CITY OF DOVER, DELAWARE
PLANNING COMMISSION
Monday, May 18, 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 – UPDATE TO DEVELOPMENT APPLICATION – C-25-01 Lands of 4BL, LLC: Cecil Street Townhouses at 207 N. West Street – Update on Revisit Request for Review of Cash-in-Lieu Payment for Active Recreation Area (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@dover.de.us.

IN-PERSON and VIRTUAL MEETING NOTICE

The Planning Commission Meeting for May 18, 2026 will be held as an In-Person Meeting in 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. See participation information below.

PUBLIC PARTICIPATION INFORMATION
City of Dover Planning Commission Meeting of May 18, 2026

Join By Phone: Dial +1-650-479-3208
Access Code: 253 845 60912
Password from Phones: 3683772

Join Online: https://bit.ly/PCMeeting05182026
Webinar Number: 2538 456 0912
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 April 20, 2026

COMMUNICATIONS & REPORTS

Meeting Reminder: The next Planning Commission regular meeting date is June 15, 2026 at 7:00 PM.

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 - none

Update to Development Application

2. C-25-01 Lands of 4BL, LLC: Cecil Street Townhouses at 207 N. West Street – Update on Revisit Request for Review of Cash-in-Lieu Payment for Active Recreation Area Requirement for Cecil Street Townhouses project. The Planning Commission on February 18, 2025 granted conditional approval of Conditional Use Plan and Minor Subdivision Plan application to subdivide the existing 12,168 SF parcel located at the northeast corner of N. West Street and Cecil Street into four (4) townhouse lots (Cecil Street Townhouses). The property is zoned RG-1 (General Residence Zone). The owner of record is 4BL, LLC. Property Address: 207 N. West Street, Dover DE. Tax Parcel: ED-05-076.08-02-01.00-000 and others as subdivided. Council District 4. *Waiver Approved: Subdivision Waiver – Alley Requirement. Approved: Cash-in-Leu of Active Recreation Construction. Final Plan Approval granted March 11, 2026.*

Pending Development Application:

3. SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan - Public Hearing and Continued Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2. *Waiver Requested: Percentage of Lots on a cul-de-sac. The Planning Commission deferred*

action for SB-25-02 on September 15, 2025 seeking additional information. This property was reviewed in 2013-2015 as SB-13-06 Jefferson Terrace Subdivision; however, the plan was never finalized. Application for Conceptual Subdivision Plan SB-23-01C was conditionally approved by the Planning Commission in March 2023; previous waiver requests were unsuccessful, and the plan expired. The properties were examined again under Conceptual Subdivision Plan SB-24-01 and were denied by the Planning Commission on August 19, 2024.

NEW APPLICATIONS

4. C-26-03 Little Caboose Child Care - Public Hearing and Review of Conditional Use Site Plan Application for construction of a 9,417 SF Child Day Care Center to be known Little Caboose Child Care and Learning Center and associated site improvements. The property is 2.259+/- acres of land located in the Enterprise Business Park. The property is currently zoned IPM (Industrial Park Manufacturing Zone). The property owner is Atlantic Dawn Properties of Dover LLC. Address: 229 Beiser Blvd. Tax Parcel: ED05-076.15-01-03.08-000. Council District 2.

5. S-26-09 Warehouse Buildings at 118 Galaxy Drive - Public Hearing and Review of Site Development Plan Application for Lot 13 in the Kent County Industrial Park at 118 Galaxy Drive. The application proposes three (3) storage warehouses of 9,900 SF +/- each and associated site improvements. The property is 6.45+/- acres of land located in the Kent County Industrial Park (AeroPark) located off Horsepond Road. The property is currently zoned IPM (Industrial Park Manufacturing Zone) and subject to the AEOZ (Airport Environs Overlay Zone) – Noise Zone B. The property owner is RAH Realty LLC. Address: 118 Galaxy Drive. Tax Parcel: ED05-087.00-01-07.13-000. Council District 2. *Waiver Request: Elimination of Sidewalks along Horsepond Road and Galaxy Drive. For Consideration: Performance Standards Review Application.*

NEW BUSINESS

6. Presentation on Senate Joint Resolution 8 (SJR8) - DSHA Technical Assistance for Housing and Land Use Reform program

PUBLIC COMMENTS OPPORTUNITY - An opportunity is given for members of the public to provide comments to the Planning Commission not specifically related to Applications with Public Hearings.

ADJOURN

Posted Agenda: May 8, 2026

Revised May 15, 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
April 20, 2026

The Meeting of the City of Dover Planning Commission was held on Monday, April 20, 2026, at 6:00 PM as an In-Person Meeting and also using the phone/videoconferencing system Webex. The Meeting Session was conducted with Vice Chair Mrs. Denney presiding. Members present were Mr. Lewis, Mr. Baldwin, Mrs. Welsh (virtual), Mr. Witham (arrived at 6:58PM), and Mrs. Denney. Mr. Roach, Mrs. Maucher, and Dr. Jones were absent.

Staff members present were Mrs. Dawn Melson-Williams, Mr. Jason Lyon, Mrs. Sierra Brown, and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Mr. Lewis moved to approve the Agenda as presented, seconded by Mr. Baldwin and the motion was carried 5-0 by voice vote with Mr. Roach, Mrs. Maucher, Dr. Jones and Mr. Witham absent.

APPROVAL OF MEETING MINUTES OF MARCH 16, 2026

Mrs. Welsh moved to approve the Planning Commission Meeting Minutes of March 16, 2026, seconded by Mr. Lewis and the motion was carried 5-0 by voice vote with Mr. Roach, Mrs. Maucher, Dr. Jones and Mr. Witham absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, May 18, 2026 at 7PM in the City Hall Council Chambers. We do have a full Agenda that night, but she thinks that we will stay with the 7PM start time for that meeting.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on March 23 & 24, 2026 and April 13 & 14, 2026.

Mrs. Melson-Williams stated that we are certainly into construction season. There is a pretty steady volume of permits of all shapes and sizes. Just a reminder from our Code Enforcement Staff, the grass is now growing and your maximum height of grass in the City is eight inches. So, please keep that cut.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

Requests for Extensions of Planning Commission Approval:

S-24-05 Lands of Ken Barrett Builders for Office Building at 1413 New Burton Road - Request for Extension of the Planning Commission conditional approval granted on May 20, 2024 for a Site Development Plan Application to permit construction of a one-story 3,026 SF office building and associated site improvements. The property is zoned C-1A (Limited Commercial

Zone) consisting of 0.41 acres. The property is located on the east side of New Burton Road, north of Garton Lane. The owner of record is Ken Barrett Builders LLC. Property Address: 1413 New Burton Road. Tax Parcel: ED-05-085.11-01-01.00-000. Council District 2. *Waiver Requests Approved: Elimination of Upright Curbing and Elimination of Sidewalk.*

Representatives: Mr. Kevin Minnich, Minnich Engineering & Land Planning (virtual)

Mrs. Melson-Williams stated that this Request is in regards to Application S-24-05. This is a Site Plan for the Lands of Ken Barrett Builders for an office building that is proposed at 1413 New Burton Road. If we go forward one slide, this is the plan in general that you reviewed two years ago. At this point, it has achieved Final Site Plan approval from all of the regulatory agencies. What is depicted here on the screen is a minor revision to actually add two additional parking spaces to the plan. The engineer is working with Staff to make those amendments. It is a minor amendment but really what the Planning Commission this evening is charged with is their Request for a one-year extension. According to the *Zoning Ordinance*, you have to have Final Site Plan approval and then have a Building Permit in hand and construction activity occurring and continuing. They have until the end of May to do so unless a request for extension is successful this evening.

Mrs. Melson-Williams stated that she will enter into the record that there was a letter provided to the Planning Commission dated March 24, 2026 that notes that they are in the process of finalizing the project construction documents, meaning the Building Permit. They have not yet made application for the Building Permit and we are working with them to revise this minor parking change for the project.

Mr. Minnich stated that they want to be safe. He knows that Mr. Barrett has the contract to move forward but they want to be safe and make sure that they get everything completed before the Plan expires. That is the main thing in addition to the couple of minor changes. The Fire Marshal has already approved this minor change. He thinks that Mrs. Melson-Williams was given some correspondence to that too. He thinks she was included in on the email. He has to double check with Jared (Kent Conservation District) but he thinks he will be fine with two more parking spaces.

Mr. Lewis moved to approve S-24-05 Lands of Ken Barrett Builders for Office Building at 1413 New Burton Road for a one year extension, seconded by Mr. Baldwin and the motion was carried 5-0 by roll call vote with Mr. Roach, Mrs. Maucher, Dr. Jones, and Mr. Witham absent. Mr. Lewis voting yes. Mr. Baldwin voting yes.

Before his vote, Mr. Reaves stated that he wanted to ask a question before we just made a motion on the extension. He stated that this is for an extension to the Planning Site Plan approval which then if we extend this that means that they don't have a Final Site Plan approval in the future; it just approves a previous Site Plan. Is that correct? Responding to Mr. Reaves, Mrs. Melson-Williams stated that this is in regards to your previous Planning Commission approval for Site Plan S-24-05. They have Final Site Plan approvals from all of the agencies; this allows the extension of that approval process for an additional year to allow them time to start construction on that approved Site Plan.

Mr. Reaves stated that there are going to be changes to the Site Plan, correct? Responding to Mr. Reaves, Mrs. Melson-Williams stated that there are minor changes to add two parking spaces. That is actually being presented on the screen. They are minor in nature and the Planning Staff would be charged with ensuring that all other provisions of the *Zoning Ordinance* remain compliant with that minor change.

Mr. Lewis moved to approve S-24-05 Lands of Ken Barrett Builders for Office Building at 1413 New Burton Road for a one year extension, seconded by Mr. Baldwin and the motion was carried 5-0 by roll call vote with Mr. Roach, Mrs. Maucher, Dr. Jones, and Mr. Witham absent. Mr. Lewis voting yes. Mr. Baldwin voting yes. Mr. Reaves voting yes. Mrs. Welsh voting yes. Mrs. Denney voting yes.

S-24-06 Revised Leander Lakes III Apartments – Request for Extension of the Planning Commission conditional approval granted on May 20, 2024 for a Revision to the Site Development Plan Application S-23-04 for the construction of eight (8) 3-story garden style apartment buildings and 1 (one) 2-story 8 unit building for a total of two hundred (200) units and Active Recreation Areas to be known as Leander Lakes III. The Revised Plan involves the reconfiguration and relocation of the access drive connection to Forrest Avenue for the apartment complex. The parcel with the Access Drive is zoned RM-2 (Medium Density Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone). The Apartment Complex project area (future 25-acre parcel) is zoned RM-2 (Medium Density Residence Zone) and partially subject to the COZ-1 (Corridor Overlay Zone) with the balance of this parcel zoned R-10 (One Family Residence Zone) and partially subject to COZ-1 (Commercial Overlay Zone). The property is located on the south side of Forrest Avenue west of Dover High Drive. The owners of record are Leander Lakes IV, LLC (previous owner: Jireh Christian Center) and Calvary Baptist Church of Dover with equitable owner/developer as Leander Lakes III, LLC. Property Addresses: 2161 Forrest Avenue and part of 2285 Forrest Avenue. Tax Parcels: ED-05-075.00-01-05.00-000 and ED-05-075.00-01-06.00-000. Council District 1. Approved *Waiver Request: Elimination of Curbing on Access Drive. This site was granted conditional approval for a 200-unit apartment complex with Site Plan S-23-04 Leander Lakes III by the Planning Commission on February 21, 2023. A Minor Subdivision Plan to create the 25-acre parcel for Leander Lakes III has been approved.*

Representatives: Mr. Jim Eriksen, Solutions IPEM

Mrs. Melson-Williams stated that this is a Site Plan Application for Revised Leander Lakes III Apartments. It was also heard by the Planning Commission back in May of 2024. That version of Leander Lakes III includes a distinct access that comes from Route 8 and then crosses to where the property would be constructing a series of apartment buildings. We are in the final stages of getting to Final Plan Approval. She believes that all of the agency approvals are in place. The project does have a Record Plan that was done and that property line mark that needed to happen previously with it. At this point, the Planning Office is expecting to make the request for their Final Plan submissions so that we can complete that. The applicant outlined their status with this project in a letter dated April 9, 2026. They are anticipating moving forward with site work. We

do have Administrative Building Permits that are awaiting completion of that Final Plan Approval in order to continue their review.

Mr. Eriksen stated he is here on behalf of Leander Lakes III, LLC to request this extension. Staff here has laid out that we are basically at the finish line with this project. We have all engineering approvals in hand; they are just waiting to wrap up the Final Site Plan with Staff. As indicated, they would anticipate that Final Site Plan Approval request to come in the very near future. You can read through the letter that he submitted if you want some of the details as far as specific dates and things like that, but he does want to point out that one thing that significantly impacted the timeline on the engineering of this was the DelDOT Entrance Improvements Design. If you look on the screen, you can see where the site is located and to the west there is the Calvary Baptist Church project. The proposed entrance improvements for this project overlapped with that project. That (church) project started construction he believes in the summer of 2024. When they began their engineering, they looked at that project under construction at that point. He thinks that by late summer they had base pavement down. They decided that the best thing to do to ensure proper alignment and coordination with that entrance design and tie in when we go to build our entrance is to wait for that entrance to be completed before we start our design that way we have actual as-built locations of all of their improvements and all of their utility locations and anything else. So, we waited for that to happen and then we went out and did an as-built of that road and then they started their design which did not start until March 2025 after a pre-submittal meeting with DelDOT. They received approval from DelDOT in November of 2025 so they did get through that process very quickly but they just had to wait to start it which is a big timeline driver. Some of the other engineering agencies will need that in hand before they sign off so some of them got a request for final pending that approval as well. They do have them all in hand. They just need a little bit more time to get everything wrapped up with City Staff.

Mrs. Denney stated that you are far enough along that a year is pretty much a safe bet for this to be done. Responding to Mrs. Denney, Mr. Eriksen stated yes. As long as they just wrap everything up with the City, they will good to go.

Mrs. Welsh move to approve S-24-06 Revised Leander Lakes III Apartment for a one-year extension, seconded by Mr. Lewis and the motion was carried 5-0 by roll call vote with Mr. Roach, Mrs. Maucher, Dr. Jones, and Mr. Witham absent. Mrs. Welsh voting yes. Mr. Lewis voting yes. Mr. Baldwin voting yes. Mr. Reaves voting yes. Mrs. Denney voting yes.

NEW APPLICATIONS

SB-26-01 Lands of Fuller at 7 Nixon Lane: Minor Subdivision Plan - Public Hearing and Review of Minor Subdivision Plan for a parcel of land totaling 41,526 SF+/- (0.9533 acres +/-) located at 7 Nixon Lane to be subdivided into three lots. The property is zoned R-8 (One Family Residence Zone). The property is located on the east side of Nixon Lane slightly north of North Little Creek Road. The property was annexed into the City of Dover on March 9, 2026 (Application AX-26-01). The property owner is Lupe N. Fuller. Property Address: 7 Nixon Lane. Tax Parcel: ED-00-068.19-01-28.00-000 (new tax parcel number to be assigned). Council District 3. *Waiver Request: Elimination of Sidewalk Requirement. For Consideration: Waiver of Cash in Lieu of Active Recreation Construction.*

Representatives: Mr. Don McNeil, Patterson Schwartz Real Estate

Mrs. Melson-Williams stated that this is a Minor Subdivision Plan. The next image on the screen will show us the Plan. This might look a little familiar to people as this is the property at 7 Nixon Lane. It is here this evening for a consideration of a Minor Subdivision Plan. In recent months it was annexed into the City of Dover and the zoning classification is R-8 (One Family Residence Zone). There is an existing one family detached dwelling that is on the lot shown on the right hand side of the image. In the vacant area north of that existing home is where it is proposed to be divided into two additional lots. In total there will be three lots. Lot 1 with the existing house and then Lots 2 and 3 for future development with single family detached houses. The proposed lots comply with the R-8 (One Family Residence Zone) with the minimum lot areas, lot width, and lot depth for these units. These are considered infill lots so there are some requirements for landscaping and features on the front of the house that will have to be taken into consideration. With this application, they are requesting a waiver for the elimination of sidewalks. There are no existing sidewalks along this segment of Nixon Lane and the applicant has made a statement seeking to eliminate that frontage sidewalk citing the lack of sidewalks in the general vicinity. Because this is a residential subdivision for development, it is required to provide Active Recreation Area. Our Code allows for some alternatives to that recognizing the small size of the property and also allows the Planning Commission to make a determination of suitability for such cash donation. That's found in the *Zoning Ordinance,* Article 5 Section 10.171 and it allows that if the Commission determines that construction of recreation is not practical due to the close proximity of available recreation facilities or is unfeasible 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 the areas of donation instead of doing the construction and doing a donation instead. With this application, the applicant was actually asking for a full waiver of the cash-in-lieu of Active Recreation. That was considered by the Council Committee of the Whole for the Active Recreation Area Plan last week. In consideration by that Subcommittee, they made a recommendation that instead, the cash-in-lieu amount should be set at $750. That is a total amount for these three lots. The *Zoning Ordinance* would basically calculate that cash-in-lieu amount based on an appraisal for construction financing and such appraisal would likely return a cash-in-lieu number much greater than that. But the Committee felt that this was a more reasonable scenario given the small size of the proposed subdivision that we have here. So, the recommendation of that Committee would be setting the cash-in-lieu of Active Recreation Area construction at a payment donation of $750. That amount when paid goes directly into a Park Land Reserve Fund that is a separate account here at the City that is utilized for making park and playground and other recreational improvements in the City. One of the things that they recognized is the proximity of this location to one of the major parks in the City, the Dover Park. Other requirements for the Subdivision Plan include tree planting. The existing lot where the house is has a number of existing trees and the other two vacant lots would need to have a minimum of nine trees planted in total. The Planning Commission was provided with the Development Advisory Committee Report along with the Active Recreation Plan Review Report that more fully discusses that Cash-in-lieu scenario. Planning Staff is recommending approval of the Minor Subdivision Plan to create these three lots. They also note that the Waiver Request for the elimination of sidewalks that has been proposed and the recommendation on that Cash-in-lieu payment. Attached to the DAC Report are the comments from the various regulatory

agencies including the City's Department of Water/Wastewater and Public Works with comments, the Fire Marshal's Office, DelDOT, and the Kent Conservation District. In this case, if they want to develop individual lots upon approval they need a Residential Standard Plan which is a more simplified process for stormwater management planning for small projects. The Dover/Kent County MPO also provided comments. They encourage the opportunity for sidewalks even though this area is currently void of them.

Mr. McNeil stated that he is representing the owner, Mrs. Fuller and Delaware Heights, the proposed buyer of the land and builder. These recommendations by Council and the Development Advisory Committee are all acceptable. He would say that with the sidewalks, if they were directed to install those two sidewalks, not only would they be the only ones on the street, but we know Nixon Lane had flooding issues in the past. Now we are just taking away more space for water to be absorbed into the earth instead of just having two blocks of concrete which is essentially what they would be out in the front of each house that would connect to nothing. He thinks for overall purposes that the sidewalk waiver should be granted. As far as the Parks and Recreation amount, they agree to the $750 and they can take care of that.

Mr. Lewis stated that regarding the Cash-in-lieu, he is also on the Committee that recommended the $750. He thinks this project was the second project that night that was talked about and the $250 and the $750 total came from a discussion regarding the first project and that was the four townhouses on the other side of town. Council recognizes that they need to look into that matter more deeply as far as what they consider for Minor Subdivisions and things like that. They acknowledged that it wasn't meant to be for a three or four section development. Responding to Mr. Lewis, Mr. McNeil stated thank you because in essence, all that we are doing is putting the land back to the way that it was originally divided. We are not redoing a Subdivision here. We are simply reinstating lines that existed 20 years ago. So to be considered a Subdivision and pay the Cash-in-lieu was unfortunate; however, it is benefits the Department of Parks and Recreation then they concede and thank you for considering it to be far less than what would have been calculated out.

Mr. Lewis stated that beings that he voted in favor of the amount at that time, he is probably going to vote in favor of the $750 this time. He just wanted to put in out there that Council recognizes that they may need to make some adjustments in these types of situations.

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

Mr. Lewis moved to approve SB-26-01 Lands of Fuller at 7 Nixon Lane: Minor Subdivision Plan with the elimination of the sidewalk requirement and keeping the $750 Cash-in-lieu of Active Recreation construction donation as recommended by the Parks & Rec Committee of the Committee of the Whole, seconded by Mrs. Welsh and the motion was carried 5-0 by roll call vote with Mr. Roach, Mrs. Maucher and Dr. Jones absent. Mr. Lewis voting yes. Mr. Witham abstaining since he arrived late. Mr. Baldwin voting yes. Mr. Reaves voting yes. Mrs. Welsh voting yes. Mrs. Denney voting yes

Mr. Witham arrived at 6:58PM during part of the discussion on this application.

S-26-06 Lands of Commerce Way QOZB LLC at 175 Commerce Way - Public Hearing and Review of Site Development Plan Application to permit construction of a 234,000 SF warehouse, parking, and associated site improvements on Commerce Way. The property is zoned IPM (Industrial Park Manufacturing Zone). The property is located on the northwest side of Commerce Way where the road curves to the east. The owner of record is Commerce Way QOZB LLC. Address: 175 Commerce Way. Tax Parcel: ED-05-076.10-02-07.03-000. Council District 2. PLUS #2022-09-05. *Waiver Request: Elimination of Fence Component of Opaque Barrier Requirement. For Consideration: Performance Standards Review Application. This project was previously approved as S-22-14 Commerce Way Warehouse but the plan expired.*

Representatives: Ms. Jennifer Oltman, Kimley-Horn

Mrs. Melson-Williams stated that this is Site Development Plan S-26-06 the Lands of Commerce Way QOZB LLC. The property has an address of 175 Commerce Way. It is currently a vacant lot on the northwest side of Commerce Way as part of the Enterprise Business Park. The image on the screen shows us the proposal for what is a very large warehouse facility. The building is 234,000 SF in size. With that, that carries with it a parking requirement of 293 parking spaces. They are providing at least 300 car parking spaces. With this being a warehouse building, the east side in the darker shading that you see in the middle of the screen is actually a series of loading docks for the building and opposite that, there is a series of truck and trailer parking spaces to serve the building as well. This may look a little familiar to some of the Planning Commission members as it was previously approved as Site Plan S-22-14 back in December of 2022. It actually went through and had full Planning Commission and all agency approvals. It did receive an extension that extended that approval time frame to December 31, 2025, but since they did not move to construction, the plan approval has lapsed necessitating this new application that you have before you this evening. It is basically the same application that was approved previously but we have to treat it like a new application. The IPM (Industrial Park Manufacturing Zone) that it is in is one that would allow for warehousing and the access to this location is one access point from Commerce Way which is an existing street. They are planning to construct sidewalk across the frontage and comply with the other site elements related to lighting and dumpsters. The Staff has granted a partial elimination of curbing waiver. There is a segment of the truck and trailer parking where there are just parking bumpers at the head of those spaces. That is related to the nearby stormwater management facility. The image on the screen shows the location of one of the stormwater management ponds; it is kind of that “L” shape in the upper right hand corner of the image. There is another area on the west side of the building which is the left side of the image. This project also involves property that has woodland on it which will be for the most part retained. That is along the northern boundary of the property and the western boundary of the property. Because this property is adjacent to the apartment complex to the west, it requires an Opaque Barrier requirement. That has two components, first the opaque piece that can either be a fence, wall or berm. They are looking to construct a fence partially along that western property line and then rely more specifically on the landscape component by keeping the existing woodland on that west property line. To the north, she thinks that has been a question of some of the neighbors who are further north along Farmview Drive. There is an open parcel between this property and those housing units. They are retaining for the most part, the wooded area along this northern property line. The next image shows the

Landscape Plan and you can see the shaded area where woodland areas would be retained and then the little circles are the additional tree plantings that project is required to do and that is about 285 trees required on this site. Because this property is in the IPM (Industrial Park Manufacturing Zone), there is a Performance Standards Review requirement and that has been provided by the applicant. There is a letter that goes through the objectionable elements and reflects that this property is not intended to have any of those in how it is being developed. With the project this evening, the Planning Commission is specifically looking at the Site Development Plan. For your consideration, we have their Performance Standards Review Application and the one Waiver Request is a partial elimination of the fence component for the Opaque Barrier. This is focused on that west property area. They are intending to build part of the fence where it does not require them to take down trees to do so. The Development Advisory Committee Report continues with the various agency comments. With this project, some of those agency approvals may still be in hand but they will have to work directly to ensure that the new version continues to comply with those previous approvals.

Ms. Oltman stated that she was the licensed engineer with respect to this project. Mrs. Melson-Williams gave a very good overview on the project and what we are proposing. We would like to reiterate that it is identical to the Application that was previously submitted. We understand that it has expired and so we are looking to submit basically from scratch again. With regard to the waiver, we do intend to provide landscaping to the north buffer to supplement what is there today and the existing greenery does provide that barrier that we feel supports the variance that was granted previously.

Mr. Lewis asked if the applicant could put on the record what the delay was or what went into that. Responding to Mr. Lewis, Ms. Oltman stated the delay was by ownership. They were just looking to find the right tenant just because they were not prepared to build a speculative warehouse and so it was just looking for a tenant for the property.

Mr. Lewis asked if they have found a tenant. Responding to Mr. Lewis, Ms. Oltman stated that to her knowledge, she cannot disclose yes or no but the delay was just looking for the right opportunity for this site.

Mr. Witham asked if they could describe the nature of the foliage that you are going to use in lieu of a fence component. Responding to Mr. Witham, Ms. Oltman stated that the planting plan is a mixture of evergreens and shade trees; she does not have the exact type of tree. The plan is on the screen and it does identify the type of species. It would comply with the Ordinance and would identify trees inter-mixed with other bushes and things so that you do get that barrier. The waiver is only for the northern portion of the site where you currently have significant trees.

Mr. Witham asked if their plan is to maintain that barrier. Responding to Mr. Witham, Ms. Oltman stated yes.

Mrs. Denney opened a public hearing.

Mr. Zach Prebula – Kent Economic Partnership 555 Bay Road Dover, DE 19901

Mr. Prebula stated that they are the economic organization covering Kent County so they focus

on business attraction and also supporting businesses looking to stay here, grow here, and expand. We are in support of this project. It is a great addition to our County. Part of our role is they submit buildings to our project leads that we get. So what that means is a project or a company will reach out to us, tell us their requirements for a building, and then we will submit properties that meet those requirements. By adding buildings like this and properties like this, it adds to our attractiveness and allows us to supply those much needed properties to businesses to help locate them here and also support businesses to expand here. They ask the Commission to please support this application.

Mrs. Melson-Williams stated that they did receive a written correspondence in regards to this application. We received an email that was provided on the desks this evening of the Planning Commission members and she will read it into the record. It was received on Thursday, April 16, 2026 to the Planning Office. "We, Ted and Kate Drew, own and live at 1236 S. Farmview Drive. Our property is adjacent to this proposed construction. Per the last (undated) letter date from Kimley-Horn in lieu of attending the meeting we are permitted to submit comments about this construction through an email to this address. Therefore, we would like to request that the culvert, easement, tree line and berm between the field and out properties on S. Farmview Drive be left intact. The culvert allows for water to settle away from our homes when heavy rains cause the side culverts to overflow into our front street. The tree line is home to many wildlife species including red foxes, deer, ducks and hawks to name a few. We have physically seen the dens in the brush and enjoyed the antics of foxes and their families in the area for years. The berm keeps water from the fields away from our already overtaxed culvert between the properties. The berm also keeps crop and litter debris from the fields from blowing up against our fences. And lastly the tree line and berm are sound buffers which keep the noise from the existing warehouse to a lessened level. In the past when we had attended a similar meeting regarding potential construction, we were told that the companies do their best to keep already existing tree lines and boundaries in the plan. We hope this is the case for this plan as well. If so, then we should have no objections. Thank you for allowing our comments." It is signed Kate and Ted Drew.

Ms. Oltman stated that as we spoke, you can see on the screen that we are maintaining woods and using them as part of the Opaque Barrier for the northern and eastern side, as well as the western side. We are supplementing with additional landscaping all around this property, so I feel that it definitely complies with their request. Would you tell her exactly where their street is located just so she is understanding correctly? Responding to Ms. Oltman, Mrs. Denney stated that they live at 1236 S. Farmview Drive. If you need a copy of this letter for your records, there are extras on these desks.

Ms. Oltman stated that she thinks they comply with the Drew's demands that we would have additional landscaping that is obviously supplementing what is already there. She doesn't have the existing conditions plan in front of her so she could confirm that tree line but that is the final condition that you are looking at on the screen.

Mrs. Denney closed the public hearing.

Mr. Reaves stated that he has a question for the builders. Based on the comments from the individuals, he didn't really hear the response clearly but he is trying to understand is that request

going to be honored? Responding to Mr. Reaves, Ms. Oltman stated yes, we will. If you take a look at the plans you will see that they are preserving much of the woods that actually exists today and then as they said, actually using that as our Opaque Barrier to the north and supplementing that with additional landscaping around the entire property.

Mr. Reaves questioned if the applicant was going to communicate with the homeowners. Responding to Mr. Reaves, Ms. Oltman stated that if they were permitted to do so, they can absolutely do that.

Mr. Witham moved to approve S-26-06 Lands of Commerce Way QOZB LLC at 175 Commerce Way based upon the DAC Report and the recommendation of the Planning Commission and given the comments and the presentation presented to date and to include the partial elimination of the fence component of the Opaque Barrier as noted by the applicant, seconded by Mr. Lewis.

Mrs. Melson-Williams asked if Planning Staff could confirm that you are also recognizing their Performance Standards Review Application and accepting that as part of the motion. Responding to Mrs. Melson-Williams, Mr. Witham stated yes.

Mr. Witham moved to approve S-26-06 Lands of Commerce Way QOZB LLC at 175 Commerce Way based upon the DAC Report and the recommendation of the Planning Commission and given the comments and the presentation presented to date and to include the partial elimination of the fence component of the Opaque Barrier as noted by the applicant. Also to include the Performance Standards Review Application, seconded by Mr. Lewis and the motion was carried 6-0 by roll call vote with Mr. Roach, Mrs. Maucher, and Dr. Jones absent. Mr. Witham voting yes; for reasons stated in the motion. Mr. Lewis voting yes. Mr. Baldwin voting yes. Mr. Reaves voting yes. Mrs. Welsh voting yes. Mrs. Denney voting yes.

C-26-02 Lands of Bay Village Residential Planned Neighborhood Design - Public Hearing and Review of Conditional Use/Master Plan for a Planned Neighborhood Design Application and Major Subdivision for Bay Village Residential. The property is 79.14 acres of land east of State Route 1 on the south side of White Oak Road and located south of the Garrison Oak Business and Technology Center. The property is currently zoned RM-2 (Medium Density Residence Zone) and subject to the Source Water Protection Overlay Zone (SWPOZ): Tier 2 Primary Wellhead Protection Area. The Planned Neighborhood Design application is for 250 townhouse lots and future apartment complex development area with associated infrastructure and improvements. The property owner is Bay Village of Dover LLC. Address: South side of White Oak Road. Tax Parcel: LC-05-068.00-01-06.00-000. Council District 3. PLUS Review #2024-02-03. *For Consideration: Alternative Design Standards for PND: Lot Width and Lot Area; and Active Recreation Area Plan. Associated Application is MI-26-03 Bay Village Residential Concept Sketch Plan as presented to City Council in February 2026 with referral to the Planning Commission.*

Representatives: Mr. James Taylor, Verdantas; Ms. Ben Kulp, Verdantas

Mrs. Melson-Williams stated that this is the proposal for Bay Village Residential Planned Neighborhood Design. This is a Planned Neighborhood Design option and what you are looking

at this evening will be their Conditional Use Application for that PND and its associated Subdivision. She wants to start with a little bit about this piece of property. It is just over 79 acres of land. It is located on the south side of White Oak Road; opposite the Garrison Oak Business and Technology Center that is located to the north which would be the top of the page here. This property is located on the south side of the road. The property's western boundary which is on the left edge of the plan, is the Little River and its associated tax ditch system. There are nearby wetland areas and also Special Flood Hazard Areas (the 100 Year Floodplain). That is actually depicted on this plan; it's the Existing Conditions Plan. They have mapped the location of the Floodplain as per the FIRM Panel that FEMA issues; however, they will be going through a process for a Conditional Letter of Map Revision related to this property because they have, first off, better information about the property elevation as to where that Floodplain area truly is on the property. It changes the location of that and they are also planning to use some fill as part of their project activities. The center of this property is most recently been in active agricultural production and then the eastern portion on the right-hand side is actually a wooded area. For the most part, they are leaving that wooden area intact. It likewise has some wetland areas which are prohibited from development as well. The next image shows the site overall. You can see in the dark green olive color, the wooded area with this property. You can see a number of the other lines related to some of those floodplain and wetland areas. With this project, they are looking to create a residential subdivision consisting of townhouse units and that is in the street network that you see here. The large lot at the bottom of the page is an area that they are reserving for a future apartment complex development for this location. With the property being zoned RM-2 (Medium Density Residence Zone) it does allow for both of those housing types of uses. Tonight, their Conceptual Plan is really focused on just the proposal for the 250 townhouse units, the associated Active Recreation Areas, stormwater management and that aspect of the property. With a Planned Neighborhood Design, it is not a rezoning of the property. It is just a specialized review process and tonight we are seeing their concept. They will have to return to the Planning Commission with a little bit more of a detailed Preliminary Subdivision Plan should this evening progress in the affirmative manner. The property is also partially subject to the SWPOZ (Source Water Protection Overlay Zone): Tier 2 Primary Wellhead Protection Area that requires protection of wellheads that are within a certain proximity and also has a number of uses that a specifically prohibited. They are in compliance with the uses that they are talking about doing on the site at the present time and the well heads are not immediately adjacent to this property. As noted for the Special Flood Hazard Area, our *Zoning Ordinance* does not allow for development in those areas. They will have to pursue the Conditional Letter of Map Revision. They have made a submission to the City. There is part of that application to FEMA that the City must acknowledge and we will be working to do that with them in the coming weeks. Their project overall is showing a general street layout. It includes streets that have parking areas on certain sides of the street as required. There are alleys that are meant to serve the rear of the townhouses. There is one portion of the project site and that is the series of Lots 1-20 which are the top row on this image that don't back up to a specific alley but back up to White Oak Road. At this point in time, they are not fully compliant with that situation because there are also requirements in our Code that require Rear Emergency Access for townhouse units. Those are met most typically by providing an alley at the rear but for those series of lots, they are still considering how to approach that. In their request, there is potential Waiver Request (for sidewalks) but I believe that the applicant is actually going to comply fully. There is a portion of White Oak Road and the entrance Boulevard A that was not shown with sidewalk but the applicant has indicated that they

will comply and do not need that Waiver Request. They did provide some information on building architecture. Initially, there were images of three-story townhouse units but they have also provided two-story design units. She will let them speak in greater detail to that. With this project, because it's residential there was an Active Recreation Area Plan that was reviewed by the Parks and Rec Committee. It focuses on providing the appropriate amount of Active Recreation Area based on the unit count for the townhouses to be developed in the future with the apartment complex, additional active recreation will be necessary. The active recreation components focus on a series of amenities in a centralized open area that is in the middle of the plan, which includes a basketball half court, pavilion with tables and a walking path through some other areas of walking path that connect up to the northwest. Then in the lower southwest corner, there is a proposed fenced dog park area. Those were reviewed and found to be appropriate for this type of development. They were accepted by the Parks and Rec Committee with reference made to the minor comments that are included in the Active Recreation Area Report. There are some thing things to clarify like sidewalk locations and setback distances for some of those amenities.

One of the things that she does want to point out with the Planned Neighborhood Design is that they are allowed to consider Alternative Design Standards for the development of that particular townhouse unit. They are requesting two different bulk standards related to that other than what our Code outlines and those are related to the lot width. The Code would require a minimum width of 22 feet; they are requesting a lot width of 20 feet. Then regarding lot area, they are looking to set the minimum and average lot area at 1,600 SF where our Code would require 2,200 SF or 2,000 SF as a minimum. Those are particular requests that you will need to act upon this evening. As always, we have included the full Development Advisory Committee Report with the number of comments of the things that will be revised if the project moves forward. Planning Staff is recommending approval of those Alternative Design Standards but we are certainly encouraging them to continue to look at potentially offering a mix of housing unit types and formats. There is potential here for two and three-story units but offering a one-story unit scenario may broaden the accessibility options for housing in this neighborhood. In regards to the Rear Emergency Access, we clearly note that the Lots 1-20 do not currently comply with this rear alley and Rear Emergency Access requirements. There has not been a formal request in that regard. The applicant was continuing to look at the options for that area. We are also very clearly noting their intent to file a Conditional Letter of Map Revision in order to revise the location of the Special Flood Hazard Area on this property. With their additional information about the actual soil elevations there and intent to use some fill on the site. With that, there are also the additional comments from all of our regulatory agencies. She will note that this project has gone through a Traffic Impact Study with DelDOT. They will also be working to coordinate with the City because they City has recently completed a Traffic Impact Study related to the Garrison Oak Business and Technology Center. So the two of those will have to work together as to the types of improvements that are necessary along White Oak Road in this general area.

Mr. Kulp stated that he is with Verdantas and they are here for the 250 townhouse lots. The apartments will come in as a separate entity under a different job number and all. It is not part of this; we are currently only looking at the 250 townhouse lots. As for Lots 1-20, we are looking to make them comply with your rear access in a way, shape, or form whether it be duplexes or the clear space behind the 16 foot use with the fire trail. The architectural plans that were initially

submitted showed a three-story but we are moving forward with a two-story unit on these with no garage; it would be the rear parking pad in the back. Each lot would have two spaces on the rear and with alley access and then any overflow spaces would be out in the roadway as parallel spacing. We look forward to working with everybody's comments and get this Plan moving along.

Mr. Lewis asked how many more units are you able to put in this development with those minimums that Mrs. Melson-Williams went over; the 1,600 SF minimums versus the minimums that exist in the City already? How much more density wise are you getting with your Plan versus if you were following the minimums as they exist right now? Responding to Mr. Lewis, Mr. Taylor stated that they are actually not taking credit for the full density. The request for the Conditional Use and the modifications in the design aspects are more related to the specific unit that is being proposed for this development which is a 20-foot-wide unit. That is really the only piece that we are changing. With a lot depth of 80 feet, we are requesting a lot width of 20 foot. That just puts the minimum at 1,600 SF. We are not necessarily changing the total number; we are not gaining any more.

Mr. Lewis stated that it is more of what the building looks like and not the number of doors. Responding to Mr. Lewis, Mr. Taylor stated yes, exactly.

Mrs. Denney stated that one thing that always concerns her is the fire lane behind a building because if God forbid something happens, you should be able to have equipment there to assist anybody who comes out any door. If you can't put a fire engine behind there or rescue equipment if somebody does manage to want to come out of a window or whatever, we need room behind there. It appears as though in the Plan that you are providing tonight, you are indicating that that will exist. Responding to Mrs. Denney, Mr. Taylor stated yes, right now except for Lots 1-20 which are the ones right along White Oak Road. Right now, they technically have an access from the rear. We are currently will be working with Mrs. Melson-Williams to figure out what is best for those lots. As you can image, it is a little bit of a unique situation of having a major road behind it while the subdivision street is in front of it. We are working to determine what the best route is moving forward. We are not looking for a Waiver from the emergency access, we are just working to try and figure out what is going to be best. In between when we had the DAC Meeting and today, we did look at a couple different options of duplexes, we looked at the 16-foot-wide emergency access which would then also require the fire proofing that is listed in the City's Code. So, there are a couple of different options that we have. We will be back here in front of the Commission for the next plan submission. We are hoping for the June Planning Commission meeting which that would all be flushed out by that point in time and be able to come back to the Commission with an update on that. All of the other lots have rear access alleys which service both the rear access requirements and also the emergency access requirement.

Mr. Witham asked if they were comfortable with all of the recommendations that have been submitted through the DAC comments. Responding to Mr. Witham, Mr. Taylor stated yes, they have reviewed them. A lot of the DAC comments are standard comments. The Planning Commission comments are fairly easy to work with as well. We are absolutely going to work with all of the DAC members to get this completed.

Mr. Witham asked that if they approve this Conditional Use Master Plan tonight, what is the next step in the process that would come before this Commission? Responding to Mr. Witham, Mr. Taylor stated that Mr. Kulp has his work cut out for him to be able to get this resubmitted for the May 1, 2026 filing deadline which would put us before you at the June meeting. A lot of that is addressing most of the Planning Commission comments and adding a little bit more detail. Mrs. Melson-Williams added, it would be a little more of a close up of these recreation areas.

Mr. Reaves stated that he is trying to understand that if they approve this tonight and they don't have the rear access for the Fire Department, is this going to come back before the Commission? Responding to Mr. Reaves, Mrs. Denney stated yes, it will.

Mr. Taylor stated that tonight, the biggest piece that they are looking for approval on is the PND which is the change in the bulk standards for those two pieces. That is really the biggest part of tonight. The next Plan in front of you would be able to keep going through that process. We will be back in front of this Commission to be able to talk further about Lots 1-20 and how that will comply with City Code.

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

Mr. Lewis moved to approve C-26-02 Lands of Bay Village Residential Planned Neighborhood Design acknowledging the Alternative Design Standards for PND of lot width and lot area as well as the Active Recreation Area Plan, seconded by Mr. Witham and the motion was carried 6-0 by roll call vote with Mr. Roach, Mrs. Maucher, and Dr. Jones absent. Mr. Lewis voting yes; he looks forward to seeing the applicant soon. Mr. Baldwin voting yes. Mr. Reaves voting yes. Mrs. Welsh voting yes. Mr. Witham voting yes; based upon the submission and the public comments and questions received today. Mrs. Denny voting yes.

NEW BUSINESS

No items of New Business.

PUBLIC COMMENTS OPPORTUNITY

There was no one wishing to provide comments.

Meeting adjourned at 7:53 PM.

