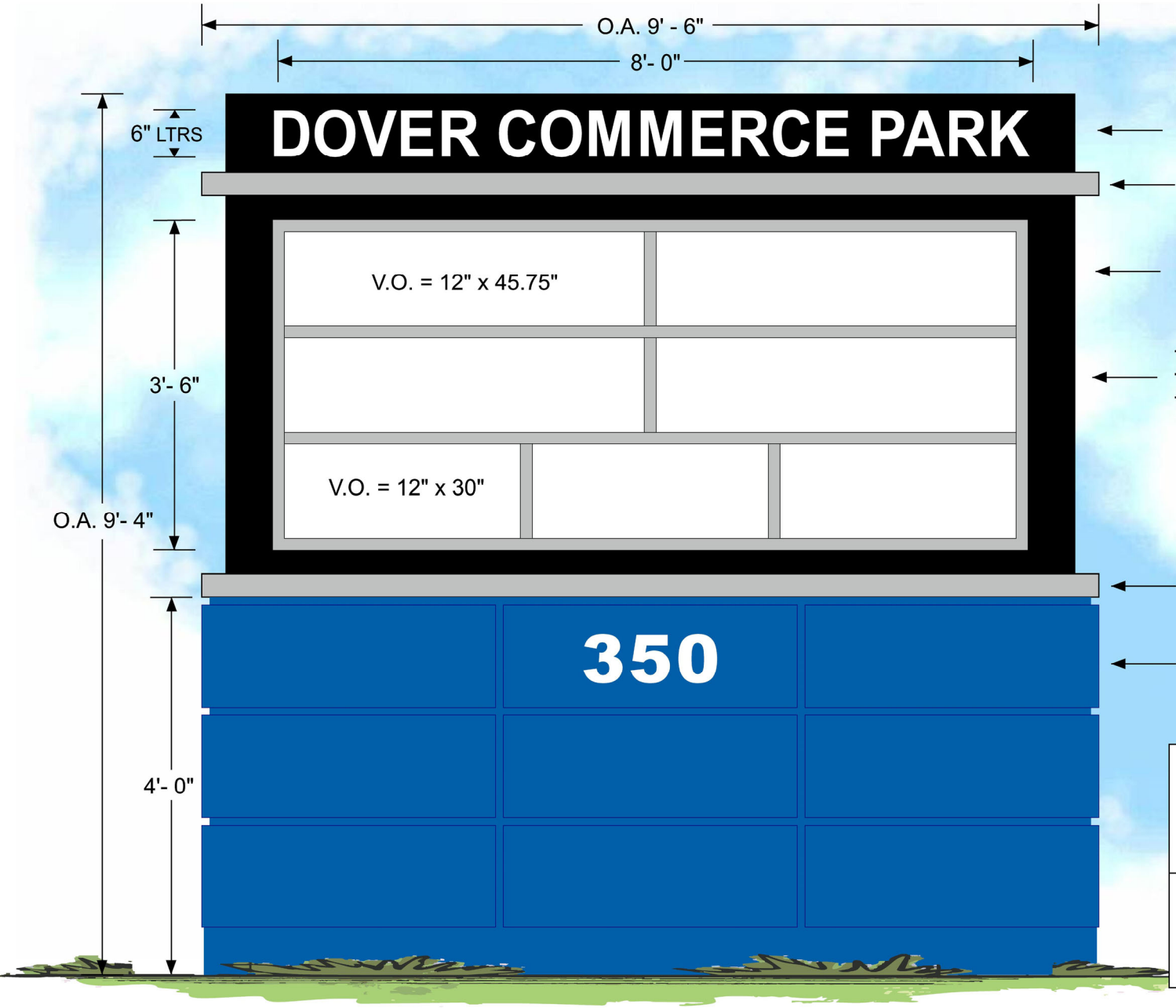
PLITKO ENGINEERING
ENGINEER - SURVEY - HYDROGRAPHIC
53 ATLANTIC AVE., STE 3
OCEAN VIEW, DE 19970
Phone (302)-537-1919

PHASE 1 CONSTRUCTION PLANS
DOVER INDUSTRIAL
LAFFERTY LANE
DOVER EAST DOVER HUNDRED KENT COUNTY DELAWARE

GRAPHIC SCALE
1 inch = 60 feet
PROJECT DATUM
HORIZONTAL: DE 1983
VERTICAL: NAVD 1988

SITE PLAN: EAL	DATE
DRAWING:	2/21/25
REVIEW: RP	

SHEET
C102



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POCOMOKE CITY, MD
THIS DESIGN IS THE PROPERTY OF SELBY SIGN CO. ALL RIGHTS TO ITS USE AND REPRODUCTION ARE RESERVED BY SELBY SIGN CO.