Sincerely,

Kristen Mullaney
Secretary

City of Dover

DATA SHEET FOR RECREATION PLAN REVIEW
Revisit Request for Review of Cash-in-lieu Payment for Active Recreation Area Requirement
PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF April 14, 2026

Previous PLANNING COMMISSION MEETING of February 18, 2025
Previous PARKS, RECREATION and COMMUNITY ENHANCEMENT COMMITTEE
MEETING of February 11, 2025

Plan Title:	Lands of 4BL, LLC: Cecil Street Townhouses at 207 W. North Street, C-25-01
Plan Type:	Conditional Use Site Plan and Minor Subdivision Active Recreation Area Plan
Location:	Northeast corner of N. West Street and Cecil Street
Address:	207 N. West Street (Now Addressed as 527, 525, 523, and 521 Cecil Street)
Tax Parcels:	ED-05-076.08-02-01.00-000 ED-05-076.08-02-01.01-000 ED-05-076.08-02-01.02-000 ED-05-076.08-02-01.03-000
Owner:	4BL, LLC
Site Area:	Total 12,168 SF now subdivided into 4 Lots
Zoning:	RG-1 (General Residence Zone)
Current Use: Proposed Use: Dwelling Units:	Vacant Land Townhouse Lots 4 units
Parking:	Required: 2 per dwelling unit Proposed: 2 per dwelling unit
Water and Sewer:	City of Dover
Prior Approval:	Active Recreation Plan (Cash-in-Lieu Donation) With Exemption under *Zoning Ordinance*, Article 5 §10.511

For Consideration: Request for Waiver of Cash in Lieu of Recreation Area Construction

- Consideration of Determination of Suitability under *Zoning Ordinance,* Article 5 §10.171
- Small Development Exemption under *Zoning Ordinance*, Article 5 §10.511

I. PROJECT AND REQUEST SUMMARY

Conditional Use and Minor Subdivision Plan C-25-01 was reviewed to permit the construction of four (4) townhomes on a 12,168-SF parcel of land located at the northeast corner of Cecil Street and North West Street. It was granted conditional approval by the Planning Commission on February 18, 2025. The Plan achieved Final Plan Approval on March 11, 2026 and the plan has been recorded to create the four (4) lots for development with Building Permits currently under review. As part of the review process, the project received approval from the Parks, Recreation and Community Enhancement Committee and Planning Commission to utilize the Cash in Lieu donation instead of providing areas for Active Recreation in the development area of the four lots.

Determination of Cash-in-Lieu Amount

As part of approval of an Active Recreation Area Plan for the project, the Planning Commission accepted that the applicant would make a Cash-in-Lieu payment for the Active Recreation Area. A copy of an appraisal prepared for construction financing was required to be provided to the Planning Office in order to determine the amount of the Cash-in-Lieu payment in accordance with *Zoning Ordinance*, Article 5 Section 10. The applicant submitted a full copy of the appraisal performed by Dover Consulting Services, Inc. as of April 1, 2025 which relates a market value for the parcel of land. The following is a summary of the calculations for the Cash-in-Lieu payment amount under the Small Development exemptions.

2025 Appraisal of Land Value: $80,700
Cash-in-Lieu Amount = 10% of appraised value of gross land area = **$8,070**

The *Zoning Ordinance* requires payment of the Cash-in-Lieu donation prior to issuance of the first Building Permit.

Request for Waiver of Cash in Lieu

The Applicant has made a Request to Revisit the Cash in Lieu of Recreation Area Construction; see attached email with Narrative. This Revisit with the Parks, Recreation and Community Enhancement Committee (and Planning Commission) is to allow consideration for Waiver of the Cash in Lieu payment or consideration of accepting a partial (reduced) Cash in Lieu payment.

Attachments for Waiver Request:

- Email of March 31, 2026 with narrative Request for Waiver
- Aerial Map of Subject Site and Proximity to Dover Park (added by Staff for Reference)
- Record Plat of Approved Subdivision C-25-01

Code Citations

Dover Code of Ordinances, Appendix B – Zoning, Article 5 – Supplementary Regulations, Section 10 – Open Space, Recreation and Other Public Facilities outlines the provisions for Active Recreation Area requirements. *Zoning Ordinance*, Article 5 §10.17 describes an option for Cash in lieu of Recreation Area construction and determination of its suitability. This determination of suitability allows for consideration of proximity to existing recreation facilities, land characteristics, and if beneficial to residents. Additionally, Article §10.5 provides the additional guidelines for Exemptions for Small Developments. See the code excerpts that follows:

Article 5 §10

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.

10.5 *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.

10.52 *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.

II. STAFF RECOMMENDATIONS on Request for Waiver

The following are comments and recommendations from staff of the Planning Office following review of the Applicant's Request for Waiver of the Cash in Lieu payment.

1) The *Zoning Ordinance* allows for a determination of suitability and consideration for a full or partial Cash in Lieu donation. The subject lots are about a block south of Mary Street Park located at the corner of Mary Street and North Kirkwood Street. The Capital City Bike Trail is also nearby.

2) Previously, the project was authorized for the Cash in Lieu Payment option and upon receipt of the appraisal information the payment amount was determined. Based on the code provisions for Cash in Lieu under the Small Development Exemption, the Cash in Lieu Payment is $8,070 due to the land value of the property.

3) Due to the proximity of the lots to the Mary Street Park and evaluation of the reasonableness of the payment amount versus the project's development size, Staff recommends that consideration be given to the Applicant's request for Waiver of the Cash in Lieu payment or to accepting a partial (reduced) Cash-in-lieu payment.
    a. Any Cash in Lieu payment donation is placed in the Parkland Reserve Account which is a separate account to be used for parks, playgrounds, or recreational purposes.

The following is the original Review Report prepared for the Council Committee of the Whole: Parks, Recreation and Community Enhancement Committee Meeting of February 11, 2025 and Planning Commission Meeting of February 18, 2025. It is included for reference.

Note: The Review Report of February 2026 was initially prepared by Staff of the Rossi Group (under a Planning Services contract with the City of Dover). The Report was completed with additional review and editing by the City's Planning Office.

I. PROJECT SUMMARY:

This application is for review of a Conditional Use and Minor Subdivision Plan to permit the construction of four (4) townhomes on a 12,168-SF parcel of land located at the northeast corner of Cecil Street and North West Street. The property is currently a vacant parcel of land, after the prior residential structure was demolished. The property for the proposed development is zoned RG-1 (General Residence Zone). The owner of record is 4BL, LLC. Property Address: 207 North West Street. Tax Parcel Number: ED-05-076.08-02-01.00-000. Council District 4. *For Consideration: Active Recreation Plan Review. See Attached Plan Sheets.*

II. ACTIVE RECREATION AREA PLAN SUMMARY:

Article 5, Section 10 of the *Zoning Ordinance* requires the reservation of open space, recreation and other public facilities 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.

Exemption to Recreation Area and Open Space Dedication

The *Zoning Ordinance* Article 5, Section 10.511 notes that residential developments with less than five acres of land and less than ten dwelling units are considered a "small development" and as such are exempt from requiring recreation area and open space facilities, but shall require a cash donation to be made by the developer in lieu of a dedication of land.

The Applicant is therefore not required to provide such recreation facilities, but must otherwise pay a cash-in-lieu fee. This fee is determined based off the appraised value of the gross land area. The appraisal document with the appraised value of the gross land area must be submitted to the Planning Office so that the fee calculation (Cash-in-Lieu amount) may be completed. The information is required to be submitted to the Parks, Recreation and Community Enhancement Committee of City Council for review and approval.

III. REVIEW PROCESS

The Planning Office has prepared this Active Recreation Area Report outlining the requirements based on the *Zoning Ordinance*. The Parks, Recreation and Community Enhancement Committee will make a recommendation. The Planning Commission must act to accept the Recreation Area Plan as part of the Site Plan review process.

The Parks, Recreation and Community Enhancement Committee will review the Recreation Area Plan at their meeting on February 11, 2025. The Planning Commission Public Hearing and Review of the Conditional Use/Minor Subdivision Plan C-25-02 is scheduled for February 18, 2025.

IV. CODE CITATIONS:

Dover Code of Ordinances, Appendix B – Zoning, Article 5 – Supplementary Regulations, Section 10 – Open Space, Recreation and Other Public Facilities (select excerpts).

Article 5 Section 10
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.

10.5 *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.

10.52 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.

Regarding the calculation of the amount of the cash donation, the *Zoning Ordinance* in Article 5 §10.52 specifies that the "cash donation shall be equivalent to ten percent of the appraised value of gross land area" and this value shall be "based on the appraisal prepared for the developer to secure construction financing." The Applicant is aware of the need to submit this Appraisal document; upon its submission to the required Cash-in-lieu donation amount will be calculated.

V. STAFF RECOMMENDATIONS

The following are comments and recommendations from staff of the Planning Office following review of the Active Recreation Area Plan (Potential request for Cash-in-Lieu).

1) Staff recommends that a Cash-in-lieu donation of an Active Recreation Area be approved for this project. The project is located Downtown, across from the Senator Bikeway, and within walking distance of City parks and recreation amenities.
    a. The Cash-in-lieu amount is yet to be determined as a land appraisal submission is required to be submitted to the Planning Office.
    b. This Request must be reviewed by the Parks, Recreation & Community Enhancement Committee of City Council so that they may provide a recommendation to the Planning Commission.
    c. The payment of the Cash-in-lieu is required prior to the issuance of the Building Permit for this first dwelling unit. The donation amount is deposited in the City's Parkland Reserve Fund account.

VI. ADVISORY COMMENTS

1) In the event that major changes and revisions to the Plan occur in the finalization of the Plan, contact the Planning Office. Examples include reorientation of buildings, relocation of site components, changes in floor area or unit count, or design revisions impacting Active Recreation Areas. These changes may require resubmission for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regard to the plan.

2) The Parks, Recreation, and Community Enhancement Committee shall submit to the Planning Commission a report detailing the recommendations as to the Recreation Area Plan.

Attachments (to Original Report):

- Select pages from the C-25-01 Plan set

From: Cameron Llewellyn
To: Melson-Williams, Dawn
Cc: Lori Llewellyn
Subject: EXTERNAL: Cecil Street Townhomes
Date: Tuesday, March 31, 2026 3:35:31 PM

Dawn,

Lori and I appreciate the guidance you have provided throughout the Cecil Street Affordable Townhomes project. We value the City's partnership as we work to deliver four modest, for-sale homes—one of which is intended for our daughter and son-in-law.

That said, the process to date has been challenging. We have experienced extended delays and slow response times, over $45,000 in engineering costs, and significant carrying costs. For a small, four-unit project, these impacts are substantial. If bulk standards were more aligned with the existing lot fabric of downtown Dover, and if administrative flexibility were available at the staff level, these homes would likely already be completed and occupied.

We applaud the SJR8 Housing Reform Program, which seeks to address many of the barriers we have encountered. However, those reforms do not provide relief to the buyers currently waiting for these homes.

Unfortunately, due to these delays, our daughter and son-in-law have been forced to sign a lease for an apartment, as construction has not progressed. As a result, we now face the financial burden of carrying that unit for an additional 6–7 months, or alternatively incurring penalties to terminate their lease early.

From the outset, we made intentional design decisions to improve both safety and livability. Specifically, we elected to install a full sprinkler system, eliminating the need for a rear alley. While this adds cost to each home, it reduces impervious coverage, **provides meaningful and usable backyard space**, and limits opportunities for undesirable activity. These yards are functional spaces for families—whether for children's play, small patios, or general outdoor use.

Despite these considerations, each unit is still subject to a $2,000 active recreation fee. While described as a "cash donation," this functions in practice as a direct cost burden—one that is ultimately borne by first-time and moderate-income homebuyers. In today's housing market, even modest additional costs can meaningfully impact affordability and access to homeownership.

This requirement also appears inconsistent with the City's adopted policies. The 2019 Comprehensive Plan prioritizes expanding affordable homeownership opportunities, and recent statewide initiatives emphasize reducing barriers to housing production and affordability. From our perspective, allocating $2,000 toward a buyer's closing costs would provide a far more direct and meaningful benefit than funding off-site recreation improvements.

Additionally, the Zoning Ordinance provisions for active recreation appear to support relief in this case:

- **Section 10.514** requires 150 square feet of active recreation area per unit. The Cecil

Street homes provide approximately 850 square feet of usable, sodded rear yard space for interior units and approximately 1,320 square feet for end units.

- **Section 10.515**, applicable to developments within the Downtown Redevelopment Target Area (Appendix C), reduces this requirement to 75 square feet per unit. While we have been unable to confirm whether this parcel falls within that boundary due to limitations accessing the City's mapping resources, the site is located within the Downtown Development District and functions as part of the broader redevelopment area.

Further, the project is directly connected to meaningful recreational assets. The homes are located along the Capital City Trail, providing access to downtown amenities, First State Heritage Park, and Silver Lake Park. Nearby neighborhood amenities, including Mary Street Park and the Division Street Playground, offer additional accessible recreational opportunities.

Given the significant delays, the substantial costs already incurred, the recreational amenities already provided both on-site and nearby, and the project's clear alignment with the City's housing and redevelopment goals, we respectfully request a waiver of the active recreation fee.

We respectfully request to be placed on the agenda for the April 14th City Council of the Whole Parks and Recreation Committee meeting to present this request and provide any additional information that may assist in your consideration.

We appreciate your consideration and would welcome the opportunity to discuss this further.

Sincerely,

Cameron and Lori Llewellyn

Planning & Inspections View Map



4/8/2026, 4:49:04 PM

Dover_Boundary

Dover Parcels

1:2,257

0 0.02 0.04 0.08 mi

0 0.03 0.07 0.13 km

VGIN, Microsoft, Vantor

City of Dover, Delaware - Planning D

USDA Agricultural Stabilization and Conservation Service | EarthData/PhotoScience Inc. | State of Delaware Department of Transportation and EarthData | EarthData International of Maryland | Sanborn Mapping Company | Digital Aerial Solutions, LLC | Surdex Corp | State of Delaware, Sanborn Map Comp

RECORD PLAN
FOR
CONDITIONAL USE PLAN
CECIL STREET TOWNHOMES
CITY OF DOVER, KENT COUNTY, DELAWARE

GENERAL NOTES

1. These drawings show information obtained from the best available records regarding pipes, conduits, telephone lines, and other structures and conditions which exist along the lines of the work at and below the surface of the ground. The owner and engineer disclaim any responsibilities for the accuracy or completeness of said information given. If the contractor relies on said information, he does so at his own risk. The giving of the information on the contract drawings will not relieve the contractor of his obligations to support and protect all pipes, conduit, telephone lines, and other structures/improvements.

2. The contractor shall notify the following, two (2) weeks prior to the start of construction and shall coordinate construction and erosion control with the utility companies involved:

   Dover Department of Public Utilities.....1-302-736-7025
   Miss Utility.....1-800-282-8555
   Kent Conservation District.....1-302-741-2600
   Larson Engineering Group, Inc.....1-302-731-7434

3. All materials and workmanship shall meet the State of Delaware Standards and Specifications, dated August 2001 and any addendum thereto.

4. All disturbed area within the State Right-Of-Way, but not in pavement, shall be topsoiled (6" minimum), fertilized and seeded.

5. A 24-hour (minimum) notice shall be given to the District Permit Supervisor prior to starting entrance construction.

6. All construction shall be marked for traffic and pedestrian safety.

7. The contractor shall provide all equipment, labor, and materials for any miscellaneous or test pit excavations required by the engineer.

8. The owner is responsible for the acquisition of all easements, both permanent and temporary.

9. The contractor assumes all responsibility for any deviations from these plans unless said deviation is approved by the engineer. Contractor shall receive written permission from the engineer if a deviation of the plans is necessary.

10. All sidewalks shall meet each door at finished floor elevation.

11. All disturbed areas shall be smoothly graded to provide positive drainage in the direction of flow arrows herein and stabilized with topsoil, seed, and mulch. If settlement occurs, topsoil seed, and mulching shall be repeated until settlement subsides (see erosion and sediment control specifications).

12. Trenches shall not remain open overnight. If it is necessary for trenches to remain open, steel plates capable of bearing traffic shall be used to completely cover the trench openings.

13. All sediment and erosion control facilities shall conform to Delaware Erosion and Sediment Control Handbook, Dec. 2003.

14. All fire lanes, fire hydrants, and Fire Department connections shall be marked in accordance with the State Fire Protection regulations.

15. Topography was field verified by Larson Engineering Group, Inc. in December 2024.

16. Boundary information was prepared by Larson Engineering Group, Inc. in December 2024.

17. No wetlands on this site.

18. The Kent Conservation District reserves the right to add, modify or delete any erosion and sediment control measures as it deems necessary.

19. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.

20. If the approved plan needs to be modified, additional sediment and stormwater control measures may be required as deemed necessary by the Kent Conservation District.

21. All construction/demolition debris shall be removed off-site to an approved solid waste facility.

22. All construction shall be done in accordance with Delaware Department of Transportation Standard Specifications for Road and Bridge Construction, dated June 2022 and Standard Construction Details, dated 9/24/24.

23. All entrances shall conform to the State of Delaware Department of Transportation and will be subject to approval.

24. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings an at other locations so as to afford reasonable barrier-free pedestrian movement and site access.

25. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

25. The site is located in Zone X (unshaded): Areas of less than 0.2% annual chance of flood per FIRM map panel number 10001C0166H dated May 5, 2003.

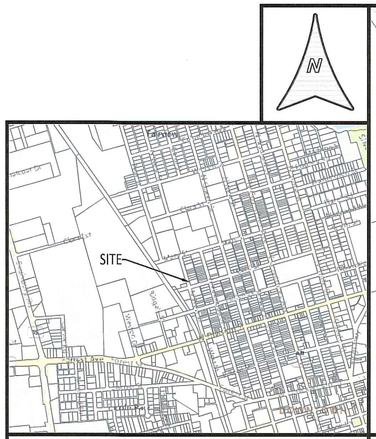
26. All stormwater management facilities, including storm drains and catch basins, located on site shall be owned and maintained by the property owner in perpetuity.

DelDOT NOTES:

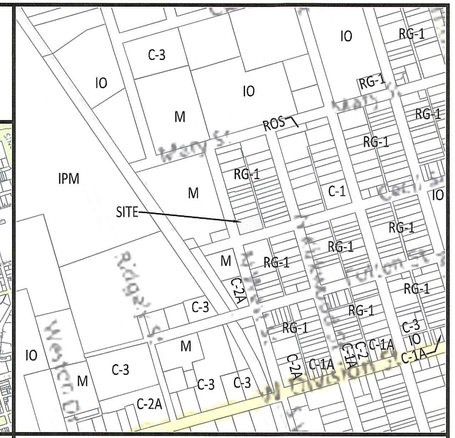
1. All entrances shall conform to DelDOT Development Coordination Manual (DCM) and shall be subject to its approval.

2. Shrubbery, plantings, signs and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited within the defined departure sight triangle area established on this plan. If the established departure sight triangle area is outside the right-of-way or projects onto an adjacent property owner's land a sight easement should be established and recorded with all affected property owners to maintain the required sight distance.

Notice: These drawings and design are the exclusive property of Larson Engineering Group, Inc., and shall not be used, altered or copied without written permission.



LOCATION MAP SCALE: 1"=1200'
*Information shown taken from Microsoft-Bing on 10/10/24



LOCATION MAP SCALE: 1"=400'
*Information shown taken from Microsoft-Bing & City Dover Zoning Map on 10/10/24

SHEET INDEX

RP-1 RECORD PLAN – TITLE SHEET
RP-2 RECORD PLAN

DATA COLUMN

Plan Purpose: Subdivision of existing parcel into 4 residential lots for construction of 4 residential townhomes.

Plan Type: Conditional Use & Minor Subdivision Plan

Parcel Number: ED-05-076.08-02-01.00-00001

Owner Address: 4BL, LLC
114 W Reed Street
Dover, DE 19904
Representative: Cameron LLewellyn
Phone: (302) 359-4646

Property Address: 207 N. West St.
Dover, DE 19904

Site Area: 12,158.214 Sq. Ft.; 0.279± Acres.

Lots: Existing 1
Proposed 4

Existing Zoning: RG-1 (General Residence)

Datum: NAVD88

Existing Use: Residential/Vacant
Proposed Use: Residential/Townhouse

Percent existing lot coverage: 29.7%

Posted Speed Limit: 25 MPH

The site is not located within a Traffic Improvement District

Sewer Service: Gravity, City of Dover

Water Service: City of Dover

Trash Service: City of Dover

Required Bulk Standards	Townhouse/DU Family Attached	Lot 1	Lot 2	Lot 3	Lot 4
Minimum required					
Lot Area (sq. ft.)	3000* (2366)	3723.26	2367.41	2368.09	3699.45
Lot Width	20'	44.00'	28.00'	28.00'	43.65'
Lot Depth	100'* (84.50')	84.50'	84.54'	84.56'	84.59'
Front Yard	15'	15.8'	15.8'	15.8'	15.8'
Side Yard (minimum)	10'/0	N/A	0	0	15.7'
Rear Yard	30'	30.8'	30.8'	30.8'	30.9'
Off-Street Parking Spaces/DU	1	2	2	2	2
Maximum Permitted					
Building Height	35'	26'	26'	26'	26'
Stories	3	2	2	2	2
Lot Coverage	60%	35.%	54.9%	54.9%	35.1%

*Bulk Standards Modified by Board of Adjustment Variance

WAIVER GRANTED ON FEBRUARY 18, 2025

1. Waiver from Land Subdivision Regulations (Appendix A), Article VI, A.-Streets, Section 13.8; To waive the requirement for townhouses to have rear alleys.

2. Waiver from Zoning Ordinance Article 5, Section 17 to waive the rear emergency access by providing sprinkler systems within the proposed townhouses.

3. Active Recreation Area – Exemption granted on March 17, 2025 to recreation area and open space dedication by providing the required open space due to "small development" designation of site per Zoning Ordinance Article 5, Section 10.511.

VARIANCES GRANTED ON NOVEMBER 20, 2024 (City of Dover Board of Adjustment under Case No. V-24-06)

1. Variance from Article 4, Section 4.2 to allow a lot area of 2,366 Sq. Ft. for Lots 2 and 3 from the required 3,000 Sq. Ft.

2. Variance from Article 4, Section 4.2 to allow a lot depth of 84.50 Ft. from the required 100 Ft.

RECORD PLAT
Recorded in the Kent County Recorder of Deeds Office on _____ in Plat Book _____ page _____

DelDOT
NO OBJECTION TO RECORDATION
February 17, 2026
DATE

RECEIVED FOR RECORD
3/12 A.D. 2026
TIME 12:35 PM
Evangeline Thornton
RECORDER

PLOT BOOK 161 PAGE 3
SIZE 24 x 36

APPROVED C-25-01
This plan reflects conformity with all applicable conditions of approval specified by the City of Dover Planning Commission at its meeting of February 18, 2025
Name Laura B. Nelson-Williams
Date March 11, 2026

OWNER'S CERTIFICATION

We, 4BL, LLC hereby certify to the ownership of the property described and shown on this plan, that the plan was made at our direction, and that we acknowledge the same to be our act and that we desire the plan to be recorded according to law.

Date 02.11.2026 Signature _____
Print: Cameron Llewellyn
4BL, LLC

ENGINEER'S CERTIFICATION

I, Douglas J. Liberman PE, hereby certify that I am a Registered Engineer, Land Surveyor, or Architect in the State of Delaware, that the information shown hereon has been prepared under my supervision and to the best of my knowledge and belief represents good engineering, surveying, and/or architectural practices as required by the applicable laws of the State of Delaware.

Date 2/10/26 Signature _____
Douglas J. Liberman Engineer

DOUGLAS J. LIBERMAN LICENSE No. 24193 DELAWARE PROFESSIONAL ENGINEER
SIGNATURE 2/10/26 DATE

DATE	2/5/25
SCALE	AS NOTED
JOB NO.	24-022
DRAWN BY	YATuroczy
APPLICATION NO.:	C-25-01
DESIGNED BY:	DJLiberman
APPROVED BY:	DJLiberman
CHECKED BY:	DJLiberman

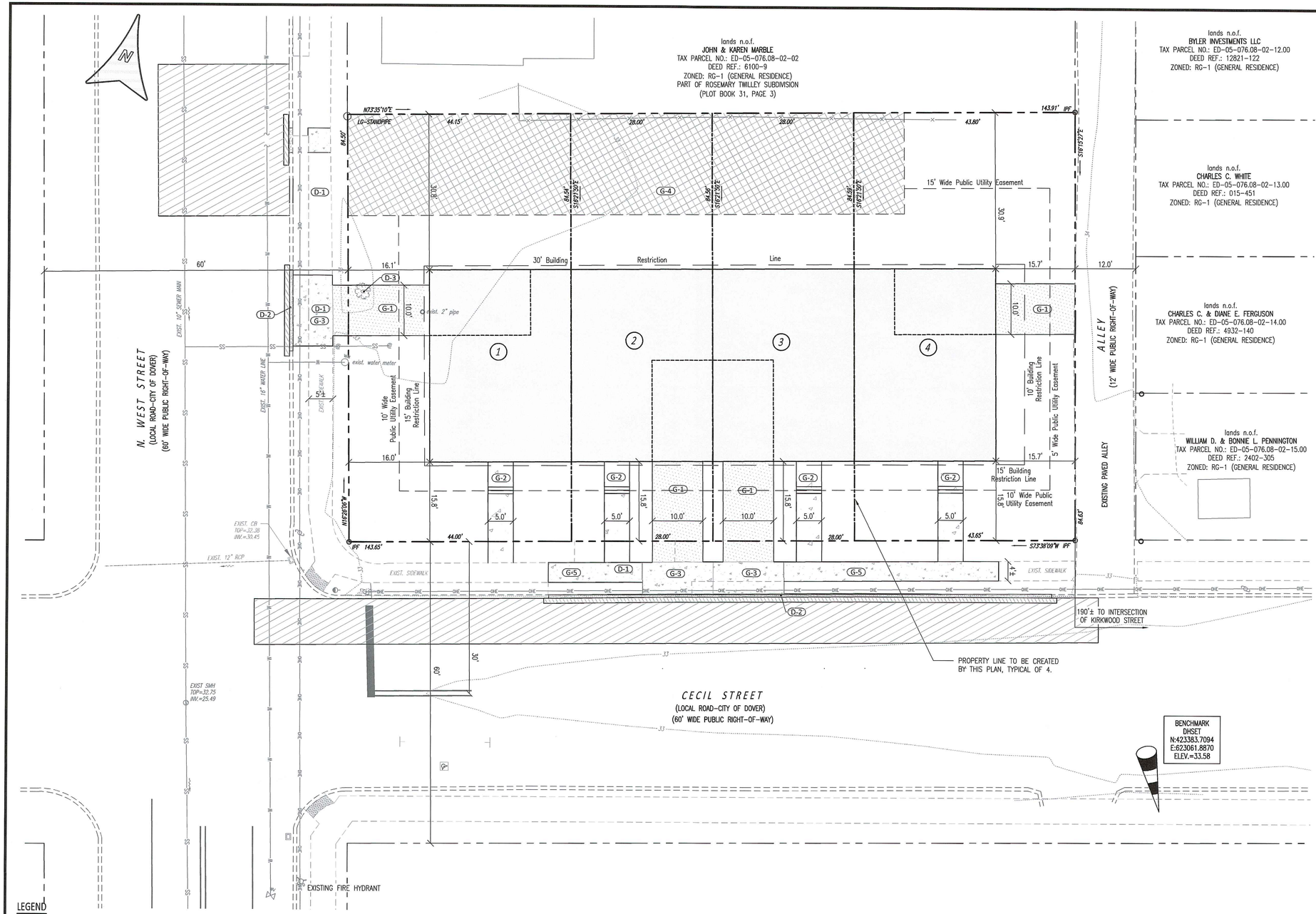
DATE	REVISION
1/21/26	Per DelDOT Comments

RECORD PLAN – TITLE SHEET
FINAL PLAN
FOR
CONDITIONAL USE PLAN
CECIL STREET TOWNHOMES
CITY OF DOVER, EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
PREPARED FOR: 4BL, LLC

CADD FILE: Recordplan_Tablemark Wheck

SHEET NO.: RP-1

LARSON ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING
910 SOUTH CHAPEL STREET • SUITE 200
NEWARK, DE 19713
Phone: (302) 731-7434
Fax: (302) 731-8211



EASEMENT LINE DATA

SEGMENT	LENGTH	DIRECTION
E1	110.07'	N73°35'10"E
E2	20.00'	N16°24'50"W

DEMOLITION NOTES

D-1 SAWCUT AND REMOVE EXISTING SIDEWALK TO LIMIT SHOWN.
D-2 REMOVE EXISTING CURBING TO LIMIT SHOWN FOR DRIVEWAY AND UTILITY CONSTRUCTION.
D-3 EXISTING TREE TO BE REMOVED.

SITE NOTES

G-1 INSTALL BITUMINOUS PAVEMENT FOR DRIVEWAY, DRIVEWAY WIDTH 10'.
G-2 PROPOSED 5' WIDE SIDEWALK SEE DETAIL ON SHEET SD-4 .
G-3 PROVIDE DRIVEWAY APRON PER DETAIL ON SHEET SD-4.
G-4 20' WIDE SEWER EASEMENT FOR BENEFIT OF CITY OF DOVER.
G-5 PROVIDE CONCRETE SIDEWALK TO MATCH EXISTING WIDTH.

LEGEND

EXISTING CONTOUR 333
EXISTING STORM DRAIN LINE SD
STORM DRAIN MANHOLE
FLOW ARROW
EXISTING SAN. SEWER LINE SS
SANITARY SEWER MANHOLE
EXISTING SEWER CLEANOUT
EXISTING WATER LINE W
EXISTING FIRE HYDRANT
EXISTING WATER VALVE
EXISTING UTILITY POLE
EXISTING GUY WIRE
EXISTING OVERHEAD ELECTRIC OHE
SIGN
FENCE LINE x
EXISTING DECIDUOUS TREE

Notice: These drawings and design are the exclusive property of Larson Engineering Group, Inc., and shall not be used, altered or copied without written permission.

DelDOT
REVIEWED FOR
GENERAL
CONFORMITY
Feb. 17, 2026

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.

PLOT BOOK 161 PAGE 3
SIZE 24x36

DATE	SCALE
2/5/25	1"=10'
JOB NO.	DRAWN BY
24-022	YATuroczy
APPLICATION NO.:	DESIGNED BY:
C-25-01	DJLiberman
APPROVED BY:	CHECKED BY:
DJLiberman	DJLiberman

DATE	REVISION
1/21/26	Per DelDOT Comments
2/4/26	per City of Dover Comments

DOUGLAS J. LIBERMAN LICENSE No. 24193 DELAWARE PROFESSIONAL ENGINEER
3/4/26
SIGNATURE DATE

RECORD PLAN
FINAL PLAN
FOR
CONDITIONAL USE PLAN
CECIL STREET TOWNHOMES
CITY OF DOVER, EAST DOVER HUNDRED, KENT COUNTY, DELAWARE
PREPARED FOR: 4BL, LLC

LARSON
ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING
910 SOUTH CHAPEL STREET • SUITE 200
NEWARK, DE 19713
Phone: (302) 731-7434
Fax: (302) 731-8211

CADD FILE: RecordPlan_TitleSheet-WestSt
SHEET NO.: RP-2

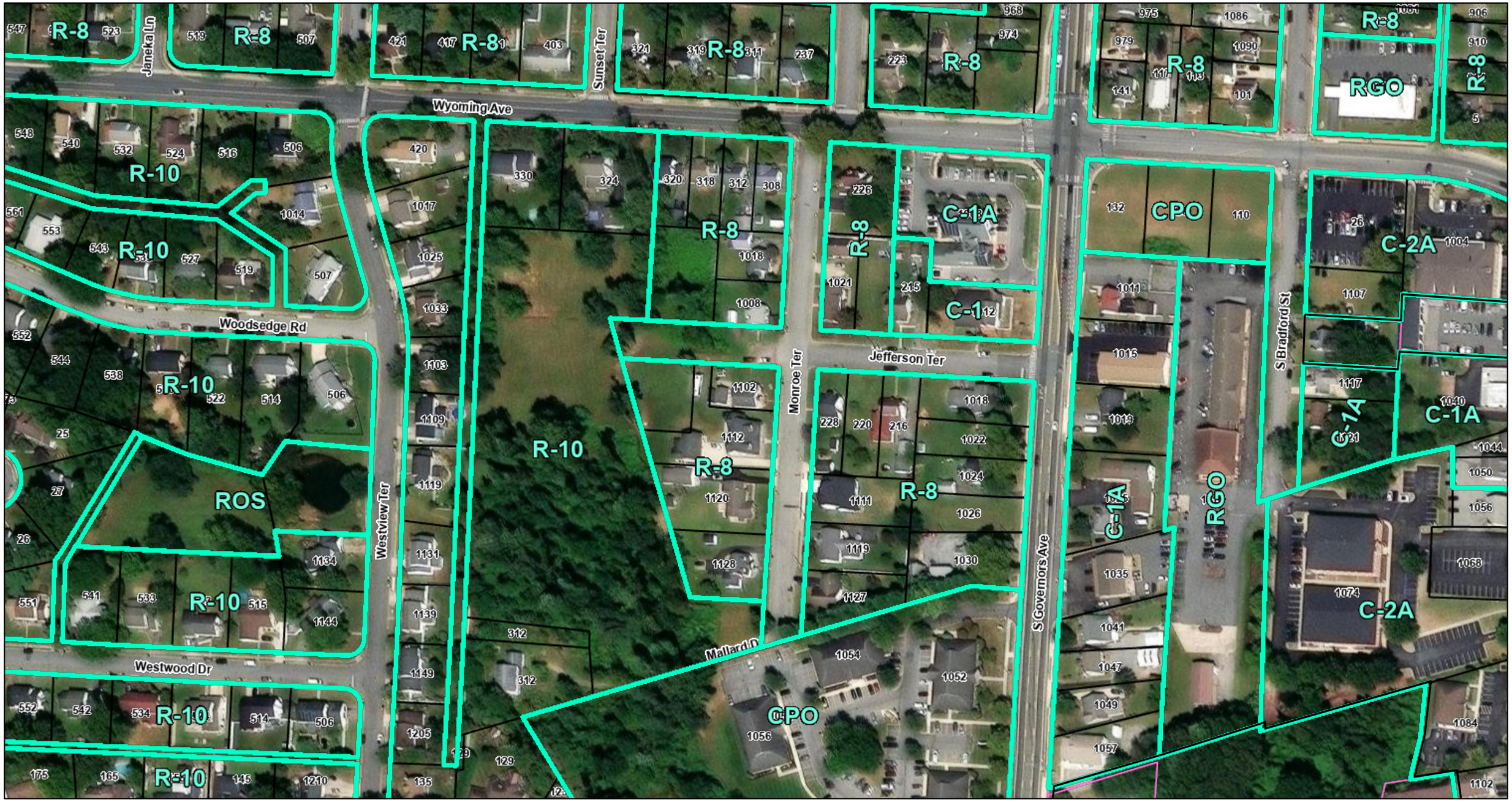
Application SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan
Continued Review at May 18, 2026 Planning Commission Meeting

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan – Continued Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2. *Waiver Requested: Percentage of Lots on a cul-de-sac. The Planning Commission deferred action for SB-25-02 on September 15, 2025 seeking additional information.*

The following are the Packet Items for the May 18, 2026 Planning Commission Meeting Public Hearing and Continued Review of Application SB-25-01:

- Planning & Inspections View Map (Aerial Map) of subject area
- Excerpt of Planning Commission Meeting Minutes of September 15, 2025 for SB-25-01
- Letter of March 16, 2026 on Woodbrook Development Drainage Improvement from Davis, Bowen, & Friedel, Inc. (Consultant) to City of Dover Department of Water & Wastewater
- Public Comments: Set 2 of May 2026 – Received through May 8, 2026, 12 noon
- Original Packet Items from September 2025
  - Development Advisory Committee Report with Comments of September 2025
  - Public Comments: Set 1 Received Through September 15, 2025
  - Kent Conservation District Letter of September 15, 2025
  - Conceptual Subdivision Plan Sheet

Planning & Inspections View Map



5/8/2026, 9:24:47 AM

1:2,257

0 0.02 0.04 0.08 mi

0 0.03 0.07 0.13 km

Dover_Boundary

Zoning Boundary Line

Parcels Outside Dover

Dover Parcels

VGIN, Microsoft, Vantor

City of Dover, Delaware - Planning Department
USDA Agricultural Stabilization and Conservation Service | EarthData/PhotoScience Inc. | State of Delaware Department of Transportation and EarthData | EarthData International of Maryland | Sanborn Mapping Company | Digital Aerial Solutions, LLC | Surdex Corp | State of Delaware, Sanborn Map Company, Inc. |

CITY OF DOVER PLANNING COMMISSION
September 15, 2025

The Meeting of the City of Dover Planning Commission was held on Monday, September 15, 2025, at 6:00 PM as an In-Person Meeting and also using the phone/videoconferencing system Webex. The Meeting Session was conducted with Chair Mr. Witham presiding. Members present were Mr. Michael Lewis, Mr. Roach (virtual – arrived at 7:15PM), Mrs. Denney (arrived at 6:45PM), Mrs. Maucher, Mr. Baldwin, Dr. Jones, Mr. Reaves (virtual), and Mr. Witham. Mrs. Welsh was absent.

Staff members present were Mrs. Dawn Melson-Williams, Ms. Sharon Duca, Mr. Dan Griffith; City Solicitor, Mr. Jason Lyon (virtual) and Mrs. Kristen Mullaney.

APPROVAL OF AGENDA

Mrs. Melson-Williams stated that application Site Development Master Plan S-25-12 Blue Hen Corporate Center Pad Sites Master Plan has been deferred. They received a request from the applicant involving S-25-12 Blue Hen Corporate Center Pad Sites Master Plan. The applicant made that request and the letter was included in your meeting packet. They asked to defer consideration of that application until the next meeting in October. We thought that at this point, since part of their public notice was completed, we needed to take action on it during your adoption of the Agenda. It will be rescheduled for an upcoming meeting, which they believe will be the October meeting and they will have to complete public notice again for that application.

Mrs. Maucher moved to approve the Agenda as presented, less the application S-25-12 Blue Hen Corporate Center Pad Sites Master Plan, seconded by Dr. Jones and the motion was carried 6-0 with Mr. Roach, Mrs. Denney, and Mrs. Welsh absent.

APPROVAL OF MEETING MINUTES OF JULY 21, 2025

Mrs. Maucher moved to approve the Planning Commission Meeting Minutes of July 21, 2025, seconded by Mr. Baldwin and the motion was carried 6-0 with Mr. Roach, Mrs. Denney, and Mrs. Welsh absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, October 20, 2025, at 7 PM. We do have applications for that evening so please mark your calendars.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on July 28 & 29, 2025, August 11 & 12, 2025, and September 8 & 9, 2025.

Mrs. Melson-Williams stated that in case you haven't noticed, we are missing a Planning person yet again. Mr. Chris Salzano who had been with us this summer as a Planner II, resigned his position in late August and moved to the private sector and a shorter commute. We are once again looking for a Planner II. We do have a new member of our Planning Staff and that is Mrs. Debbie O'Brien who is joining us. She will be taking over the Community Development Manager position as Mrs. Tracey Harvey will be retiring later this year. There is some overlap

there for training purposes.

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 BUSINESS

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan - Public Hearing and Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2. *Waiver Requested: Percentage of Lots on a cul-de-sac. This property was reviewed in 2013-2015 as SB-13-06 Jefferson Terrace Subdivision; however, the plan was never finalized. Application for Conceptual Subdivision Plan SB-23-01C was conditionally approved by the Planning Commission in March 2023; previous waiver requests were unsuccessful, and the plan expired. The properties were examined again under Conceptual Subdivision Plan SB-24-01 and were denied by the Planning Commission on August 19, 2024.*

Representatives: Mr. Troy Adams, Mountain Engineering Services Inc.; Mr. Emanuel Ehize, property owner (online)

Mr. Witham stated that there has been a request by a resident to delay this process (for SB-25-02). *(The Chair allowed the resident to speak.)*

Mr. Stephen LeBoon – 1025 Westview Terrace Dover, DE 19901

Mr. LeBoon stated that he submitted a formal postponement request to allow all parties time. He thinks it is the most crucial and critical thing to do at this time. Me and my neighbors are waiting on the Davis, Bowen and Friedel engineer's report of the recent study of the extraordinary water issues in our development. He thinks it's prudent that we receive this Report and its findings in totality so that he and his neighbors can look at it and then we can perceive forward with formal objections regarding this application. This application was denied last year by this same Commission. This has been ongoing for 14 years which is a long time. He would like to get this Report, and so do his fellow neighbors, from the architects and engineers; so, he asks for the postponement.

Mr. Witham asked if he was speaking on behalf of his neighbors. Responding to Mr. Witham, Mr. LeBoon stated yes. He believes that Ms. Joan Siple notified this Commission and there are other neighbors like the Beikers, and Ralph and Jean Taylor who live next door to him. He does not want to revisit this right now; he would just like to get the postponement and then make formal objections like they did last year.

The Chair allowed others to speak on the Request to postpone.

Mr. Tom Frasier – 1102 Monroe Terrace Dover, DE 19901
Mr. Frasier stated that this parcel buts up to his land and he supports the request to postpone this matter.

Mr. Ronald Rhodes – 1112 Monroe Terrace Dover, DE 19901
Mr. Rhodes stated that he has two properties that but up and adjoin the road that crosses Jefferson Terrace Extension. He has some concerns about the water too and how they would put the roadway through the two lots that he owns that join up with property being six to eight feet below those road grades. He also supports the postponement of this application.

Mr. Griffith stated that this is just a reminder to the Commission, but the Commission does not vote on applications from members of the public. There can be a motion made by a member of the Commission for postponement that Commission members can act on. But members of the public can make requests to make public comments, but the Commission does not vote on applications from members of the public.

Mr. Lewis asked that given the fact that we already approved the agenda which includes the hearing, are we even allowed to postpone it? Responding to Mr. Lewis, Mr. Griffith stated that you can still vote to postpone the application. Again, it would have to be on a motion made by the member of the Commission.

Mr. Witham asked if the applicant for this application was present. Responding to Mr. Witham, Mrs. Melson-Williams stated yes, he is. Planning Staff stands ready to begin the presentation as we do with all applications with the Staff summary and then there are representatives of the application here. Their engineer is here in the room and the property owner has joined us online.

Mr. Witham stated that they will ask the property owner to state his/her position. He believes that the property owner submitted a letter in opposition. Responding to Mr. Witham, Mrs. Melson-Williams stated that the property owner of the application did not submit a letter. When we would get to public comments, there written public comments that Staff received and we would enter at that time, those items into the record. There are two of those comments that are basically requesting postponement of consideration of the application and then there is a letter of support from another individual that was provided to our office.

Mr. Witham stated that what he is trying to do is allow the folks who are moving forward with this application to state their position on the record. If they do not wish to do so, then he will turn it over to the Commission to decide on this particular application. There may be a person who represents a number of individuals who lives in the community or around the community, who

may oppose this application for the acceptance of this subdivision hearing.

Mr. Adams stated that he is a little bit confused. He is here to represent this application tonight. Responding to Mr. Adams, Mr. Witham stated that he gave him an opportunity to come forward and make an opposition.

Mr. Adams stated that he is not making a statement in opposition. He is here to represent in favor of it. I'm the professional representing the application.