CLIENT	DOVER COMMERCE PARK
LOCATION	350 Lafferty Lane Dover, DE
SCALE	3/4" = 1'
DESIGNER	B. Bloxom
DATE	5/21/2026
SKETCH #	26-1080
CLIENT APPROVAL	

MI-26-10 Active Recreation Provisions Update – Presentation and Discussion of Potential Changes to Active Recreation Requirements for Residential Development.

The following documents are provided for discussion of this item at the Planning Commission Meeting of August 17, 2026:

- Power Point Presentation Slide Set: Potential Changes to Active Recreation Requirements for Residential Development as presented by The Rossi Group.

- A Copy of the Council Committee of the Whole – Parks, Recreational & Community Enhancement Committee Action Form for August 11, 2026 Meeting

- Current Code provisions for Active Recreation from *Dover Code of Ordinances*, Appendix B – Zoning (*Zoning Ordinance*), Article 5 Section 10. Open space, recreation and other public facilities.

Potential Changes to Active Recreation Requirements for Residential Development

Planning Commission

August 17, 2026

SJR8 Land Use Reform

- Voluntary pilot program
  - State offering technical assistance with zoning reform
  - Dover participating in pilot
- Regulatory Analysis
  - Identifying barriers to construction of housing that is affordable
  - Full Regulatory Analysis to be presented in September
- Active Recreation requirements identified as barrier
- Recent examples
  - Cecil Street Townhomes
  - Nixon Lane Minor Subdivision

Current Code Requirements

Area Required (§10.16)

Area required. All residential developments shall provide recreational areas in a size equal **to 275 square feet per dwelling unit or one-half acre of land**, whichever is greater. In no case shall the commission require that more than ten percent of the gross area of the development be so dedicated or reserved when the gross area is greater than five acres.

Current Code Requirements - Exemptions



Residential developments with **less than five acres** of land and **less than ten dwelling units**. (§10.511)



Residential developments with **less than five acres** of land and **less than 20 dwelling units**. (§10.512)



Residential developments of **ten (10) or fewer acres** with a density **over six units per acre**. (§10.514)



Residential developments located within the Downtown Redevelopment Target Area as defined in Appendix C. (§10.515)

Current Code Requirements – Cash In Lieu

10.173 *Amount of cash donation*. The cash donation shall be **equivalent to the appraised value of land area required in section 10.16**. The land area value shall be **based on the appraisal prepared for the developer to secure construction financing**. This submitted appraisal shall be a copy of the original supplied to the lending institution, with that institution identified, and shall conform in all ways to the Uniform Standards of Professional Appraisal practice and be performed by an appropriately qualified certified appraiser. **If an appraisal prepared for construction financing is not available, then the developer shall have an appraisal done** in accordance with the procedures set forth in [sub]section 10.174.

Current Code Requirements – Cash In Lieu for Exemptions

10.52 *Amount of cash donation*. This cash donation shall be **equivalent to ten percent of the appraised value of gross land area**. The land area value shall be **based on the appraisal prepared for the developer to secure construction financing**. This submitted appraisal shall be a copy of the original supplied to the lending institution, with that institution identified, and shall conform in all ways to the Uniform Standard of Professional Appraisal practice and be performed by an appropriately qualified certified appraiser. **If an appraisal prepared for construction financing is not available, then the developer shall have an appraisal done** in accordance with the procedures set forth in [sub]section 10.174.

The Challenges



Too many carve-outs in exemptions



Cash in Lieu:

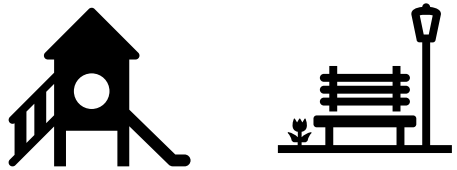
-Small projects may not have construction financing

-Fee determined near the end - not predictable



Makes small, infill projects difficult

New Framework



How can open space requirements better serve Dover’s goals?

Open Space Requirements: Idea for Consideration

Multi-family with 10+ units: need to provide recreational open space

Over 25 lots of duplexes, townhouses, single-family detached homes: need to provide recreational open space

For projects under these thresholds (major subdivisions, conditional use, PC site development plan): a flat fee could be established.

Minor subdivisions: Exempt.

Cash In Lieu – Flat Fee Local Examples

Harrington, DE: $325 “public open space contribution” per dwelling unit and $400 community impact fee per unit for parks and recreation

Smyrna, DE: $4,539 per single-family unit or $2,543 per multi family unit (parks & recreation impact fee)

New Castle County: $338 - $492 per unit (parks & special facilities impact fee)

Delaware City: Parks and Recreation Impact Fee $150/unit

NOTE: impact fees are different from cash-in-lieu but provided for comparison purpose

Land Dedication – Local Examples

Newark

- 1-7 units/acre – 7% of total area
- 8-14 units/acre – 12% of total area
- 15 units/acre – 17% of total area

Smyrna – 15% of total area

Land Dedication – Recent Dover Examples

Project	Site Area	Units	Recreation Area	Area Per Unit	% of Site Area
Bay Village	79.14 acres	250	1.66 acres	289 SF/Unit	2%
The Old Post	1.267 acres	42	4,576 SF	109 SF/Unit	8.3%
The Governor	1.98 acres	120	29,093 SF	285 SF/Unit	33.7%

Needed Direction



Is there support for the general framework?



Should minor subdivisions be exempt or subject to flat fee?



Is there a general sense of what the area requirements should be?

- Standard land area per unit?
- Percent of gross land area based on density?

CITY OF DOVER, DELAWARE

ACTION FORM

MEETING: Council Committee of the Whole – Parks, Recreation & Community Enhancement Committee

MEETING DATE: August 11, 2026 Meeting

DEPARTMENT OF ORIGIN: Planning, Inspections and Community Development

PREPARED BY: Ann Marie Townshend, TA Provider **SUBMITTED**: July 30, 2026

SUBJECT: Potential Changes to Active Recreation Requirements for Residential Development

REFERENCES: *SJR 8 – State of Delaware Land Use Reform Pilot Project*

RELATED PROJECT:

EXHIBITS:

- Power Point Presentation

TIMETABLE:

- August 11, 2026: Review of Framework for Potential Changes to Active Recreation Requirements at City Council Committee of the Whole: Parks, Recreation & Community Enhancement Committee Meeting
- August 17, 2026: Review of Framework for Potential Changes to Active Recreation Requirements at Planning Commission Meeting
- August – October 2026: Rossi staff to Draft Text Amendment language for Proposed Ordinance(s)
- November 10, 2026: Presentation of Proposed Ordinance (Text Amendments/First Reading language) to City Council Committee of the Whole: Parks, Recreation & Community Enhancement Meeting
- November 23, 2026: First Reading of Proposed Ordinance at City Council Meeting for Referral and Setting of Public Hearing dates
- December 21, 2026: Public Hearing and Review for Recommendation of Proposed Ordinance by Planning Commission
- January 11, 2027: Public Hearing and Review for Final Action by City Council

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STAFF RECOMMENDATION:

- Review of framework for Potential Changes to Active Recreation Requirements for Development.
    - Recommend forwarding a recommendation on how to proceed with the proposed framework to City Council with a recommendation to draft ordinance(s) for review according to the proposed timeline.

BACKGROUND AND ANALYSIS

Background

The City of Dover is one of nine jurisdictions participating in the State's voluntary Land Use Reform Pilot Program created under Senate Joint Resolution 8 (SJR 8) to address regulatory barriers to building a variety of types and styles of housing. Under this program, the Delaware State Housing Authority (DSHA) has hired technical assistance providers and assigned them to each participating jurisdiction. Rossi Group is the technical assistance provider working with Dover.

The Land Use Reform process began with a comprehensive evaluation of the City's land use regulations and review process to identify barriers to affordable housing. This review will result in a Land Use Regulatory Analysis Report including an Opportunities and Barriers Matrix. This report will be presented to the CCOW in September.

The issue of Active Recreation Requirements was identified as a barrier that could be addressed separately from the other barriers identified, as it is a targeted issue that is not interrelated with other zoning barriers.

The Barrier

Dover's Active Recreation Requirements are specified in the *Zoning Ordinance*, Article 5 §10 Open Space, Recreation and Other Public Facilities.

The Active Recreation Area required is set at 275 square feet per dwelling unit or one-half acre of land, whichever is greater (§10.16). This requirement works well for larger projects. Over time, the code has been amended to add exceptions for smaller developments and developments in the Downtown Development District. These exceptions include:

- Residential developments with less than five acres of land and less than ten dwelling units (§10.511)
- Residential developments with less than five acres of land and less than 20 dwelling units (§10.512)
- Residential developments of ten (10) or fewer acres with a density of over six units per acre (§10.514)
- Residential developments located within the Downtown Redevelopment Target area as defined in Appendix C (§10.515)

Cash in Lieu of Recreation Area Construction is permitted under §10.17, "if the commission determines that construction of recreation is not practical due to proximity to existing available recreation facilities or infeasible due to the natural characteristics of the land or will not benefit the residents of the development."

The Cash in Lieu amount is based on "the appraised value of land area required" which is determined "based on the appraisal prepared for the developer to secure construction financing." For the small project exceptions, the cash donation is equivalent to "ten percent of the appraised gross land area."

Challenges with the current provisions include:

- Too many exemptions cause confusion over which provisions apply.
- Cash in Lieu
    - Many small projects don't involve construction financing, adding extra cost for the applicant to complete an appraisal to determine cash donation amount.
    - The fee is often determined toward the end of the process, making it unpredictable and hard for the

applicant to budget.
    - Recently the PRCE and Planning Commission have adjusted the amounts based on applicant requests.
- Current provisions do not apply well to small, infill projects.