Mr. Witham stated that we have a request for the postponement of the public participation of this application. If you are here to represent the applicant on the conceptual plan, then the question is to you have a position with respect to the request made by the other individuals to postpone this hearing.

Mr. Adams stated that he disagrees with them. Responding to Mr. Adams, Mr. Witham stated so you do oppose.

Mr. Adams stated that he does oppose the postponement.

Mrs. Maucher stated that she doesn't know if this is jumping ahead, but she is curious about the Study and what information it would or would not provide that would generally lead to our decision. If the Study would support or otherwise demonstrate that it's not a good project, then she might be inclined but she doesn't know enough about the Study. If the engineer is available and would like to speak to that or if we go through the whole process and then get to that. She doesn't know the proper process.

Mr. Witham stated let's turn to our Planner who may explain the process. This is the first step of the detailed process that will take place if the Commission hears the preliminary application.

Mrs. Melson-Williams stated that before you this evening there is an application for a Conceptual Subdivision Plan. That Conceptual Subdivision Plan has a review report. Normally, the process includes the opportunity for Staff to summarize that report and then the applicant to speak to their application and then there would be a public hearing. After which time, the Planning Commission could ask questions and then take action in regards to the application. The process for a Subdivision involves this first step, which is this Conceptual Subdivision Plan Review. There is a second step which is a Preliminary Subdivision Plan Review process; again, that requires an application and public hearing before this body. As a second step, it is a more detailed type of submission for that second step.

Mrs. Denney arrived at the meeting.

Mrs. Melson-Williams stated that basically for a Subdivision, it is really a three step process. This Conceptual Subdivision Plan review, the Preliminary Subdivision Plan review, and then the third step is an administrative process to deal with the Final Plat. This evening, it is consideration of a Conceptual Subdivision Plan. What Mr. Witham has been trying to put into the record is the consideration of the request that we have received from a member of the public to postpone

consideration of this application. As noted by the Solicitor, you cannot vote on that action to postpone specifically. It would have to be a motion coming from a Planning Commission member to then act upon.

Mrs. Maucher stated that her question was more to the Report mentioned in the request to postpone. What is that Report? What information would that give us? At this point, are those details necessary? She understands that it's a three step process. This Report that is mentioned is an onsite analysis at the end of all of this.

Mr. Witham stated that we do not have this Report. Responding to Mr. Witham, Mrs. Maucher stated she understand that we are waiting for the Report, hence the request by a resident that is impacted by this development to postpone pending the results of that Study. But she doesn't understand what that Study is.

Mrs. Melson-Williams stated that the member of the public references a Drainage Improvement Study that is underway for the Westview Terrace area which is located to the west of the subject property that is seeking subdivision consideration. The reference to Davis, Bowen and Friedel is an engineering consultant that she believes is under contract with the City to develop that Study. It is called the Drainage Improvement Engineering Support for the Woodbrook Development. Again, that is located to the west. She is not sure if Mr. Jason Lyon can elaborate on what that Study is but she believes that is focuses on an area to the west of where this subdivision is proposed.

Mr. Lyon stated that this Study is to evaluate the drainage concerns of Woodbrook. The scope is to the west of this application. It is west of Westview Terrace; inclusive is the pond that is adjacent to Westview Terrace and upstream of that pond towards the northwest. It should be noted that when this pond drains, it does drain under Westview Terrace to the east to the area of this development.

Mr. Witham further stated that as our Planner indicated, the only way that this application can't be considered is if there is a motion to approve the delay. There is no motion to delay so we will have to proceed.

Mr. LeBoon stated that last time, this project was denied. He is trying to give this gentleman his benefit of the doubt to allow the inspection of the findings of this Report. I am being very fair. I think I should be commended for that. If the postponement is not granted, then hopefully we will seek it from Council in the next few weeks. He just thinks it is in the best interest for this party and all of the neighbors. It says it right here, this project aims to address long standing flooding. He has already said it to this Commission; the Governor's Order has prohibited his property from being built on or near a floodplain. So, I hope you would grant it. Responding to Mr. LeBoon, Mr. Witham stated that you do understand that this isn't part of it. This is a process. The only thing that is before the Commission today is the public hearing of the Conceptual Subdivision Plan. It is not a final application.

Mr. LeBoon stated true, but he is just trying to wait for the Report. If the Report says there is no flooding in the area and contradicts the engineer and 80 years of history, so be it. But he thinks

that is why they have rushed this application. They rushed to get it in here because they know this Report is pending.

Mrs. Denney stated that she is coming in late but she has gone over everything and she is obviously familiar with this application. The last time they were here, she felt that she should have made a motion or at least brought something up for discussion and she didn't. Of course now, it is back again and she is reminded of that. Managing the Town of Camden, being on Board of Adjustment and being involved with the County, and many other things that she has been involved in that involve Planning, the one way that we can get Kent Conservation in there doing what they are supposed to do is to do an evaluation. If need be and the word comes down from Kent Conservation that there needs to be a stormwater management pond or whatever done there, then that comes from the people who know. In doing that, it doesn't always make everybody happy because they tend to be inundated and it takes longer. So, that is never the desire of the developer or the property owners who are trying to do something different. But, if it were to move forward, then Kent Conservation can come in and pretty much the people who will say this can be done and manage the stormwater. Or if there are too many wetlands or whatever the issue is, Kent Conservation is the place to find out. They are not going to find out while we sit around and twiddle our thumbs because they have such a full plate like every other agency. They are not going to go out and do it just because we would like to have information. She just wants to throw that out to the members of the Commission as a food for thought.

Mrs. Melson-Williams stated that Mr. Reaves has indicated that he wishes to speak. She is not sure that he has that ability; if not, she can read what he placed in the chat. She is not hearing Mr. Reaves. Through the chat, he indicates the following: "I believe that the engineer report is crucial to the decision of the Planning Commission. I have a question about the non-receipt of the engineer report."

Mr. Reaves moved to approve the delay of SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan pending the review of the engineer report based on their request for the waiver, seconded by Dr. Jones.

Mrs. Denney asked if the delay will be until the Report comes in so that we, with Report in hand, can then make a better decision. Is it delayed or tabled? Responding to Mrs. Denney, Mr. Witham stated that since Mr. Reaves made the motion, he will ask whether that is a friendly amendment to his motion.

Mr. Adams stated that typically he has seen it where he has the ability to testify and represent the application and not get blindsided by this gentleman bringing up something that has been brought up about three times before about stormwater. You have not even heard the fact that there is a Puncheon Run Study that has been done. And if you look in the notes that are here, the Conservation District is okay with the approach of how we are handling the stormwater which satisfies the requirements of the Puncheon Run Study. This community has done this every single time and it is just to confuse the situation. His job as a civil engineer is to project the client. That is part of his duty. Also, he is supposed to meet the intent of the Code and also present a technically acceptable plan that is reviewed by those particular agencies that are experts in those particular areas. We have done that. We meet the intent of the Code. We are on track to

meet all of the technical requirements. That is not an issue. In the Report (Puncheon Run Study) that I just read there is not a problem. So his client, who bought this property in 2022, had a delay at least three times to this point dealing with the stormwater. There is nothing more that he can do. This gentleman has spent his money, paying taxes here, wants to develop this property and, it's an infill situation that is just sitting there. He is going to make all of the improvements. If they are willing to buy the property; great, take it off of his hands but that is not what we are here to do.

Mr. Witham stated that he notes that the Report of the Kent Conservation District is a part of the DAC notes and its advice would be to the applicant. It states that the approved stormwater plans have expired due to construction never taking place. A new set of plans adhering to the current stormwater regulations will need to be submitted for approval. That indicates to him, that in some point in time, we are going to have to hear this engineer report before we can get final approval to your construction plans. As he has said before, this is the first step. He realizes that there have been earlier denials of this project, but this is the first step as a Conceptual Plan. You are going to have to come before this body again as you know because you have done this before. He is pointing out that this is a new plan and it starts again. It is only a preliminary application at this point in time.

Mrs. Denney stated that in the letter that is before us on the screen which comes from Kent Conservation, it does say "they (Kent Conservation District) will be reviewing stormwater management plan for the proposed Ekaman Subdivision. The conceptual layout of the plan appears to align with the recommendation approach for managing the stormwater site for development based on the findings of the Puncheon Run Flood Study. But it says before the proposed plan is approved, Kent Conservation District will complete a detailed plan review and verify that the proposed stormwater management plan meets the requirements of the Puncheon Run Flood Study." While she is certainly empathetic to the fact that this land owner probably feels as though it is the never ending story, but getting just a letter from Kent Conservation is indicative to the fact that they are working on trying to come up with a plan. The other thing that she just wants to add and again, she should have said this when we addressed this before; when Kent Conservation gets in there and makes a stormwater management plan, it is not just going to be for these five lots. It may add great relief to everybody else in that development because there will be room for the water that is now causing issues for the people in that development.

Mrs. Melson-Williams stated that Mr. Reaves did clarify his motion as she thinks that was what you were looking for at one point.

Mr. Reaves moved to table SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan until the Report is furnished and the community has had ample time to review and bring this action forward.

Mrs. Melson-Williams stated that she believes that he is referring to the Report that is related to the Woodbrook improvements.

Mr. Witham stated that we will turn to our City Solicitor for comments.

Mr. Griffith stated that this is a very technical point. A "motion to table" requires that it is to be taken up at the very next meeting. You are considering something that may or may not be available for the next meeting. The correct term or be a motion to "postpone" the application.

Mr. Reaves moved to postpone SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan until the engineersing report (Report for the Woodbrook Development Improvement Study) is furnished and the community has had ample time to review and bring this action forward, seconded by Dr. Jones and the motion was carried 5-2 with Mr. Roach and Mrs. Welsh absent. Mr. Reaves voting yes. Mr. Lewis voting no; in consideration of the fact that this is step one of a multi-step process. We are going to have to be back here at some point anyway. We have somebody at least ready to talk about it. We have multiple studies to still to wait. He says we can at least get started with it. Mrs. Denney voting yes; to give this Commission any opportunity to see the reports and have a better idea of what the engineers are thinking with regard to the stormwater management. Mrs. Maucher voting yes. Mr. Baldwin voting yes; he thinks we should be able to see the reports from the engineer before we can make a decision. Dr. Jones voting yes; she too believes that they should have every bit of information that we possibly can have and if the residents can have as much information as possible in order to make an informed decision. Mr. Witham voting no; he thinks this slows the process down because this is a part of a multi-step process in gaining approval. Eventually, we are going to have to have this Report in before we can finally approve the plan for construction. He knows this has been an ongoing matter and it has been a thorn in their sides for quite some time. It seems to him that any further delay will not be beneficial for the citizens of Dover.

S-25-01 Revised Dover Mobility Center Garage at 133 S. Governors Avenue – Public Hearing and Review of a Revised Site Development Plan Application, Parcel Consolidation Plan, and associated Revised Architectural Review Certification for construction of a four story, multi-purpose parking garage structure to be known as the Dover Mobility Center Garage. The structure is revised to consist of 329 parking spaces, welcome and retail space, a management office, and retail and storage spaces. There have been architectural changes as designed, including the removal of the S Bradford Street garage entrance. The subject site involves a series of parcels in the block between S. Governors Avenue and S. Bradford Street north of Minor Street Alley. The properties are zoned C-2 (Central Commercial Zone) and subject to the H (Historic District Zone). The owners of record are the Downtown Dover Partnership, City of Dover, Capital City Transformation Alliance, and Main Street – Dover Inc. Property Addresses: 133 S. Governors Avenue, 139 S. Governors Avenue, 145 S. Governors Avenue, 136 S. Bradford Street, 148 S. Bradford Street, 150 S. Bradford Street, and 132 S. Bradford Street, Dover. Tax Parcels: ED-05-077.09-02-10.00-000, ED-05-077.09-02-09.00-000, ED-05-077.09-02-08.00-000, ED-05-077.09-02-24.00-000, ED-05-077.09-02-25.00-000, ED-05-077.09-02-27.00-000, and ED-05-077.09-02-23.00-000. Council District 4. *Previously Approved: Tree Mitigation Plan. For Consideration: Revised Parking Strategy Statement. This Revised project was the subject of HI-24-09 Revised for Historic District Commission Review and Recommendation on the Architectural Review Certification on August 21, 2025. The project is also associated with MI-24-10 Request for Alley Abandonment: Part of Alley Between S. Governors Avenue and S. Bradford Street.*

Representative: Mr. Mike Riemann, Becker Morgan Group; Mr. Michael Cane, Core States; Mr. JD Bartlett, EDiS Company (virtual); Mr. Todd Stonesifer, President of the Board for the

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS • ENGINEERS • SURVEYORS

Ring W. Lardner, P.E.
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Jamie L. Sechler, P.E.

March 16, 2026

City of Dover
Department of Water & Wastewater
P.O. Box 475
Dover, DE 19903

Attn: Jason A. Lyon, P.E.
Director of Water & Wastewater / Engineering Services

RE: Woodbrook Development Drainage Improvement
Dover, Delaware
DBF #0194A022.A01

Dear Mr. Lyon:

The Woodbrook Development Drainage Improvement focused on an evaluation of existing conditions with recommendations to mitigate roadway flooding on Woodsedge Road and Westview Terrace. The proposed improvements are not increasing the overall conveyance capacity of the system but making the existing infrastructure more efficient in allowing water to enter the system. Based on the evaluation performed, the discharge rates through the system are not increasing and are not anticipated to negatively impact the downstream pond.

Should you have any questions regarding this submission, please contact me at (302) 424-1441 or via e-mail at skc@dbfinc.com.

Sincerely,
DAVIS, BOWEN & FRIEDEL, INC.

Sharon K. Cruz, P.E., AICP
Associate

Application SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

Public Comments: Set 2 of May 2026 – Received through May 8, 2026, 12 noon

1. Email from Steve LeBoon of 1025 Westview Terrace received May 7, 2026 at 8:25pm with Letter of Opposition dated May 7, 2026 with photo image and links to videos/photos

From: Mr. Mittens & Pirate
To: Melson-Williams, Dawn; City Clerks Office; Anderson, David; Lewis, Brian E.; Christiansen, Robin; Donyale Hall; Joan Sciple; A cassbaby; Neil, Fred; Sudler, Roy; ralphltaylorjr@gmail.com; Neil, Fred A.; Mr. Mittens & Pirate; Dan Bieker; silerquest@gmail.com; Lyon, Jason A; Duca, Sharon; CompPlan; Lynn, Sean M (LegHall); Jean Taylor; Dave Lees
Subject: EXTERNAL: Letter of opposition (15th time)
Date: Thursday, May 7, 2026 8:25:47 PM
Attachments: Letter of opposition.pdf

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.

Subject: Request to Add Attached Materials to the Record with formal objections

Dear Ms. Melson & planning commission,

We hope this email finds you well in advance of the upcoming hearing.

Please see the attached materials, along with two video links and one photograph.

This appears to be the fifteenth instance of ongoing harassment affecting the elderly and valued residents of our community.

The applicant has now been denied four times. At the last meeting, when the matter was placed on hold, I made him an affordable cash offer, which he never responded to. We are now once again faced with hearing this unsupported and unlawful request for a conceptual subdivision plan.

I have included several of my neighbors on this email. Please also be advised that within the next few days I will formally submit additional neighborhood opposition materials from residents on the four or five streets surrounding this vacant lot, which has remained vacant for more than 150 years.

I have also copied the City Clerk's Office, the Mayor, and several Council Members, with the exception of the Honorable Brian Lewis and the Honorable Ms. Hall. I respectfully request that the Mayor's Office or City Clerk's Office provide the date and meeting information in which Council denied the variance request for this vacant lot, which I believe occurred approximately three to four years ago.

I will follow up shortly with additional documentation.

In the meantime, thank you for your time and attention to this matter. Please add this correspondence and all attached materials to the official record.

Once again, I am sorry that you have to be subjected to this nonsense again.

Residents of
Westview Terrace, Jefferson Terrace, and Wyoming Avenue Residents
Steve LeBoon and Cassandra LeBoon
1025 Westview Ter, Dover, DE 19904
[redacted]
[redacted]

May 7, 2026

RE: Joint Formal Opposition and Request for Dismissal With Prejudice – SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

To The Honorable Planning Commission Chair, Dawn Melson, and Committee Members:

This letter constitutes a joint formal opposition submitted by the affected residents of Westview Terrace, Jefferson Terrace, and Wyoming Avenue regarding the proposed Conceptual Subdivision Plan identified as SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision), involving the proposed subdivision to create five residential lots and one residual lot from parcels totaling approximately 4.5754 acres located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace, including the unaddressed Jefferson Terrace extension area referenced within the application materials.

Residents of the surrounding neighborhood have repeatedly raised serious concerns regarding this property and the proposed development. To our knowledge, this matter has now been brought before Council, the Planning Commission, and/or relevant officials at least thirteen (13) separate times. On each prior occasion, the proposal has been rejected, struck down, denied, deferred, or otherwise failed to proceed due to unresolved concerns involving access, flooding, drainage, environmental impact, and overall development feasibility.

The City's April 29, 2026 notice states that the Planning Commission previously deferred action on SB-25-02 on September 15, 2025 "seeking additional information." Despite the passage of time and repeated prior proceedings, residents remain concerned that the same fundamental deficiencies and unresolved issues continue to exist.

Residents further object to procedural deficiencies associated with notice of the upcoming May 18, 2026 Planning Commission hearing. Although the City notice references adjacent property owners, it is the understanding of residents that not all affected and neighboring property owners received proper notice regarding the upcoming public hearing and continued review of this matter. Given the longstanding controversy surrounding this proposal and its direct impact upon surrounding neighborhoods, residents respectfully request that the adequacy of notice and community notification procedures be reviewed before further proceedings occur.

Accordingly, residents respectfully request that this matter be denied and dismissed with prejudice so that substantially similar proposals concerning this property are not repeatedly reintroduced without material changes addressing the longstanding legal, environmental, drainage, and access concerns previously identified by Council, agencies, and affected residents.

The repeated re-submission of substantially similar proposals concerning this property has imposed an ongoing and unnecessary burden upon surrounding residents. Neighbors have repeatedly been required to devote significant time, financial resources, and personal effort toward monitoring proceedings, attending meetings, gathering documentation, reviewing filings, consulting public records, and responding to unresolved issues that have already been identified during prior proceedings.

In addition to the financial burden, the continued uncertainty surrounding this matter has caused substantial emotional stress and disruption to affected residents, many of whom live immediately adjacent to the property and remain concerned about flooding risks, environmental harm, drainage impacts, property damage, and the overall safety and stability of the neighborhood. Residents respectfully submit that repeated applications raising materially similar issues, despite prior denials and longstanding unresolved deficiencies, undermine the interests of finality, efficient administration, and fundamental fairness to the surrounding community.

Residents continue to object due to significant concerns involving flooding, stormwater runoff, drainage impacts, environmental harm, access deficiencies, and potential misrepresentations made during the review and approval process.

Based upon the apparent grading, site conditions, and/or proposed development activity, residents believe this project may unlawfully increase stormwater runoff onto adjacent properties and create or worsen flooding conditions throughout the surrounding neighborhood. The property is located near a floodplain and/or flood-prone area, substantially increasing the risk of harm to nearby homes and properties if development proceeds without comprehensive review and mitigation.

Additionally, the subject property is landlocked and does not appear to have lawful or adequate legal access for development purposes. Attached photographs and supporting documentation illustrate these concerns. It is the understanding and belief of residents that the landowner has failed to fully disclose the lack of lawful access to Council members and/or other reviewing officials during discussions related to this property.

Residents are additionally concerned that the physical layout and dimensions of the access area and surrounding roadway infrastructure do not appear capable of safely accommodating adequate two-way traffic flow, emergency vehicle access, required roadway standards,

sidewalks, pedestrian safety requirements, or related infrastructure improvements customarily associated with residential subdivision development. Residents respectfully submit that there appears to be insufficient space to safely construct and maintain compliant two-way street access together with sidewalks and related pedestrian infrastructure without creating additional safety, drainage, and property-impact concerns affecting the surrounding neighborhood.

Residents are further concerned that the substantial infrastructure costs likely necessary to make this property minimally suitable for development — including roadway construction, drainage improvements, stormwater management systems, grading, environmental mitigation, utility installation, and related access improvements — raise serious questions regarding the overall feasibility, sustainability, and eventual quality of the proposed project. Based upon the apparent conditions and limitations associated with the site, residents understand that roadway construction and related infrastructure costs alone could potentially exceed one million dollars before additional development-related expenses are considered.

Given these substantial constraints and costs, residents respectfully question whether the proposed development can realistically be completed in a manner consistent with applicable safety standards, infrastructure requirements, environmental protections, neighborhood compatibility, and the level of construction quality reasonably expected within the surrounding community.

Residents are further concerned that inaccurate, incomplete, or misleading information may have been presented regarding the property's access status, drainage concerns, environmental implications, and overall development feasibility. These matters should be fully investigated before any approvals, permits, variances, or land disturbance activities are permitted to proceed.

The affected area is also located near environmentally sensitive and protected land, including areas subject to environmental oversight and conservation concerns. Delaware law recognizes the importance of conserving open space, flood-prone land, wetlands, and environmentally sensitive areas for the protection of water resources, wildlife habitat, drainage management, and the health, safety, and welfare of surrounding communities.

Delaware statutes and public policy strongly support the preservation of open land and environmentally sensitive areas where development would negatively impact neighboring properties, drainage systems, or ecological resources. Residents note that efforts have already been made in good faith to resolve this matter cooperatively, including offers made by certain residents to the developer and/or landowner intended to preserve the property as maintained open land rather than pursue unsuitable development.

Residents further note that Delaware environmental policy, executive directives, and land-use regulations strongly favor the protection of environmentally sensitive lands, flood-prone areas, wetlands, drainage corridors, and open space. This includes applicable provisions of Delaware's Sediment and Stormwater Law (7 Del. C. Ch. 40), Delaware wetland and water resource protections, Kent County drainage and subdivision ordinances, applicable FEMA floodplain management standards, and gubernatorial environmental and resiliency initiatives intended to protect Delaware communities from increased flooding, stormwater impacts, environmental degradation, and inappropriate development within vulnerable areas.

Residents respectfully submit that approval of the proposed development would be inconsistent with the intent and purpose of these protections, particularly given the property's apparent access deficiencies, flood-risk concerns, environmental sensitivity, repeated prior denials, and longstanding unresolved drainage issues affecting neighboring properties and the surrounding community

Delaware law and Kent County drainage regulations prohibit development practices that increase runoff or direct stormwater onto neighboring properties. Delaware's Sediment and Stormwater Law (7 Del. C. Chapter 40), together with applicable stormwater regulations, requires developments to properly manage runoff and prevent adverse impacts to surrounding properties and downstream areas.

Kent County drainage standards likewise prohibit stormwater discharge practices that create flooding, standing water, erosion, sediment impacts, or concentrated runoff onto adjacent lands.

Residents' concerns include, but are not limited to:

- Increased flooding risk to neighboring properties;
- Development near or within flood-prone areas;
- Adverse impacts to nearby environmentally sensitive or protected land;
- Alteration of natural drainage patterns;
- Concentrated runoff toward homes or structures;
- Insufficient stormwater management infrastructure;
- Potential erosion and sediment impacts;
- Reduced natural absorption caused by grading or impervious surfaces;
- Lack of lawful or practical access to the property;

- Potential misrepresentations made during the review or approval process;
- Inadequate notice to affected neighboring property owners; and
- Ongoing failure to adequately address repeated community concerns despite multiple prior proceedings.

Accordingly, residents respectfully request that the County, Council, Planning Commission, and/or reviewing agencies:

1. Deny this application and dismiss the matter with prejudice;
2. Require engineering analysis demonstrating that runoff volumes and flow rates will not adversely impact neighboring properties;
3. Investigate the property's access status and determine whether lawful development access exists;
4. Review all floodplain, wetland, environmental, and flood-risk implications associated with the site;
5. Investigate whether inaccurate or incomplete information was presented during the approval process;
6. Review whether all required notice procedures were properly satisfied regarding the May 18, 2026 hearing and continued review proceedings;
7. Preserve the existing environmental and open-space characteristics of the property where appropriate; and
8. Require appropriate corrective mitigation measures where necessary.
9. Consider all applicable Delaware executive directives, environmental protection policies, floodplain management requirements, stormwater regulations, subdivision ordinances, and open-space preservation objectives relevant to the subject property and surrounding environmentally sensitive areas.

Residents further request that this letter, together with all attached photographs, video evidence, and supporting documentation, be included in the official record for this matter and that affected residents be notified of any hearings, approvals, variances, applications, or further actions related to this property.

For further reference, The LeBoons are also attaching video evidence demonstrating a real-life example of the severe consequences that may occur when flooding regulations, stormwater management requirements, drainage protections, and responsible land-use practices are

ignored or inadequately enforced. This evidence is provided to illustrate the legitimate and substantial concerns shared by the surrounding community regarding the potential impact of the proposed development.

Thank you for your attention to these serious and ongoing concerns affecting the surrounding neighborhood and environment.

Sincerely,

Steve and Cassandra LeBoon



Make sure to hit play on the videos:

https://share.icloud.com/photos/0f1F6rfQPgDe2xFgapgEe4reQ

https://share.icloud.com/photos/0d45SJ911HkZOOtk0EX5c5P6g

P.S. Some residents have been cc'd on this letter.



Picture from Jefferson Terrace into the area in question.

City of Dover

DATA SHEET FOR CONCEPTUAL SUBDIVISION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF September 3, 2025

PLANNING COMMISSION MEETING OF September 15, 2025

Plan Title:	Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan, SB-25-02C
Plan Type:	Major Subdivision Plan
Applicant/Owners:	Wyoming, LLC (Area of Lots 1-3, 5 and Residual) Functional Properties, LLC (Lot 4)
Property Locations:	South of but not adjacent to Wyoming Avenue and west of Monroe Terrace
Property Address:	unaddressed on Jefferson Terrace extension (referenced as 3.8904 acres of Wyoming Avenue Rear)
Tax Parcels:	ED-05-077.17-06-02.01-000 ED-05-077.17-06-13.00-000
Total Area of Parcels:	4.5754 acres +/-
Proposed Number of Lots:	Five lots and Residual tract
Lot 1:	0.4714 acres+/- (20,536.1 SF +/-)
Lot 2:	0.2795 acres+/- (12,173.5 SF +/-)
Lot 3:	0.4693 acres+/- (20,440.7 SF +/-)
Lot 4:	0.6211 acres+/- (27,055 SF +/-)
Lot 5:	0.4446 acres+/- (19,365.4 SF +/-)
Residual:	2.1016 acres +/- (91,545.1 SF +/-)
Present Zoning:	R-10 (One Family Residence Zone) R-8 (One Family Residence Zone)
Proposed Zoning:	R-10 (One Family Residence Zone) R-8 (One Family Residence Zone)
Current Use:	Undeveloped vacant land including woodland areas
Proposed Uses:	Residential (one-family detached dwelling units) and Natural Area for Stormwater Management
Waiver Request:	Percentage of Lots on a Cul-de-sac

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: September 3, 2025

APPLICATION: Lands of Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan,

FILE #: SB-25-02C REVIEWING AGENCY: City of Dover Planning

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

I. PLAN SUMMARY

This Application is for the Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision (SB-25-02). The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2.

II. PREVIOUS APPLICATIONS

The most recent Application in 2024 involving the properties was Conceptual Subdivision Plan SB-24-01C that proposed to create six (6) lots consisting of five residential lots with the residual lot for stormwater management from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The Planning Commission denied the application on August 19, 2024.

Previously, a Conceptual Subdivision Plan SB-23-01C was conditionally approved by Planning Commission in March 2023. Involving only the larger 4.2311-acre tract (ED-05-077-17-06-02.01-000), Plan SB-23-01C proposed subdivision of six (6) lots from an existing parcel totaling 4.2311 acres. The proposed subdivision was to consist of four residential lots, a stormwater management area lot, and a residual lot for residential use along with the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The project sought waiver requests for alternative lot configuration, reduced lot frontage, increased percentage of lots on a cul-de-sac, and partial elimination of sidewalk. After unsuccessful attempts for the waivers and no preliminary plan submission, the plan expired without being finalized.

In 2013, there was Application SB-13-06 The Meadow Subdivision at Jefferson Terrace that was proposed to subdivide a tract of land totaling 4.23 acres ± into five (5) parcels for single family

detached dwellings with residual land. The Plan, submitted as The Meadow, was renamed to Jefferson Terrace to avoid replication with another residential subdivision. It was reviewed by the Planning Commission at their November 2013 meeting and received conditional approval of the Conceptual Subdivision Plan SB-13-06. The required Preliminary Subdivision Plan was submitted for review by the Planning Commission at their February 2014 meeting. However, the Application SB-13-06P was postponed by the Planning Commission at the request of the Applicant and did not return for review. The Subdivision Plan SB-13-06 was never finalized and has since expired.

In 2012, the Planning Staff administratively reviewed a Minor Lot Line Adjustment Plan (Application MI-12-10) and granted its approval on June 5, 2012 (recorded June 12, 2012). The land south of 324 Wyoming Avenue with frontage on Jefferson Terrace and Monroe Terrace (the current larger subject parcel) was divided from the parcel that included the existing dwelling at 324 Wyoming Avenue and aligned its rear property line with adjacent residential parcels.

III. PROJECT DESCRIPTION – Major Subdivision

This Major Subdivision Plan proposes to subdivide the existing large tract (Parcel 2.01) and an adjacent parcel (Parcel 13.00). The Plan identifies Lots 1-5 as being for residential development. The Residual parcel is mostly interior to the overall subject site with some frontage on Monroe Terrace; it is to be used for a stormwater management area due to the location of a stream and associated floodplain and woodland areas. This Residual Lot is the southernmost parcel proposed and is to contain a 20-foot cross-access easement for a residential property located to the southwest of the subject site that does not have frontage on any public right of way. This adjacent parcel is therefore accessed only via a driveway (Mallard Drive) across the subject property, connecting from Monroe Terrace. See Chart below for description of proposed Lots:

Site	Zoning	Proposed Lot Size	Proposed Use
Lot 1	R-8 R-10	0.4714 acres+/- (20,536.1 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 2	R-10	0.2795 acres+/- (12,173.5 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 3	R-10	0.4693 acres+/- (20,440.7 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 4	R-10	0.6211 acres+/- (27,055.0 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Lot 5	R-10	0.4446 acres+/- (19,365.4 SF +/-)	Residential (One-Family Detached Dwelling Unit)
Residual	R-10	2.1016 acres+/- (91,545.1SF +/-)	Stormwater Management Area
Right-of-way dedication	--	Clarify size of additional ROW	Cul-de-Sac as terminus to Jefferson Street Extension
TOTAL		4.5754 acres +/-	

As shown above, apart from the existing legal non-conforming frontage existing for the proposed Residual parcel on Monroe Terrace, the Lots proposed appear to be compliant with the Zoning

and Bulk Standards for the R-10 Zone and R-8 Zone. The five (5) residential proposed lots have frontage on the proposed Jefferson Terrace Extension, which will also be the main points of access to the properties. The Residual Lot will be utilizing the existing legal non-conforming frontage of the property along Monroe Terrace. There is a proposed maintenance easement across Lot 5 related to stormwater management purposes. It is noted that there is an alley along the western boundary of the subject property, but this is unimproved and is not utilized for any type of access.

IV. SUBDIVISION REGULATIONS REVIEW

The procedures for subdivision of land are found in the *Land Subdivision Regulations, (Dover Code of Ordinances,* Appendix A). Planning Staff confirms this application as a Major Subdivision. As such, the Application will require the submission and review of a Conceptual Subdivision Plan by the Planning Commission first, which is this subject Application. For the next step, the Applicant will then be required to submit a Preliminary Layout Subdivision Plan for further Planning Commission review and approval. The last step is submission of a Plat for Final Approval by Planning Staff (and DAC Agencies) and recordation at the Kent County Recorder of Deeds.

To subdivide the properties, the plan review must ensure that the subdivision does not create any new non-conformities with the bulk standards of the *Zoning Ordinance*. These bulk standards include minimum lot size, front yard setbacks, side yard setbacks, rear yard setbacks, lot coverage, etc. See also discussion below under Zoning Review.

V. ZONING REVIEW

R-10 (One-Family Residence Zone) and R-8 (One-Family Residence Zone)

The subject properties are zoned R-10 (One-Family Residence Zone) and R-8 (One Family Residence Zone) and are subject to the regulations of *Zoning Ordinance*, Article 3 §1 and Article 4 §4.1. The use as a one-family detached dwelling-unit (single-family home) is a permitted use in the R-10 Zone and in the R-8 Zone. The proposed Lots largely comply with the Zoning Bulk Provisions as noted in Article 4 §4.1 of the *Zoning Ordinance*. The following Table highlights some of the lot design standards for the R-10 Zone and R-8 Zone:

MINIMUM REQUIRED:	R-10 ONE FAMILY RESIDENCE ZONE	R-8 ONE FAMILY RESIDENCE ZONE
Lot Area	10,000 SF	8,000 SF
Lot Width (ft.)	80 ft.	70 ft.
Lot Depth (ft.)	110 ft.	100 ft.
Front yard setback (ft.)	25 ft.	25 ft.
Minimum Side yard setback (ft.)	15 ft.	10 ft.
Total both Side Yards (ft.)	30 ft.	20 ft.
Rear yard setback (ft.)	30 ft.	30 ft.
Off-Street Parking Spaces	2 per dwelling	2 per dwelling
Maximum Permitted: Building Height: Stories Feet	 2 ½ stories 35 feet	 2 ½ stories 35 feet
Lot Coverage	30%	35%

Since these parcels are zoned R-10 and R-8, they are subject to the provisions of *Zoning*

Ordinance, Article 5 §1.7 Uniformity of design in all one-family residence zones. These provisions limit construction of buildings that are like or substantially like a neighboring building to prevent monotony of architectural design.

Subdivision Waiver Request: Increase Percentage of Lots on Cul-de-sac

Per the *Land Subdivision Regulations*, a maximum of 20% of the lots in a development are allowed to front on the turnaround section of a cul-de-sac. This version of the Subdivision consists of a total of five lots and the residual and has four lots frontage on the cul-de-sac. Lots 2, 3, 4, and 5 have frontage on the curved line of the cul-de-sac. The Planning Commission will need to provide a recommendation on this Waiver Request.

VI. STREETS

The Subdivision Plan proposes an extension of Jefferson Terrace as a public street leading to the west from Monroe Terrace. There is existing right-of-way (approximately 60 feet wide with some variation in width) for a portion of the street. The extension of Jefferson Terrace is proposed to terminate in a cul-de-sac. This length of a dead-end street must comply with the maximum length permitted (400 feet). The right-of-way for the street must be sixty (60) feet of width. The width of the paved street is not provided, but the estimated width does not appear to allow for on-street parking. The applicant has stated that the paved width of the street will be 24 feetwhich does not allow for on-streeting parking. Parking would be prohibited within the cul-de-sac.

The street extension is required to include upright curbing and sidewalk constructed to the City of Dover Standards. The plan proposes sidewalks along the entire periphery of the Jefferson Terrace extension, though none is shown along the Monroe Terrace frontage (Residual Lot). If the developer is seeking not to construct sidewalk on the Monroe Terrace frontage, then a waiver request must be submitted.

The type of curbing is not identified. The applicant will need to work with the City's Department of Public Works regarding the street width design for this extension of Jefferson Terrace including paved width, where on-street parking may be provided, the curbing, and the sidewalk design.

VII. SITE CONSIDERATIONS

Site Access

The properties are currently undeveloped. The site abuts Monroe Terrace along the southern end of the east property line. The terminus of Monroe Terrace provides access to the privately maintained Mallard Drive, which crosses the subject site to provide vehicle access to a residential property to the southwest.

Jefferson Terrace is currently only paved from South Governors Avenue to Monroe Terrace. While the right-of-way thereof continues from Monroe Terrace westward to the subject site, it is unimproved. The Applicant is proposing to construct a westward extension to Jefferson Terrace, and extend it into the subject site, and provide a cul-de-sac for vehicle turn-arounds. To achieve this, the Plans note that the Applicant is to allocate a portion of the subject site for the purpose of the purpose of right-of-way dedication to create the cul-de-sac terminus of Jefferson Terrace.

The maximum length of the cul-de-sac street is 400 feet. The method of measurement (start point and end point) for the cul-de-sac length is from the centerline of Monroe Terrace to the end of right-of-way at the cul-de-sac. This results in a compliant length of 374.6 feet +/-. The Applicant must coordinate with the Public Works Office, as the extension of Jefferson Terrace will have to be done to City of Dover standards for street construction. This is necessary to then dedicate the extended road to the City for maintenance.

Infill Standards

The *Zoning Ordinance* Article 5, Section 1.12 *Infill Standards* notes requirements for development for a lot or group of lots in an already developed area. It further specifies:

(a) *Sidewalks*. Standard City of Dover sidewalk, per chapter 98, shall be required to be installed along public street frontage of every infill property by the property owner or developer
(b) *Landscaping.* Infill structures shall be designed to minimize the impact on existing, mature trees when practical. All residential lots shall include landscaping to include plants and shrubs along the portions of the house that front a public street. No form of vegetation shall be planted on a property in a way that blocks more than half of the front façade(s) from public view.
(c) *Primary facade.* All buildings shall include a primary entry along the property's street frontage, and shall also include a porch or other entry feature.

As noted on the Plan, the existing legal non-conforming width of the frontage along Monroe Terrace is 68.65 feet. This is not proposed to change per this Conceptual Subdivision Plan. From Jefferson Terrace south to the terminus of Monroe Terrace, there are eight (8) other parcels with frontage on Monroe Terrace, most of which are developed with one-family detached dwelling units (single-family homes). The development of this southern portion of the site noted as "Residual Lot" and containing frontage on Monroe Terrace would therefore be considered an infill lot and should follow the above referenced provisions when developed.

Sidewalks

There is no existing sidewalk along Monroe Terrace frontage of the existing property. As noted, the right-of-way for Jefferson Terrace extension is unimproved. As such, there is no existing sidewalk where the proposed Jefferson Terrace Extension is located. The Plan submitted shows a sidewalk is proposed along both the north and south sides of the Jefferson Terrace Extension, as well as the entirety of the cul-de-sac. No sidewalk is shown as being proposed along the Monroe Terrace frontage of the existing property (proposed Residual parcel). A written waiver request would be required to consider elimination of this sidewalk. *The applicant has indicated the intention to provide all required sidewalks including the segment on Monroe Terrace.*

Flood Hazard Areas

Special Flood Hazard Areas (1% Chance of Annual Flood/ 100-year flood plain) appear to remain as natural open space. The southern portion of this tract of land includes a Flood Hazard Area. The area is proposed as the Residual Lot is largely subject to the Flood Hazard Area; however, there is a portion of the property near the Monroe Terrace frontage that remains outside

of the Flood Hazard Area and may therefore be still partially buildable. The proposed Lots 1-5 appear to be outside the Flood Hazard Area.

Wetlands

The Plan indicates that the southern portion of this tract of land includes areas as wetlands adjacent to a stream that crosses the property. The reference source for the wetlands delineation must be provided. If an area is large enough in size (0.25 acres) to require a setback from the wetland area per the *Zoning Ordinance* it is to be provided. The setback of 100 feet can be reduced to fifty (50) feet when a riparian buffer is established. The Applicant will have to provide evidence to show that the existing woodland can be recognized as satisfying the riparian buffer requirement. The wetland areas and required buffer shown on the plans do not appear to impact the lots proposed for residential development.

Wet Soils and Basements

The *Zoning Ordinance*, Article 5 §11.23 regarding wet soils limits the building construction when seasonally high-water table is within two and one-half feet of the surface and requires construction subject to conditions to address the prevention of water damage. Subdivision Plans must identify the seasonal high watertable on each lot if basements are proposed.

VIII. TREE AND LANDSCAPE PLANTING

The tree preservation, tree planting and landscaping requirements are subject principally to the regulations found in *Zoning Ordinance*, Article 5 Sections 15 and 16 and are also addressed in other various sections of code related to buffering, screening, and open space.

Tree Planting & Preservation Plan

The subject site includes areas of existing woodland. It is not clear if and where woodland areas may be cleared for development activities. Most of the woodland appears to be located in the southern portions of Lots 4 and 5 and on the Residual Lot. The details of the Tree Preservation and Planning Plan will be reviewed in the Preliminary Subdivision Plan application. Tree clearing is limited to a maximum of 50% of the woodland per lot. New tree plantings are required at a rate of one tree per 3,000 SF of non-woodland lot area.

There was a previous Permit that authorized some dead tree and debris clean-up activities on this land tract and from within the stream that crosses the property.

Active Recreation Plan

The *Zoning Ordinance* includes requirements for areas of Active Recreation to be provided with the development of residential subdivisions at a land area rate per dwelling unit. There are exceptions to this requirement for residential subdivisions where the property is less than five acres and less than ten dwelling units are proposed. This requirement is reviewed in the Preliminary Subdivision Plan application process.

IX. CITY AND STATE CODE REQUIREMENTS

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:

1) The Planning Commission must make a recommendation on the Subdivision Waiver Request for an increased percentage of lots on a cul-de-sac. The Subdivision Waiver Request will be forwarded to City Council for review and final action.

2) A sidewalk must be provided along the Monroe Terrace frontage of the proposed Residual Lot. A Written Waiver Request from this requirement to provide said sidewalk along the Monroe Terrace frontage of the proposed Residual Lot has not been filed consideration by the Planning Commission. *The applicant has indicated the intention to construct this sidewalk segment.*

3) Confirm proposed use of the Lot marked as "Residual" to the south of the subject site. If it too is intended for residential development, label it consistently with other such Lots (Lot 6).
    a. A portion of the Residual Lot appears to be buildable for residential development in the area adjacent to Monroe Terrace.
    b. If this Lot is to be limited for Stormwater Management activities only, then a conservation easement to limit its use may be appropriate. Also, the long-term owner/manager of this parcel for its stormwater management areas must be identified.

4) Update Location Map as it appears to be missing some linework.

5) Mark the Alley to the west of the subject site as "unimproved." Add tie line or move the street labels for Monroe Terrace and Jefferson Terrace.

6) Check labels and listing of the lot area for Lot 5; it appears to be more than 9,365.4 SF.

7) The source of the Wetlands Delineation must be listed on the plan along with the required buffers. Label the size of the wetlands area.

8) Clarify the location of the 100 feet setback from the stream as only part to shown. Identify if the stream has a name.

9) Clarify the woodland areas to be preserved (remain) and woodland areas to be removed. Also list these sizes of each woodland area.

10) Add measurements of the front, side, and rear setbacks on each property as some are unlabeled.
    a. Lots 3 and 4 have a rear yard setback along the west property line.
    b. The southern property line of the Residual Lot has a side yard setback (not a rear yard setback).