Proposed Framework

To address the challenges associated with the current Active Recreation Requirements, the following framework is proposed for how the requirements could be amended. The proposed framework is as follows:

- **Multi-family development with 10+ units** – recreational open space would be required
- **Over 25 duplexes, townhouses, single-family detached homes** – recreational open space would be required
- **Projects below these thresholds** – establish a flat fee
- **Minor Subdivisions** – exempt from requirements

Examples of flat fee Cash in Lieu amounts or recreation impact fees in neighboring jurisdictions are provided below. Please note that impact fees are not the same as a Cash in Lieu of recreation area, but they are provided as a comparison for a similar fee.

Jurisdiction	Fee Type	Fee Amount per unit
Harrington	Public open space contribution Community impact fee for parks & recreation	$325 $400
Smyrna	Parks & recreation impact fee	$2,543 - $4,539
New Castle County	Parks & special facilities impact fee	$328 - $492
Delaware City	Parks & recreation impact fee	$150

Examples of Land Dedication Amounts from other jurisdictions include:

Jurisdiction	Land Required
Newark	1-7 units/acre – 7% 8-14 units/acre – 12% 15 units/acre – 17%
Smyrna	15% gross area

Recent examples of Land Dedication for Active Recreation for Dover projects include:

Project	Site Area	Units	Recreation Area	Area Per Unit	% of Site Area
Bay Village	79.14 acres	250	1.66 acres	289 SF/unit	2%
The Old Post	1.267 acres	42	4,576 SF	109 SF/unit	8.3%
The Governor	1.98 acres	120	29,093 SF	285 SF/unit	33.7%

Direction Needed

1. Is there general support for the proposed framework?
2. Should minor subdivisions be exempt from a flat fee?
3. Is there a general sense of what the area requirement should be? Should it be a percent of the land area or per unit amount?

Dover Code of Ordinances, Appendix B – Zoning (Zoning Ordinance)

Article 5 – Supplementary Regulations

Section 10. Open space, recreation and other public facilities.

The City of Dover shall require the reservation of open space, recreation and other public facilities in accordance with the provisions of this section as a condition of approval for all one-family dwelling, two-family dwelling and multiple-family dwelling residential developments requiring conditional use approval, site development plan approval, or land subdivision approval by the City of Dover Planning Commission.

10.1 *Recreation areas.*

10.11 *Purpose.* The purpose of this section is to ensure that active recreation areas are provided as an integral design element within residential developments and that such facilities are of an adequate scale in relation to the size of the residential development and which provide residents with a variety of active recreational pursuits.

10.12 *Dedication required.* The commission shall require the dedication or reservation of recreation areas, and the subsequent construction of recreation facilities of a character, extent and location suitable to the needs created by a development for recreation facilities as defined and in accordance with the design guidelines set forth.

10.13 *Definition.* The following are illustrative of the types of recreation areas and subsequent facilities that shall be deemed to serve active recreational needs and therefore to count toward satisfaction of the recreation area requirements of this section: tennis courts, handball courts, racquetball courts, swimming pools, saunas and exercise rooms, meeting or activity rooms within clubhouses, baseball and soccer fields, basketball courts, volleyball courts, swings, slides and play apparatus, and developed walking, jogging or biking trails.

10.14 *Recreation area review.*

10.141 *Presubmission conference.* Prior to the submission of a development plan, the applicant or his representative shall meet in person with the city manager or his appointee and the city planner to receive early advice and consultation on the proposed development and the proposed recreation facilities, including the size, type and layout.

10.142 *Review with parks, recreation, and community enhancement committee.* Upon receipt of the submitted development plan, the city manager or his appointee shall consult with the city council parks, recreation, and community enhancement committee.

10.143 *Report to planning commission.* Upon consultation with the committee, the city manager or his designee shall submit to the planning commission, through the development advisory committee, a report detailing the recommendations as to the active recreation facilities to be recommended and their location, related parking areas, and proposed landscaping.

10.15 *Design guidelines.*

10.151 *Accessible.* Recreation areas shall be accessible within the development and arranged in a manner which affords reasonable access to all residents within the development. When warranted, recreation areas can be dispersed throughout the development, provided that each remote location is accessible.

10.152 *Pedestrian oriented.* Recreation areas shall be pedestrian oriented and designed with linkages to existing and planned public walkways and with other existing or planned recreation areas.

10.153 *Age oriented.* The nature and scope of planned recreation areas shall reflect an awareness of, and sensitivity toward, the anticipated age groups that would reside within the proposed development.

10.154 *Parking.* Designs consider the need for parking facilities associated with recreation areas.

10.155 *Walking, jogging and biking trails.* Recreation trails shall only be counted toward the recreation area requirement when constructed as an accessory to central recreation facilities. The developed trail shall be the only area counted toward the area requirement.

10.156 *Setbacks.* No structure, equipment or game court surface required under this section shall be located nearer than 30 feet to any lot line of a lot to be used for residential purposes, nor nearer than 25 feet from any right-of-way line.

10.157 *Landscaping.* Such uses shall be landscaped in accordance with provisions of article 5, section 15, and where warranted, visual screening of parking areas, game courts, playground areas and other features as necessary to preserve and protect the interests of adjoining residential properties may be required.

10.158 *Area.* The minimum area of a remote recreation area shall be 2,000 square feet.

10.16 *Area required.* All residential developments shall provide recreational areas in a size equal to 275 square feet per dwelling unit or one-half acre of land, whichever is greater. In no case shall the commission require that more than ten percent of the gross area of the development be so dedicated or reserved when the gross area is greater than five acres.

10.17 *Cash in lieu of recreation area construction.*

10.171 *Determination of suitability for cash donation.* If the commission determines that the construction of recreation is not practical due to close proximity to existing available recreation facilities or infeasible due to natural characteristics of the land or will not benefit the residents of the development, the commission shall require a full or partial cash in lieu of areas of donation to be made by the developer in lieu of a full or partial dedication of land.

10.172 *Separate recreation account.* The cash donation shall be deposited in a separate account to be used for parks, playgrounds or recreational purposes.

10.173 *Amount of cash donation.* The cash donation shall be equivalent to the appraised value of land area required in section 10.16. The land area value shall be based on the appraisal prepared for the developer to secure construction financing. This submitted appraisal shall be a copy of the original supplied to the lending institution, with that institution identified, and shall conform in all ways to the Uniform Standards of Professional Appraisal practice and be performed by an appropriately qualified certified appraiser. If an appraisal prepared for construction financing is not available, then the developer shall have an appraisal done in accordance with the procedures set forth in [sub]section 10.174.

10.174 *Appeal of appraised value.* If the city does not accept the land value established by the appraisal detailed in [sub]section 10.173, the city may, at the developer's expense, require another appraisal be performed. This appraisal will be let on a bid basis between at least three appropriately qualified, certified appraisers selected by the city. The appraiser(s) who prepared the original appraisal in [sub]section 10.173 cannot be a party to this appeal appraisal.

10.175 *Payment of cash donation.* One hundred percent cash donation provided under this section shall be collected prior to issuing the first building permit for the development.

10.2 *Open space.*

10.21 *Purpose.* The purpose of this [sub]section [10.2] is to preserve areas of open space within residential developments which are designed to provide buffer spaces between developing areas, to preserve existing natural and historic features and to establish a network of open spaces within the built environment to provide a balance between developed and undeveloped lands, wildlife habitat conservation, the preservation of scenic view corridors, and to provide residents opportunities to engage in passive recreation activities.

10.22 *Dedication required.* The commission shall require the dedication of open space for the purpose of buffering, landscaping and preservation of natural features which add value to the residential development and to the surrounding community.

10.23 *Definition.* Open space shall include land or an area of water, or combination of land and water, within a development site, and designed and available for the use and enjoyment of residents of the development, not including off-street parking, areas set aside for public facilities and rights-of-way, and areas to be preserved as wetlands as required. The following are illustrative of the types of open space areas that shall be deemed to serve buffering and preservation of natural features to count toward satisfaction of the open space requirements of this [sub]section [10.2]: mature forests and groves, hedge rows, water courses, historic landmarks and resources, landscaped buffers and berming designed to promote privacy, open landscaped areas suitable for being used and enjoyed for purposes of informal and unstructured recreation and relaxation, stormwater detention ponds when suitably designed to emulate natural features by incorporating irregular shapes, gradual slopes (no greater than 1:4) and appropriate landscape plantings, and irreplaceable environmental assets with values that have been adequately documented.

10.24 *Design guidelines.*

10.241 *Width.* Land areas shall be at least 20 feet in width.

10.242 *Clearing.* Selective clearing of natural vegetation may be permitted to form trails and clearings within woodland areas in accordance with the provisions of article 5, section 16 (tree planting and preservation).

10.243 *Linked.* Open spaces shall attempt to be contiguous and designed with linkages to existing and planned public walkways and with other existing or planned recreation areas.

10.25 *Area required.* In no case shall the commission require that more than five percent of the gross area of the development be so dedicated or reserved.

10.3 *Public facilities.*

10.31 *Purpose.* The purpose of this [sub]section [10.3] is to afford the city the opportunity to reserve lands within developing areas which represent important and strategic locations for the distribution of essential public goods and services.

10.32 *Dedication optional.* Where public facilities are shown or proposed in the city comprehensive plan, or in any other plan or study accepted by the city council or other public body, and are located in whole or in part in a proposed subdivision or site plan, the commission may require the dedication or reservation of the area required in lieu of the requirements of [sub]section 10.1.