11) Add paved width for extended street segment. Clarify the intent of on-street parking options for this development.

12) Clarify the length of the proposed cul-de-sac as per the measurement method (start point and end point) as determined by City Staff. Label and note on the plan.

13) Corrections to the Data Column:
    a. Note the Zoning Classification as R-10 (**One-Family** Residence Zone) and R-8 (**One-Family** Residence Zone).
    b. Item #5: Add the Residual Lot to listing.
    c. For the proposed use, specify that it is to be "Residential (Single-Family Detached Houses)."
    d. Remove 25 ft. Wetlands Buffer from the Legend as this is not a City of Dover code provision.

14) Following Preliminary Subdivision Plan approval, the Record Plan Sheet must document and identify any existing and proposed easements for cross access, utilities, drainage, etc. associated with the subdivision of these lots.
    a. The Final Record Plat submission must include requirements described in *Dover Code of Ordinances*, Appendix A: Land Subdivision Regulations, Article IV, C. Plat and any additional requirements of the Planning Commission.
    b. The formal Record Plan will need to be recorded upon completion of the approval process with any corrections identified by the reviewing agencies.

15) The applicant will need to work with the Department of Public Works regarding the design of the extension of Jefferson Terrace to the City of Dover Standards for the street, curbing, and sidewalks.

X. RECOMMENDED ADDITIONAL CONSIDERATIONS TO MEET CODE OBJECTIVES:
The *Land Subdivision Regulations*, Article I. Purpose, indicates that the regulations are adopted in order to promote and protect the public health, safety, convenience and general welfare; ensure the orderly growth and development of the City, the conservation, protection and proper use of land, and adequate provision for housing, recreation, circulation, utilities and services; and safeguard the City from undue future expenditure for the maintenance of streets and public spaces.

1) This Major Subdivision Conceptual Plan creates six (6) lots out of the existing parcels, with five (5) of the proposed residential lots having direct access on the proposed Jefferson Terrace street extension and cul-de-sac, and a lot noted as "Residual Lot" to have access off Monroe Terrace. The Subdivision Plan generally appears to comply with the *Land Subdivision Regulations* (with one exception) and the bulk standards of the R-10 Zone and R-8 Zone.

2) Subdivision Waiver Request – Increased Percentage of Lots on the Cul-de-sac: Planning Staff recommends approval of a Subdivision Waiver Request to permit more than 20% of lots in a development to front on the turnaround section of a cul-de-sac thus allowing the lot configuration on the cul-de-sac. The unique shape of the larger tract of land does not allow for the inter-connection of the proposed street to another existing street to avoid the cul-de-sac.
    a) This would also allow for the proposed maintenance easement shown for stormwater management (shown on Lot 5) to instead be placed as part of the Residual Lot. An adjustment of the property line location between Lots 4 and 5 may be necessary to

maintain lot frontage requirements.

3) Sidewalk along the Monroe Terrace frontage: Staff recommends providing sidewalk along the Monroe Terrace frontage of the Site (frontage of the proposed Residual Lot). As noted, the Lot is considered "Infill" and as such would be required to follow the development standards set out for Infill Lots and found in the *Zoning Ordinance,* Article 5, Section 1.12. It is noted that several recently developed parcels with frontage on Monroe Terrace (south of Jefferson Terrace) do include sidewalks along their Monroe Terrace frontages.

Other agencies may recommend additional conditions and safeguards in accordance with their areas of expertise. The Recommended Additional Considerations to Meet Code Objectives are offered for consideration by the Planning Commission.

XI. ADVISORY COMMENTS TO THE APPLICANT:

1) The Subdivision Waiver Request is required to be considered by the City Council following a recommendation from the Planning Commission.

2) The Conceptual Plan is the first step in the major subdivision process. For this project, the next step is the submission of the Preliminary Subdivision Plan for review. A Pre-Application meeting is required to file the Preliminary Subdivision Plan.

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

4) In the event, that major changes and revisions to the Conceptual Subdivision Plan occur in the development of the plan contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other commissions making recommendations regarding the plan.

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

6) The applicant shall be aware that Conceptual Subdivision approval does not represent a Building Permit, Sign Permit and other associated construction activity permits. A separate application process is required for issuance of a Permit from the City of Dover.

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: AUGUST 27, 2025

APPLICATION: **Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan**

FILE #: **SB-25-02**

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 / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. Our office has no objection to the conceptual subdivision plan. Further requirements will be provided if additional development plans are submitted, this specifically refers to the sanitary sewer plan.

TYPICAL CITY AND STATE CODE REQUIREMENTS FOR SUBDIVISION

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
   b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.
   c. The site contractor shall contact the City of Dover Public Works Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Public Works must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. All water mains within the proposed subdivision must be looped. No dead end mains are permitted. The utility plan must incorporate the appropriate termination valves on the water system between construction phases.
4. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. All water mains shall be either cement lined Class 52 cement lined ductile iron pipe or DR 18 PVC pipe. Division valves must be provided every 800 feet.
5. Water service lines shall be shown for each residential lot meeting the following requirements: The water services shall be one-inch (1") diameter Type K copper tubing or SDR9 pipe, and installed five feet (5') to the right of the sewer lateral as viewed fr

the center line of the street. Curb stops shall be installed one foot (1') outside of the right-of-way for each lot. A water meter and meter pit must be installed on the domestic water service, in a non-traffic bearing location just downstream of the curb stop.

6. Fire hydrants shall be spaced no greater than 600 feet as measured along the curb. Fire hydrants shall be placed between the curb and sidewalk at intersections or centered on lot lines. Fifteen feet (15') separation must be provided between all hydrants and hydrant valves.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.
   b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "…any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. All sanitary sewer mains shall terminate at manholes between construction phases. This may require sewer lines to extend beyond the proposed phase lines to the next manhole.
4. Minimum slope criteria shall meet Ten States Standards. Provide flow calculations to justify sizing of the sewer mains, showing that velocity requirements are met. Waiver requests must be approved by the Department of Public Works.
5. The desired location for sewer mains is under the centerline of the street. One-tenth of a foot (0.1') drop must be provided across all manholes. The minimum slope for eight-inch (8") sanitary sewer pipe is 0.004 feet/feet. Minimum cover is 3.0 feet.
6. Sanitary sewer manholes shall be spaced no more than 400 feet apart.
7. The minimum size of all sanitary sewer laterals shall be six-inch (6").
8. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
9. Sanitary sewer laterals shall be shown for each residential lot meeting the following requirements: The sewer laterals shall be six-inch (6") diameter schedule 35 PVC and, where practicable, installed to the center of each lot. Sewer laterals shall be connected directly to the main, not manholes, unless impracticable. Sewer laterals are to be installed one foot (1') beyond the right-of-way line at a typical depth of three feet (3'), preferably not exceeding five feet (5'). Cleanouts shall be installed one foot (1') outside of the right-of-way for each lot.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.
3. Submerged pipe inlets to ponds may only be permitted if they are so designed that the permanent pool elevation of the storm water management area doesn't surcharge back into the City of Dover's storm drain structures and system.
4. The City of Dover Department of Public Works specifications require all culverts to be designed for the 25-year storm frequency and all storm sewers to be designed for the 10-year storm frequency. The Manning's equation shall be utilized in design as applicable. Storm sewers are required to provide a minimum full flow velocity of 2 fps. Provide the calculations for each proposed pipe segment that, at a minimum, include: upstream and downstream inverts, upstream and downstream ground elevations, and ground cover provided; pipe slope, length, material, n value, and diameter; design flow, depth and velocity; and full flow and velocity.

5. The City of Dover Department of Public Works specifications require that all inlets (catch basins) be designed for the 10-year storm frequency (25-year storm frequency for sump conditions) and that the spread of water shall not exceed eight feet (8') from the flow line of the curb. The design must also meet the requirement that the hydraulic grade line may be no higher than one foot (1') below the top of the inlet. Provide the calculations for each proposed catch basin utilizing flows determined by each catch basin's contributory drainage area, for the appropriate storm frequency. Spread, depth of flow and hydraulic grade line data for each inlet must also be included. Any carryover should also be noted and included at appropriate downstream catch basins as applicable.
6. Provide all stormwater management calculations and erosion and sedimentation control plan as required by Article 5, Section 11.2 and 11.2 of the City of Dover Zoning Ordinance. Ensure that individual lot grading, house locations with finished floor elevations, and driveway locations and grades are provided on the plans in order to verify the adequacy of the design. The provided information should also show adequate conveyance of runoff from each lot.

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.
2. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.
3. Please add the following notes to the plans:
    a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.
    b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.
4. It shall be unlawful for any person to alter the curb of any street so as to create a curb depression for the purpose of permitting vehicles to enter onto or exit from the city streets, without a permit issued by the city manager.
5. When determined to be necessary, dead-end streets, designated to be so permanently, shall not be longer than 400 feet and shall be provided at the closed end cul-de-sac with a turnaround having an outside roadway diameter of 80 feet and a street right-of-way diameter of 100 feet. In no instance shall more than 20 percent of the lots in a proposed development front on the turnaround section of a cul-de-sac.
6. Streets shall be laid out so as to intersect as nearly as possible at right angles. The inner right-of-way line of a street intersecting another street at an angle of less than 90 degrees shall be tangent to and follow a curve with a minimum radius of 150 feet centered on the nearest right-of-way line and shall be parallel to said inner right-of-way line.
7. Street right-of-way lines deflecting from each other at any point shall be connected with a curve, the radius of which, for the centerline of the right-of-way, shall not be less than 500 feet on arterial streets, 300 feet on collector streets and 150 feet on minor streets. The outer and inner right-of-way line shall be parallel to said center right-of-way line.
8. Street rights-of-way lines at intersections shall be connected with a curve, the radius of which shall be at least 25 feet. The required radius may be increased by the city engineer if the increased radius is necessary for public safety.
9. Street grades shall not exceed five percent.
10. Street grades shall not be less than one-half percent wherever feasible.

SANITATION

1. Every person occupying a residence or duplex and every owner of an apartment shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers.

1. Only trees listed as small to medium shall be planted under power lines; and no trees shall be planted within ten feet of any underground water line, sewer line, transmission line or other utility.
2. It shall be unlawful and a nuisance for any person to plant any vegetation in any public right-of-way. Upon receipt of notice from the city to remove any vegetation located in a public right-of-way, the owner of the abutting property shall remove such vegetation at his own expense within the time limit provided in such notice.
3. It shall be unlawful and a nuisance for any person to plant any tree, shrub or bush within 16 feet of the curbline. Upon receipt of notice from the city to remove any tree, shrub or bush which is located within 16 feet of the curbline, the owner of the property upon which such tree, shrub or bush is located shall remove the same at his own expense within the time limit fixed in such notice.

GENERAL

1. Add the following note to the plans, "A seven and one half feet (7.5') wide easement is retained along all side and rear lot lines, to be unoccupied by building, for utilities, drainage and sanitary sewer purposes. Except where lots are divided for any reason whatsoever, said easements shall fall along the actual side and rear lot lines as conveyed. A fifteen feet (15') wide utility easement is retained along all rear lines of lots abutting the project boundary and other open spaces." A ten feet (10') wide utility easement is required along all front yard lot lines for utility installation. When a water, sewer, or storm sewer main is not located in the right of way, it shall be located within five feet (5') of the center of a twenty feet (20') wide utility easement.
2. The final site plan must be submitted in the following compatible digital formats:
    a. AutoCAD 2018 (.dwg format).
    b. Adobe Reader (.pdf format).
3. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Water impact fees will be required to be paid prior to any Certificate of Occupancies issued for this project.
3. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
4. Any future development shall adhere to the City of Dover Water/Wastewater Handbook.
5. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
6. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.

2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees will be required to be paid prior to any Certificate of Occupancies issued for this project.
5. Depending on the effluent flow, the downstream pump station may need to be evaluated by the developer / engineer to verify it can handle the additional effluent flow.
6. Any future development shall adhere to the City of Dover Water/Wastewater Handbook.
7. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.

STORMWATER / STREETS

1. If this property is developed, future approvals may be required from the Kent Conservation District and DelDOT.
2. Any future development shall adhere to the Specifications, Standards & Procedures for Public Works Construction.

GENERAL / SANITATION

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 ELECTRIC

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUG 27, 2025

APPLICATION:	**Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan**
FILE #:	**SB-25-02**
REVIEWING AGENCY:	**City of Dover Electric Department**
CONTACT PERSON:	**Shawn Burgett, Engineering Services & System Operations Superintendent**
CONTACT PHONE #:	**302-674-7568**
CONTACT EMAIL #:	**sburgett@dover.de.us**

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all existing underground electric, communications and water facilities.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
11. ***Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.***
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.

13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is available on the website at the following link: https://evogov.s3.amazonaws.com/media/27/media/13108.pdf.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Provide load sheets as soon as possible for proper sizing of transformers and creation of primary fee estimates. Fillable load sheets are available on the website at the following link: https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf.

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.

SB-25-02

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 08/27/25

APPLICATION: Lands of Wyoming LLC and Functional Properties LLC

FILE: SB-25-02 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. Proposed occupancy classification is a subdivision

2. Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

   Residential areas
   24 feet wide with no parking,
   30 feet wide with parking on one side, or
   36 feet wide with parking on both sides

   Commercial areas
   26 feet wide with no parking,
   32 feet wide with parking on one side, or
   38 feet wide with parking on both sides

   Alley
   12 feet wide

3. Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.

4. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.

5. Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations. City Ordinance Sec 46-9 (f).
   5.1.1 Hydrant spacing as shown in the Fire Flow Tables shall be used as a general rule. Hydrants shall be located at the direction of the State Fire Marshal so as to minimize friction in fire hose.

All hydrant spacing shall be located along available roads or at the direction of the State Fire Marshal. This measurement shall be calculated by way of accessible thoroughfare(s) from the building to be protected to the hydrant and may not necessarily be a radius. 5.1.3 Additional hydrants shall be provided when the State Fire Marshal deems it necessary based on the configuration of the site, building(s), exposures, construction, occupancy, and/or specific hazard(s).
Fire Flow table 2, hydrant spacing shall be 800 feet on center for one and two family detached dwellings, other residential, rowhouses and townhouses, assembly, health care, business, education, storage, industrial, mercantile, and mini storage. (702, Chapter 6)

NFPA 1

18.5.2 detached one- and two-family dwellings, fire hydrants shall be provided for detached one- and two-family dwellings in accordance with both of the following: 1. the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet 2. the maximum distance between fire hydrants shall not exceed 800 feet.

18.5.3 buildings other than detached one- and two-family dwellings, fire hydrants shall be provided for buildings other than detached one- and two-family dwellings in accordance with both of the following 1. The maximum distance to a fire hydrant from the closet point on the building shall not exceed 400 feet 2. The maximum distance between fire hydrants shall not exceed 500 feet

6. All fire hydrants shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation.

   All fire hydrants shall have minimum of four-inch (4") solid yellow demarcation lines to define specific areas, where fire hydrants are located along a curb line with permitted parking, the area between the fire hydrant and the street or fire lane shall be stenciled with four inch (4") demarcation lines and the words "NO PARKING", demarcation lines shall be measured from the center line of the fire hydrant and extend for a distance 15 feet on both sides.

   Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four-inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)
   The owner is responsible if the hydrant is private.

7. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM -1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black.
   (2021 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)
   The owner is responsible if the hydrant is private.

8. Hydrants are to be Darling Co. B-62-B Breakaway https://american-usa.com/products/valves-and-hydrants/fire-hydrants/5-1-4-american-darling-b-62-b-5

9. 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, the numbers shall measure a minimum of 12 inches in height, *location generally*, 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,

   property line or driveway, should 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, numbers shall be contrasting to the background color and shall be placed on each building in the complex,

   Arabic numerals, all 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)

10. Project to be completed per approved Site Plan.

11. Full building and fire plan review is required.

12. Construction or renovations cannot be started until building plans are approved.

13. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

14. The following is City Ordinance, Appendix B-Zoning, Article 8 Enforcement and Penalties:

   Section 1. - Building permits.

   No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the

proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful (see section 4 for penalties).

1.1 No building permit shall be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street improved to the satisfaction of the planning commission, or without access to a public sewer.

1.2 No building permit shall be issued for any building where the site development plan of such building is subject to approval by the planning commission, except upon approval of such plans approved by the said commission.

1.21 No building permit shall be issued for any building in a subdivision unless the subdivision plot has been approved by the planning commission.

1.3 No building permit shall be issued for a building to be used for any conditional use in any zone where such use is allowed only with approval of the planning commission, unless and until such approval has been duly granted by the said commission.

(Ord. of 7-12-1993, § 3)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please ensure that the cul-de-sac meets the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3
2. A fire hydrant is needed in the cul-de-sac

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.**

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

DELDOT

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APPLICATION: Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

FILE#: SB-25-02 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian Williams PHONE#: 302-760-2141

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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 & STATE CODE REQUIREMENTS:

No person, firm, corporation or the like shall construct, open, reconstruct, maintain, modify or use any crossing or entrance onto a state-maintained highway, street or road, including any drainage modifications leading into or carried by the highway drainage system, without first having complied with standards and regulations adopted by the Department and having obtained a permit issued by the Department.
Please contact the Delaware Department of Transportation - Development Coordination section to begin permit process.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. Please contact the Department to schedule a project coordination meeting.

KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901• (302) 608-5370 • WWW.KENTCD.ORG

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
SEPTEMBER 2025

APPLICATION: Land of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

FILE #: SB-25-02

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Cullen Baker

PHONE: (302) 608 – 5370

EMAIL: stormwater@kentcd.org

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:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. A Stormwater Assessment Study (SAS) and pre-application meeting are required.
2. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District's office.
3. The following notes must appear on the record plan:
   a. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
   b. The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
   c. A clear statement of defined maintenance responsibility for stormwater management must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. There are previously approved stormwater plans that have expired due to construction never taking place. A new set of plans adhering to the current stormwater regulations will need to be submitted for approval.
2. This plan is located in an area that is to be undermanaged per the Puncheon Run Flood Study to beat the peak run-off generated in the contributing upland drainage area. This area is also under 10% of the total contributing drainage area and is only required to manage the 1-year (RPv) storm event.
3. The preferred methods of Stormwater management are those practices that maximize the use of the natural features of a site, promote recharge and minimize the reliance on structural components.

4. The proposed plan doesn't appear to show stormwater management for the RPv storm. Provide stormwater management or specify if DNREC's fee in leu is being proposed for not managing the RPv storm event.
5. If the fee in leu is being proposed, we will require the stormwater drain pipe and stormwater easement proposed within lot 5 to be relocated into open space, since this will act as the sole drainage outlet for the subdivision. We will also require the end of the storm drain to extend past the rear of the lots further into the residual portion of the parcel, closer to the blue line stream.
6. Please note the Kent Conservation District will not review an application more than three times. If after the third review the plan is still not found to be approvable, the application will be denied, and a new application with review fees are to be re-submitted to continue a detailed plan review.
7. As a reminder, the Kent Conservation District is required to verify that a Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under a NPDES General Permit has been received by DNREC prior to District approval.
8. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management Plan has been approved.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

ADVISORY BRIEF

D.A.C. MEETING DATE: 9/3/2025

Dover/Kent County Metropolitan Planning Organization

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan

FILE # SB-25-02 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
Site Development Plan Review

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan

Monroe Terrace is a low-volume local road that has a Level of Traffic Stress (LTS) of 1. These conditions suggest the road is generally safe for walking and biking. However, sidewalks would still be useful for separating pedestrians from vehicle traffic. Although the proposed subdivision does not have a significant amount of frontage along Monroe Terrace, it should still utilize sidewalks internally and on the property's frontage to the extent possible. This will make it easier to connect with new sidewalks on Monroe Terrace at a later date. Sidewalks are included in the current plan. Note that the applicant should follow the City of Dover Code for sidewalks when adding pedestrian facilities.[1]

[1] "Dover Code: Appendix B, Article 5, Section 18." City of Dover, DE. https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOOR_APXBZO_ART5SURE_S18PEBIMUDAACRE.

It is also important to ensure that large vehicles, particularly emergency vehicles such as fire trucks and ambulances, can easily access and turn around within the cul-de-sac. Coordination with the City of Dover Fire Department will help with meeting this need.

Dover Kent MPO will have more specific comments for the property when a site plan is proposed.

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.

mountain engineering services

August 1, 2025

Dawn Melson-Williams, AICP
Principal Planner
City of Dover
Department of Planning & Inspections
P.O. Box 475
Dover, DE 19903

RE: Waiver Request – Percentage of Lots on Cul-de-sac
Ekaman Subdivision – Tax Parcel # ED-05-077.17-06-02.01 – Jefferson Terrace Extension

Dear Mrs. Melson-Williams:

We respectfully request a waiver from the City of Dover Subdivision Regulations as outlined in the Dover Code of Ordinances, Appendix A, Article VI, Section A.15, which states:

"In no instance shall more than 20 percent of the lots in a proposed development front on the turnaround section of a cul-de-sac."

We are seeking relief to permit 4 out of 6 proposed lots—equivalent to 67%—to front on the cul-de-sac turnaround.

This request is necessitated by the unique shape and physical constraints of the parcel, which limit feasible access to a dead-end cul-de-sac extension of Jefferson Terrace. The proposed layout is the only practical configuration that allows for safe and functional access to all lots.
All proposed residential lots comply with applicable zoning requirements, including yard setbacks, and incorporate standard infrastructure such as sidewalks, curbing, and signage. Additionally, the total length of the dead-end roadway—from the centerline of Monroe Terrace to the end of the proposed right-of-way—is 374.6 linear feet, which remains within the maximum allowable length per the Code.

We appreciate your consideration of this request and are available to provide any additional information or clarification as needed. I can be reached directly at 302-922-5574 or by email at tadams@mntnesllc.com. Thank you for your consideration.

Sincerely,
MOUNTAIN ENGINEERING SERVICES, LLC

Troy L. Adams, P.E.
President

Application SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

Public Comments: Set 1 – Received through September 15, 2025, 12 noon

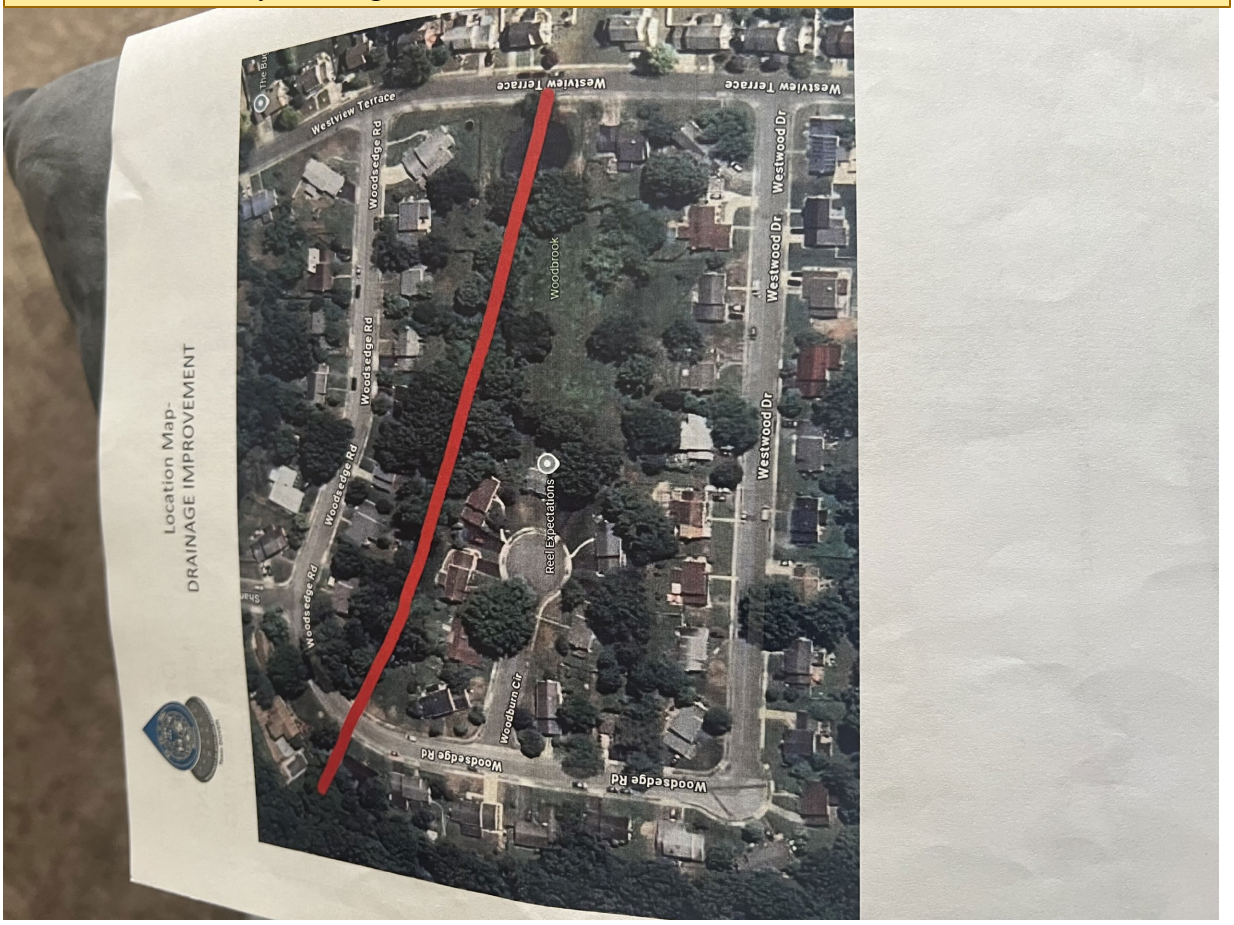
1. Email from Steve LeBoon of 1025 Westview Terrace received 9/5/2025 at 3:34pm with Attachment 1: City's Notice of Drainage Improvement Engineering Support – Woodbrook Development and Attachment 2: Notice of Application SB-25-02

2. Email from Joan Sciple of 1139 Westview Terrace received 9/6/2025 at 10:44am

3. Letter of Support from Michael Glick, property owner of 850 New Burton Road received 9/15/2025 at 7:13am

From: LeBoon
To: City Clerks Office; Melson-Williams, Dawn; Duca, Sharon; Hugg, Dave; Anderson, David; Neil, Fred; Christiansen, Robin; Sudler, Roy; Donyale Hall; Lewis, Brian E.; rayna.katz@mail.house.gov; LeBoon LeBoon; A cassbaby; Carrah LeBoon; Joan Sciple; DEOOSMIMA@mail.house.gov
Subject: EXTERNAL: Postponement regarding September 15, 2025
Date: Friday, September 5, 2025 3:49:44 PM
Attachments: scan0004.pdf
scan0003.pdf

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.



September 5, 2025

To:
The Honorable Chair
Dover Planning Commission

Re: Request for Postponement of Public Participation – September 15, 2025 Meeting

Dear Chair,

I respectfully request that the Planning Commission postpone the scheduled public participation session currently set for **Monday, September 15, 2025, at 6:00 PM**.

The basis of this request is the pending final rendering and report from **Davis, Bowen & Fridell, Inc.**, the architects, engineers, and surveyors who conducted extensive inspections of the infrastructure project from **August 11, 2025 through late August 2025**. Their findings are critical to the record and must be available for proper review and consideration by the community.

This proposed project has already been **denied by the Planning Commission last year**, yet it has reemerged repeatedly—this being the seventh attempt. My neighbors and I view it as not only a matter of public harassment but also a serious threat to our community's safety and well-being. The proposed development site sits on or near a floodplain, which is in direct violation of the Governor of Delaware's order prohibiting new construction in such areas.

Postponement is in the best interest of both the Commission and the public. It will allow sufficient time for myself and my fellow residents to:

- Review and synthesize the forthcoming civil engineering reports,
- Incorporate professional findings into our opposition, and
- Seek legal counsel if necessary to ensure our community is properly represented.

Enclosed with this request are:

1. Notification from the engineers,
2. Correspondence from the City of Dover civil engineer,
3. A certified letter regarding the notice of adhering application, and
4. A photograph documenting the longstanding drainage problems that have persisted in this area for over 45 years.

On behalf of myself and my neighbors, I respectfully urge the Planning Commission to postpone the September 15, 2025 public participation session until all relevant reports and findings can be reviewed and incorporated.

Also, I formally request, we neighbors formally request at least 60 days extension from the time we receive the publications and final report from the engineers regarding the inspection of the infrastructure drainage project. Thank you so much and thank you for your kindness.

And just to let you know, I'm incorporating and cc The honorable Sarah McBride, United States State Congress lady.

Thank you for your consideration.

Respectfully,

Steve LeBoon
1025 Westview Terrace
Dover, DE 19904

---------- Forwarded message ---------
From: **LeBoon** <cleboon89@gmail.com>
Date: Fri, Sep 5, 2025 at 3:33 PM
Subject:
To: Steve Leboon <slspiders@gmail.com>

Team DOVER

DAVIS BOWEN & FRIEDEL, INC.
ARCHITECTS • ENGINEERS • SURVEYORS

DRAINAGE IMPROVEMENT ENGINEERING SUPPORT– WOODBROOK DEVELOPMENT

AUGUST 11, 2025

Dear Valued City of Dover Residents,

As part of the City of Dover's ongoing commitment to improving public infrastructure, we will begin the design phase for potential drainage improvements in the **Westview Terrace area**. This project aims to address long-standing flooding concerns, especially near **Westview Terrace and Woodsedge Road.**

The design which will be carried out by **Davis Bown & Fridel, Inc.,** they will be working in the area starting **Monday, August 11, 2025,** through **Monday, August 25, 2025**. During this period, residents may notice survey crews in and around the neighborhood collecting necessary data to inform the design process.

Please note that no construction will take place during this phase. The purpose of this work is strictly for planning and design.

We appreciate your cooperation as we carry out this important work, and we encourage residents to reach out to the City of Dover's Department of Water & Wastewater with any questions or concerns.

Sincerely,

Srilekha

Srilekha Zallipalli
Civil Engineer
City of Dover
Department of Water & Wastewater
Phone: 302-760-4945

The following is the emergency contact for use on the above project:

Ring W.Lardner, PE.
President/ Senior Civil Engineer- (302)-632-9779
Sharon K. Cruz, PE.
Senior Civil Engineer- (302)-270-3903

NOTICE OF HEARING ON APPLICATION TO CITY OF DOVER PLANNING COMMISSION

PLEASE TAKE NOTICE:
That the undersigned has filed an application for a Conceptual Subdivision Plan with the City of Dover Planning Commission. (Application SB-25-02)

DESCRIPTION

SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision): Conceptual Subdivision Plan - Review of a Conceptual Subdivision Plan to create five (5) lots and one residual lot from 2 existing parcels totaling 4.5754 acres to be known as Ekaman Subdivision. The proposed subdivision is to consist of five residential lots with the residual for stormwater management area. The proposal includes the extension and addition of a cul-de-sac to the existing street right-of-way of Jefferson Terrace. The larger parcel is zoned R-10 (One Family Residence Zone), and the additional parcel is zoned R-8 (One Family Residence Zone) with both being located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. Property Address: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Property Owners: Wyoming, LLC and Functional Properties, LLC. Tax Parcels: ED-05-077.17-06-02.01-000 & ED-05-077.17-06-13.00-000. Council District 2. *Waiver to be Requested: Percentage of Lots on a cul-de-sac.*

A public hearing has been scheduled for the Monday, September 15, 2025 Meeting of the City of Dover Planning Commission at 6:00 P.M. This meeting will be held in person in the City Council Chambers of City Hall before the Planning Commission as well as in a virtual format using the participation information below. When this application is called you may appear either in person, virtually, or by agent or attorney, and present any comments.

Public Participation Information
To Attend City of Dover Planning Commission Meeting of September 15, 2025 at 6:00 P.M.
Join by Phone: Dial +1-650-479-3208
Access Code: 253 196 09870
Password from Phones: 3683772
Join Online: https://bit.ly/PCMeeting09152025
Webinar Number: 2531 960 9870
Webinar Password: DoverPC

Written comments are also accepted via mail City of Dover – Planning Commission P.O. Box 475 Dover DE 19903 and via email at CompPlan@dover.de.us.

The papers are on file in the Office of the City Planner, City Hall, 15 Loockerman Plaza, Dover DE and are available for inspection. The Planning Commission Meeting Agenda and Meeting Packet will be posted on www.cityofdover.com under the City Meeting Calendar. This Notice is sent to you by the applicant, by order of the Planning Commission. Agenda items are subject to change. Confirmation of an agenda item can be done after 1 P.M., on the day of the hearing by calling the Planning Department at (302) 736-7196 or checking the website at www.cityofdover.com.

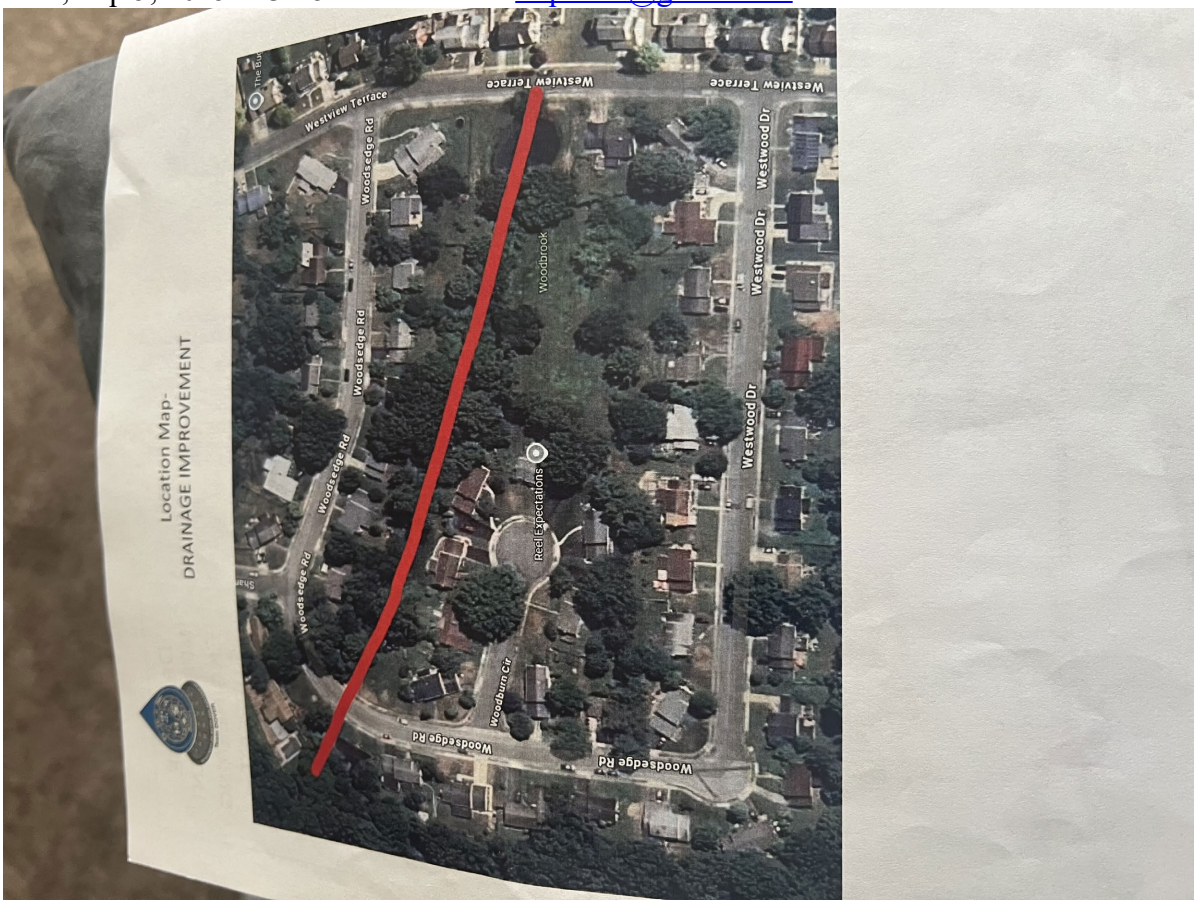
Respectfully,
Emmanuel Ehize
(Applicant)
Name (Print) Emmanuel Ehize
Address 3 Boggs Run Dover, DE 19904

From: Joan Sciple
To: LeBoon
Cc: City Clerks Office; Melson-Williams, Dawn; Duca, Sharon; Hugg, Dave; Anderson, David; Neil, Fred; Christiansen, Robin; Sudler, Roy; Donyale Hall; Lewis, Brian E.; rayna.katz@mail.house.gov; A cassbaby; Carrah LeBoon; DEOOSMIMA@mail.house.gov
Subject: EXTERNAL: Re: Postponement regarding September 15, 2025
Date: Saturday, September 6, 2025 10:44:50 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.

Thank you Steve for once again notifying the city on our behalf. I concur with your request . We have been trying for five years to get help to protect our homes from the devastation to the drainage problems caused by the 2020 tornado. No changes to the surrounding properties should be initiated until this is resolved.
Joan Sciple
1139 Westview Terrace

On Fri, Sep 5, 2025 at 3:48 PM LeBoon <slspiders@gmail.com> wrote:



September 5, 2025

To:
The Honorable Chair
Dover Planning Commission

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And just to let you know, I'm incorporating and cc The honorable Sarah McBride, United States State Congress lady.

Thank you for your consideration.

Respectfully,

Steve LeBoon
1025 Westview Terrace
Dover, DE 19904

---------- Forwarded message ---------
From: **LeBoon** <cleboon89@gmail.com>
Date: Fri, Sep 5, 2025 at 3:33 PM
Subject:
To: Steve Leboon <slspiders@gmail.com>

From: Michael Glick
To: CompPlan
Subject: EXTERNAL: Letter of Support - SB-25-02
Date: Monday, September 15, 2025 7:13:28 AM
Attachments: Scan_20250915_070736.pdf

Some people who received this message don't often get email from mglick@lhconstruction.com. Learn why this is important

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,

Please find attached letter of support for the SB-25-02 subdivision scheduled for today's P&Z Meeting.

Thank you for the consideration.

***

G. Michael Glick
President

Lighthouse Construction, Inc.
Lighthouse Realty Management
MacLeish Group
302.677.1965 x105
www.LHConstruction.com

G. Michael Glick
Property Owner – 850 New Burton Road
Dover, DE 19904

September 15, 2025

City of Dover Planning Commission
15 Loockerman Plaza
Dover, DE 19901

Re: Support for Conceptual Subdivision Plan – Ekaman Subdivision (SB-25-02C)

Dear Members of the Planning Commission,

As the property owner of 850 New Burton Road, I am writing in support of the application titled *Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)* scheduled for review at your September 15, 2025 Planning Commission meeting.

This project represents exactly the type of thoughtful *infill subdivision* that benefits the City of Dover in multiple ways. Infill development makes efficient use of existing infrastructure, reduces sprawl, and encourages growth where services exist. By strengthening and filling in established neighborhoods, it ensures orderly growth and creates vibrant residential communities that are well-connected to schools, jobs, and services.

Equally important, Dover continues to face a pressing shortage of attainable and workforce housing. Local businesses—particularly major employers such as Bayhealth Hospital and its growing medical campus—depend on having affordable, nearby housing options for employees. Without adequate housing supply, it becomes increasingly difficult for Dover to attract and retain the workforce that drives our local economy. Projects such as the Ekaman Subdivision directly help address this need by adding new homes in an accessible, in-town location.

The proposed subdivision balances new residential lots with appropriate stormwater management and open space areas, while meeting the City's infill standards. The waiver request related to the cul-de-sac is a practical solution given the unique parcel shape and should not detract from the overall planning objectives.

I respectfully encourage the Planning Commission and the City of Dover to support this application. It represents smart growth, adds much-needed housing to the community, and helps ensure that Dover remains a place where both families and businesses can thrive.

Thank you for your consideration.

Sincerely,

Michael Glick
Property Owner – 850 New Burton Road

KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901• (302) 608-5370 • WWW.KENTCD.ORG

September 15, 2025

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

Re: Ekaman Subdivision – SB-25-02
Sediment & Stormwater Management Plans

The Kent Conservation District will be reviewing the Stormwater Management Plan for the proposed Ekaman Subdivision. The conceptual layout of the plan appears to align with the recommended approach for managing stormwater for site development, based on the findings of the Puncheon Run Flood Study. Before the proposed plan is approved, the Kent Conservation District will complete a detailed plan review and verify that the proposed stormwater management plan meets the requirements of the Puncheon Run Flood Study.

If you should have any questions concerning these comments, please contact the office at (302) 608-5370.

Sincerely,
KENT CONSERVATION DISTRICT

Cullen Baker
Stormwater Plan Reviewer

cc: Troy L. Adams, P.E., Mountain Engineering Services, LLC

DATA COLUMN

1. OWNER:
   WYOMING LLC & FUNCTIONAL PROPERITES LLC
   3 BOGGS RUN
   DOVER, DE 19904
   862-237-4515

2. ENGINEER OF RECORD:
   MOUNTAIN ENGINEERING SERVICES, LLC
   103 S. BRADFORD ST.
   DOVER, DE 19904
   302-744-9875

3. TAX PARCEL NUMBERS: ALL OF ED-05-077.17-06-02.01-00001 (WYOMING LLC)
   ALL OF ED-05-077.17-06-13.00-00000 (FUNCTIONAL PROPERTIES LLC)

4. ZONING CLASSIFICATION: R-10 (SINGLE-FAMILY RESIDENTIAL)
   R-8 (SINGLE-FAMILY RESIDENTIAL)

5. TOTAL NUMBER OF LOTS:
   EXISTING - 2
   PROPOSED - 5

6. BULK AREA RESTRICTIONS:

	R-10	R-8
MIN. LOT AREA:	10,000 S.F.	8,000 S.F.
MIN. LOT WIDTH:	80'	70'
MIN. LOT DEPTH:	110'	100'
FRONT YARD SETBACK:	25'	25'
SIDE YARD SETBACK:	15'	10'
TOTAL SIDE YARD SETBACK:	30'	20'
REAR YARD SETBACK:	30'	30'
MAX. IMPERVIOUS COVERAGE;	30%	35%

7. TOTAL ACREAGE WITHIN EACH LOT AFTER SUBDIVISION
   LOT 1: 0.4714 ACS. (20,536.1 S.F.)
   LOT 2: 0.2795 ACS. (12,173.5 S.F.)
   LOT 3: 0.4693 ACS. (20,440.7 S.F.)
   LOT 4: 0.6211 ACS. (27,055.0 S.F.)
   LOT 5: 0.4446 ACS. (9,365.4 S.F.)
   RESIDUAL: 2.1016 ACS. (91,545.1 S.F.)