10.33 *Definition.* The following are illustrative of the types of public facilities that may be considered for reservation or dedication by this [sub]section [10.3]: schools, utility service lines, future road rights-of-way (other than those planned to serve the proposed development), public buildings, parks, public trails, and recreation facilities.

10.34 *Area required.* In no case shall the commission require that more than five percent of the gross area of the development be dedicated for the public facility. Area dedications shall only be allowed when the facility is to be dedicated to the City of Dover for facilities to be operated by the city.

10.35 *Reservation.* Any areas required by any other public bodies or any remaining areas beyond the five percent dedicated to the city under [sub]section 10.34 may be set aside by the commission for a period of one year to allow the proper authority the opportunity to purchase the area. Upon failure of the proper authorities to purchase such site within one year after the date of the final approval of the project, the developer, upon application, shall be relieved of the responsibility of reserving such land for public purposes.

10.4 *Management and maintenance of common open space and recreational areas.*

10.41 *Management and maintenance required.* There shall be provisions which ensure that the common open space land and all public facilities not dedicated to the City of Dover shall continue as such and be properly maintained. These provisions shall be in a form acceptable to the City of Dover. The developer shall either (a) retain ownership and responsibility for maintenance of such open land; or (b) provide for and establish one or more organizations for the ownership and maintenance of all common open space. In the case of (b) above, each organization shall be a nonprofit homeowners' corporation, unless the developer demonstrates that a community open space trust is a more appropriate form of organization.

10.42 *Homeowners' association requirements.* If a homeowners' association or open space trust is formed, it shall be governed according to the following:

10.421 *Membership mandatory.* Membership in the organization is mandatory for all purchasers of homes therein and their successors. The members of the organization shall share equitably the costs of maintaining and developing common open space and recreation areas, in accordance with procedures established by them.

10.422 *Responsibilities.* The organization shall be responsible for maintenance, insurance and taxes on common open space, recreation facilities and open public facilities, including but not limited to roads, gutters, sidewalks, curbs, drainage systems, water distribution systems and sewer facilities not dedicated to the City of Dover.

10.5 *Exemption to recreation area and open space dedication.*

10.51 *Exemptions for small developments.*

10.511 *Residential developments with less than five acres of land and less than ten dwelling units.* These developments shall be exempt from the land requirements set forth in [sub]sections 10.1 and 10.2, but shall require a full cash donation to be made by the developer in lieu of a dedication of land.

10.512 *Residential developments with less than five acres of land and less than 20 dwelling units.* These developments may be exempt from the one-half acre minimum requirement for recreation areas, but may be required to provide a lesser amount as recommended by the parks, recreation, and community enhancement committee. The commission shall require a full or partial donation in lieu of a full or partial dedication of land.

10.513 *Residential phases.* Phases or sections within developments that are commonly owned or commonly proposed for development shall not be considered as individual residential developments qualified for exemptions under this [sub]section [10.51].

10.514 *Residential developments of ten (10) or fewer acres with a density over six units per acre.* These developments shall be exempt from the area requirements set forth in section 10.16, but shall be required to provide 150 square feet of active recreation area per dwelling unit or 10,000 square feet of active recreation area, whichever is greater. If the commission determines that the construction of some or all of the required active recreation area is not practical or desirable, the commission shall require a cash in lieu donation for the active recreation area determined as not practical or desirable. Cash-in-lieu amount shall be in accordance with subsection 10.173 of this article.

10.515 *Residential developments located within the Downtown Redevelopment Target Area as defined in Appendix C.* These developments shall be exempt from the area requirements set forth in section 10.16, but shall be required to provide 75 square feet of active recreation area per dwelling unit with a minimum of 2,500 square feet provided on site. If the commission determines that the construction of the entirety of the required active recreation area is not practical or desirable, the commission shall require a cash in lieu donation for the active recreation area determined as not practical or desirable. Cash in lieu shall be calculated in accordance with subsection 10.173 of this article.

10.52 *Amount of cash donation.* This cash donation shall be equivalent to ten percent of the appraised value of gross land area. The land area value shall be based on the appraisal prepared for the developer to secure construction financing. This submitted appraisal shall be a copy of the original supplied to the lending institution, with that institution identified, and shall conform in all ways to the Uniform Standard of Professional Appraisal practice and be performed by an appropriately qualified certified appraiser. If an appraisal prepared for construction financing is not available, then the developer shall have an appraisal done in accordance with the procedures set forth in [sub]section 10.174.

10.53 *Separate recreation account.* The cash donation shall be deposited in a separate account to be used for parks, playgrounds or recreational purposes.

10.54 *Appeal of appraised value.* If the city does not accept the land value established by the appraisal detailed in [sub]section 10.52, the city may, at the developer's expense, require another appraisal be performed. This appraisal will be let on a bid basis between at least three qualified, certified and licensed appraisers selected by the city. The appraiser(s) who prepared the original appraisal in [sub]section 10.52 cannot be a party to this appeal appraisal.

10.55 *Payment of cash donation.* One hundred percent cash donation provided under this [sub]section [10.5] shall be collected prior to issuing the first building permit for the development.

10.6 *Construction phasing.* The recreation and open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that 100 percent of the recreation and open space areas shall be completed prior to issuing building permits for the final 20 percent of the dwelling units proposed. Building permits shall not be issued for dwelling units unless the requirements of this section are met.

10.7 *Council approval.* Prior to acceptance by the planning commission, all areas planned for public dedication, or cash donations provided under this section must be submitted to, and approved by the parks, recreation, and community enhancement committee of the City of Dover, and shall be subject to final review and approval by [the] city council.

(Ord. of 3-13-1995; Ord. of 1-12-2009)

By-Laws of the Planning Commission

of the City of Dover

Objectives

Section 1 The objectives and purposes of the Planning Commission of the City of Dover, Delaware, are those set forth in Chapter 7, Title 22 of the Delaware Code annotated, and amendments, supplements, thereto, and those powers and duties delegated to the Planning Commission by the City Council of the City of Dover pursuant to state statute.

Powers, Duties and Procedures

Section 2 The duties, powers and procedures of the Planning Commission be as set forth in the following documents:

(a) The resolution of the City Council establishing such Planning Commission;
(b) The Building Zone Ordinance as to matters relating to amendments to site plan approval;
(c) The Subdivision Regulations as to the review and approval of subdivision plats;
(d) As to the regulations set forth herein for all other matters for which the Commission has the responsibility.

Officers

Section 3.1 The officers of the Planning Commission shall consist of a Chairman and Vice-Chairman.

Section 3.2 The Chairman shall preside at the meetings and hearings of the Planning Commission and shall have the duties usually conferred upon a presiding officer. He shall continue to exercise the prerogatives of an individual member of the Commission while performing the duties of presiding officer.

Section 3.3 The Vice Chairman shall be the presiding officer in the absence of the Chairman.

Recording and Corresponding Secretary

Section 4 The Commission shall appoint a Secretary who shall not be a member of the Commission or an officer, and shall have the following duties and responsibilities:

(a) Prepare agenda for all meetings with the Chairman and provide notice of meetings to Commission members.
(b) Keep minutes of all meetings, and record of the Commission.
(c) Act as agent for the Commission in receiving submissions, applications, correspondence, etc.
(d) Act as agent for the Commission in arranging for notice of public hearings and notifying interested parties of Commission actions as authorized by the Commission.

Official Records

Section 5 The City Clerk shall be the official custodian of the records of the Commission and shall make them available to the public as provided by law. He may designate the office of the Secretary of the Commission or the Planning Office as the place where such records shall be kept.

Elections of Officers

Section 6.1 The officers shall be elected by the Commission at the annual organization meeting which shall be the regular scheduled meeting in July of each year. Election of officers shall be held by secret ballot.

Section 6.2 A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected and shall serve for one year or until his or her successor shall take office.

Section 6.3 Vacancies in offices shall be filled by the Commission at any scheduled or special meeting.

Section 6.4 The Chairman and Vice Chairman shall be limited to four consecutive one-year terms. A former Chairman or Vice Chairman who has held four consecutive terms in such position may be elected to that position after vacating the position for a period of one year.

Meetings

Section 7.1 The Commission shall hold one public meeting during each calendar month.

Section 7.2 The monthly meeting date for the coming year shall be established by a majority of the Commission at its organization meeting of the year. The date of the public meeting can be changed during the year by a majority of the Commission

Section 7.3 The Commission will receive all applications concerning matters within its jurisdiction only at its public meetings. All times to be submitted for consideration at any public meeting shall be submitted in complete and final form for Commission consideration not less than thirty days prior to said meeting. No items submitted subsequent to this time shall be placed upon the Agenda except by a majority vote of the Commission members present at such meeting. The official date of receipt of any matter presented to the Commission shall be the date of the first public meeting at which such matter is received for consideration. Any maximum time periods established by the Zoning Ordinance or other local laws limiting the time for consideration of any matter by the Planning Commission shall commence on such date of the receipt.

Section 7.4 A majority of the membership of the Commission shall constitute a quorum. The Commission may act on any matter by a majority vote of such quorum.

Section 7.5 All formal votes to record the decision of the Commission on any matter referred to it shall be taken only by a quorum at a public meeting. By a majority vote of those members present the Commission may convene in executive session. However, all formal votes to record the Commission's decision shall only be taken during periods in which such meetings are open to the public.