8. NUMBER OF PERMANENT MONUMENTS:
   8 - IPF (IRON PIPE FOUND)
   1 - CPF (CAPPED PIPE FOUND)

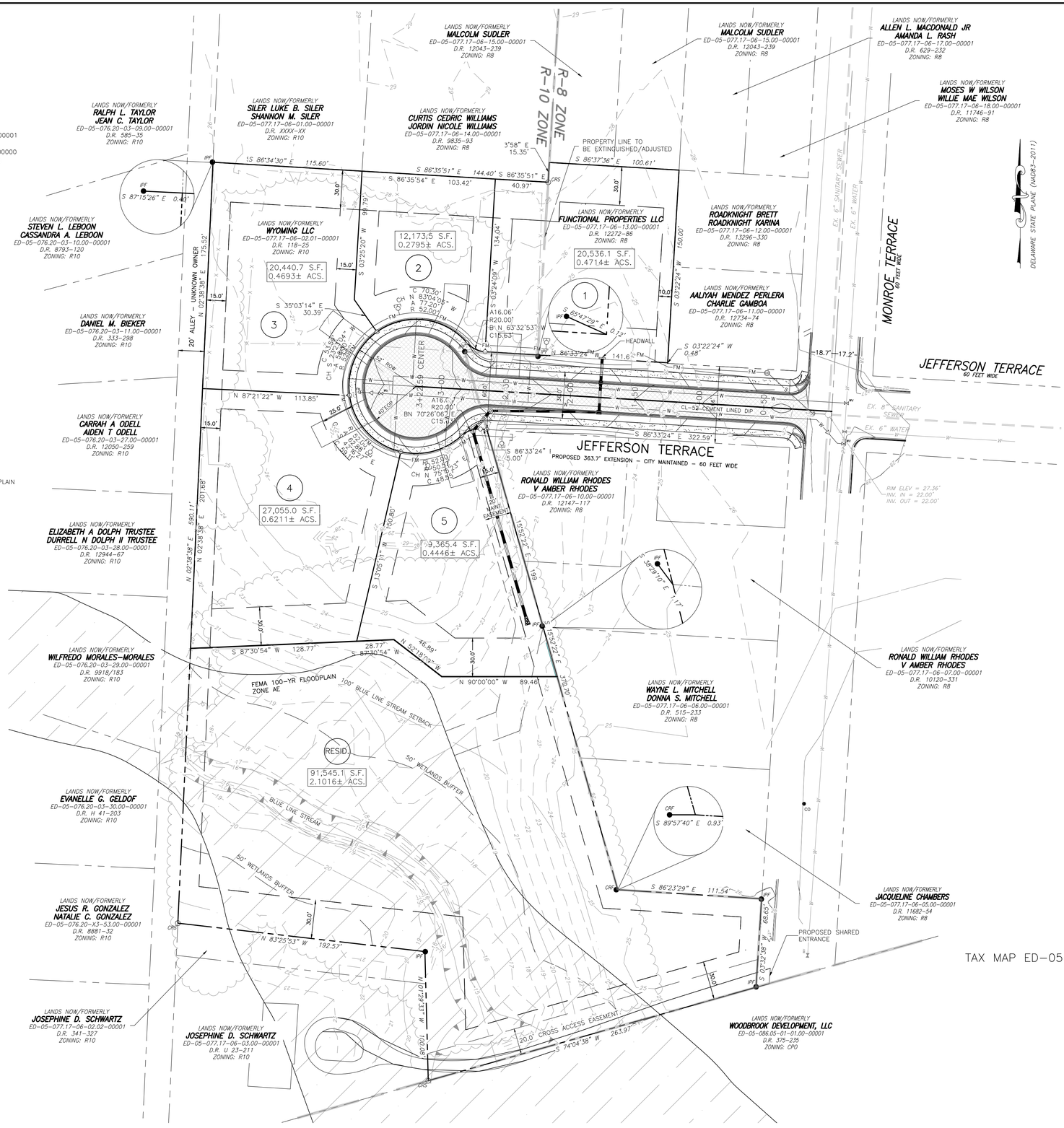
9. PROPOSED TYPE OF UTILITIES:
   WATER: CITY OF DOVER
   WASTEWATER: CITY OF DOVER

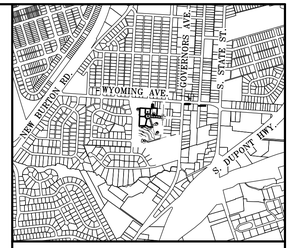
12. RELATION TO THE GROWTH ZONE: INSIDE

13. FLOODPLAIN: THIS SITE IS IMPACTED BY THE 100 YR. FLOODPLAIN PER FEMA MAP PANEL NUMBER 10001C0169J, EFFECTIVE JULY 7, 2014, ZONE AE.

14. PRESENT USE: RESIDENTIAL (UNDEVELOPED)

15. PROPOSED USE: RESIDENTIAL





LEGEND

- PROPERTY LINES
- ADJOINING PROPERTY LINES
- BUILDING RESTRICTION LINE
- WETLANDS
- 25' WETLANDS BUFFER
- 100' BLUE LINE STREAM BUFFER
- BLUE LINE STREAM
- EXISTING FENCE
- EXISTING EDGE OF PAVEMENT
- EXISTING TREELINE
- PROPOSED TREELINE
- 100-YR. FLOOD PLAIN
- PROPOSED PAVEMENT
- EXISTING BUILDING
- PROPOSED SIDEWALK
- PROPOSED CURB
- ZONING LINE
- GRINDER PUMP

MAJOR SUBDIVISION
FOR
EKAMAN SUBDIVISION
TAX MAP ED-05-077.17-06-02.01-00001 & ED-05-077.17-06-13.00-00000
CITY OF DOVER - KENT COUNTY
STATE OF DELAWARE

©2025 MOUNTAIN ENGINEERING SERVICES, LLC

REVISIONS	CHECKED BY

mountain engineering services
103 S. BRADFORD ST.
DOVER, DE 19904
P.O. BOX 559
DOVER, DE 19903
T-302-744-9875
F-866-672-6428

0' 20' 40' 80'
GRAPHIC SCALE

SCALE: 1" = 40'		DRAWN BY: KFB	
DESIGNED BY: TLA	CHECKED BY: TLA	DRAWING NAME:	
DATE: 8/1/25	COMM. NO. 2022067EM	FILE NO.	SHEET NO. 1 OF 1

Application SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

Public Comments: Set 3 of May 2026 – Received through May 15, 2026, 3:00pm

1. Email from Dan and Joy Bieker of 1033 Westview Terrace received May 8, 2026 at 8:58pm

2. Email received May 9, 2026 at 11:27am with copy of Screenshot of Dave Lees comments

3. Email from Steve LeBoon of 1025 Westview Terrace received May 9, 2026 2:45pm with Attachments:
    a. Original Letter of Opposition dated May 7, 2026 (Letter Also in Public Comments Set 2, Item 1)
    b. Letter on Open Space Dated May 9, 2026

4. Email from Joan Sciple of 1139 Westview Terrace received May 12, 2026 at 10:31am

5. Email from Steve LeBoon received May 14, 2026 at 10:28am (his response after receiving FOIA Request Response 2026-186: Drainage Improvement Engineering support for Woodbrook Development) with attachments
    a. Copy of Letter of March 16, 2026 on Woodbrook Development Drainage Improvement from Davis, Bowen, & Friedel, Inc. (Consultant) to City of Dover Department of Water & Wastewater (Letter is already part of the Planning Commission Packet)
    b. Report on HydroCAD Modeling 002 0194A022 – Existing Conditions Sub Areas as Prepared by Davis Bowen & Friedel Inc. Printed 5/8/2026. Report on three sections: Pages 1-52, Pages 1-54, and Pages 1-54. Evaluation in Woodbrook Drainage Improvement Study. – Document on file in Planning Office and City Department of Water & Wastewater and Engineering Services/Department of Public Works.
    c. Report on HydroCAD Modeling 002 0194A022 – Proposed Conditions Sub Areas Double Inlets as Prepared by Davis Bowen & Friedel Inc. Printed 5/8/2026. Report in three sections: pages 1-53, Pages 1-53, and pages 1-54. Evaluation in Woodbrook Drainage Improvement Study. – Document on file in Planning Office and City Department of Water & Wastewater and Engineering Services/Department of Public Works.

From: Dan Bieker
To: Mr. Mittens & Pirate
Cc: Melson-Williams, Dawn; City Clerks Office; Anderson, David; Lewis, Brian E.; Christiansen, Robin; Donyale Hall; Joan Sciple; A cassbaby; Neil, Fred; Sudler, Roy; ralphltaylorjr@gmail.com; Neil, Fred A.; silerquest@gmail.com; Lyon, Jason A; Duca, Sharon; CompPlan; Lynn, Sean M (LegHall); Jean Taylor; Dave Lees; jordinwilliams23@gmail.com; slpiders@gmail.com
Subject: EXTERNAL: Re: Letter of opposition (15th time)
Date: Friday, May 8, 2026 8:58:29 PM

You don't often get email from dbieker32@gmail.com. Learn why this is important

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.

Thank you Steve for initiating this correspondence. My wife and I both oppose the construction as our property is adjacent to and downhill from the proposed development.

We have been residents in Woodbrook for over 27 years and have already had several incidents where flood waters nearly entered our home. It is a cause of great concern that developing the land behind our home may threaten the homes and property of my family and my neighbors.

Thank you for your consideration in this matter.

Dan and Joy Bieker
1033 Westview Terrace
Dover, DE

On Thu, May 7, 2026, 10:21 PM Mr. Mittens & Pirate <slspiders@gmail.com> wrote:

> Subject: Request for Engineering Water Study Results
>
> Hello Mr. Lyon,
>
> Over the next few days, would you be kind enough to provide me with the results of the engineering water study that was conducted last year?
>
> I’m assuming the study has been completed by now, and I’m very eager to review the engineers’ final findings and rendered results.
>
> I truly appreciate your time and effort, as always. You have done an amazing job working for the city, and I continue to applaud your dedication and efforts.
>
> If possible, you may email the results to me. If it is easier to leave a copy at the City Hall office, I would be more than happy to drive up and pick it up.
>
> Thank you again.
>
> Steve LeBoon
> 484-716-4567

On Thu, May 7, 2026 at 8:25 PM Mr. Mittens & Pirate <slspiders@gmail.com> wrote:

> Subject: Request to Add Attached Materials to the Record with formal objections
>
> Dear Ms. Melson & planning commission,
>
> We hope this email finds you well in advance of the upcoming hearing.
>
> Please see the attached materials, along with two video links and one photograph.
>
> This appears to be the fifteenth instance of ongoing harassment affecting the elderly and valued residents of our community.
>
> The applicant has now been denied four times. At the last meeting, when the matter was placed on hold, I made him an affordable cash offer, which he never responded to. We are now once again faced with hearing this unsupported and unlawful request for a conceptual subdivision plan.
>
> I have included several of my neighbors on this email. Please also be advised that within the next few days I will formally submit additional neighborhood opposition materials from residents on the four or five streets surrounding this vacant lot, which has remained vacant for more than 150 years.
>
> I have also copied the City Clerk's Office, the Mayor, and several Council Members, with the exception of the Honorable Brian Lewis and the Honorable Ms. Hall. I respectfully request that the Mayor's Office or City Clerk's Office provide the date and meeting information in which Council denied the variance request for this vacant lot, which I believe occurred approximately three to four years ago.
>
> I will follow up shortly with additional documentation.
>
> In the meantime, thank you for your time and attention to this matter. Please add this correspondence and all attached materials to the official record.
>
> Once again, I am sorry that you have to be subjected to this nonsense again.

From: Mr. Mittens & Pirate
To: Dan Bieker
Cc: Melson-Williams, Dawn; City Clerks Office; Anderson, David; Lewis, Brian E.; Christiansen, Robin; Donyale Hall; Joan Sciple; A cassbaby; Neil, Fred; Sudler, Roy; ralphltaylorjr@gmail.com; Neil, Fred A.; silerquest@gmail.com; Lyon, Jason A; Duca, Sharon; CompPlan; Lynn, Sean M (LegHall); Jean Taylor; Dave Lees; jordinwilliams23@gmail.com; slpiders@gmail.com
Subject: EXTERNAL: Re: Letter of opposition (15th time)
Date: Saturday, May 9, 2026 11:27:53 AM
Attachments: IMG_8075.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.

So I received a response from Neighbor, Mr. Lees and I don't know if he sent it to everyone, but I'd like to include a screenshot regarding his serious concerns regarding the application that's been ongoing for the last 15 years. enclose a screenshot.



lack of egress, lack of local infrastructure to support the development, potential harm to wetlands, harm to the ecosystem, potential flooding of the surrounding communities and more. It boggles the mind that this issue keeps coming up again and again and smacks of potential graft, bribery and fraud. Please reject this proposal with prejudice so that it cannot rear its head again.

Best regards,
David Lees

dmlmidi@gmail.com

On Sat, May 9, 2026 at 11:17 AM Dave Lees <dmlmidi@gmail.com> wrote:

> As a Woodbrook resident of over 20 years, I must object to the development of the land in question. The request for development by the developer

Reply Forward

On Fri, May 8, 2026 at 8:58 PM Dan Bieker <dbieker32@gmail.com> wrote:

> Thank you Steve for initiating this correspondence. My wife and I both oppose the construction as our property is adjacent to and downhill from the proposed development.
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Dover, DE

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> I truly appreciate your time and effort, as always. You have done an amazing job working for the city, and I continue to applaud your dedication and efforts.
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> If possible, you may email the results to me. If it is easier to leave a copy at the City Hall office, I would be more than happy to drive up and pick it up.
>
> Thank you again.

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484-716-4567

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From: LeBoon
To: Melson-Williams, Dawn; City Clerks Office; Anderson, David; Lewis, Brian E.; Christiansen, Robin; Donyale Hall; Joan Sciple; Neil, Fred; Sudler, Roy; ralphltaylorjr@gmail.com; Neil, Fred A.; Mr. Mittens & Pirate; Dan Bieker; silerquest@gmail.com; Lyon, Jason A; Duca, Sharon; CompPlan; Lynn, Sean M (LegHall); Jean Taylor; Dave Lees; Cassandra LeBoon; patrick.emory@delaware.gov; eric.ludwig@delaware.gov; anthony.gonzon@delaware.gov
Subject: EXTERNAL: City of Dover Planning Commission (Application SB-25-02)
Date: Saturday, May 9, 2026 2:45:19 PM
Attachments: Open space proposal.pdf
Letter of opposition.pdf

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Good afternoon,

Attached please find the original letter in opposition to the proposed development of the land located between Westview Terrace and Monroe Terrace, along with a second letter outlining a proposed alternative solution that we respectfully request be presented to the owner of the landlocked property.

The attached materials address concerns involving flooding, drainage, infrastructure limitations, roadway access, neighborhood impact, and overall feasibility of development within this area. The proposed alternative is intended to provide a constructive solution while helping preserve neighborhood safety, drainage integrity, and surrounding property conditions.

We respectfully ask that both documents be reviewed in full and included as part of the official record and any ongoing discussions regarding this property.

Please confirm receipt of these materials at your earliest convenience.

Thank you for your time and consideration.

Sincerely,

Residents of
Westview Terrace, Jefferson Terrace, and Wyoming Avenue Residents
Steve LeBoon and Cassandra LeBoon
1025 Westview Ter, Dover, DE 19904
484-716-4567
slspiders@gmail.com

May 7, 2026

RE: Joint Formal Opposition and Request for Dismissal With Prejudice – SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

To The Honorable Planning Commission Chair, Dawn Melson, and Committee Members:

This letter constitutes a joint formal opposition submitted by the affected residents of Westview Terrace, Jefferson Terrace, and Wyoming Avenue regarding the proposed Conceptual Subdivision Plan identified as SB-25-02 Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision), involving the proposed subdivision to create five residential lots and one residual lot from parcels totaling approximately 4.5754 acres located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace, including the unaddressed Jefferson Terrace extension area referenced within the application materials.

Residents of the surrounding neighborhood have repeatedly raised serious concerns regarding this property and the proposed development. To our knowledge, this matter has now been brought before Council, the Planning Commission, and/or relevant officials at least thirteen (13) separate times. On each prior occasion, the proposal has been rejected, struck down, denied, deferred, or otherwise failed to proceed due to unresolved concerns involving access, flooding, drainage, environmental impact, and overall development feasibility.

The City's April 29, 2026 notice states that the Planning Commission previously deferred action on SB-25-02 on September 15, 2025 "seeking additional information." Despite the passage of time and repeated prior proceedings, residents remain concerned that the same fundamental deficiencies and unresolved issues continue to exist.

Residents further object to procedural deficiencies associated with notice of the upcoming May 18, 2026 Planning Commission hearing. Although the City notice references adjacent property owners, it is the understanding of residents that not all affected and neighboring property owners received proper notice regarding the upcoming public hearing and continued review of this matter. Given the longstanding controversy surrounding this proposal and its direct impact upon surrounding neighborhoods, residents respectfully request that the adequacy of notice and community notification procedures be reviewed before further proceedings occur.

Accordingly, residents respectfully request that this matter be denied and dismissed with prejudice so that substantially similar proposals concerning this property are not repeatedly reintroduced without material changes addressing the longstanding legal, environmental, drainage, and access concerns previously identified by Council, agencies, and affected residents.

The repeated re-submission of substantially similar proposals concerning this property has imposed an ongoing and unnecessary burden upon surrounding residents. Neighbors have repeatedly been required to devote significant time, financial resources, and personal effort toward monitoring proceedings, attending meetings, gathering documentation, reviewing filings, consulting public records, and responding to unresolved issues that have already been identified during prior proceedings.

In addition to the financial burden, the continued uncertainty surrounding this matter has caused substantial emotional stress and disruption to affected residents, many of whom live immediately adjacent to the property and remain concerned about flooding risks, environmental harm, drainage impacts, property damage, and the overall safety and stability of the neighborhood. Residents respectfully submit that repeated applications raising materially similar issues, despite prior denials and longstanding unresolved deficiencies, undermine the interests of finality, efficient administration, and fundamental fairness to the surrounding community.

Residents continue to object due to significant concerns involving flooding, stormwater runoff, drainage impacts, environmental harm, access deficiencies, and potential misrepresentations made during the review and approval process.

Based upon the apparent grading, site conditions, and/or proposed development activity, residents believe this project may unlawfully increase stormwater runoff onto adjacent properties and create or worsen flooding conditions throughout the surrounding neighborhood. The property is located near a floodplain and/or flood-prone area, substantially increasing the risk of harm to nearby homes and properties if development proceeds without comprehensive review and mitigation.

Additionally, the subject property is landlocked and does not appear to have lawful or adequate legal access for development purposes. Attached photographs and supporting documentation illustrate these concerns. It is the understanding and belief of residents that the landowner has failed to fully disclose the lack of lawful access to Council members and/or other reviewing officials during discussions related to this property.

Residents are additionally concerned that the physical layout and dimensions of the access area and surrounding roadway infrastructure do not appear capable of safely accommodating adequate two-way traffic flow, emergency vehicle access, required roadway standards,

sidewalks, pedestrian safety requirements, or related infrastructure improvements customarily associated with residential subdivision development. Residents respectfully submit that there appears to be insufficient space to safely construct and maintain compliant two-way street access together with sidewalks and related pedestrian infrastructure without creating additional safety, drainage, and property-impact concerns affecting the surrounding neighborhood.

Residents are further concerned that the substantial infrastructure costs likely necessary to make this property minimally suitable for development — including roadway construction, drainage improvements, stormwater management systems, grading, environmental mitigation, utility installation, and related access improvements — raise serious questions regarding the overall feasibility, sustainability, and eventual quality of the proposed project. Based upon the apparent conditions and limitations associated with the site, residents understand that roadway construction and related infrastructure costs alone could potentially exceed one million dollars before additional development-related expenses are considered.

Given these substantial constraints and costs, residents respectfully question whether the proposed development can realistically be completed in a manner consistent with applicable safety standards, infrastructure requirements, environmental protections, neighborhood compatibility, and the level of construction quality reasonably expected within the surrounding community.

Residents are further concerned that inaccurate, incomplete, or misleading information may have been presented regarding the property's access status, drainage concerns, environmental implications, and overall development feasibility. These matters should be fully investigated before any approvals, permits, variances, or land disturbance activities are permitted to proceed.

The affected area is also located near environmentally sensitive and protected land, including areas subject to environmental oversight and conservation concerns. Delaware law recognizes the importance of conserving open space, flood-prone land, wetlands, and environmentally sensitive areas for the protection of water resources, wildlife habitat, drainage management, and the health, safety, and welfare of surrounding communities.

Delaware statutes and public policy strongly support the preservation of open land and environmentally sensitive areas where development would negatively impact neighboring properties, drainage systems, or ecological resources. Residents note that efforts have already been made in good faith to resolve this matter cooperatively, including offers made by certain residents to the developer and/or landowner intended to preserve the property as maintained open land rather than pursue unsuitable development.

Residents further note that Delaware environmental policy, executive directives, and land-use regulations strongly favor the protection of environmentally sensitive lands, flood-prone areas, wetlands, drainage corridors, and open space. This includes applicable provisions of Delaware's Sediment and Stormwater Law (7 Del. C. Ch. 40), Delaware wetland and water resource protections, Kent County drainage and subdivision ordinances, applicable FEMA floodplain management standards, and gubernatorial environmental and resiliency initiatives intended to protect Delaware communities from increased flooding, stormwater impacts, environmental degradation, and inappropriate development within vulnerable areas.

Residents respectfully submit that approval of the proposed development would be inconsistent with the intent and purpose of these protections, particularly given the property's apparent access deficiencies, flood-risk concerns, environmental sensitivity, repeated prior denials, and longstanding unresolved drainage issues affecting neighboring properties and the surrounding community

Delaware law and Kent County drainage regulations prohibit development practices that increase runoff or direct stormwater onto neighboring properties. Delaware's Sediment and Stormwater Law (7 Del. C. Chapter 40), together with applicable stormwater regulations, requires developments to properly manage runoff and prevent adverse impacts to surrounding properties and downstream areas.

Kent County drainage standards likewise prohibit stormwater discharge practices that create flooding, standing water, erosion, sediment impacts, or concentrated runoff onto adjacent lands.

Residents' concerns include, but are not limited to:

- Increased flooding risk to neighboring properties;
- Development near or within flood-prone areas;
- Adverse impacts to nearby environmentally sensitive or protected land;
- Alteration of natural drainage patterns;
- Concentrated runoff toward homes or structures;
- Insufficient stormwater management infrastructure;
- Potential erosion and sediment impacts;
- Reduced natural absorption caused by grading or impervious surfaces;
- Lack of lawful or practical access to the property;

- Potential misrepresentations made during the review or approval process;
- Inadequate notice to affected neighboring property owners; and
- Ongoing failure to adequately address repeated community concerns despite multiple prior proceedings.

Accordingly, residents respectfully request that the County, Council, Planning Commission, and/or reviewing agencies:

1. Deny this application and dismiss the matter with prejudice;
2. Require engineering analysis demonstrating that runoff volumes and flow rates will not adversely impact neighboring properties;
3. Investigate the property's access status and determine whether lawful development access exists;
4. Review all floodplain, wetland, environmental, and flood-risk implications associated with the site;
5. Investigate whether inaccurate or incomplete information was presented during the approval process;
6. Review whether all required notice procedures were properly satisfied regarding the May 18, 2026 hearing and continued review proceedings;
7. Preserve the existing environmental and open-space characteristics of the property where appropriate; and
8. Require appropriate corrective mitigation measures where necessary.
9. Consider all applicable Delaware executive directives, environmental protection policies, floodplain management requirements, stormwater regulations, subdivision ordinances, and open-space preservation objectives relevant to the subject property and surrounding environmentally sensitive areas.

Residents further request that this letter, together with all attached photographs, video evidence, and supporting documentation, be included in the official record for this matter and that affected residents be notified of any hearings, approvals, variances, applications, or further actions related to this property.

For further reference, The LeBoons are also attaching video evidence demonstrating a real-life example of the severe consequences that may occur when flooding regulations, stormwater management requirements, drainage protections, and responsible land-use practices are

ignored or inadequately enforced. This evidence is provided to illustrate the legitimate and substantial concerns shared by the surrounding community regarding the potential impact of the proposed development.

Thank you for your attention to these serious and ongoing concerns affecting the surrounding neighborhood and environment.

Sincerely,

Steve and Cassandra LeBoon



Make sure to hit play on the videos:

https://share.icloud.com/photos/0f1F6rfQPgDe2xFgapgEe4reQ

https://share.icloud.com/photos/0d45SJ911HkZOOtk0EX5c5P6g

P.S. Some residents have been cc'd on this letter.



Picture from Jefferson Terrace into the area in question.

Steve LeBoon and Cassandra LeBoon
1025 Westview Ter, Dover, DE 19904
484-716-4567
cleboon89@gmail.com

May 9, 2026

RE: Joint Formal Opposition and Request for Dismissal With Prejudice – SB-25-02
Lands of Wyoming, LLC and Functional Properties, LLC (Ekaman Subdivision)

To All Venerable Participants:

I am writing to respectfully request that the undeveloped land corridor located between Westview Terrace and Monroe Terrace in Dover, Delaware be formally evaluated for preservation as protected open space under applicable state, county, or municipal conservation and flood resiliency initiatives.

I further submit this proposal as a practical and constructive alternative solution to the proposed development of land between Westview Terrace and Monroe Terrace. Rather than pursuing additional dense residential construction in an area already experiencing drainage and infrastructure concerns, preservation of this corridor as open space would better serve the long-term public interest, surrounding residents, and environmental stability of the area.

This area appears to serve an important natural drainage and stormwater absorption function within the broader Puncheon Run watershed corridor. Residents in the surrounding neighborhoods have already experienced recurring flooding concerns, drainage limitations, and increasing stormwater pressures during heavy rain events. Based on observed conditions and the character of the surrounding land, further residential development in this location could significantly worsen runoff impacts to nearby homes and streets.

Preserving this land as open space would provide several important public benefits, including:

• Protection of natural stormwater retention capacity
• Reduction of downstream flooding impacts
• Preservation of drainage flow paths connected to the Puncheon Run system
• Protection of nearby residential properties from increased runoff
• Maintenance of green space and environmental buffers within an already developed area
• Reduction of long-term infrastructure and stormwater management costs to taxpayers
• Support of Delaware’s broader flood resiliency and watershed protection goals

Importantly, preserving this corridor as open space offers a reasonable land-use solution that avoids many of the concerns currently associated with development proposals in this area, including:

- increased flooding risks,
- traffic and roadway limitations,
- lack of space for safe sidewalks and two-way traffic,
- potential strain on drainage infrastructure,
- and the substantial public and private costs associated with constructing new roads and stormwater systems in a constrained area.

I respectfully request that the City of Dover and relevant state agencies evaluate whether this corridor qualifies for:

- open space preservation,
- conservation acquisition,
- drainage easement protection,
- floodplain preservation,
- or designation as a stormwater management and environmental buffer area.

Given the increasing frequency of severe rainfall events and ongoing concerns regarding development impacts throughout Kent County, preserving existing natural drainage areas should be considered a priority before additional subdivision approvals are granted.

I also ask that any future development proposals affecting this area undergo careful hydrologic review, including analysis of cumulative runoff impacts, roadway drainage capacity, emergency access concerns, and the adequacy of existing stormwater infrastructure.

The cost of correcting flooding failures after development is completed can far exceed the cost of preserving critical open space beforehand. Protecting this land now may prevent substantial public expense and property damage in the future.

Thank you for your time and consideration of this request. I respectfully ask that this matter be reviewed as part of any current or future land use, zoning, subdivision, stormwater, or infrastructure discussions involving this corridor.



Cassandra LeBoon

From: Joan Sciple
To: LeBoon
Cc: Melson-Williams, Dawn; City Clerks Office; Anderson, David; Lewis, Brian E.; Christiansen, Robin; Donyale Hall; Neil, Fred; Sudler, Roy; ralphltaylorjr@gmail.com; Neil, Fred A.; Mr. Mittens & Pirate; Dan Bieker; silerquest@gmail.com; Lyon, Jason A; Duca, Sharon; CompPlan; Lynn, Sean M (LegHall); Jean Taylor; Dave Lees; patrick.emory@delaware.gov; eric.ludwig@delaware.gov; anthony.gonzon@delaware.gov
Subject: EXTERNAL: Re: City of Dover Planning Commission (Application SB-25-02)
Date: Tuesday, May 12, 2026 10:31:35 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
My name is Joan Sciple. I reside at 1139 Westview Terrace, Dover, Delaware.
I have been a resident at this address for 43 years. This opposition to construction has been going on for years. We need closure.
According to State regulations for floodplain zoning laws in Delaware,
one of the key components is:
"Ensure construction activities do not obstruct natural flow of floodwaters which could increase flooding risks for neighboring properties".
Digging four to seven feet to install sewer lines as well as the weight of heavy equipment seems to me that this would be detrimental to the floodplain.
I thank Steve and Cassandra for their representation. I also want to thank ALL who are participating in this endeavor.
Sincerely,
Joan Sciple

On Sat, May 9, 2026 at 2:44 PM LeBoon <cleboon89@gmail.com> wrote:

> Good afternoon,
>
> Attached please find the original letter in opposition to the proposed development of the land located between Westview Terrace and Monroe Terrace, along with a second letter outlining a proposed alternative solution that we respectfully request be presented to the owner of the landlocked property.
>
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>
> We respectfully ask that both documents be reviewed in full and included as part of the official record and any ongoing discussions regarding this property.
>
> Please confirm receipt of these materials at your earliest convenience.
>
> Thank you for your time and consideration.
>
> Sincerely,

From: Mr. Mittens & Pirate
To: Dan Bieker; Melson-Williams, Dawn; City Clerks Office; Anderson, David; Lewis, Brian; Christiansen, Robin; London-Hall, Donyale; Joan Sciple; A cassbaby; Neil, Fred; Sudler, Roy; ralphltaylorjr@gmail.com; Neil, Fred; silerquest@gmail.com; Lyon, Jason; Duca, Sharon; CompPlan; Lynn, Sean M (LegHall); Jean Taylor; Dave Lees; jordinwilliams23@gmail.com; Mr. Mittens & Pirate; patrick.emory@delaware.gov; eric.ludwig@delaware.gov; anthony.gonzon@delaware.gov; Ddolph3@gmail.com
Subject: EXTERNAL: Fwd: FOIA Request Response 2026-186
Date: Thursday, May 14, 2026 10:28:09 AM
Attachments: 2026-03-16 Woodbrook Drainage Letter.pdf
0194A022 - Woodbrook Proposed Conditions Evaluation.pdf
0194A022 - Woodbrook Existing Conditions Evaluation.pdf

Some people who received this message don't often get email from slspiders@gmail.com. Learn why this is important

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.

Hello Everyone,

As anticipated, the final engineering reports for the water study covering various communities have been completed. Cassandra and I would like to sincerely thank the Planning Commission for granting the continuance last year rather than proceeding without these critical documents.

Over the past 10 years, I have been involved in three instances where the Planning Commission issued a “no permit” decision. Today, I want to express my deep gratitude for your careful consideration and for the continuance, as these reports confirm what I have consistently stated: the water conditions in our area are extraordinarily poor. These findings validate both the concerns raised by residents and the expert evaluations conducted by the City of Dover engineers.

As the property owner seeking a permit for the fifth time, I would like to provide some context: the previous builder could not develop the property due to flooding issues and the lack of a compliant roadway, which includes sidewalks. The City Council previously denied a variance because the lot does not have sufficient width or space to build the required roadway.

I would also like to highlight a critical infrastructure issue in Woodbrook:

- The local pipe system is over 75 years old and cannot support additional water load.
- Pipes on Wyoming Avenue and near Monroe Avenue are approximately 125–150 years old, as these homes date back to the late 1800s and early 1900s.
- The open field in question remained undeveloped for 150 years because it is located in a floodplain, as confirmed by FEMA. Based on historical patterns, if FEMA were to update floodplain maps for the next century, much of this neighborhood would remain within a floodplain.

I have enclosed the full engineering reports and included a synopsis summarizing the key findings for your review.

In the coming days, I will also be submitting the signed petition from neighbors expressing opposition to development on this property.

Thank you for your careful consideration and commitment to ensuring responsible and safe development in our community.

Based on the applicant's own hydraulic modeling, several portions of the downstream drainage system appear to be operating at or near practical hydraulic capacity during the modeled storm event. The report documents surcharge conditions, submerged structures, limited remaining conveyance capacity, minimal attenuation at certain crossings, and significant regional watershed contributions. These findings raise legitimate concerns regarding downstream resiliency, cumulative runoff impacts, erosion potential, and the ability of the existing infrastructure to safely accommodate additional impervious area without increasing flooding risk to adjacent neighborhoods.

There are strong technical observations for an opposition or concern letter because they focus on hydraulic performance, capacity limitations, and downstream risk rather than generalized objections. The most persuasive comments to planning commissions and reviewing engineers are usually the ones tied directly to the applicant's own modeling results.

A few points are especially compelling:

- The modeled system is already operating very near hydraulic capacity during the design storm.
- The report documents surcharge and submerged conditions, which are recognized indicators of stressed drainage infrastructure.
- The detention system appears to provide little meaningful attenuation at certain crossings.
- The watershed contributing to these crossings is unusually large for a residential drainage corridor.
- The warnings suggest that system sensitivity may increase substantially during storms larger than the modeled event or under real-world clogged/debris conditions.

Existing System Stress

The HydroCAD results indicate that portions of the existing conveyance system may already be functioning near practical hydraulic limits during the modeled storm event.

Specific indicators include:

- Reach S-2 exceeded downstream manhole elevation by approximately 1.33 feet.
- Reach S-1 outlet depth exceeded modeled limits by approximately 0.83 feet.
- Multiple structures were reported as submerged during peak conditions.
- Several crossings approached bank-full or Manning capacity conditions.
- The model produced repeated surcharge and backwater warnings.

These conditions suggest the drainage network may already experience constrained flow conditions during major rainfall events.

Limited Remaining Capacity

The data suggests minimal reserve capacity exists within several key downstream crossings.

For example:

- Peak modeled flow at the Westview Terrace crossing was approximately 45.86 cfs.
- Estimated bank-full conveyance capacity was approximately 48.16 cfs.

This leaves only a narrow remaining margin before overtopping or additional surcharge conditions could occur.

Similarly, the Woodsedge Road crossing reportedly exceeded modeled pipe capacity warnings, which may indicate that portions of the downstream system are already undersized relative to contributing watershed runoff.

Minimal Peak Flow Reduction

One important concern is the apparent lack of meaningful attenuation at portions of the proposed system.

The model indicates:

- Inflow: 45.86 cfs
- Outflow: 45.84 cfs
- Reported attenuation: 0%

This suggests the system may function primarily as a conveyance mechanism rather than substantially reducing peak discharge before runoff is passed downstream.

Residents may reasonably question whether the proposed controls provide sufficient reduction in peak flows entering already stressed downstream infrastructure.

Large Regional Watershed Influence

The report indicates that approximately 141 acres ultimately drain through portions of this corridor.

That is a substantial contributing watershed for a neighborhood-scale drainage system.

The modeling also indicates that much of the flooding sensitivity may be driven by significant offsite runoff rather than only localized drainage from individual lots.

As a result, even modest increases in impervious coverage could compound existing downstream hydraulic pressures.

Backwater and Submergence Concerns

The submerged outlet conditions are important because they may indicate downstream tailwater influence or backwater effects.

The report states:

- Pond I-3 submerged by approximately 2.67 feet.
- Pond I-4 submerged by approximately 2.61 feet.

Submerged outlet structures can reduce stormwater control effectiveness and may limit the ability of detention facilities to release runoff as designed during peak storm conditions.

Erosion and Channel Stability

The modeled velocities also raise potential concerns regarding scour and downstream channel erosion.

The report identifies velocities approaching:

- 4.58 feet per second at certain crossings.

Depending on soil composition, stabilization methods, vegetation, and outlet protection design, these velocities could contribute to:

- channel erosion,
- scour near culverts,
- sediment transport,
- and long-term instability within the drainage corridor.

Incomplete Hydraulic Evaluation Indicators

The repeated model note stating:

“Inlet/Outlet conditions not evaluated”

is significant because entrance losses, exit losses, inlet control behavior, and localized backwater effects can materially affect real-world drainage performance. It means certain hydraulic entrance/exit effects were not fully analyzed in this model output, which can sometimes understate localized flooding or backwater behavior at pipe crossings.

Residents should request clarification regarding:

- inlet control assumptions,
- tailwater impacts,
- culvert entrance losses,
- debris blockage assumptions,
- and emergency overflow routing.

Cumulative Impact Concerns

A strong planning argument is that the system appears sensitive even under the modeled design event, raising concern about resiliency during:

- storms exceeding the modeled event,
- future upstream development,
- clogged inlets or culverts,
- debris blockage,
- saturated antecedent soil conditions,
- or changing rainfall intensities.

This is particularly important because real storm events often perform worse than idealized model assumptions. We, the community, formally ask to deny the application WITH prejudice so this matter never comes about again.

---------- Forwarded message ---------

From: **Arielle Rivera (Dover, DE)** <DoverDE@request.justfoia.com>
Date: Thu, May 14, 2026 at 9:07 AM
Subject: FOIA Request Response 2026-186
To: <slspiders@gmail.com>
Cc: <cityclerk@dover.de.us>

Mr. Leboon:

This email is in response to your request under the Freedom of Information Act (FOIA) #2026-186 for the Drainage Improvement Engineering Support for the Woodbrook Development. Attached please find the information that you requested.

Please let us know if you have any questions regarding your FOIA request.

Thank you,
City Clerk's Office
City of Dover, Delaware
Email: cityclerk@dover.de.us
Phone: 302-736-7008
Fax: 302-736-5068

City of Dover

DATA SHEET FOR CONDITIONAL USE SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING of May 6, 2026

PLANNING COMMISSION MEETING of May 18, 2026

Plan Title:	Little Caboose Child Care & Learning Center on 229 Beiser Blvd
Plan Type:	Conditional Use Site Development Plan
Location:	West Side of southeast curve of Beiser Boulevard
Address:	229 Beiser Blvd, Dover DE 19904
Tax Parcel:	ED05-076.15-01-03.08-000
Owner:	Del-Homes Catalog Group LLC
Equitable Owner:	Atlantic Dawn Properties of Dover, LLC
Lot Size:	2.259 +/- acres
Zoning:	IPM (Industrial Park Manufacturing Zone)
Previous Use:	Vacant (Land currently undeveloped)
Proposed Use:	Child Day Care Center
Building Area:	9,417 SF +/-
Off Street Parking:	Required – 59 spaces Proposed – 61 spaces (58 standard spaces, 3 handicap spaces – 2 van accessible)

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 6, 2026

APPLICATION: Little Caboose Child Care & Learning Center at 229 Beiser Blvd

FILE #: C-26-03 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 Report was completed with additional review and editing by the City's Planning Office.

I. PLAN SUMMARY

This application is for review of a Conditional Use Site Plan to permit construction of a 9,417 SF Child Day Care Center to be known Little Caboose Child Care and Learning Center and associated site improvements. The property is 2.259 +/- acres of land located in the Enterprise Business Park on the west side of the southeastern curve of Beiser Boulevard. The property is currently zoned IPM (Industrial Park Manufacturing Zone). The property owner is Del-Homes Catalog Group, LLC. Address: 229 Beiser Blvd, Dover DE 19904. Tax Parcel: ED05-076.15-01-03.08-000. Council District 2.

II. PROJECT DESCRIPTION

The subject property area consists of 2.259 acres +/- (98,402.04 SF) on the eastern corner of Beiser Boulevard west of Saulsbury Road and east of Commerce Way. This site is currently vacant and has not been developed.

The proposed project is a 9,417 SF Child Day Care Center to be known Little Caboose Child Care and Learning Center and associated site improvements. The site access is proposed via Beiser Blvd and will connect to a parking lot on the south side of the parcel for sixty-one (61) vehicle parking spaces, including 3 handicap spaces near the front entrance on the south side of the building. There is a large, fenced area on the west side of the building and also includes fencing to surround the building on its north and east sides. The Child Day Care Facility proposes having 10 classrooms. The specific number of children and adult attendants must be identified on the Plan; the Applicant has verbally indicated they hope to serve up to 188 children with 40 employees.

A City of Dover Business License and a Public Occupancy Permit are required for the Child Day Care Center. Child Day Care facilities must meet State licensing standards and must be inspected by the City of Dover Fire Marshal's Office.

Previous Applications:

The most recent application was SB-12-02 Lands of First National Bank of Wyoming at 219-229

Beiser Boulevard where a Minor Subdivision Plan created two (2) parcels of land (Lot 2A and Lot 3) from an existing larger tract of land located in the Enterprise Business Park. The request re-subdivided the land into two parcels as it exists today.

Earlier applications included Application SB-05-08, a Minor Subdivision Plan for the subdivision of 27.13 acres of land into two parcels, Lot 1 and Lot 2 on the northwest side of Beiser Boulevard in the Enterprise Business Park. The Planning Commission granted conditional plan approval on November 15, 2005 with final plan approval granted on August 16, 2006. A revised Final Plan approval was received on May 22, 2007 correcting a labeling and listing error for the total lot areas of the two lots created and recorded.

In May of 2007, the Planning Commission reviewed Application S-07-23 Office Buildings at Enterprise Business Park to permit the construction of two 19,304 S. F. two story office buildings (a total of 38,608 S. F.) as well as associated improvements on Lot 2 (parcels at 219 and 229 Beiser Boulevard) in the Enterprise Business Park. The Planning Commission granted conditional plan approval on May 21, 2007 with Final Plan approval on October 3, 3007. The two buildings have not been constructed and the Final Site Plan approval has expired.

Surrounding Land Uses:
The adjoining properties to the west within the Enterprise Business Park are also zoned IPM (Industrial Park Manufacturing Zone) and include a warehouse facility with various businesses (Kaizen Karate Academy, Ignite Fitness Kickboxing, a party equipment rental service, and Collette Education Resource consultants). The properties across the street to the south and east on Beiser Blvd. are zoned CPO (Commercial and Professional Office Zone) housing various professional and service offices along the length of Beiser Blvd.

III. ZONING REVIEW

IPM Zoning District
The property is zoned IPM (Industrial Park Manufacturing Zone) and is subject to the regulations of *Zoning Ordinance*, Article 3 §20, Article 4 §4.16, and Article 5 §8.1 as a planned industrial park lot development. The following Table highlights some of the lot design standards for the IPM zone:

Minimum Required	IPM (Planned Industrial Park)
For All Permitted Uses:	
Lot Area (square feet)	60000
Lot width (ft.)	150
Lot depth (ft.)	250
Front Yard (ft.)	60
Side yard (ft.)	40
Rear yard (ft.)	40
Side or rear yard when adjoining a residential zone (ft.)	100
Off-street parking space:	
Per 800 sq. ft. of floor area	1
Per employee, per largest working shift (if greater than the requirement under the floor area calculation	1.5

Maximum Permitted Building Height: Stories Feet	 No Limit 60 Feet
Floor Area Ratio	0.5
Lot Coverage	65%

Planning Staff has determined that this property is not subject to the COZ-1 (Corridor Overlay Zone) as it does not have frontage on a corridor street. The COZ-1 zone pertains to the Saulsbury Road corridor located further east of this parcel.

Child Day Care Center

The *Zoning Ordinance*, Article 5 §14.12 specifies that child day care programs are "permitted to locate in any zoning district, provided that need has been demonstrated, state licensing requirements have been met and no physical hazard to children can be reasonably anticipated," and §14.21 (b) indicates that they are subject to Conditional Use approval by the Planning Commission. Article 5 §14 includes supplementary regulations regarding child day care facilities. A facility is included in these additional regulations if the facility is furnishing care, supervision and guidance of a child or group of children unaccompanied by a parent or guardian, for periods of less than 24 hours per day. See the code excerpt from the *Zoning Ordinance:*

Article 5 Section 14. Child Day care facilities.

14.1 *General.* In order to promote the development of quality child care outside of the home (day care facilities), the following two basic assumptions have been made:

14.11 The establishment of child day care services and facilities, wherever there is a need, is a necessary public objective; and

14.12 Day care programs for children shall be treated as community facilities and shall be permitted to locate in any zoning district, provided that need has been demonstrated, state licensing requirements have been met and no physical hazard to children can be reasonably anticipated.

14.2 Definitions.

Child day care facility. For the purposes of this ordinance, the facilities described furnishing care, supervision and guidance of a child or group of children unaccompanied by a parent or guardian, for periods of less than 24 hours per day shall be defined as follows:

14.21 *Child day care center.*
(a) Any place, other than an occupied residence, which receives children for compensation for day care or large family day care home; and
(b) Any occupied residence which receives 13 or more children for compensation for day care.

Child day care centers shall be required to obtain conditional use approval by the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10 and to any specified requirement set forth in subsection 14.3 below, except in zoning districts where listed as a permitted use.

14.22 *Family day care home-children.* An occupied residence in which a person provides

care for children other than his/her own family and the children of close relatives for compensation. Such care in a family day care home is limited to that care given to six or fewer children with a maximum of three children allowed for after school care. Such child care facility shall be permitted as an accessory use in all residential zones and shall be exempt from obtaining a conditional use permit and site plan approval.

14.23 *Large family day care home-children.* A facility which provides child care for more than six, but less than 13 children with a maximum of three children allowed for after school care. This care may be offered in a private home or in a property converted to the purpose of providing child day care. This form of day care facility requires the submission of a site plan application in accordance with the procedures and subject to article 10, section 2 of the zoning ordinance. If a large family day care home is not to be located in an occupied residence, then a conditional use site plan application shall be required in accordance with article 10 section 1 of the zoning ordinance.

14.3 Zoning criteria.

14.31 *Number of children.* Day care centers shall be limited to a maximum of 50 children in all residential zones.

14.32 *Outdoor play area.* Must meet the state requirement for day care centers.

14.33 *Off-street parking/loading.* One space per each adult attendant, plus one space for every ten children.

14.34 *Signage for child day care facilities*

(a) Signs in residential zones.

i. *Family day care homes-children and large family day care homes-children.* One wall-mounted sign limited to two square feet.

ii. *Child day care center.* One sign, wall-mounted or freestanding, limited in area to 12 square feet. The planning commission shall consider the location of such sign as part of the conditional use review and may approve a lesser amount of sign area if deemed necessary by the commission to protect the general health, safety and welfare of the public in general and the residents of the immediate neighborhood in particular.

(b) *Signs in nonresidential zones.* Child day care centers within nonresidential zoning districts shall be governed by the sign regulations in effect for the particular nonresidential zoning district in which the day care center is located.

14.35 *Licensing requirements.* Child day care facilities must meet state licensing standards and
must be inspected by the City of Dover Fire Marshal's Office. A City of Dover Business License and a Public Occupancy Permit is required.

(Ord. of 5-14-1990; Ord. of 4-25-1994; Ord. of 4-23-2007(3)) Ord. No. 2017-13, 12-11-2017)

Conditional Use Review

This Conditional Use is subject to the requirements of *Zoning Ordinance,* Article 10 §1 further discussed below. With Conditional Use applications, the Planning Commission reviews the proposed project to determine whether or not the intended use is appropriate in type and scale for the immediate neighborhood. The Commission must also consider whether or not the proposed use will have an adverse impact on the future orderly development of the surrounding area. The Planning Commission may prescribe appropriate conditions and safeguards for the use if determined to be necessary. The following sections of the *Zoning Ordinanc*e which relate to the role of the Commission in reviewing Conditional Use applications are particularly relevant when

reviewing this application:

Article 10 §1:

1.1 *Accessibility for emergency response.* That all proposed structures, equipment or material shall be readily accessible for fire, ambulance, police, and other emergency response;

1.2 *Harmony of location, size and character.* That the proposed use shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the zone in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties;

1.4 *Conditional use permits.*

1.41 *Conditional use approval.* Any use for which a conditional use permit may be granted shall be deemed to be a conforming use in the district in which such use is located, provided that:

(A) The provision in this article under which such permit was issued is still in effect;
(B) Such permit was issued in conformity with the provisions of this article; and
(C) Such permit shall be deemed to affect only the lot or portion thereof for which such permit shall have been granted.

1.42 *Periodic renewal of conditional use permit.* The commission may require that conditional use permits be periodically renewed. Such renewal shall be granted following public notice and hearing in accordance with subsection 1.53. The commission may withhold approval of the renewal upon a determination by the city planner to the effect that such conditions as may have been prescribed by the commission in conjunction with the issuance of the original permit have not been, or are being no longer, complied with.

If the Planning Commission approves a Conditional Use, the use is granted as a Conditional Use Permit. Such permits may be permanent, subject to limitations outlined in *Zoning Ordinance* Article 10 §1.41 or be required by the Commission to undergo periodic renewal, using the procedure described in Article 10 §1.42. Any Conditional Use Permit, permanent or not, may be revoked using the procedure described in Article 10 §1.43 if the conditions prescribed by the Commission in conjunction with the issuance of the Conditional Use Permit have not been, or are no longer being complied with.

IV. PARKING SUMMARY

According to Article 5 §14.33, parking areas specifically for child day care facilities are required to have one (1) space per adult attendant plus one space for every ten (10) children. The number of children and the number of attendants are not provided to be able to determine the parking calculation. The architectural plan set does list some information on occupancy loads for the building but this is not the required information to calculate the required parking. The Applicant has verbally indicated they hope to serve up to 188 children with 40 employees. Based on these counts at least fifty-nine (59) parking spaces must be provided.

The Plans submitted show that sixty-one (61) vehicle parking spaces are to be provided within the parking area. This includes three (3) handicap spaces near the front entrance, with two (2) of those being van accessible. This number of spaces would meet the parking space requirements for minimum number of spaces.

Bicycle Parking
The site is required to provide bicycle parking. The minimum bicycle parking requirement is one (1) for every twenty (20) vehicle parking spaces. Based on the 61 parking spaces identified for this site, at least three (3) bicycle parking spaces are required for the project. The submitted plans do not show designated bicycle parking or a bike rack; however, the applicant has indicated a willingness to provide bicycle parking.

V. SITE CONSIDERATIONS

Access
The vehicle access to the site is via Beiser Blvd on the northeast side of the site. The entrance driveway connects to a parking area located on the south side of the childcare facility. This access drive appears rather wide as shown on the plan. It appears to it will be shared with the adjoining parcel to the north. There are no pedestrian access points noted in the submitted Plan.

Sidewalk
In accordance with the *Zoning Ordinance,* Article 5 §18, *s*idewalks are required along all street frontages. The initial submitted plan does not include a frontage sidewalk or crosswalk along the front entrance driveway. The applicant submitted a quick Exhibit showing the proposed location of street frontage sidewalk and a connecting sidewalk to the front door. A nearby property to the north has an existing sidewalk as does the property to the southwest. There is also an existing sidewalk along the south side of Beiser Blvd. The property will also need a connecting sidewalk from the street to the front entry door of the facility.

Lighting
Article 5 §7.1 stipulates that lighting shall provide no less than 1.5 foot-candles at grade. Light shall also be deflected away from adjacent residential areas and shall not be distracting to traffic on adjacent roads. Information on the lighting scheme was not provided and therefore cannot be determined if these regulations are being met.

Dumpsters
The *Zoning Ordinance*, Article 5 §6.1 stipulates the regulations regarding the required number of dumpsters and the associated placement and screening requirements thereof. Article 5 §6.11 specifically notes the following:

> 6.11 *Location and screening required.* All dumpsters must be located in approved locations on the lot. Dumpsters must be placed on hard, paved, dust-free surfaces and may not be placed in designated parking spaces, fire lanes, or access ways. Outside storage of trash, cardboard, or shipping pallets is prohibited. A dumpster enclosure is required to screen the dumpster from view whenever these units are situated so that they will be visible from any public right-of-way or from an adjacent property.

Article 5 §6.12 requires a minimum of two (2) dumpsters per property in order to provide both trash and recycling services. The plan submitted identifies the dumpster location at the southwest corner of the parcel. A detail of the dumpster pad and enclosure is not included in the submitted plan.

Curbing

In accordance with the *Zoning Ordinance,* Article 6 §3.6(b) all permanent parking areas and drive aisles are required to be enclosed with upright curbing at least six (6) inches in height. While there appears to be curbs within the proposed design, the Site Plans submitted do not include a detail of form.

VI. BUILDING ARCHITECTURE

Conceptual Renderings and Elevation Drawings were submitted for the child day care facility. The building is proposed as a rectangular-shaped structure. The exterior is composed primarily of Dutch lap horizontal vinyl siding with corner trim material. The color tone of the walls is not identified. A 2–3-foot brick veneer runs along the bottom of the front and east sides of the building. The Hip and Valley style roof is made with asphalt composition shingles, but with a darker tone. A standing-seam metal roof is located on the east side of the building with a long window. There is a covered porch with white PVC columns along the west side of the building with multiple doors to access the abutting exterior playground area. The main entrance is on the south side of the building with glass double-doors. There are windows evenly spaced on all sides of the building.

There is fencing along the west and north property lines as six-foot vinyl fencing and then four-foot black aluminum metal fencing continues of the east side of the building and across the front façade on the south. This fencing enclosures the areas around the building.

VII. TREE PLANTING AND LANDSCAPE PLAN

Tree Planting

Article 5 §16.62 of the *Zoning Ordinance* specifies that new tree plantings shall be provided at a density of no less than one (1) tree per 3,000 SF of non-woodland area. The total site area has been identified by the Applicant as being 2.259 acres +/- (98,402.04 SF), with no woodlands identified onsite. The required number of newly planted trees would be 33 trees.

The Plan submitted notes that 33 trees total are to be planted along the west, north, and south property lines between the building/parking lot and Beiser Blvd and therefore meet the minimum required new planting. The trees proposed include mix of species including Magnolia, Cherry, and Holly trees. No details as to further plantings, like shrubbery or other ornamental landscaping, are provided.

VIII. CITY AND STATE CODE REQUIREMENTS:

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:

1) Site Plan Sheet:
    a) Data Column:
        i) Please indicate the number of children and the number of attendants and use these numbers to develop the parking calculation as referenced in the *Zoning Ordinance*, Article 5 §14.33. the Applicant has verbally indicated they hope to serve up to 188 children with 40 employees.

ii) The number of parking spaces noted in the data column (60) does not match the number of spaces on the Plan (61). Please correct the listed amount.
iii) Provide the Required Minimum Number of Bicycle Parking spaces and the calculation.

b) Dumpster Requirements:
i) Provide the number of dumpsters onsite.

c) Lighting Requirements:
i) Provide lighting detail within the Plan.

d) Bicycle Parking Requirements:
i) Update bicycle parking space count numbers within Plan and Data column.

2) Sidewalks: In accordance with the *Zoning Ordinance*, Article 5 §18, a frontage sidewalk is required along Beiser Boulevard along the frontage of the subject property. A sidewalk connecting to the building is also required. This has been depicted on an Exhibit diagram and will need to be added to all final plan sheets including accessible ramps and marked crosswalks and other traffic control measures.

3) Identify the location for bicycle parking on the site to accommodate three (3) bicycles.

4) Identify any structures or permanently placed equipment in the playground area. Also identify location of gates in the fencing system for access and maintenance.

5) Please provide a detail sheet that shows details of site improvements including ADA parking signage, traffic control signage, dumpster pad and enclosure, bicycle rack, curbing, utilities, etc.

6) Any approval granted by the Planning Commission is conditioned upon meeting the requirements of the Delaware Office of Child Care Licensing.

7) All signage must comply with Sign Regulations of the *Zoning Ordinance* and is subject to a separate Sign Permit Application. Signs are subject to a separate review and approval process in the City of Dover. As the proposed sign dimensions appear to exceed the required maximum sign area, please review Article 5, Section 4 of the *Zoning Ordinance* prior to submitting the Sign Permit Application.

8) Any Erosion & Sediment Control Plans and Stormwater Management Plans granted approval by Kent Conservation District (KCD) must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the Zoning Ordinance and technical review requirements of other agencies.

9) A Record Plan may be necessary to record the cross-access easement for the shared site access entrance drive as it appears to be shared/located on this parcel and the adjoining parcel.

10) The Final Plan set must include notes documenting any action taken by the Planning Commission and must list any additional conditions of approval.

IX. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

In accordance with the *Zoning Ordinance*, Article 10 §1, the Planning Commission in considering and acting upon a Conditional Use Site Plans Conditional Use Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 1.1 to 1.3.

1) Pedestrian Connectivity: To further subsection 1.31 related to pedestrian traffic not being hazardous or inconvenient to, or incongruous with the neighboring business/industrial district, Staff recommends that a delineated pedestrian pathway be marked from the front entrance of the building of the Child Day Care Center to the street. This will be a sidewalk and any necessary crosswalks leading from the street frontage sidewalk to the building.
    a. On-site where the proposed sidewalk crosses a drive aisle, a marked crosswalk and other traffic control signage (i.e. stop condition for entry drive at parking lot entrance) is recommended.
    b. The street frontage sidewalk since being constructed within the right-of-way is recommended to extend to the entrance drive on the adjacent property to the west and include the accessibility ramp.

X. ADVISORY COMMENTS TO THE APPLICANT:

1) If major changes and revisions to the Conditional Use Site Plan occur in the finalization of the Plan, contact the Planning Office. Examples include reorientation of the building, relocation of site components like stormwater management areas, and increases in floor area count. 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.

2) In the event that there are changes to the architecture, building footprint, layout or square footage of the building contact the Planning Office. These changes may require review by the Planning Commission.

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

4) Following Planning Commission approval of the Conditional Use Site Development Plan, the Plan must be revised to document all conditions of approval from the Development Advisory Committee or as otherwise noted. This process involves submission of Check Prints in order to achieve Final Plan approval.

5) For building new construction, the requirements of the building code and the fire code must be complied with. Consult with the Building Inspection Staff and City of Dover Fire Marshal regarding these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.

6) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate Site Plan approvals, Pre-Construction meetings, site inspections and permits are required.

7) Construction may have an effect on the adjacent roadways, property owners and visitors. Any work requiring the closing or rerouting of employees or visitors should be coordinated to offer the least amount of inconvenience.

8) The applicant shall be aware that Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with *Zoning Ordinance* Article 5 §4.

9) The applicant shall be aware that Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover.

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: APRIL 22, 2026

APPLICATION: **Little Caboose Child Care**

FILE #: **C-26-03**

REVIEWING AGENCY: **City of Dover Department of Public Works and Water & Wastewater**

CONTACT PERSON: **Jason A. Lyon, P.E., Director of Water & Wastewater**

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

1. Every commercial customer shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers. The City of Dover shall provide commercial customers with a maximum of two (2), 90-gallon trash containers and two (2), 90-gallong recycling containers.
2. Trash collection site shall be oriented for side-loading pick-up if customer is utilizing City of Dover sanitation services.
3. Any commercial customer requiring more containers, or larger containers, than provided above, must utilize private service.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District / DNREC is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.
2. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.
3. It shall be unlawful for any person to alter the curb of any street so as to create a curb depression for the purpose of permitting vehicles to enter onto or exit from the city streets, without a permit issued by the city manager.

4. Please provide an entrance plan for the work proposed on Beiser Blvd. At minimum, this plan shall provide the radius' of the entrance, grade elevations and turning diagrams to provide evidence that the improvements will not be detrimental to traffic or drainage.
5. Please add the following notes to the plans:
    a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.
    b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
    a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
    b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
    c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan.
4. Water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) water meter for the proposed building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically, this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90□) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.

7. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. This project will require a backflow prevention assembly.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
    a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
    b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "…any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer laterals (other than for single-family dwellings) showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.
8. Sanitary sewer laterals shall be connected directly to the main, not manholes, unless impracticable, as determined by the Department of Water & Wastewater.
9. The downstream pump station must be evaluated by the developer / engineer to verify it can handle the additional effluent flow.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. No trees may be planted within ten feet (10') of utility infrastructure.
3. No structure may be installed within ten feet (10') of utility infrastructure, please depict all underground utilities and structures on the utility plan sheet to confirm compliance.
4. The final site plan must be submitted in the following compatible digital formats:
    a. AutoCAD 2018 (.dwg format).
    b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

STREETS / SANITATION / STORMWATER / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees will be required to be paid prior to Certificate of Occupancy for this project.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Wastewater impact fees will be required to be paid prior to Certificate of Occupancy for this project.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

STORMWATER / STREETS

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 ELECTRIC

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: APR 29, 2026

APPLICATION: **Little Caboose Child Care**

FILE #: **C-26-03**

REVIEWING AGENCY: **City of Dover Electric Department**

CONTACT PERSON: **Shawn Burgett, Engineering Services & System Operations 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

THE PROPOSED DEVELOPMENT WILL REQUIRE COORDINATION WITH THE CITY OF DOVER ELECTRIC DEPARTMENT FOR ELECTRIC SERVICE DESIGN, INCLUDING TRANSFORMER LOCATION, SERVICE ROUTING, AND METER PLACEMENT. BASED ON PRELIMINARY REVIEW, THE LAYOUT APPEARS WORKABLE; HOWEVER, COORDINATION WITH THE CITY OF DOVER ELECTRIC DEPARTMENT WILL BE REQUIRED AS THE DESIGN PROGRESSES. TRANSFORMER LOCATIONS, UTILITY ACCESS, AND ANY REQUIRED UTILITY EASEMENTS SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF DOVER ELECTRIC DEPARTMENT. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH PROVIDING ELECTRIC SERVICE TO THE SITE, INCLUDING ANY REQUIRED UPGRADES OR EXTENSIONS OF ELECTRIC FACILITIES.

1. Any relocation or upgrade of existing electrical equipment will be engineered by the City of Dover Electric Department. The developer may be required to perform a portion of the relocation work. Any work performed by the City of Dover will be at the owner's expense.
2. Owner is responsible for locating all existing underground facilities to include electric, water and gas.
3. Owner is responsible for site and/or street lighting.
4. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
5. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
6. All Engineering and design for Dover Electric will be engineered upon receipt of final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

7. The City of Dover Electric Department reserves the right to require system upgrades, extensions, or off-site improvements as necessary to maintain system reliability and capacity.

8. All electric system design and installation shall comply with applicable City standards, NEC requirements, and utility best practices as determined by the City of Dover Electric Department.

GENERAL

1. Final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg format) and Adobe Reader (.pdf format), if applicable.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: https://evogov.s3.amazonaws.com/media/27/media/13108.pdf.

2. Construction timelines are subject to material lead times, system conditions, and City of Dover Electric Department workload.

ADVISORY COMMENTS TO THE APPLICANT

1. A completed electric load evaluation shall be submitted prior to final design and is required for transformer sizing, system impact review, and development of primary service cost estimates. Current load sheets can be found at the following link: https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf.

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.

C-26-03

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: April 29, 2026

APPLICATION: Little Caboose Child Care

FILE #: C-26-03 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. Proposed occupancy classification is day care center.

   NFPA 101, A.16.1.1 Suggested Staff to Client Ration in New and Existing Day-Care Occupancies

Staff to Client Ratio	Age (months)
1:3	0-24
1:4	25-36
1:7	37-60
1:10	61-96
1:12	97 plus
1:3	Clients incapable of self-preservation

   If staff to client ratios are below those suggested above, the AHJ shall determine the additional safeguards (this may include restricting the daycare to level of exit discharge only, requiring additional smoke detection, requiring automatic sprinkler protection, requiring better or additional means of egress, requiring similar types of provisions depending on the situation).

NFPA 101, 3.3.198.4 Day Care Occupancy. An occupancy in which four or more clients receive care, maintenance, and supervision, by other than their relatives or legal guardians, for less than 24 hours per day.

2. Building Access shall be no further than 50 feet from a primary entrance.

   Where buildings are provided with an automatic sprinkler system installed in accordance with NFPA 13, access shall be no further than 100 feet from the primary entrance.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.4)

3. Parking shall be prohibited in front of the primary entrance for a width of not less than 1.5 times the width of the door(s) or for 10 feet, whichever is greater.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.2)

4. Perimeter access shall be 25% and clearly shown on the plans.

   Perimeter Access minimum width shall be 10 feet for one-story buildings and 15 feet for buildings of two or more stories, measured from the face of the building at grade with a maximum slope of ten percent (10%). Plantings and utility services (includes condenser units, transformers, etc.) shall be permitted within the perimeter access, and shall not interfere with emergency services fire ground operations.

   If a physical barrier (fence, pond, steep slope, etc) prevents access, that portion of the building perimeter shall not be included in the calculation of Percent of Perimeter Access.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5)

   Where parking is located between the building and perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories.

5. Fire lanes shall cover N/A of the proposed building.
   Fire lanes are required to be 24 feet wide and run along the front of the building as determined by the primary entrance(s). In cases where there is more than one primary entrance(s), each shall be served by a fire lane even if this exceeds the percentage as required.

   The closest edge of fire lanes shall not be located closer than ten (10) feet to the exterior wall and the closest edge of fire lanes shall not be located further than 50 feet from the exterior wall if one or two stories in height; 40 feet if three or four stories in height, or 30 feet if over four stories in height.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5)

6. Where parking is located between the building and the fire lane, parking shall not be located closer than 15 feet to the exterior wall.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.4.1)
   Where parking is located between the building and the perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories. 2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5.2

7. All Fire Lanes shall be marked as follows:

   both the inner and outer edges of the fire lane shall be marked, where curbs are present, the top and face of the curb shall be painted yellow, where no curbs are present, a four inch (4") solid yellow demarcation line shall mark the edge(s) of the fire lane.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

8. The specific color yellow shall be the uniformly accepted yellow as utilized by State of Delaware Department of Transportation (DelDOT). Only vivid and durable paint shall be used and shall be suitable for street surfaces

9. Fire lane signs shall be located as follows:

   see Figure 5-16 – Approved Sign For Marking Fire Lanes, fire lane signs shall be spaced at 150 foot intervals maximum, all fire lane signs shall be located no less than six feet (6') and no higher than eight feet (8') above the pavement, signs shall be placed at each end of the fire lane, and signs shall face all oncoming traffic.

Where parking is not restricted roadway markings shall utilize the words "FIRE" and "LANE" in lieu of fire lane signs and shall conform to the specifications of 7.6.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

10. Where overhangs, canopies, balconies, or any other building or site features must project over any fire lane, an unobstructed vertical clearance of not less than 13'-6" above the fire lane shall be provided and the portion of the building perimeter which contains overhangs, canopies, balconies, or any other building features shall not apply towards the fire lane accessibility requirements of Section 4.0, Table 5-1 in this chapter.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.8)

11. All access roadways shall be paved and be a minimum of 20 feet clear width for two-way traffic and 14 feet clear width for one-way traffic. The paved width of access roadway shall be measured from edge of parking spaces, or face of curb for vertical curb and back of curb for mountable curb, or edge of pavement if there is no curbing.(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 5.2)

12. Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

    Residential areas
    24 feet wide with no parking,
    30 feet wide with parking on one side, or
    36 feet wide with parking on both sides

    Commercial areas
    26 feet wide with no parking,
    32 feet wide with parking on one side, or
    38 feet wide with parking on both sides

    Alley
    12 feet wide

13. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.

14. Gated Areas: Fire Department access shall be provided to the property through the use of a system or device approved by the Fire Marshal. The system or device required shall be located in an area accessible to the fire department and approved by the Fire Marshal. All gates shall be either automatic or manual.

    An automated system shall consist of one manual and one automated means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the system. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of both the manual and automated means.

    A manual gate shall consist of one manual means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the means to open. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of the manual means to open.
    To be considered accessible for fire department apparatus the actual clear openings shall be not less than 14 feet, the paved surface through the gate shall be not less than 12 feet, and the gate shall be setback from the perpendicular street by at least 50 feet.
    Please contact this office to discuss options available to comply with this requirement.

(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.6)

15. Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations. City Ordinance Sec 46-9 (f).
5.1.1 Hydrant spacing as shown in the Fire Flow Tables shall be used as a general rule. Hydrants shall be located at the direction of the State Fire Marshal so as to minimize friction in fire hose. All hydrant spacing shall be located along available roads or at the direction of the State Fire Marshal. This measurement shall be calculated by way of accessible thoroughfare(s) from the building to be protected to the hydrant and may not necessarily be a radius. 5.1.3 Additional hydrants shall be provided when the State Fire Marshal deems it necessary based on the configuration of the site, building(s), exposures, construction, occupancy, and/or specific hazard(s).
Fire Flow table 2, hydrant spacing shall be 800 feet on center for one and two family detached dwellings, other residential, rowhouses and townhouses, assembly, health care, business, education, storage, industrial, mercantile, and mini storage. (702, Chapter 6)

    NFPA 1

    18.5.2 detached one- and two-family dwellings, fire hydrants shall be provided for detached one- and two-family dwellings in accordance with both of the following: 1. the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet 2. the maximum distance between fire hydrants shall not exceed 800 feet.

    18.5.3 buildings other than detached one- and two-family dwellings, fire hydrants shall be provided for buildings other than detached one- and two-family dwellings in accordance with both of the following 1. The maximum distance to a fire hydrant from the closet point on the building shall not exceed 400 feet 2. The maximum distance between fire hydrants shall not exceed 500 feet

16. All fire hydrants shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation.

    All fire hydrants shall have minimum of four-inch (4") solid yellow demarcation lines to define specific areas, where fire hydrants are located along a curb line with permitted parking, the area between the fire hydrant and the street or fire lane shall be stenciled with four inch (4") demarcation lines and the words "NO PARKING", demarcation lines shall be measured from the center line of the fire hydrant and extend for a distance 15 feet on both sides.

    Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four-inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane.
    (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)
    The owner is responsible if the hydrant is private.

17. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM -1499 GPM - painted green, class B 500 -

999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black.
(2021 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)
The owner is responsible if the hydrant is private.

18. Hydrants are to be Darling Co. B-62-B Breakaway https://american-usa.com/products/valves-and-hydrants/fire-hydrants/5-1-4-american-darling-b-62-b-5

19. NFPA 72 compliant Fire Alarm System required per occupancy code requirements.

Fire alarm in place of assembly. *Fire alarm required.* Any new occupancy or new portion of an occupancy determined to be a place of assembly by the fire marshal and is capable of receiving an occupant load of 75 persons or greater, shall be required to install a fire alarm in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Fire alarm system required. Any existing occupancy or portion of an existing occupancy determined to be a place of assembly by the fire marshal, and is undergoing renovations in excess of 50 percent of the assessed value of the building and is capable of receiving an occupant load 75 persons or greater or is being enlarged to receive an occupant load of 75 persons or greater, shall be required to install a complete fire alarm system in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Public mode audible requirements. To ensure that audible public mode signals are clearly heard by occupants of a structure, they shall have a sound level at least 15 decibels (dB) above the average ambient sound level or five decibels (dB) above the maximum sound level having a duration of at least 60 seconds, whichever is greater, measured five feet (1.5m) above the floor in the area required to be served by the system using the A-weighted scale dBA. In the event the stated requirement cannot be met a shunt trip relay/switches shall be the approved method of meeting the intent of this section of the Code.
(City Code of Ordinances 46-171)

20. Sprinkler system required. System is to be monitored by an approved Fire Alarm System.

This chapter shall apply to all buildings, structures, marine vessels, premises, and conditions which are modified by more than 50% after the effective date of these Regulations. The 50% figure shall be calculated utilizing the gross square footage of the building, structure, marine vessel, premises and conditions as to arrive at the correct application.

Any proposal that is presented to the Office of the State Fire Marshal for review and approval for a building rehabilitation as defined in the 101 Life Safety Code, for less than 50% of the gross square footage of a non-sprinklered building, may not have another such project for the same building submitted for review and approval any sooner than three (3) years after the date of the final inspection unless sprinkler projection is provided throughout the entire building.

In all buildings exceeding 10,000 square feet of aggregate, gross floor area.

In all buildings in excess of 40 feet in height or more than four (4) stories in height.

In all buildings or areas thereof used for the storage, fabricating, assembling, manufacturing, processing, display or sale of combustible goods, wares, merchandise, products, or materials when more than two (2) stories or 25 feet in height.

In all basement areas exceeding 2,500 square feet floor area.

In residential occupancies when of: Type V (0,0,0) or Type III (2,0,0) construction and exceeding two (2) stories or 25 feet in height. Type V (1,1,1) and Type III (2,1,1) or

Type IV (2,H,H) construction exceeding three (3) stories or 3In all residential apartment buildings storage areas except individual unit closets that are located within individual residential living units.

In all buildings used as health care occupancies as defined in the Life Safety Code, NFPA 101, as adopted and/or modified by these Regulations. In all buildings or areas classified as "high hazard" under the Life Safety Code, NFPA 101, or "extra hazard" under the Standard for the Installation of Sprinkler Systems, NFPA 13, as adopted and/or modified by these Regulations.

All buildings used as dormitories, in whole or in part, to house students at a public or private school or public or private institution of higher education. (16 **Del.C.** Ch. 88) This applies to all such dormitories regardless if new or existing.

(2015 State of Delaware fire Prevention Regulations, 702, Chapter 4)

Places of assembly shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 150 persons or greater.

Any interior renovations of 50 percent or more to an existing place of assembly with an occupant load greater than 150 persons.

Any additions or increase in interior size to an existing place of assembly that would create an occupant load of 150 persons or greater.

Places of assembly where alcohol is served for consumption on the premises shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

Any interior renovation of 50 percent or more to an existing place of assembly with an occupant load greater than 100 persons and where alcohol will be served for consumption on the premises.

Any additions or increase in interior size to an existing place of assembly which would create an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

New educational occupancies of 5,000 square feet or greater shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13. (City of Dover Code of Ordinances 46-162)

NFPA 101, 12.3.5.1 The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1): 1. Dance Halls 2. Discotheques 3. Nightclubs 4. Bars 5. Restaurants 6. Assembly occupancies with festival seating

21. Fire Department Connection is to be a 5-inch stortz connection on a 30-degree elbow located within 50 feet of main entrance. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.

    Fire department connections. Unless otherwise approved by the fire marshal, fire department connections shall be on the street side of the building and shall be located and arranged so that hose lines can be readily and conveniently attached to without interference from any nearby obstructions as defined by the fire marshal's office. Fire department connections shall be a five-inch Storz. Fire department connections shall be within 300 feet of an approved City of Dover Fire Hydrant and within 50 feet of the main entrance of the structure it serves. All fire department connections shall be not less than three feet nor more than five feet in height above finished grade. The fire marshal shall have the authority to require more stringent requirements when deemed necessary. (City of Dover Code of Ordinances 46-162)

22. Parking and/or obstructions shall be prohibited in front of fire department connections for a distance measuring from the center line and extending four feet on both sides. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.4)

23. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.

24. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface).

    All fire department connections (standpipe and sprinkler) shall have a minimum 12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)

25. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms.

Dimensions of bollards. Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however, the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection.

Color of bollards. Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector.
(City of Dover Code of Ordinances, 46-4)

26. 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, t*he number shall measure a minimum of four inches in height, *location, t*he number shall be placed on the house above or to the left or right of the front entrance, *color, t*he number shall be contrasting to the background color, A*rabic numerals, a*ll numbers shall be Arabic numerals.

*Multiple-family dwellings, measurements, t*he 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, 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, *color, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll 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)

27. A lock box (Knox) containing any and all means necessary for fire department access shall be provided at the following occupancies: any occupancy that contains a fire alarm signaling system that is monitored off-site, or any occupancy that contains an automatic sprinkler system. (2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.4)

    Secured key systems. When required; exemption. A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy. Buildings with 24-hour staffing or guard service shall be exempt from this subsection.

    Location. The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box.

    Required keys. Keys to be secured in the key box shall include keys to all points of ingress or egress, whether on the interior or exterior of the building, and keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required.

    Ordering responsibility. It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be the responsibility of the owner or tenant to order the key box for existing buildings.

    Installation before testing. No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box.
    (City Code of Ordinances 46-127)

    Knox Box to be mounted 6 feet above ground level

28. All required means of egress shall have an exit discharge consisting of a non-slip surface and leading to and terminating at a public way. NFPA 101

29. Project to be completed per approved Site Plan.

30. Full building and fire plan review is required.

31. Construction or renovations cannot be started until building plans are approved.

32. Fire alarm systems, fire suppression systems, hoods, exhaust ducts, and hood suppression systems require a fire permit from the Fire Marshal's Office. This work cannot be started until the permit is approved.

33. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

34. The following is City Ordinance, Appendix B-Zoning, Article 8 Enforcement and Penalties:

Section 1. - Building permits.

No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful (see section 4 for penalties).

1.1 No building permit shall be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street improved to the satisfaction of the planning commission, or without access to a public sewer.

1.2 No building permit shall be issued for any building where the site development plan of such building is subject to approval by the planning commission, except upon approval of such plans approved by the said commission.

1.21 No building permit shall be issued for any building in a subdivision unless the subdivision plot has been approved by the planning commission.

1.3 No building permit shall be issued for a building to be used for any conditional use in any zone where such use is allowed only with approval of the planning commission, unless and until such approval has been duly granted by the said commission.

(Ord. of 7-12-1993, § 3)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please show the perimeter access as outlined n item # 4 listed above
2. Recommend the front of the building be a Fire Lane
3. Please provide a fire hydrant at the front of the building
4. Please ensure the landscape plan does not interfere with perimeter access
5. State of DE daycare licensing approval is needed

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

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

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

From: Mobley, Will (DelDOT)
To: Melson-Williams, Dawn; Jones, Tijah (DelDOT)
Subject: EXTERNAL: DAC Comments 29 April 26 Staff Development Meeting
Date: Wednesday, April 29, 2026 12:46:58 PM

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

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

C-26-03- Little Caboose Child Care

- Have the applicant schedule a pre-submittal meeting with DelDOT.
- As stated in the meeting, if the applicant needs approval from DelDOT, we will consider the access to the state maintained roadway as the entrance. We will require trip data at those locations (Saulsbury Road and Gateway Blvd)

S-26-09 Warehouse Buildings at 118 Galaxy Dr

- Have the applicant schedule a pre-submittal meeting with DelDOT.
- As stated in the meeting, this project fronts on Horsepond Rd. This site is in a Level 2 State Strategy area which requires pedestrian facilities along its frontage to state maintained roadways.

WIll

Sincerely,

Will T Mobley III, PMP
Division of Economic Development, DELDOT
Interim Kent County Review Coordinator
Phone (302)-760-2409
Will.mobley@delaware.gov

KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901• (302) 608-5370 • WWW.KENTCD.ORG

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
MAY 2026

APPLICATION: Little Caboose Child Care
FILE #: C-26-03
REVIEWING AGENCY: Kent Conservation District
CONTACT PERSON: Cullen Baker
PHONE: (302) 608 - 5370
EMAIL: stormwater@kentcd.org

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:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 1 acre, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District's office.
2. The following notes must appear on the record plan:
   a. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
   b. The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
   c. A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. This parcel is located within the Enterprise Business Park, with regional stormwater provided. The plan will need to provide information to show that the proposed impervious does not exceed the allowed impervious for the regional stormwater pond.
2. The regional stormwater pond needs required maintenance. This maintenance must be completed prior to a certificate of occupancy issued for the building.
3. A Pre-Application Meeting will be required to be held with the Kent Conservation District prior to plan submittal.
4. Please note the Kent Conservation District will not review an application more than three times. If after the third review the plan is still not found to be approvable, the application will be denied, and a new application with review fees are to be re-submitted to continue a detailed plan review.
5. A letter of no objection to recordation will be provided upon approval of the Sediment and Stormwater Management Plan.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

ADVISORY BRIEF

D.A.C. MEETING DATE: 5/6/2026

Dover/Kent County Metropolitan Planning Organization

C-26-03 Little Caboose Child Care

FILE # C-26-03 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
Conditional Use Site Plan Review

C-26-03 Little Caboose Child Care

Pedestrian facilities should be added to the edge of the property along the frontage of Beiser Boulevard. This feature would benefit both people walking to the daycare and people headed to other destinations. Although this local road is a low-stress environment for bicyclists and pedestrians, it sees regular through traffic with motorists heading to the commercial centers to the north and south of the subject property. Many of the nearby parcels already contain frontage sidewalks, and the addition of sidewalks at the subject property will contribute to improved pedestrian safety along the road and more reliable connections to the nearby grocery stores and shopping centers (which can improve food security in the area). Frontage sidewalks should be accompanied by a crosswalk that is positioned across the site entrance.

A partial network of internal sidewalks is shown in the site plan, located along the side of the building and in between the building entrance and the parking area. Note that according to the City of Dover Code, linkage sidewalks must be constructed between the street frontage sidewalk

and the building entrance. These should be built at a minimum width of 5’ and should meet the other City and State requirements.[1]

According to the site plan, the new site entrance will be 43’ in width. This is an excessive width, much wider than the other commercial entrances on Beiser Boulevard, and it could lead to challenging conditions for pedestrians looking to cross the entrance. For safety purposes, the applicant should consider reducing the width of this entrance, while still allowing for access by buses and other large vehicles.

The site plan also includes accessible parking spaces within the parking area, close to the building entrance. These spaces should be accompanied by ADA ramps and related improvements to ensure full site accessibility.

A DART bus stop is currently located at the subject property on the frontage of Beiser Boulevard. This stop serves DART route 101, which connects Gateway West Shopping Center with Dover Transit Center, Dover High School, and other destinations.[2] The presence of this bus stop heightens the need for pedestrian facilities on the property’s frontage. In addition to sidewalks, a paved space for bus riders to wait would also be useful. Coordination with Delaware Transit Corporation (DTC) is recommended.

Finally, the applicant will need to meet the City of Dover’s requirements for bicycle parking on the site. These spaces should be included at a rate of one (1) bicycle parking space for every twenty (20) vehicle parking spaces.[3] If more information on various types of bike racks is needed, please contact Dover Kent MPO.

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

[1] Dover Code: Appendix B, Article 5, Section 18.3c. City of Dover. https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOOR_APXBZO_ART5SURE_S18PEBIMUDAACRE.
[2] “Route 101.” Delaware Transit Corporation (DTC) (2025). https://www.dartfirststate.com/RiderInfo/Routes/pdfs/winter/rt101.pdf?date=1776972463000.
[3] Dover Code: Appendix B, Article 6, Section 3.10. City of Dover. https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOOR_APXBZO_ART6OREPADRLOFA_S3REOREPASP.

EX. 20-FOOT WIDE CITY OF DOVER UTILITY EASEMENT PER PLAT 86/65

DEL-HOMES CATALOG
TP# 2 05 07611 01 4600 000

PELSA

LANDS N/F
DEL-HOMES CATALOG GROUP, L.L.C.
TP# 2 05 07615 01 0300 000

EX. 20-FOOT WIDE SANITARY SEWER EASEMENT

PROPOSED 9,417 SF (FOOTPRINT) CHILD CARE FACILITY

40' SIDE YARD

40' REAR YARD

50' FRONT YARD

LIMITS OF ON-LOT GRAVEL AREA TO BE REMOVED AND REPLACED WITH GRASS.

PROP. KNOX BOX

PROP. DUMPSTER PAD

BENCHMARK
CAPPED PIN
ELEV.=45.94

N 87°20'40" W
248.96'

N 87°20'40" W
40.50'

N 02°39'20" E
185.02'

N 02°39'20" E

S 72°03'00" W
53.55'

N 84°19'08" E
60.00'

217.84'

43.00'

A=28.21'
R=1150.00'
CH=S 04°58'43" E
28.21'

S 04°16'33" E
68.80'

A=412.96'
R=310.00'
CH=S 33°53'13" E
383.10'

BEISER BLVD.
50' ROW

CB-1 CB-2 CB-3 CB-4 CB-5 CB-6 CB-7 CB-8 CB-9 CB-10

P-1 P-2 P-3 P-4 P-5 P-6 P-7 P-8 P-9

24.70' 24.00' 22.00' 18' (TYP) 9' (TYP) 8' (TYP) 5' 8'

17 14 13 45 46 47 44 43

SAN SAN SAN

THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED 9,417 SF CHILD CARE FACILITY AND PARKING LOT ON AN IPM (PLANNED INDUSTRIAL PARK) ZONED LOT

GENERAL NOTES:

1. OWNER:	ATLANTIC DAWN PROPERTIES OF DOVER, LLC 708 WOOD DUCK CT. MIDDLETOWN, DE19709
2. PROPERTY ADDRESS:	229 BEISER BLVD, DOVER, DELAWARE 19904
3. TAX PARCEL NUMBER:	2-05-07615-01-0308-000
4. SOURCE OF TITLE:	DEED 119/78
5. LOT AREA:	2.259 ACRES
6. PROPOSED DEDICATION AREA:	0..000 ACRES
7. NET AREA:	2.259 ACRES
8. SWM AREA:	0.000 ACRES
9.DATUM:	NAVD88
10. ZONING:	DOVER ZONED: IPM (PLANNED) MINIMUM LOT AREA: 60,000 SF MINIMUM LOT WIDTH: 150 FEET MINIMUM LOT DEPTH: 250 FEET MAXIMUM BUILDING HEIGHT: 60 FEET
11. GROWTH ZONE:	OUTSIDE GROWTH ZONE
12. CURRENT USE:	VACANT
13. PROPOSED USE:	CHILD CARE FACILITY
14. PROPOSED BUILDING GFA:	9,417 SF
15. PROPOSED BUILDING FOOTPRINT:	9,417 SF
16. FLOOR AREA RATIO:	9,417 SF GFA/98,402 SF NET SITE AREA = 0.096
17. PROPOSED BUILDING HEIGHT:	25'-8" AT HIGHEST POINT
18. MAXIMUM BUILDING HEIGHT:	60 FEET
19. PARKING RATIONAL:	1.5 PS PER EMPLOYEE, PER LARGEST WORKING SHIFT 1.5 PS * 40 EMPLOYEES DURING LARGEST SHIFT = 60 PS
20. BUILDING RESTRICTION SETBACKS:	FRONT YARD: 60 FEET SIDE YARD: 40 FEET REAR YARD: 40 FEET
21. EASEMENTS:	EXISTING UTILITY EASEMENT (SEWER)
22. IMPERVIOUS COVER:	**EXISTING** GRAVEL DRIVE = 0.310 AC **PROPOSED** BUILDING FOOTPRINT = 0.216 AC PAVING / SIDEWALKS = 0.893 AC TOTAL = 1.109 AC
23. IMPERVIOUS COVER MAX:	1.468 AC
24. MONUMENTS FOUND:	2
25. ACRES IN WOODLAND:	0 ACRES
26. PERCENT SLOPE:	APPROXIMATELY 0.7% AVERAGE SLOPE
27. MISS UTILITY TICKET NUMBER:	IN PROGRESS
28. WATER:	CITY OF DOVER
29. SEWER:	CITY OF DOVER
30. DEBRIS DISPOSAL:	NO DEBRIS WILL BE BURIED ON THIS SITE
31. SOURCE OF TOPOGRAPHY:	FIELD GENERATED BY THE PELSA CO. MARCH OF 2026.