Section 7.6 Special meeting may be called by the Chairman or by a majority of the Commission, providing that not less than 24 hours notice by writing or telephone is given to each member of the Commission. Such meetings shall be executive sessions at which no formal votes shall be taken.

Section 7.7 All public and special meetings shall be held in City Hall or other public facility with proper public notification.

Agenda

Section 8 The Secretary shall prepare the proposed Agenda for each public meeting, with the Chairman not less than ten days prior to the date of such meeting, and shall transmit a copy of the Agenda to each Commission member on such date of preparation. No items will appear on such proposed Agenda except those for which applications or written requests have been received not less than thirty days prior to the date of the public monthly meeting as set forth in Section 7 above. The Commission may amend the proposed Agenda by a majority vote of those members present.

Section 9.1 The order of business at public meetings shall be as follows:

(a) Roll Call.
(b) Adoption of Minutes of previous meetings.
(c) Approval of Agenda
(d) Communications
(e) Report of Officers and Committees
(f) Old Business
(g) New Business
(h) Referrals, Administrative Reviews, Petitions, Applications and Other Matters presented by the public.

Section 9.2 The order of business at special meetings shall be as determined by the Commission.

Section 9.3 At all meetings and hearings attended by the public, the Chairman shall make a brief statement indicating the nature of each item on the Agenda, except that in the case of petitions, applications and other matters presented by the public, such statement shall be made by the person introducing the matter.

Section 9.4 Minutes of all public and special meetings of the Commission shall form part of the records of the Commission and shall be available to the public when duly adopted by the Commission.

Committees

Section 10.1 There may be a Subdivision Committee appointed by the Chairman with the approval of the Commission at the annual organization meeting. It shall consist of three members who shall serve until the next annual meeting. The Chairman may make appointments to bring the committee to full strength in the event of temporary absence of committee members.

Section 10.2 Other Committees may be appointed by the Chairman from time to time with the approval of the Commission.

Public Hearings

Section 11.1 The Commission shall hold public hearings as required by statute and applicable ordinances of the City. In addition to those required by law, the Commission may at its discretion hold public hearing when it considers that such hearings will be in the public interest.

Amendments

Section 12 These By-Laws may be amended at any time by a majority vote of the entire membership of the Commission.

Adopted September 15, 1959
Amended November 17, 1975
Amended March 16, 1981
Amended March 19, 1981
Amended June 17, 1991
Amended January 25, 1995
Amended April 26, 1995
Amended August 16, 2010
Amended August 20, 2018

Appointment of the Architectural Review Oversight Subcommittee of Planning Commission

As part of the Annual Meeting of the Planning Commission, one of the responsibilities of the Planning Commission is to appoint the Architectural Review Oversight Subcommittee. The following excerpt from the *Zoning Ordinance* is provided.

Appendix B: Zoning Ordinance, Article 10 Section 2. Site development plan approval.

2.28 Consideration shall be given to the physical orientation and architectural characteristics of proposed buildings, the relationship of proposed buildings to existing buildings and to other proposed buildings, and their contributions to the overall image of the immediate vicinity by considering the building and architectural design guidelines as set forth in article 5, section 19. Design characteristics of proposed buildings and building additions shall not detract or devalue existing buildings in the immediate vicinity.

(A) If the planning commission determines that the proposed physical orientation and architectural characteristics of the proposed buildings do not meet the intent and objectives of this section, then the planning commission shall refer the proposal to the architectural review oversight subcommittee for review and comment.
(B) The subcommittee shall meet and review the proposal with the applicant, and return its comments to the planning commission by the next regularly scheduled meeting.
(C) The architectural review oversight subcommittee shall be appointed by the commission at its annual meeting, and membership shall consist of two planning commission members, and two design professionals with experience in construction, and the mayor or the mayor's designee. Two alternate design professionals with experience in construction shall also be appointed.

At the July 20, 2026 Meeting of the Planning Commission began discussion of the composition of the Architectural Review Oversight Subcommittee of the Planning Commission. The following members are currently appointed (from July 2025), but final action was deferred pending completion of member appointments/reappointments.

- Kathleen Welsh, Planning Commission member
- Kenneth Roach, Planning Commission member
- Mayor or Mayor’s designee

The Planning Commission at their July 20, 2026 Meeting also began consideration the appointment of two Design Professional members to the Subcommittee. The Planning Commission requested that Planning Staff contact the two current members (listed below) and report their availability to serve back to the Planning Commission. No other Design Professionals as Alternates were offered.

- Dr. R.J. Chandler, Faculty member of Architecture program at DelTech Community College, Design Professional
- Ms. Sarah Keifer, Director of Planning Services for Kent County, Design Professional

The Planning Commission as part of their Annual Meeting must act to appoint the membership of the Architectural Review Oversight Subcommittee. The Planning Commission began these activities at their July 20, 2026 Meeting but deferred final action.