32. FLOOD ZONE: THE PROPERTY IS LOCATED IN FLOOD ZONE X AND HAS BEEN DETERMINED TO BE OUTSIDE THE 100 YEAR FLOODPLAIN PER FIRM MAP NO. 10001C0168H, PANEL NO. 168 OF 435, DATED MAY 5, 2003.

33. DRAINAGE, EROSION AND SEDIMENT CONTROL, AND STORMWATER MANAGEMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS..

34. UNDERGROUND & OVERHEAD UTILITY LOCATIONS & EASEMENTS TO BE VERIFIED BY CONTRACTOR AND MISS UTILITY BEFORE WORK BEGINS.

35. PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

36. NO PAVEMENT RESTRICTIONS ARE REQUIRED BY CITY OF DOVER.

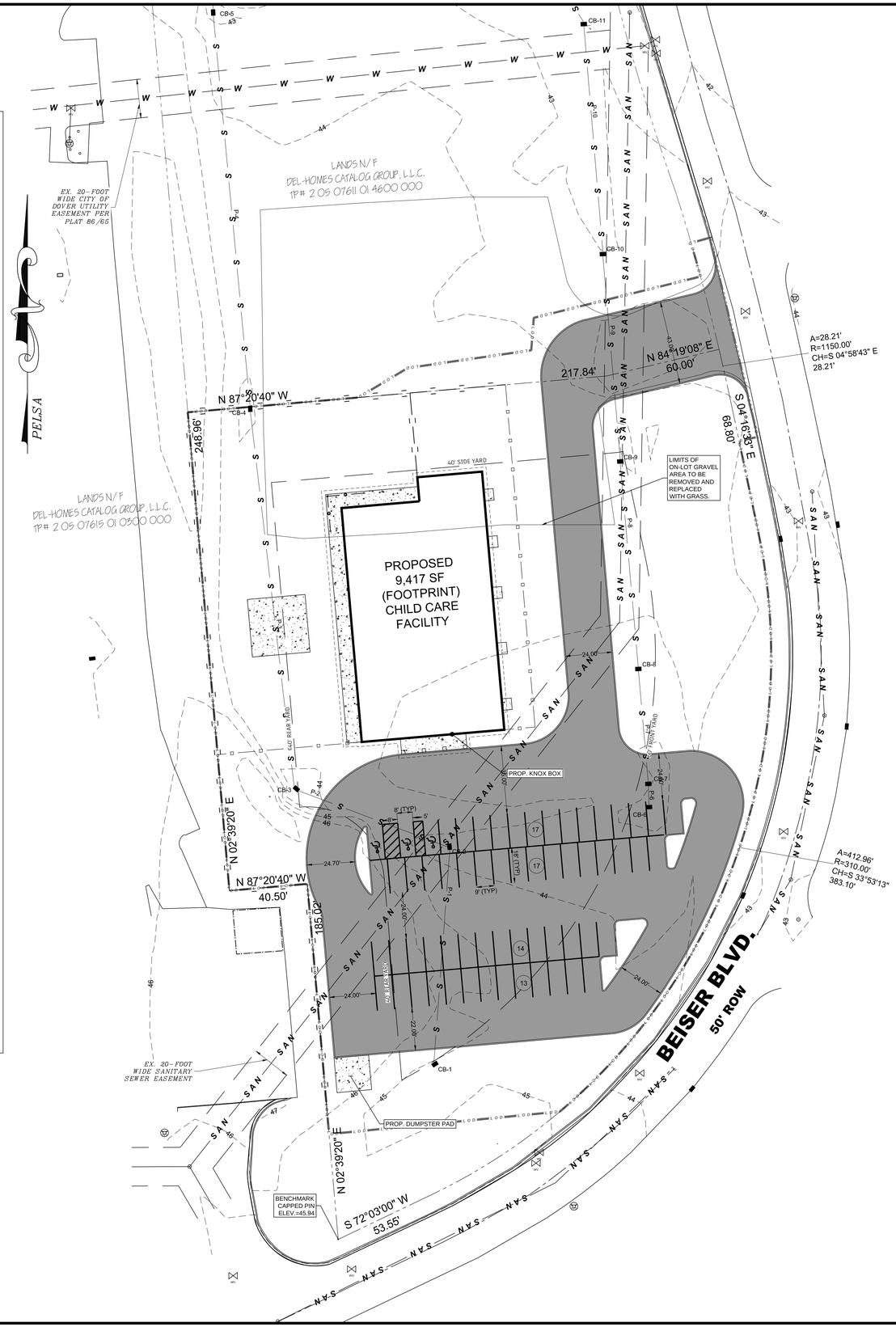
37. BOUNDARY OF SOIL TYPE (HkB: Hambrook-Urban land complex, 0 to 5 percent slopes) NOT SHOWN AS ITS EXTENTS ARE GREATER THEN THE AREA SHOWN.

38. THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.

39. THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY, OR DELETE ANY EROSION OR SEDIMENT CONTROL MEASURE AS IT DEEMS NECESSARY.

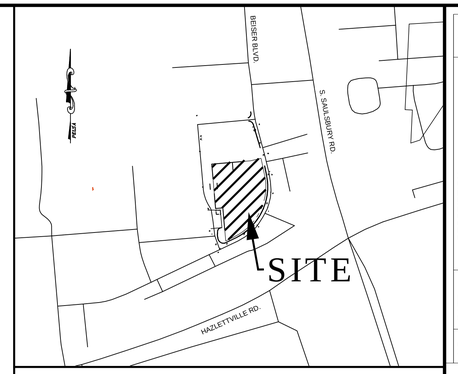
FIRE MARSHAL NOTES:

1. BUILDING CONSTRUCTION TYPE = VB (IBC), V(000) (NFPA)
2. BUILDING HEIGHT = 25'-8"
3. THE BUILDING WILL BE SPRINKLERED



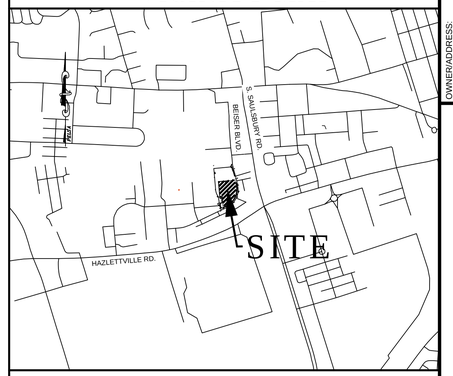
0 30 60 90

GRAPHIC SCALE 1"=30'



SCALE 1" = 400'

VICINITY MAP



SCALE 1" = 1200'

VICINITY MAP

LEGEND:

- BUILDING RESTRICTION LINE (BRL)
- BUILDING RESTRICTION LINE (BRL)
- EXISTING PROPERTY LINE
- S A N — S A N — EXISTING SANITARY SEWER LINE
- W — W — EXISTING WATER LINE
- EXISTING TOPO
- S — S — EX. STORMDRAINS
- PROP. FENCE (4' BLACK ALUMINUM)
- PROP. FENCE (6' VINYL)
- L O D — L O D — L O D — LIMIT OF DISTURBANCE
- PROPOSED CONCRETE PAD/SIDEWALK
- EXISTING CATCH BASIN
- EXISTING HYDRANT
- EXISTING WATER VALVE
- PROP. ADA PARKING SPACE

CERTIFICATE OF OWNERSHIP:

I/WE, ATLANTIC DAWN PROPERTIES OF DOVER, LLC, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION AND THAT I ACKNOWLEDGE THE SAME TO ME BY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

Atlantic Dawn Properties of Dover, LLC. MANAGING MEMBER KIM BRYDA — DATE

CERTIFICATE OF ACCURACY:

I, MICHAEL R. PARASKEWICH, SR., HEREBY CERTIFY THAT I AM A REGISTERED (ENGINEER / SURVEYOR / ARCHITECT) IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HERON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD (ENGINEERING / SURVEYING / ARCHITECTURAL) PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

MICHAEL R. PARASKEWICH , SR., PLS — DATE

NO.	DATE	DESCRIPTION	BY

OWNER/ADDRESS:
ATLANTIC DAWN PROPERTIES OF DOVER, LLC
708 WOOD DUCK CT.
MIDDLETOWN, DE19709

THE PELSA COMPANY
ENGINEERING, SURVEYING, ENVIRONMENTAL SCIENCES
610 PEOPLES PLAZA, NEWARK, DE 19702
PHONE: (302)834-3771 FAX: (302)834-2282
EMAIL: PELSAOFFICE@THEPELSACOMPANY.COM

CONDITIONAL USE SITE PLAN

PREPARED FOR:

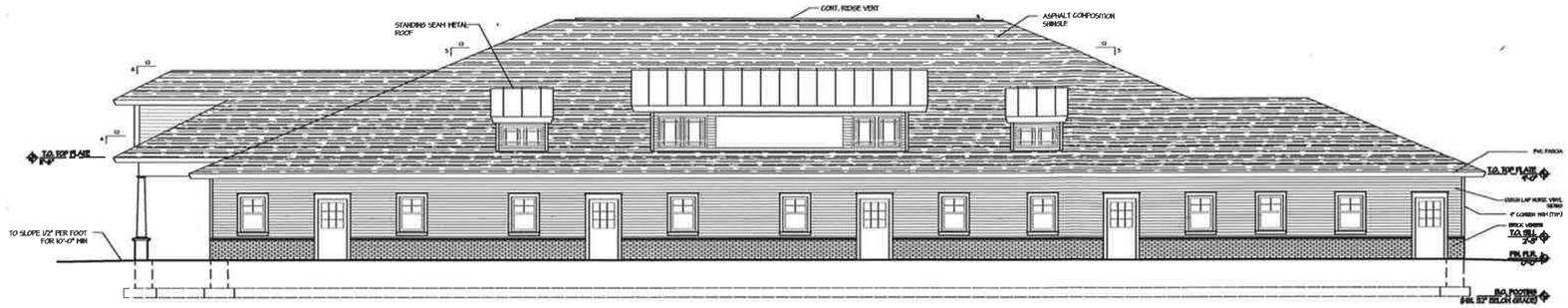
ATLANTIC DAWN PROPERTIES OF DOVER, LLC.
TAX PARCEL NO. 2050761501038000
229 BEISER BLVD.
DOVER, DE 19904
EAST DOVER HUNDERED-KENT COUNTY-DELAWARE

SURVEY BY:	PELSA
DRAWN BY:	JAP
CHECKED BY:	MRP
SCALE:	AS NOTED
DATE:	3/18/2026
SHEET NO.	1 OF 1
DRAWING NO.	P-5921

Filename: SITE PLAN.dwg Tuesday, March 17, 2026 8:55:08 AM Plotted: Wednesday, March 25, 2026 9:49:31 AM



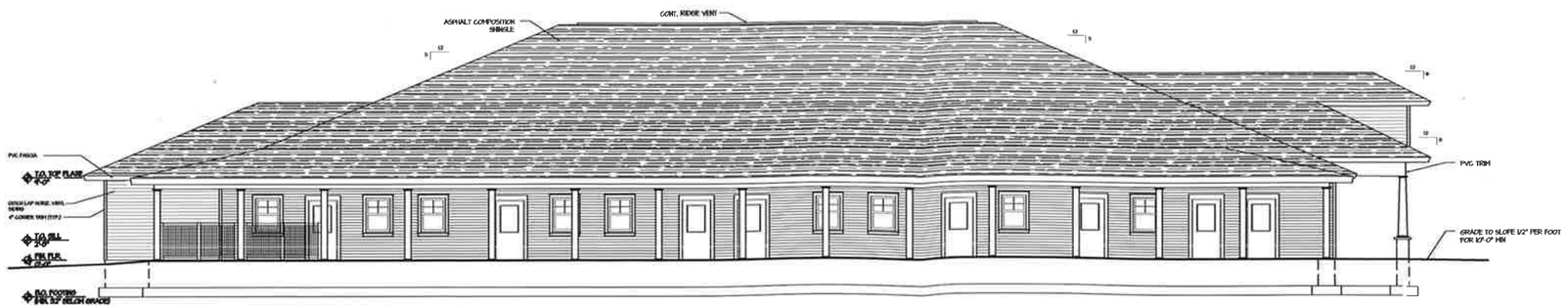
1 FRONT ELEVATION
SCALE : 1/8" = 1'-0"



2 STREET ELEVATION
SCALE : 1/8" = 1'-0"



3 BACK ELEVATION
SCALE : 1/8" = 1'-0"



ARCHITECTS
R G Architects, LLC
200 W. Main St., Middletown, DE 19709
302.376.8100 302.376.9851 fax
www.rgarchitects.net

THE ARCHITECT WHO SEALED, SIGNED AND DATED THIS DOCUMENT HAS NOT BEEN EMPLOYED TO FURNISH CONSTRUCTION CONTRACT ADMINISTRATION SERVICES AS DEFINED IN 24 DEL.C. §303(c).

ISSUED FOR:

OWNER REVIEW	6 MARCH 2026
FOR PRICING	20 MARCH 2026

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

PROJECT INFO:

LITTLE CABOOSE
CHILD CARE &
LEARNING CENTER

Beiser Blvd
Dover , DE, 19904
Tax Parcel No.: 2-05-07611-01-4600-00001
road name
Kent County

SHEET INFO:

PROJECT NO:	26004
DRAWN BY:	TTH
CHECKED BY:	RAG
SCALE:	AS SHOWN
DATE:	11 March 2026

TITLE & NO.:

Copyright - R G Architects - 2026

ELEVATIONS

City of Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF: May 6, 2026

PLANNING COMMISSION MEETING OF: May 18, 2026

Plan Title:	Lot 13 Kent County Industrial Park on 118 Galaxy Drive
Plan Type:	Site Development Plan
Location:	Southwest side of Galaxy Drive and north of Horsepond Road
Address:	118 Galaxy Drive Dover, DE 19901
Tax Parcel:	ED-02-05-087.00-01-07.13-000
Owner:	Richard Hess (RAH Realty, LLC)
Lot Size:	6.45 acres +/-
Zoning:	IPM (Industrial Park Manufacturing Zone) AEOZ (Airport Environs Overlay Zone) Noise Zone (70 DNL B)
Previous Use:	Agricultural (Land currently vacant)
Proposed Use:	Warehouse Facility
Building Area:	29,700 SF +/- (0.68 AC)
Off Street Parking:	Required – 56 spaces Proposed – 55* spaces (49 standard spaces, 6 handicap spaces) (*need to clarify spaces and count label on drawing)
Loading Spaces:	Proposed - 30 spaces
For Consideration:	Performance Standards Review Application
Waiver Request:	Elimination of Sidewalks along Horsepond Road and Galaxy Drive

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 6, 2026

APPLICATION: Lot 13 Kent County Industrial Park on 118 Galaxy Drive

FILE #: S-26-09 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 Report was completed with additional review and editing by the City's Planning Office.

I. PLAN SUMMARY

This application is for review of a Site Development Plan to permit construction of a 29,700 SF +/- warehouse complex with three (3) storage warehouses, accessways, parking, utilities, stormwater management, and associated site improvements on a 6.45-acre parcel on 118 Galaxy Drive. The property is zoned IPM (Industrial Park Manufacturing Zone) and is within the 70 DNL B Noise Zone. The property is located on the southwest side of Galaxy Drive, west of Starlifter Avenue and north of Horsepond Road. The owner of record is Richard Hess (RAH Realty, LLC). Property Address: 118 Galaxy Drive Dover, DE 19901. Tax Parcel: ED-02-05-087.00-01-07.13-000. Council District 2.

The Site Plan reviewed consists of the initial submission Plan set dated March 31, 2026 and Revised Plan Sheet C-1 and Sheet L-1 with Revision date of May 7, 2026 (received 5/8/2026).

II. PROJECT DESCRIPTION

The subject property area consists of 6.45 acres +/- (280,910.80 SF) on the southwest side of Galaxy Drive, west of Starlifter Avenue and north of Horsepond Road. This site has not been developed and was most recently agricultural land with some small, wooded areas around the site perimeter. There is an existing utility tower/antennae easement (approximately 2,500 SF) and associated 20-foot wide easement access (approximately 2,500 SF) located adjacent to the proposed entrance to the property from Galaxy Drive; this is the location of a Wireless Communication Facility tower (Administrative Site Plan S-17-08: Cellco Partnership d/b/a Verizon Wireless at 118 Galaxy Drive and height variance V-17-01).

The proposed project is a 29,700 SF +/- warehouse complex with three (3) storage warehouses (each warehouse building approximately 9,900 SF). The site access will be via a drive-aisle off Galaxy Drive. This drive-aisle in turn will allow access to the three (3) warehouse buildings and vehicle parking spaces, including handicap spaces. Either parking rows or loading areas flank each side of the buildings. The Plans also note a proposed stormwater management area west of

Warehouse Building #3 with the outfall towards Horsepond Road.

Surrounding Land Uses:
The properties to the west (Brandywine Valley SPCA Dover) and east (Delaware Printing) also are zoned IPM (Industrial Park Manufacturing Zone). The northwest corner of the parcel contains 1.40 +/- acres of wetlands within the wooded areas. No wetlands exist within the Limit of Disturbance areas and a 50-foot-wide riparian buffer is proposed between the identified wetlands and the development. Immediately adjacent to the north is Galaxy Drive that terminates at a gravel road near the parcel entrance. Immediately beyond this parcel to the northeast are properties also zoned IPM but contains a government facility building (Safety & Homeland Sec Department Delaware) at the corner of Galaxy Drive and Starlifter Avenue.

III. ZONING REVIEW

IPM Zoning District
The property is zoned IPM (Industrial Park Manufacturing Zone) and is subject to the regulations of *Zoning Ordinance*, Article 3 §20, Article 4 §4.16, and Article 5 §8.1 as a planned development. The use as Warehouse Buildings is a permitted use within this zoning district; however, a more specific description of the intended use for tenants should be provided to confirm compliance with the permitted uses of the IPM zone. The following Table highlights some of the lot design standards for the IPM zone:

Minimum Required	**IPM (Planned Industrial Park)**
For All Permitted Uses:	
Lot Area (square feet)	60000
Lot width (ft.)	150
Lot depth (ft.)	250
Front Yard (ft.)	60
Side yard (ft.)	40
Rear yard (ft.)	40
Side or rear yard when adjoining a residential zone (ft.)	100
Off-street parking space:	
Per 800 sq. ft. of floor area	1
Per employee, per largest working shift (if greater than the requirement under the floor area calculation	1.5
Maximum Permitted	
Building Height:	
Stories	No Limit
Feet	60 Feet
Floor Area Ratio	0.5
Lot Coverage	65%

AEOZ Zoning District

The property is zoned AEOZ (Airport Environs Overlay Zone): Noise Zone B (DNL B) and is subject to the regulations of *Zoning Ordinance*, Article 3 §22. Noise Zone B (DNL B) is that area within and bounded by Day-night average A-weighted sound level (DNL) contour lines of between 70 decibels and 74 decibels of noise pressure. As the proposed warehouse complex is not an exempted land use, Article 3 §22.5(b), requires that proposed structures situated within Noise Zones A through D shall be constructed with noise attenuation features to achieve the minimum interior noise level reductions specified by building type in Article 3 §22.6, land use compatibility table. Without the applicant providing more information on the nature of the warehouse usage, the closest approximation to the proposed development would be SLUCM No. 69 (Miscellaneous Services) which would require a Noise Level Reduction (NLR), outdoor to indoor, of 30dB for the DNL B zone.

Additionally, all Building Permit applications for construction of new buildings or building additions not exempted under Section 22.4 within AEOZ shall be accompanied by a written statement from a licensed architect or engineer, which lists all construction materials to be used and the resultant interior noise level reductions to be achieved. The written analysis provided by the engineer or architect shall demonstrate that the proposed construction will achieve compliance with the minimum required interior noise level reductions specified in subsection 22.6, land use compatibility table.

The plan as presented shows a dry extended detention basin on the west portion of the site north of Horsepond Road.

IV. PARKING SUMMARY

The *Zoning Ordinance,* Article 4 §4.16 states that the parking requirement for conventional planned development in the IPM zone is based on a rate of one parking space per 800 SF of floor area or 1.5 spaces per employee per largest working shift (if greater). The employee count per largest working shift was not provided to confirm parking rate calculation. With a stated floor area of 29,700 SF, this would require a minimum parking space count of 56 spaces. The Plans submitted show that fifty-five (55) vehicle parking spaces (*check the parking space count on south side of Building #3) are to be provided within the shared driveway and between the proposed warehouse buildings. This includes six (6) handicap spaces with space need each building.

Loading Spaces

Article 6 §4.26 of the *Zoning Ordinance* states for a storage use in the IPM Zone, one berth for 5,000 to 10,000 square feet of floor area in such uses, and one additional berth for each additional 10,000 square feet of floor area or fraction thereof so used.

The dimensions of the Loading Space berth are provided in Article 6 §4.11 wherein one (1) required off-street loading berth shall have minimum dimensions of 12 feet wide and 60 feet long. If more than one loading berth is required, subsequent berths may have minimum dimensions of 12 feet wide and 40 feet long. At no time shall any part of a truck or van be allowed to extend into a public thoroughfare or right-of-way while the truck or van is being loaded or unloaded. If the outdoor loading area is covered, but not totally enclosed, the minimum height of the outdoor loading berth area shall be 14 feet.

Based on the 29,700 SF of buildings proposed, three (3) loading berths are required. Three loading areas are shown on the plans, one loading area adjacent to each building where garage style doors will be located.

Bicycle Parking

The site is required to provide bicycle parking. The minimum bicycle parking requirement is one (1) for every twenty (20) vehicle parking spaces. Based on the 60 parking spaces identified for this site, at least three (3) bicycle parking spaces are required for the project. Three bicycle spaces are shown on the north side of the parking lot closest to Galaxy Drive.

V. SITE CONSIDERATIONS

Access

The main/only vehicle entrance to the site is via Galaxy Drive on the northeast side of the site. Galaxy Drive connects to Starlifter Avenue to the east. Galaxy Drive, as an improved street, does not continue west as it terminates and becomes a gravel road west of the site entrance. A portion of Galaxy Drive will need to be constructed to extend west. The entrance driveway aisle branches off into three (3) smaller parking areas/loading bays between each of the three (3) warehouse buildings. The driveway aisle does not extend/connect to Horsepond Road along the south of the parcel.

Sidewalk

Waiver Request: Elimination of Sidewalks

Sidewalks are required along all street frontages and with a connecting sidewalk leading into the site. The Planning Commission may grant a waiver from the sidewalk requirement in accordance with the *Zoning Ordinance*, Article 5 §18.5 under the following circumstances:

a) When the property is isolated from the existing pathway network, with no existing pathways within the immediate vicinity of the property.
b) When the proposed use would not generate or attract additional pedestrian, bicycle, or other non-motorized trips.
c) When physical characteristics of the property are such that pathway installation is impractical or impossible.

The applicant has submitted a Waiver Request to eliminate the sidewalk requirements along Horsepond Road and Galaxy Drive. Galaxy Drive terminates west of the parcel entrance and becomes a gravel road leading towards a water tower. Additionally, there are currently no existing sidewalks along Galaxy Road or the connecting streets: Starlifter Avenue or Horsepond Road.

Lighting

Article 5 §7.1 stipulates that lighting shall provide no less than 1.5 foot-candles at grade. Light shall also be deflected away from adjacent residential areas and shall not be distracting to traffic on adjacent roads. Information was provided on the lighting scheme that appears to show that these regulations are being met.

Dumpsters

The *Zoning Ordinance*, Article 5 §6.1 stipulates the regulations regarding the required number of dumpsters and the associated placement and screening requirements thereof. Article 5 §6.11 specifically notes the following:

> 6.11 *Location and screening required.* All dumpsters must be located in approved locations on the lot. Dumpsters must be placed on hard, paved, dust-free surfaces and may not be placed in designated parking spaces, fire lanes, or access ways. Outside storage of trash, cardboard, or shipping pallets is prohibited. A dumpster enclosure is required to screen the dumpster from view whenever these units are situated so that they will be visible from any public right-of-way or from an adjacent property.

The *Zoning Ordinance* goes on in Article 5 §6.12 to note that nonresidential uses provide a minimum of two (2) dumpsters per property. Dumpster locations are shown on the plans at the end of the two drive aisles in the middle of the site.

Curbing

Article 6 §3.6(b) of the *Zoning Ordinance* requires that permanent parking areas and access drives be enclosed with upright curbing at least six inches in height. Curbing height is not specified on the plan.

VI. BUILDING ARCHITECTURE

Conceptual Renderings and Elevation Drawings were submitted for the warehouse buildings. The buildings are proposed as a rectangular-shaped structure. The exterior is composed primarily of corrugated panels, whose material is not identified. They are in a single white-grey tone. The open gable roof appears to be in the same material as the walls, but with a darker neutral tone. There are seven (7) large loading bay doors along one side of the warehouse building in a neutral grey-white color in an unidentified material. There are no visible windows in the design rendering. Lastly, there is a small access door on the southeast corner of the building.

VII. TREE PLANTING AND LANDSCAPE PLAN

Woodland

The *Zoning Ordinance*, Article 5 §16.2 defines Woodland as follows:

> *Woodland.* An area of contiguous wooded vegetation (7,500 square feet or greater), where trees exist at a density of at least one tree with a caliper dimension of six inches or greater per 375 square feet of land and where the tree branches form a contiguous canopy.

The Landscape Plan provided by the Applicant (Sheet L-1) notes that there is an existing area of woodlands on site at 3.11 +/- acres (135,472 SF). The *Zoning Ordinance* lays out the requirement for development on lots that include woodland in Article 5 §16.5, with §16.51 further requiring that a Tree Preservation and Selective Clearing plan be provided:

> Article 5 §16.51 *Tree preservation and selective clearing plan required.* All site development proposals which involve the development of woodland areas and require planning commission approval shall include a tree preservation and selective clearing plan as part of the submission plan. The tree preservation and selective clearing plan shall be prepared in accordance with the provisions of subsection 16.5, subsection 16.7 and subsection 16.8 of this section.

Of the 3.11 +/- acres of woodland identified by the Applicant, they note that 2.76 acres (89%) will be preserved. As no more than 50% of the lot occupied by woodland vegetation may be cleared (Article 5 §16.51), this amount of preserved acreage meets that requirement. The submitted Tree Preservation and Selective Clearing Plan indicates that the majority of the cleared woodlands are located along the west side of the property.

Tree Planting

Article 5 §16.62 of the *Zoning Ordinance* specifies that new tree plantings shall be provided at a density of no less than one (1) tree per 3,000 SF of non-woodland area. The total site area has been identified by the Applicant as being 6.45 acres +/- (280,962 SF). The woodland area onsite was identified as 3.11 +/- acres with 2.76 +/- acres planned to be preserved. The non-woodland development area is noted as 3.69 +/- acres (160,737 SF). The required number of newly planted trees is 54 trees.

The Plan submitted notes that 54 trees will be planted on the northern portion of the site, at the corners of the buildings and within the 50-foot-wide riparian buffer. The trees proposed include an even mix of Red Maple, White Oak, and Pin Oak. No details as to further plantings, like shrubbery or other ornamental landscaping, are provided.

VIII. PERFORMANCE STANDARDS REVIEW

Uses in the IPM Zone are subject to the Performance Standards Procedure set forth in the *Zoning Ordinance,* Article 5, Section 8.1 and 8.2 and referenced sections.

> *Article 5 §8.1 Dangerous and objectionable elements.* No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

The project's compliance with a series of performance standards for the "dangerous and objectionable elements" had previously considered by the Planning Commission. The "dangerous and objectionable elements" are as follows:

- Fire and explosion hazards (activities with and storage of)
- Radioactivity or electromagnetic disturbance
- Noise (sound pressure level)
- Vibration
- Smoke
- Odors (Odorous gases or odorous matter)
- Fly ash, dust, fumes, vapors, gases and other forms of air pollution
- Glare (from lighting or high temperature processes)

- Liquid or solid wastes
- Traffic congestion (Level of Service E)

The project cannot cause the above conditions to exist so that they adversely affect the surrounding areas or adjoining properties. The specific limits of each performance standard are described in the *Zoning Ordinance*. Where the performance standards conflict with regulations established by other state or local agencies such as the Delaware Department of Natural Resources and Environmental Control (DNREC), the more restrictive regulations apply.

As part of this procedure, a *Performance Standard Review Application* is required to accompany this Plan submission for review and approval. The Performance Standard Review Report (Narrative Letter) is included with the application materials.

IX. CITY AND STATE CODE REQUIREMENTS:

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.

1) Sidewalk Requirement:
   The *Zoning Ordinance* requires that sidewalks or other pathways shall be installed on a property by the property owner or developer when the property is part of a development proposal which is subject to Planning Commission site development plan review. As this proposed development is also subject to Planning Commission site development plan review, installation of adequate pedestrian access such as a sidewalk would be required. (Article 5 §18.2). It is noted that sidewalk requirements are subject to DelDOT review for the Horsepond Road frontage and may be required to be implemented.

   The applicant has submitted a waiver request for elimination of frontage sidewalks on Galaxy Drive and Horsepond Road. The existing roadways surrounding the area of the proposed development lack an existing sidewalk network on either of the two closest connecting streets. Additionally, the proposed use of this parcel as a warehouse/storage would likely not attract or generate additional pedestrian traffic.

2) Overall Site Plan Sheet (T-1):
   a) Data Column:
      i) In #10, correct the maximum building height to reflect "no maximum" for number of stories and 60 feet.
      ii) Provide the Tree Density Calculations both as required by *Code* and proposed with this project.
      iii) Provide loading berth requirement calculation.
      iv) Provide the Required Minimum Number of Bicycle Parking spaces and the calculation.
      v) Add the AEOZ Zoning District Noise Zone B in Zoning
   b) Signage Requirements – The plan shows a proposed monument sign location. Please add a note that any new potential signage for the Subject Site is subject to the Sign Provisions as found in Article 5, Section 4 of the *Zoning Ordinance*.

3) Update entire plan set per the revisions of the May 7, 2026 Revised Plan.

4) The Landscape Plan must be signed and sealed by the design professional authorized per *Zoning Ordinance,* Article 5 Section 16.2 and 16.81.

5) Please include a site detail sheet to show the details of bicycle racks, ADA parking spaces and signage, lighting, and other site details.

6) Ensure parking spaces comply with requirements of separation distance from the building wall per any Fire Protection regulations. Confirm the number of parking spaces next to Building #3 and the overall number being provided.

7) Provide details on the construction for the extension of Galaxy Drive to City of Dover Street Standards.

8) Please work with the Kent Conservation District to develop a stormwater management plan that complies with the requirements of the AEOZ and addresses the requirements of the State Sediment and Stormwater Regulations.

9) Any Erosion & Sediment Control Plans and Stormwater Management Plans granted approval by Kent Conservation District (KCD) must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the Zoning Ordinance and technical review requirements of other agencies.

10) The Final Plan set must include notes documenting any action taken by the Planning Commission and must list any additional conditions of approval.

11) All signage must comply with Sign Regulations of the *Zoning Ordinance* and is subject to a separate Sign Permit Application. Signs are subject to a separate review and approval process in the City of Dover. Please review Article 5, Section 4 of the *Zoning Ordinance* prior to submitting the Sign Permit Application.

X. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

In accordance with the *Zoning Ordinance*, Article 10 §2.2, the Planning Commission in considering and acting upon Site Development Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 2.21 to 2.28.

1) Recommendations on Waiver Requests:
    a. Submitted Waiver Request: Elimination of Sidewalk on Galaxy Drive and Horsepond Road: The Applicant has submitted a written waiver request for elimination of a frontage

sidewalk on Galaxy Drive and Horsepond Road. The existing roadways surrounding the area of the proposed development lack an existing sidewalk network on either of the two closest connecting streets. Additionally, the proposed use of this parcel as a warehouse/storage area would likely not attract or generate additional pedestrian traffic. Given that the proposed development meets 2 of the 3 conditions for the waiver requirements, Staff recommends that the waiver be granted. Staff notes that DelDOT has jurisdiction over Horsepond Road and will have the ultimate decision over whether a sidewalk is required along this frontage.

2) Consideration of Performance Standards Review Application: Planning Staff recommends approval of the Performance Standards Review as submitted in accordance with *Zoning Ordinance,* Article 5 Section 8.1 and 8.2.

XI. ADVISORY COMMENTS TO THE APPLICANT:

1) Planning Commission should act upon the requests for waivers as part of any motion regarding this project application, or as a separate motion as necessary. Note: The waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.

2) The Dover Air Force Base would be a source of information relating to FAA Bird Mitigation for properties in the flight path for the Air Base, limitations on use of cranes during construction activities, as well as submission to DelDOT for the State Office of Aeronautics requirements.

3) Land Use Compliance: Any uses of the site and the buildings are subject to compliance with the allowable uses of the IPM (Industrial Park Manufacturing Zone) and the AEOZ (Airport Environs Overlay Zone) Land Use Compatibility Table. Evaluation of each use will occur as part of the Permit process for construction activity or for establishment of a use and also as part of the Business Licensing program.

4) If major changes and revisions to the Site Plan occur in the finalization of the Plan, contact the Planning Office. Examples include reorientation of the building, relocation of site components like stormwater management areas, and increases in floor area count. 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.

5) In the event that there are changes to the architecture, building footprint, layout or square footage of the building contact the Planning Office. These changes may require review by the Planning Commission.

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

7) Following Planning Commission approval of the Site Development Plan, the Plan must

be revised to document all conditions of approval from the Development Advisory Committee or as otherwise noted. This process involves submission of Check Prints in order to achieve Final Plan approval.

8) For building new construction, the requirements of the building code and the fire code must be complied with. Consult with the Building Inspection Staff and City of Dover Fire Marshal regarding these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.

9) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate Site Plan approvals, Pre-Construction meetings, site inspections and permits are required.

10) Construction may have an effect on the adjacent roadways, property owners and visitors. Any work requiring the closing or rerouting of residents or visitors should be coordinated to offer the least amount of inconvenience.

11) The applicant shall be aware that Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with *Zoning Ordinance* Article 5 §4.

12) The applicant shall be aware that Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover.

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: APRIL 22, 2026

APPLICATION: **Warehouse Buildings at 118 Galaxy Drive**

FILE #: **S-26-09**

REVIEWING AGENCY: **City of Dover Department of Public Works and Water & Wastewater**

CONTACT PERSON: **Jason A. Lyon, P.E., Director of Water & Wastewater**

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

1. Every commercial customer shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers. The City of Dover shall provide commercial customers with a maximum of two (2), 90-gallon trash containers and two (2), 90-gallong recycling containers.
2. Trash collection site shall be oriented for side-loading pick-up if customer is utilizing City of Dover sanitation services.
3. Any commercial customer requiring more containers, or larger containers, than provided above, must utilize private service.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District / DNREC is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.
2. Please provide construction details on the proposed road extension, include road section, curb design, etc.
3. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.

4. It shall be unlawful for any person to alter the curb of any street so as to create a curb depression for the purpose of permitting vehicles to enter onto or exit from the city streets, without a permit issued by the city manager.
5. Please provide an entrance plan for the work proposed on Galaxy Drive. At minimum, this plan shall provide the radius of the entrance, grade elevations and turning diagrams to provide evidence that the improvements will not be detrimental to traffic or drainage.
6. Please add the following notes to the plans:
    a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.
    b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
    a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
    b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
    c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan.
4. Water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) water meter for the proposed building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically, this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90□) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.

7. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. This project will require a backflow prevention assembly on each water service.
8. A water loop is not required to be installed on Horsepond Road. If this project needs the water loop, an easement will be required to be provided for the City of Dover.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
    a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
    b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "…any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer laterals (other than for single-family dwellings) showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.
8. Sanitary sewer laterals shall be connected directly to the main, not manholes, unless impracticable, as determined by the Department of Water & Wastewater.
9. The downstream pump station must be evaluated by the developer / engineer to verify it can handle the additional effluent flow.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. No trees may be planted within ten feet (10') of utility infrastructure.
3. No structure may be installed within ten feet (10') of utility infrastructure, please depict all underground utilities and structures on the utility plan sheet to confirm compliance.
4. The final site plan must be submitted in the following compatible digital formats:
    a. AutoCAD 2018 (.dwg format).
    b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

STREETS

1. Please install a suitable turnaround at the end of your proposed Galaxy Drive improvements.

SANITATION / STORMWATER / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees will be required to be paid prior to Certificate of Occupancy for this project.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Wastewater impact fees will be required to be paid prior to Certificate of Occupancy for this project.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

STORMWATER / STREETS

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 ELECTRIC

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: APR 29, 2026

APPLICATION: **Warehouse Buildings at 118 Galaxy Drive**

FILE #: **S-26-09**

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

THE PROPOSED DEVELOPMENT WILL REQUIRE COORDINATION WITH THE CITY OF DOVER ELECTRIC DEPARTMENT FOR ELECTRIC SERVICE DESIGN, INCLUDING TRANSFORMER LOCATION, PRIMARY SERVICE ROUTING, AND METER PLACEMENT. BASED ON PRELIMINARY REVIEW, THE LAYOUT APPEARS WORKABLE; HOWEVER, COORDINATION WITH THE CITY OF DOVER ELECTRIC DEPARTMENT WILL BE REQUIRED AS THE DESIGN PROGRESSES. A COMPLETED ELECTRIC LOAD SHEET SHALL BE SUBMITTED PRIOR TO FINAL DESIGN AND IS REQUIRED TO EVALUATE SERVICE NEEDS. TRANSFORMER LOCATIONS AND UTILITY ACCESS SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF DOVER ELECTRIC DEPARTMENT. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH PROVIDING ELECTRIC SERVICE TO THE SITE, INCLUDING ANY REQUIRED UPGRADES OR EXTENSIONS OF ELECTRIC FACILITIES.

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all existing underground electric, communications and water facilities.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.

9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. The developer may be required to perform a portion of the relocation work. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.
15. The City of Dover Electric Department reserves the right to require system upgrades, extensions, or off-site improvements as necessary to maintain system reliability and capacity.
16. All electric system design and installation shall comply with applicable City standards, NEC requirements, and utility best practices as determined by the City of Dover Electric Department.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: https://evogov.s3.amazonaws.com/media/27/media/13108.pdf.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. A completed electric load evaluation shall be submitted prior to final design and is required for transformer sizing, system impact review, and development of primary service cost estimates. Current load sheets can be found at the following link: https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf.
2. Construction timelines are subject to material lead times, system conditions, and City of Dover Electric Department workload.

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.

S-26-09

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: April 29, 2026

CITY OF DOVER FIRE MARSHAL

APPLICATION: Warehouse Buildings at 118 Galaxy Dr

FILE #: S-26-09 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. Proposed occupancy classification is storage.

2. Building Access shall be no further than 50 feet from a primary entrance.

   Where buildings are provided with an automatic sprinkler system installed in accordance with NFPA 13, access shall be no further than 100 feet from the primary entrance.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.4)

3. Parking shall be prohibited in front of the primary entrance for a width of not less than 1.5 times the width of the door(s) or for 10 feet, whichever is greater.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.2)

4. Perimeter access shall be 50% and clearly shown on the plans.

   Perimeter Access minimum width shall be10 feet for one-story buildings and 15 feet for buildings of two or more stories, measured from the face of the building at grade with a maximum slope of ten percent (10%). Plantings and utility services (includes condenser units, transformers, etc.) shall be permitted within the perimeter access, and shall not interfere with emergency services fire ground operations.

   If a physical barrier (fence, pond, steep slope, etc) prevents access, that portion of the building perimeter shall not be included in the calculation of Percent of Perimeter Access.
   (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5)

   Where parking is located between the building and perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories.

5. All access roadways shall be paved and be a minimum of 20 feet clear width for two-way traffic and 14 feet clear width for one-way traffic. The paved width of access roadway shall be measured from edge of parking spaces, or face of curb for vertical curb and back of curb for mountable curb, or edge of pavement if there is no curbing.(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 5.2)

6. Multiple Access Roads shall be provided when a fire department access road (fire lane) is determined by the Fire Marshal to be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access such as placement of fire hose from fire equipment.

7. Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

   Residential areas
   24 feet wide with no parking,
   30 feet wide with parking on one side, or
   36 feet wide with parking on both sides

   Commercial areas
   26 feet wide with no parking,
   32 feet wide with parking on one side, or
   38 feet wide with parking on both sides

   Alley
   12 feet wide

8. Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.

9. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.

10. Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations. City Ordinance Sec 46-9 (f).
    5.1.1 Hydrant spacing as shown in the Fire Flow Tables shall be used as a general rule. Hydrants shall be located at the direction of the State Fire Marshal so as to minimize friction in fire hose. All hydrant spacing shall be located along available roads or at the direction of the State Fire Marshal. This measurement shall be calculated by way of accessible thoroughfare(s) from the building to be protected to the hydrant and may not necessarily be a radius. 5.1.3 Additional hydrants shall be provided when the State Fire Marshal deems it necessary based on the configuration of the site, building(s), exposures, construction, occupancy, and/or specific hazard(s).
    Fire Flow table 2, hydrant spacing shall be 800 feet on center for one and two family detached dwellings, other residential, rowhouses and townhouses, assembly, health care, business, education, storage, industrial, mercantile, and mini storage. (702, Chapter 6)

    NFPA 1

18.5.2 detached one- and two-family dwellings, fire hydrants shall be provided for detached one- and two-family dwellings in accordance with both of the following: 1. the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet 2. the maximum distance between fire hydrants shall not exceed 800 feet.

18.5.3 buildings other than detached one- and two-family dwellings, fire hydrants shall be provided for buildings other than detached one- and two-family dwellings in accordance with both of the following 1. The maximum distance to a fire hydrant from the closet point on the building shall not exceed 400 feet 2. The maximum distance between fire hydrants shall not exceed 500 feet

11. All fire hydrants shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation.

    All fire hydrants shall have minimum of four-inch (4") solid yellow demarcation lines to define specific areas, where fire hydrants are located along a curb line with permitted parking, the area between the fire hydrant and the street or fire lane shall be stenciled with four inch (4") demarcation lines and the words "NO PARKING", demarcation lines shall be measured from the center line of the fire hydrant and extend for a distance 15 feet on both sides.

    Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four-inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane.
    (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)
    The owner is responsible if the hydrant is private.

12. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM -1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black.
    (2021 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)
    The owner is responsible if the hydrant is private.

13. Hydrants are to be Darling Co. B-62-B Breakaway https://american-usa.com/products/valves-and-hydrants/fire-hydrants/5-1-4-american-darling-b-62-b-5

14. NFPA 72 compliant Fire Alarm System TBD per occupancy code requirements.

Fire alarm in place of assembly. *Fire alarm required.* Any new occupancy or new portion of an occupancy determined to be a place of assembly by the fire marshal and is capable of receiving an occupant load of 75 persons or greater, shall be required to install a fire alarm in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Fire alarm system required. Any existing occupancy or portion of an existing occupancy determined to be a place of assembly by the fire marshal, and is undergoing renovations in excess of 50 percent of the assessed value of the building and is capable of receiving an occupant load 75 persons or greater or is being enlarged to receive an occupant load of 75 persons or greater, shall

be required to install a complete fire alarm system in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Public mode audible requirements. To ensure that audible public mode signals are clearly heard by occupants of a structure, they shall have a sound level at least 15 decibels (dB) above the average ambient sound level or five decibels (dB) above the maximum sound level having a duration of at least 60 seconds, whichever is greater, measured five feet (1.5m) above the floor in the area required to be served by the system using the A-weighted scale dBA. In the event the stated requirement cannot be met a shunt trip relay/switches shall be the approved method of meeting the intent of this section of the Code.
(City Code of Ordinances 46-171)

15. Sprinkler system TBD. System is to be monitored by an approved Fire Alarm System.

This chapter shall apply to all buildings, structures, marine vessels, premises, and conditions which are modified by more than 50% after the effective date of these Regulations. The 50% figure shall be calculated utilizing the gross square footage of the building, structure, marine vessel, premises and conditions as to arrive at the correct application.

Any proposal that is presented to the Office of the State Fire Marshal for review and approval for a building rehabilitation as defined in the 101 Life Safety Code, for less than 50% of the gross square footage of a non-sprinklered building, may not have another such project for the same building submitted for review and approval any sooner than three (3) years after the date of the final inspection unless sprinkler projection is provided throughout the entire building.

In all buildings exceeding 10,000 square feet of aggregate, gross floor area.

In all buildings in excess of 40 feet in height or more than four (4) stories in height.

In all buildings or areas thereof used for the storage, fabricating, assembling, manufacturing, processing, display or sale of combustible goods, wares, merchandise, products, or materials when more than two (2) stories or 25 feet in height.

In all basement areas exceeding 2,500 square feet floor area.

In residential occupancies when of: Type V (0,0,0) or Type III (2,0,0) construction and exceeding two (2) stories or 25 feet in height. Type V (1,1,1) and Type III (2,1,1) or

Type IV (2,H,H) construction exceeding three (3) stories or 3In all residential apartment buildings storage areas except individual unit closets that are located within individual residential living units.

In all buildings used as health care occupancies as defined in the Life Safety Code, NFPA 101, as adopted and/or modified by these Regulations. In all buildings or areas classified as "high hazard" under the Life Safety Code, NFPA 101, or "extra hazard" under the Standard for the Installation of Sprinkler Systems, NFPA 13, as adopted and/or modified by these Regulations.

All buildings used as dormitories, in whole or in part, to house students at a public or private school or public or private institution of higher education. (16 **Del.C.** Ch. 88) This applies to all such dormitories regardless if new or existing.

(2015 State of Delaware fire Prevention Regulations, 702, Chapter 4)

Places of assembly shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 150 persons or greater.

Any interior renovations of 50 percent or more to an existing place of assembly with an occupant load greater than 150 persons.

Any additions or increase in interior size to an existing place of assembly that would create an occupant load of 150 persons or greater.

Places of assembly where alcohol is served for consumption on the premises shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

Any interior renovation of 50 percent or more to an existing place of assembly with an occupant load greater than 100 persons and where alcohol will be served for consumption on the premises.

Any additions or increase in interior size to an existing place of assembly which would create an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

New educational occupancies of 5,000 square feet or greater shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13.
(City of Dover Code of Ordinances 46-162)

NFPA 101, 12.3.5.1 The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1): 1. Dance Halls 2. Discotheques 3. Nightclubs 4. Bars 5. Restaurants 6. Assembly occupancies with festival seating

16. Fire Department Connection is to be a 5-inch stortz connection on a 30-degree elbow located within 50 feet of main entrance. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.

Fire department connections. Unless otherwise approved by the fire marshal, fire department connections shall be on the street side of the building and shall be located and arranged so that hose lines can be readily and conveniently attached to without interference from any nearby

obstructions as defined by the fire marshal's office. Fire department connections shall be a five-inch Storz. Fire department connections shall be within 300 feet of an approved City of Dover Fire Hydrant and within 50 feet of the main entrance of the structure it serves. All fire department connections shall be not less than three feet nor more than five feet in height above finished grade. The fire marshal shall have the authority to require more stringent requirements when deemed necessary. (City of Dover Code of Ordinances 46-162)

17. Parking and/or obstructions shall be prohibited in front of fire department connections for a distance measuring from the center line and extending four feet on both sides. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.4)

18. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.

19. If there is any type of rack storage, the following will be required: 1) a diagram showing the layout and type of rack system 2) a list and quantity of items being stored 3) a letter from an authorized/licensed fire suppression contractor stating that in rack sprinklers are or are not needed. If in rack sprinklers are not needed, a letter may be requested from an authorized/licensed fire suppression contractor to ensure that the sprinkler system is adequate for the storage presented.

20. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface).

    All fire department connections (standpipe and sprinkler) shall have a minimum 12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)

21. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms.

    Dimensions of bollards. Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however, the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection.

Color of bollards. Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector.
(City of Dover Code of Ordinances, 46-4)

22. 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, t*he number shall measure a minimum of four inches in height, *location, t*he number shall be placed on the house above or to the left or right of the front entrance, *color, t*he number shall be contrasting to the background color, *Arabic numerals, a*ll numbers shall be Arabic numerals.

*Multiple-family dwellings, measurements, t*he 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, 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, *color, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll 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)

23. TBD A lock box (Knox) containing any and all means necessary for fire department access shall be provided at the following occupancies: any occupancy that contains a fire alarm signaling system that is monitored off-site, or any occupancy that contains an automatic sprinkler system.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.4)

Secured key systems. When required; exemption. A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being

installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy. Buildings with 24-hour staffing or guard service shall be exempt from this subsection.

Location. The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box.

Required keys. Keys to be secured in the key box shall include keys to all points of ingress or egress, whether on the interior or exterior of the building, and keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required.

Ordering responsibility. It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be the responsibility of the owner or tenant to order the key box for existing buildings.

Installation before testing. No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box.
(City Code of Ordinances 46-127)

Knox Box to be mounted 6 feet above ground level

24. All required means of egress shall have an exit discharge consisting of a non-slip surface and leading to and terminating at a public way. NFPA 101

25. Project to be completed per approved Site Plan.

26. Full building and fire plan review is required.

27. Separate building permits/plans submission will be required for each building and/or tenant fit out. If the permit submission is for a "shell" a Certificate of Occupancy will not be issued. Separate plans and permits submissions will be required for each "tenant fit out" at which time a Certificate of Occupancy will be issued upon compliance/completion of each "tenant fit out".

    Each "shell" will require a fire permit for sprinkler and fire alarm if applicable. Those systems (for the "shell") must be accepted into service prior to any "tenant fit out" fire permits being issued.

28. Construction or renovations cannot be started until building plans are approved.

29. Fire alarm systems, fire suppression systems, hoods, exhaust ducts, and hood suppression systems require a fire permit from the Fire Marshal's Office. This work cannot be started until the permit is approved.

30. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

31. The following is City Ordinance, Appendix B-Zoning, Article 8 Enforcement and Penalties:

Section 1. - Building permits.

No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful (see section 4 for penalties).

1.1 No building permit shall be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street improved to the satisfaction of the planning commission, or without access to a public sewer.

1.2 No building permit shall be issued for any building where the site development plan of such building is subject to approval by the planning commission, except upon approval of such plans approved by the said commission.

1.21 No building permit shall be issued for any building in a subdivision unless the subdivision plot has been approved by the planning commission.

1.3 No building permit shall be issued for a building to be used for any conditional use in any zone where such use is allowed only with approval of the planning commission, unless and until such approval has been duly granted by the said commission.

(Ord. of 7-12-1993, § 3)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please show the perimeter access as listed above in item # 4
2. Parking cannot be within 10' of the building as described in item # 4 listed above
3. Occupancy classifications/use of the building could require a sprinkler system
4. What is the square with an X in it stand for?
5. Documentation will be needed that the fire flow for the hydrants meets Delaware State Fire Prevention Regulation 702. Chapter 6
6. Recommend adding a hydrant at the end of the road at building 3

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

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

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

From: Mobley, Will (DelDOT)
To: Melson-Williams, Dawn; Jones, Tijah (DelDOT)
Subject: EXTERNAL: DAC Comments 29 April 26 Staff Development Meeting
Date: Wednesday, April 29, 2026 12:46:58 PM

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

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

C-26-03- Little Caboose Child Care

- Have the applicant schedule a pre-submittal meeting with DelDOT.
- As stated in the meeting, if the applicant needs approval from DelDOT, we will consider the access to the state maintained roadway as the entrance. We will require trip data at those locations (Saulsbury Road and Gateway Blvd)

S-26-09 Warehouse Buildings at 118 Galaxy Dr

- Have the applicant schedule a pre-submittal meeting with DelDOT.
- As stated in the meeting, this project fronts on Horsepond Rd. This site is in a Level 2 State Strategy area which requires pedestrian facilities along its frontage to state maintained roadways.

WIll

Sincerely,

Will T Mobley III, PMP
Division of Economic Development, DELDOT
Interim Kent County Review Coordinator
Phone (302)-760-2409
Will.mobley@delaware.gov

KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901• (302) 608-5370 • WWW.KENTCD.ORG

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
MAY 2026

APPLICATION: Warehouse Buildings at 118 Galaxy Drive
FILE #: S-26-09
REVIEWING AGENCY: Kent Conservation District
CONTACT PERSON: Cullen Baker
PHONE: (302) 608 - 5370
EMAIL: stormwater@kentcd.org

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:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 1 acre, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to the District's office.
2. The following notes must appear on the record plan:
   a. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
   b. The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
   c. A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. An SAS (stormwater assessment study) must be submitted and a pre-application meeting will be required to be held with KCD prior to plan submittal. We request that geotechnical testing be conducted prior to the pre application meeting.
2. Due to PFAS groundwater contamination in the area a dry facility is recommended, to keep the stormwater facilities from intercepting groundwater. An ephemeral wetland may be substituted based on depth to groundwater.
3. Please provide a down stream analysis for the outfall, to show that there is positive drainage for the outfall of the stormwater facility.
4. Please note the Kent Conservation District will not review an application more than three times. If after the third review the plan is still not found to be approvable, the application will be denied, and a new application with review fees are to be re-submitted to continue a detailed plan review.
5. A letter of no objection to recordation will be provided upon approval of the Sediment and Stormwater Management Plan.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

ADVISORY BRIEF

D.A.C. MEETING DATE: 5/6/2026

Dover/Kent County Metropolitan Planning Organization

S-26-09 Warehouse Buildings at 118 Galaxy Drive

FILE # S-26-09 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
Site Development Plan Review

S-26-09 Warehouse Buildings at 118 Galaxy Drive

Dover Kent MPO does not support the granting of a waiver for sidewalks on the subject property's frontage, particularly on the Horsepond Road side of the property. Horsepond Road is a major collector road with an Annual Average Daily Traffic (AADT) of 1,106.[1] Although the total vehicle traffic is relatively low, the road is used frequently by large vehicles headed to and from the Civil Air Terminal; this truck traffic will only increase in the coming years with the completion of the Horsepond Road Extension,[2] which is currently in the Preliminary Engineering (PE) phase in DelDOT's Capital Transportation Program (CTP). The road also has a posted

[1] "Traffic Counts." DelDOT Gateway. Delaware Department of Transportation (DelDOT). https://experience.arcgis.com/experience/e8679c5c19e14bafbff864eeaf553251.

[2] *Dover Air Cargo Freight Access Study - Planning and Environmental Linkage (PEL) Report*. Dover/Kent County MPO (2021). https://doverkentmpo.delaware.gov/files/2021/09/Dover-Air-Cargo-Freight-Study-PEL_final.pdf#page=18.

speed limit of 40 mph, and it has a Level of Traffic Stress (LTS) of 4, as it offers no separation from vehicle traffic for bicyclists and pedestrians.[3]

The above conditions, combined with the lack of existing sidewalks, contribute to decreased pedestrian safety along the road. With this in mind, Dover Kent MPO recommends that at minimum, sidewalks are added to the frontage of the property on the Horsepond Road side, meeting the DelDOT and City of Dover requirements for sidewalk dimensions. It is worth noting that the Dover Brook Gardens neighborhood is not far from the subject property, and its residents would benefit from greater walkability in the area.

The site would also benefit from a stronger network of internal sidewalks and crosswalks. Presently there is no safe way for visitors to the site to walk between buildings or cross the parking area. The applicant should consider adding sidewalks along the side of the buildings and crosswalks connecting to the outer parking areas.

The site plan includes accessible parking spaces in several locations throughout the parking area. These spaces should be accompanied by ADA ramps and related improvements to ensure site accessibility.

If the applicant intends for large vehicles to frequently use the site, then it is recommended that space be designated for truck parking, to ensure the trucks do not have to park on the road. This could be as simple as designating space in the gravel area on the southern side of the property. According to the *Delaware State Freight Plan*, recent studies have found that the demand for adequate truck parking in Delaware frequently exceeds the available supply. As a result, drivers are forced to park in undesignated parking locations, such as in the road's shoulder and close to highway interchanges.[4] Additional parking spaces will help improve the experience for truck drivers and improve safety on nearby roadways. For more information on the City of Dover's goals for truck parking, please refer to the *Dover Freight Plan*.[5]

The applicant will need to meet the City of Dover's requirements for bicycle parking on the site. These spaces should be included at a rate of one (1) bicycle parking space for every twenty (20) vehicle parking spaces.[6] The best location for bicycle parking is close to the entrance of a building on the property. If more information on various types of bike racks is needed, please contact Dover Kent MPO.

Finally, site plans within proximity to Dover Air Force Base should avoid conflicting uses. These may include building tall structures, creating glint and glare (such as from lighting, solar fields,

[3] "Bicycle/Pedestrian/Trails and Pathways." DelDOT Gateway. Delaware Department of Transportation (DelDOT). https://experience.arcgis.com/experience/7e27bdc85b3b463f8699abb86919e49e.
[4] *Delaware State Freight Plan*. Delaware Department of Transportation (DelDOT) (2022). https://deldot.gov/Business/freight/pdfs/2026/Delaware%20State%20Freight%20Plan%20-%20Full.pdf?cache=1774450046226#page=143.
[5] *Dover Freight Plan*. Dover/Kent County MPO (2025). https://doverkentmpo.delaware.gov/files/2025/04/2025-04_Dover-Freight-Plan_FINAL.pdf.
[6] Dover Code: Appendix B, Article 6, Section 3.10. City of Dover. https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOOR_APXBZO_ART6OREPADRLOFA_S3REOREPASP.

and artificial bodies of water), attracting large numbers of migratory birds, and operating Unmanned Aircraft Systems (UAS) in the area. Conflicting uses are described in greater detail in the 2023 *Dover Air Force Base Compatible Use Plan*.[7] Coordination with Dover Air Force Base will be necessary for projects within the DAFB Airport Environs Overlay Zone (AEOZ).

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.

[7] "Dover Air Force Base Compatible Use Study" (webpage). Dover Air Force Base (DAFB) and Delaware Department of Transportation (DelDOT). https://deldot.gov/projects/archived/dafb/.

CIVIL ENGINEERING ASSOCIATES

● ENGINEERS ● SURVEYORS ● CONSTRUCTION SERVICES

55 West Main Street
Middletown, DE 19709

cea-de.com

Phone: 302-376-8833
Fax: 302-376-8834

April 1, 2026

Mrs. Anne-Marie Townsend
City of Dover
15 Loockerman Plz
Dover, DE 19901

RE: Sidewalk Waiver Request
118 Galaxy Drive
Dover, DE 19901
CEA Project No. P25031A

Dear Mrs. Anne-Marie Townsend:

On behalf of our client, we respectfully request that the City of Dover grant a waiver for the installation of sidewalks along Galaxy Drive and Horsepond Road. As you are aware, none of the existing properties within this industrial park have sidewalks nor were they included on the industrial park Record Plan. In addition, there are no sidewalks along Horsepond Road. It is our professional opinion that pedestrian traffic within and around this industrial park is minimal to none.

If you have any questions or require any additional information, please do not hesitate to contact me at 302-547-2444.

Sincerely,
Civil Engineering Associates, LLC

Ronald H. Sutton, Jr.

Ronald H. Sutton, Jr., P.E.
Managing Principal

CIVIL ENGINEERING ASSOCIATES
● ENGINEERS ● SURVEYORS ● CONSTRUCTION SERVICES

55 West Main Street
Middletown, DE 19709

cea-de.com

Phone: 302-376-8833
Fax: 302-376-8834

March 27, 2026

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

RE: Performance Request for Grading Unit Variance
118 Galaxy Drive
Dover, DE 19901
CEA Project No.: P25031A

Mrs. Melson-Williams:

On behalf of our client, RAH Realty, LLC, we are hereby submitted a Performance Standard Review Application as a supplement to the Application for Site Development Plan Approval for the above-referenced project. This is submitted for consideration at the May 18, 2026 Planning Commission meeting. This project proposes the construction of three (3) 9,900 s.f. storage warehouses (total gross floor area 29,700 s.f.) with associated parkings, accessways, utilities, and stormwater management. The buildings are not intended for manufacturing processes and therefore, the majority of the following standards are not applicable. Per your request, responses to the Performance Standards for the structure is provided below.

Buildings

Section 8.51 - Fire and Explosion hazards: The proposed buildings are under the threshold to require fire sprinklers and thus will not be sprinklered in accordance with the Delaware State Fire Prevention Regulations. The buildings will not contain any hazardous or explosive materials, nor will there be any fuel storage on the site.

Section 8.52 - Radioactivity or Electromagnetic Disturbance: Not Applicable. The proposed buildings will not contain nor produce radioactivity or electromagnetic disturbance.

Section 8.53 - Noise: Not Applicable - The proposed buildings will not generate any noise beyond that which is consistent with a construction company office and maintenance garage.

Section 8.54 - Vibration: Not Applicable - The proposed buildings will not generate any vibrations.

Section 8.55 - Smoke: Not Applicable - The proposed buildings are not intended for manufacturing and will not generate smoke as part of their operation.

Section 8.56 – Odors: Not Applicable - The proposed buildings will not generate odorous gases or other offensive odorous matter.

Section 8.57 – Fly Ash, Dust, Fumes, Gases, and other forms of Air Pollution: Not Applicable - The proposed building will not generate any of the aforementioned forms of air pollution.

Section 8.58 - Glare: The proposed lighting for the building and parking areas will meet City of Dover lighting requirements.

Section 8.59 – Liquid or Solid Wastes: No liquid or solid wastes will be discharged to the public sewer other than normal sanitary sewage from restrooms within the building.

Section 8.60 – Traffic Congestion: The proposed site will take access from Galaxy Drive, which is a DelDOT maintained roadway. The total site trips for the project do not meet DelDOT's threshold for a Traffic Impact Study. As the warehouses are to be used for contractor storage only, the only trips to the site will be that of those storing their materials/supplies.

We believe this addresses the requirements for the Performance Standard Review Application. Please attach this application to our Application for Site Development Plan Approval scheduled for review by the Planning Commission. If you have any questions or require any additional information, please do not hesitate to contact me at 302-547-2444.

Sincerely,
Civil Engineering Associates

Ronald H. Sutton, Jr., P.E.

Ronald H. Sutton, Jr., P.E.
Managing Principal

N/F
KENT COUNTY LEVY COURT
T.P. 2-05-08700-01-0712
555 BAY ROAD
DOVER, DE 19901
P.B. 21, PG. 00016
ZONING: IPM

N/F
KENT COUNTY
T.P. 2-05-08700-01-0722
555 BAY ROAD
DOVER, DE 19901
P.B. 21, PG. 00016
ZONING: IPM

N/F
AERO PARK LLC
T.P. 2-05-08700-01-0723
1 RIVER PLACE, SUITE 114
WILMINGTON, DE 19801
P.B. 21 PG. 00016
ZONING: IPM

N/F
BRANDYWINE VALLEY SPCA, INC.
T.P. 2-05-08700-01-0300
1212 PHOENIXVILLE PIKE
WEST CHESTER, PA 19380
D.B. 9118, PG. 108
ZONING: IPM

N/F
INDEPENDENT NEWSPAPER, INC.
T.P. 2-05-08700-01-0714
110 GALAXY DRIVE
DOVER, DE 19901
D.B. 619, PG. 163
ZONING: IPM

S 72°10'35" E 251.60'
40.00'
60.00'
EXISTING GRAVEL DRIVE
EXISTING WOODS LINE (TYP.)
PROPOSED MONUMENT SIGN
GALAXY DRIVE (60' ROW)
R381.33'
R310.00'
IPF
EXISTING WETLANDS (1.40 AC±)
100.00'
N 08°00'43" W 486.10'
EXISTING 20' WIDE ACCESS & UTILITY EASEMENT (2,500 S.F. ±, P.B. 12787, P. 225)
EXISTING TREE (TYP.) (TO REMAIN)
EXISTING TOWER EASEMENT (2,500 S.F. ±, P.B. 12787, P. 225)
PROPOSED BICYCLE PARKING (3 SPACES)
PROPOSED 50' WIDE RIPARIAN BUFFER
165.4'
S 06°29'49" W 203.49'
ELECTRIC BOXES
BUILDING #1 (9,900 S.F.)
18' X 153' LOADING AREA
PROPOSED WOODS LINES (TYP.)
PROPOSED CURB CUT (TYP.)
PROPOSED STORMWATER MANAGEMENT AREA (DRY EXTENDED DETENTION BASIN)
50 ' WIDE STORM DRAINAGE EASEMENT
223.2'
N 00°08'33" E 88.83'
BUILDING #2 (9,900 S.F.)
194.0'
PROPOSED DUMPSTER AREA WITH SCREENING
S 27°14'01" W 399.16'
(2) - 3' DOORS x 1.5 = 9' 10' SPACES REQUIRED FOR ENTRANCES (TYP.)
BUILDING #3 (9,900 S.F.)
HORSE POND ROAD (ROW VARIES)
R 28°39.79'
DEPRESSED PCC CURB TYPE 1-6 (TYP.)
PCC CURB TYPE 1-6 (TYP.)
PROJECT BENCHMARK
IRON PIN FOUND
N: 415330.76
E: 640175.57
EL.: 22.40

1 1/2" TYPE "C" HOT MIX
2 1/2" TYPE "B" HOT MIX
8" GABC
SN=3.62
PARKING LOT

NOTE: ALL PARKING AND ACCESS DRIVES SHALL UTILIZE THIS PAVEMENT SECTION.

TYPICAL PAVEMENT SECTIONS
NTS

GRAPHIC SCALE
0' 40' 80' 120'
SCALE: 1" = 40'

REVISIONS

REVISION	DATE	DESCRIPTION
1	5/7/26	REVISED PER DAC MEETING ON 5/6/26

DATE

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CIVIL ENGINEERING ASSOCIATES, LLC
• ENGINEERING • SURVEYING • CONSTRUCTION SERVICES
55 W. MAIN STREET
MIDDLETOWN, DE 19709
PHONE (302) 376-8833
FAX (302) 376-8834
WWW.CEA-DE.COM

SITE PLAN
FOR
LOT 13
KENT COUNTY INDUSTRIAL PARK
118 GALAXY DRIVE
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

DATE: MARCH 31, 2026
DESIGNED BY: RT
APPROVED BY: RHS
FILE: P25031-SITE_PLAN_PRELIM.DWG
SHEET NO.: C-1



EXAMPLE DUMPSTER DETAIL

TREE DENSITY CALCULATIONS	
TOTAL LOT AREA:	6.45 AC.
TOTAL AREA OF WOODLANDS ON SITE:	3.11 AC.
TOTAL AREA OF WOODLANDS TO BE PRESERVED (MUST BE >= 50%):	2.76 AC. (89%)
NON-WOODLAND AREA (SITE AREA MINUS AREA OF PRESERVED WOODLAND):	3.69 AC.
NEW TREE PLANTINGS REQUIRED (@ 1 TREE PER 3,000 S.F. OF NON-WOODLAND AREA ON SITE):	3.69 AC. x 43,560 S.F. = 160,736.40 S.F. 160,736.40 S.F. / 3,000.00 S.F. = 53.58
TREE PLANTINGS PROPOSED:	54 TREES

SITE DATA:

1. OWNER/ APPLICANT: RAH REALTY, LLC
   4369 DUPONT PARKWAY
   TOWNSEND, DE 19734
   CONTACT: RICK HESS
   PHONE: (302) 293-9352
   EMAIL: RICK.HESS@TRISTATEUG.COM
2. ENGINEER: CIVIL ENGINEERING ASSOCIATES
   55 WEST MAIN STREET
   MIDDLETOWN, DE 19709
   CONTACT: RONALD H. SUTTON, JR.
   PHONE: (302) 376-8833
   EMAIL: RON@CEA-DE.COM
3. TAX PARCEL #: 2-05-087.00-01-07.13-00001
4. SITE ADDRESSES: 118 GALAXY DRIVE
   DOVER, DE 19901
5. SOURCE OF TITLE: D.B. 13525, P. 166
   P.B. 21, P. 16
6. SITE AREA: EXISTING: 280,910.80 S.F. (6.45 AC. ±)

   PROPOSED:

TOTAL GFA:	29,700.00 S.F.± (0.68 AC.±)
STORMWATER:	17,853.08 S.F.± (0.41 AC.±)
ROAD/PARKING:	44,303.43 S.F.± (1.02 AC.±)
REMAINING AREA:	189,054.29 S.F.± (4.34 AC.±)
TOTAL AREA:	280,910.80 S.F.± (6.45 AC.±)

7. PRESENT USE: AGRICULTURAL
8. PROPOSED USE: STORAGE WAREHOUSES
9. ZONING: IPM - INDUSTRIAL PARK MANUFACTURING
10. SETBACKS:

	SINGLE
MINIMUM LOT AREA:	60,000 S.F.
MINIMUM LOT WIDTH:	150 FEET
MINIMUM LOT DEPTH:	250 FEET
STREET YARD:	60 FEET
SIDE YARD:	40 FEET
REAR YARD:	40 FEET/100 FEET*
MAXIMUM BUILDING HEIGHT:	2 STORIES/35 FEET
FLOOR AREA RATIO:	0.5

   *THE REAR YARD SETBACK SHALL BE 100 FEET WHEN ADJOINING A RESIDENTIAL ZONE.
11. WETLANDS: A WETLAND DELINEATION STUDY WAS CONDUCTED FOR THIS SITE BY WATERSHED ECO. LLC IN JULY 2025. WETLANDS WERE FOUND TO EXIST AND COMPRISE OF 1.40 AC.±. NO WETLANDS EXIST WITHIN THE LOD AREA.
12. FLOODPLAIN: PER F.E.M.A. FIRM MAP 10001C0188J, REVISED JULY 7, 2014, THE ENTIRE PARCEL LIES IN ZONE X, AREA OF MINIMAL FLOOD HAZARD.
13. SURVEY REFERENCE: HORIZONTAL DATUM - NAD83
    VERTICAL DATUM - NAVD 88
14. SURVEY: THIS PLAN REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED BY CIVIL ENGINEERING ASSOCIATES IN MARCH 2025.

N/F
KENT COUNTY
T.P. 2-05-08700-01-0722
555 BAY ROAD
DOVER, DE 19901
P.B. 21, PG. 00016
ZONING: IPM

EXISTING GRAVEL DRIVE

PROPOSED MONUMENT SIGN

N/F
AERO PARK LLC
T.P. 2-05-08700-01-0723
1 RIVER PLACE, SUITE 114
WILMINGTON, DE 19801
P.B. 21 PG. 00016
ZONING: IPM

GALAXY DRIVE (60' ROW)

VERIZON BOX

EXISTING 20' WIDE ACCESS & UTILITY EASEMENT (2,500 S.F. ±, P.B. 12787, P. 225)

EXISTING TOWER EASEMENT (2,500 S.F. ±, P.B. 12787, P. 225)

EXISTING WETLANDS (1.40 AC±)

N/F
BRANDYWINE VALLEY SPCA, INC.
T.P. 2-05-08700-01-0300
1212 PHOENIXVILLE PIKE
WEST CHESTER, PA 19380
D.B. 9118, PG. 108
ZONING: IPM

PROPOSED 50' WIDE RIPARIAN BUFFER

EXISTING WOODS LINE (TYP.)

PROPOSED WOODS LINES (TYP.)

BUILDING #1 (9,900 S.F.)

BUILDING #2 (9,900 S.F.)

BUILDING #3 (9,900 S.F.)

PROPOSED STORMWATER MANAGEMENT AREA (DRY EXTENDED DETENTION BASIN)

50 ' WIDE STORM DRAINAGE EASEMENT

N/F
INDEPENDENT NEWSPAPER, INC.
T.P. 2-05-08700-01-0714
110 GALAXY DRIVE
DOVER, DE 19901
D.B. 619, PG. 163
ZONING: IPM

PROPOSED DUMPSTER AREA WITH SCREENING

PROPOSED DUMPSTER AREA WITH SCREENING

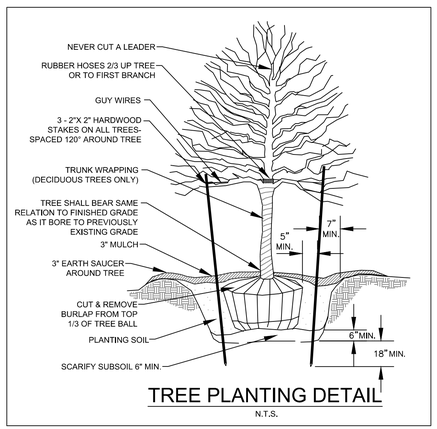
HORSE POND ROAD (ROW VARIES)

PROJECT BENCHMARK
IRON PIN FOUND
N: 415330.76
E: 640175.57
EL.: 22.40

PLANTING SCHEDULE

KEY	QTY.	COMMON NAME	BOTANICAL NAME	CALIPER	HEIGHT	ROOT
SHADE TREES						
QA	18	Quercus Alba	White Oak	2 - 1/2"	12'	B&B
AR	18	Acer Rubrum	Red Maple	2 - 1/2"	12'	B&B
QP	18	Quercus Palustris	Pin Oak	2 - 1/2"	12'	B&B
TOTAL	54					

NOTE: ALL TREES SHALL HAVE A ONE YEAR REPLACEMENT GUARANTEE.



TREE PLANTING DETAIL
N.T.S.

GRAPHIC SCALE
0' 40' 80' 120'
SCALE: 1" = 40'

REVISIONS

REVISION	DATE	DESCRIPTION
1	5/7/26	REVISED PER DAC MEETING ON 5/6/26

DATE

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• ENGINEERING • SURVEYING • CONSTRUCTION SERVICES
55 W. MAIN STREET
MIDDLETOWN, DE 19709
PHONE (302) 376-8833
FAX (302) 376-8834
WWW.CEA-DE.COM

LANDSCAPE PLAN
FOR
LOT 13
KENT COUNTY INDUSTRIAL PARK
118 GALAXY DRIVE
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

DATE: MARCH 31, 2026

DESIGNED BY:	APPROVED BY:
RT	RHS

FILE: P25031-LANDSCAPE_PRELIM.DWG

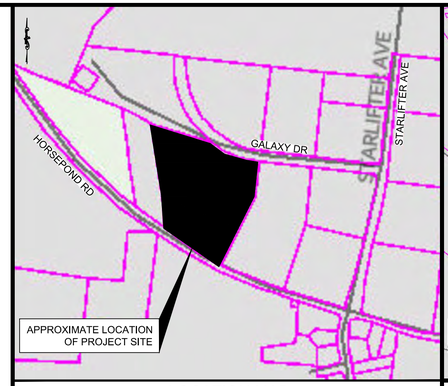
SHEET NO.: **L-1**

PRELIMINARY SITE PLAN

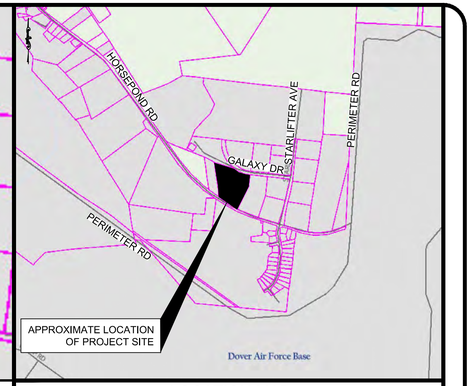
FOR

118 GALAXY DRIVE

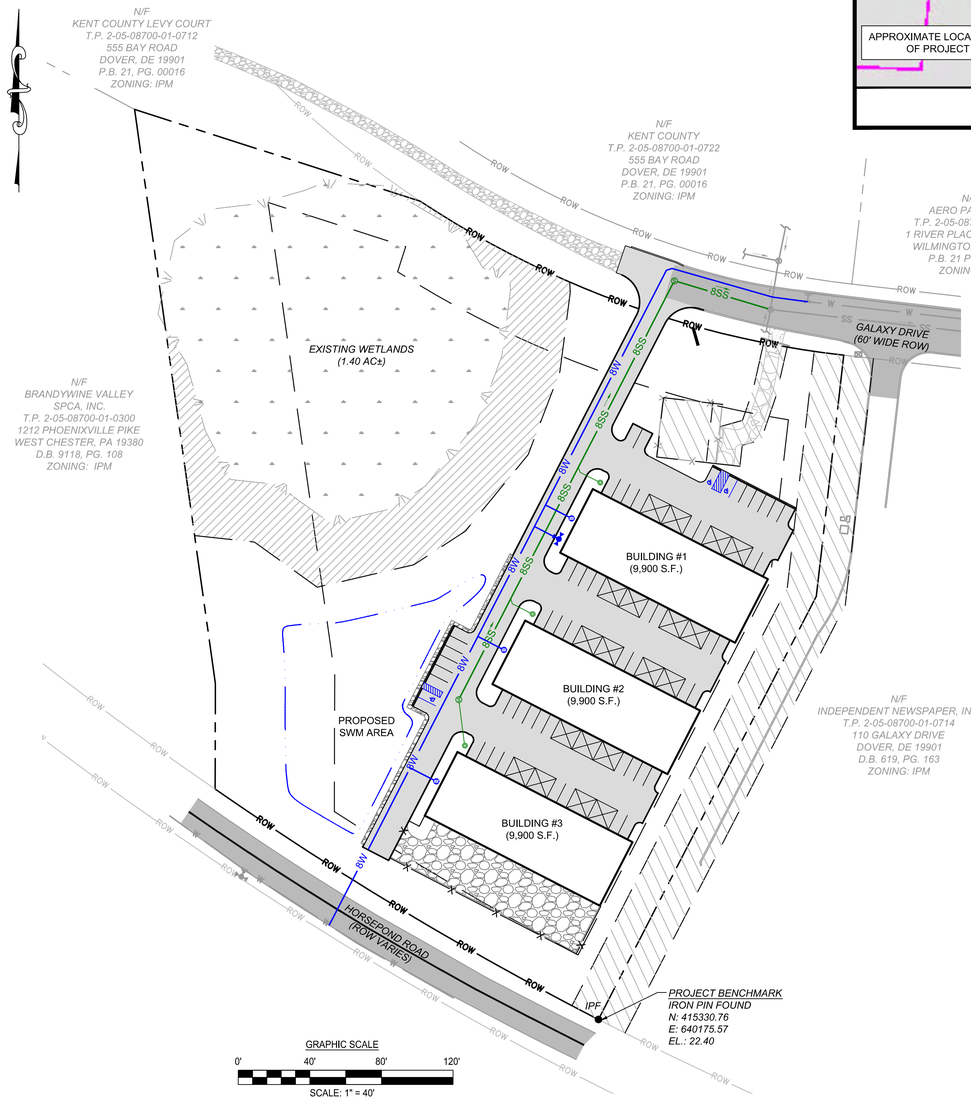
CITY OF DOVER
EAST DOVER HUNDERED
KENT COUNTY, DELAWARE



LOCATION MAP
SCALE: 1" = 400'



LOCATION MAP
SCALE: 1" = 1,200'



LEGEND

- EXISTING ADJACENT PROPERTY LINE
- PROPERTY LINE
- RIGHT-OF-WAY
- BUILDING SETBACK LINE
- EXISTING CONTOURS (25)
- PROPOSED CONTOURS (25)
- EXISTING WATER LINE (W)
- PROPOSED WATER LINE (W)
- EXISTING SEWER LINE (SS)
- PROPOSED SEWER LINE (8SS)
- EXISTING STORMDRAIN (SD)
- PROPOSED STORMDRAIN (SD)
- LIMIT OF DISTURBANCE (LOD)
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING WOODS LINE
- PROPOSED WOODS LINE
- EXISTING PAVED AREA
- PROPOSED PAVED AREA
- EXISTING GRAVEL
- PROPOSED GRAVEL
- EXISTING EASEMENT
- EXISTING WETLANDS
- EXISTING CATCH BASIN
- PROPOSED CATCH BASIN
- PROPOSED STORMDRAIN MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED SEWER CLEANOUT
- EXISTING FIRE HYDRANT
- IRON PIN FOUND (2) (IPF)

PURPOSE:
THE PURPOSE OF THIS PLAN IS TO CONSTRUCT THREE (3) STORAGE WAREHOUSES (TOTAL GFA = 29,700 S.F.), ACCESSWAYS, PARKING AREAS, UTILITIES, AND STORMWATER MANAGEMENT FOR TAX PARCEL 2-05-087.00-01-07.13-00001.

SITE DATA:

1. OWNER/ APPLICANT: RAH REALTY, LLC
   4369 DUPONT PARKWAY
   TOWNSEND, DE 19734
   CONTACT: RICK HESS
   PHONE: (302) 293-9352
   EMAIL: RICK.HESS@TRISTATEUG.COM
2. ENGINEER: CIVIL ENGINEERING ASSOCIATES
   55 WEST MAIN STREET
   MIDDLETOWN, DE 19709
   CONTACT: RONALD H. SUTTON, JR.
   PHONE: (302) 376-8833
   EMAIL: RON@CEA-DE.COM
3. TAX PARCEL #: 2-05-087.00-01-07.13-00001
4. SITE ADDRESSES: 118 GALAXY DRIVE
   DOVER, DE 19901
5. SOURCE OF TITLE: D.B. 13525, P. 166
   P.B. 21, P. 16
6. SITE AREA: EXISTING: 280,910.80 S.F. (6.45 AC. ±)

   PROPOSED:

TOTAL GFA:	29,700.00 S.F.± (0.68 AC.±)
STORMWATER:	17,853.08 S.F.± (0.41 AC.±)
ROAD/PARKING:	44,303.43 S.F.± (1.02 AC.±)
REMAINING AREA:	189,054.29 S.F.± (4.34 AC.±)
TOTAL AREA:	280,910.80 S.F.± (6.45 AC.±)

7. PRESENT USE: AGRICULTURAL/VACANT
8. PROPOSED USE: STORAGE WAREHOUSES
9. ZONING: IPM - INDUSTRIAL PARK MANUFACTURING
10. SETBACKS:

	SINGLE
MINIMUM LOT AREA:	60,000 S.F.
MINIMUM LOT WIDTH:	150 FEET
MINIMUM LOT DEPTH:	250 FEET
STREET YARD:	60 FEET
SIDE YARD:	40 FEET
REAR YARD:	40 FEET/100 FEET*
MAXIMUM BUILDING HEIGHT:	2 STORIES/35 FEET
FLOOR AREA RATIO:	0.5

   *THE REAR YARD SETBACK SHALL BE 100 FEET WHEN ADJOINING A RESIDENTIAL ZONE.
11. WETLANDS: A WETLAND DELINEATION STUDY WAS CONDUCTED FOR THIS SITE BY WATERSHED ECO. LLC IN JULY 2025. WETLANDS WERE FOUND TO EXIST AND COMPRISE OF 1.40 AC.±. NO WETLANDS EXIST WITHIN THE LOD AREA.
12. FLOODPLAIN: PER F.E.M.A. FIRM MAP 10001C0188J, REVISED JULY 7, 2014, THE ENTIRE PARCEL LIES IN ZONE X, AREA OF MINIMAL FLOOD HAZARD.
13. SURVEY REFERENCE: HORIZONTAL DATUM - NAD83
    VERTICAL DATUM - NAVD 88
14. SANITARY SEWER: CITY OF DOVER
15. DESIGN FLOW RATE: 0.10 GPD PER SQUARE FOOT
    AVERAGE DAILY FLOW: (5)(300 GPD) = 1,500 GPD
    PEAK FLOW: (4)(1,500 GPD) = 6,000 GPD
16. WATER SUPPLY: CITY OF DOVER
17. SURVEY: THIS PLAN REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED BY CIVIL ENGINEERING ASSOCIATES IN MARCH 2025.
18. OFF STREET PARKING: REQUIRED: 1.5 SPACES PER 800 S.F. OF FLOOR AREA
    29,700 S.F. / 800 S.F. = 37.13 x 1.5 = 55.69 = 56 SPACES
    PROVIDED: 60 SPACES (INCLUDING 3 HANDICAP SPACES, 2 VAN ACCESSIBLE)

OWNER'S CERTIFICATION:

I, RICK HESS, CERTIFY THAT RAH REALTY, LLC IS THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE — DATE: 3/31/26

PROFESSIONAL ENGINEER CERTIFICATION:

I, RONALD H. SUTTON, JR., CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE — DATE: 3-31-26

INDEX OF DRAWINGS

SHEET NUMBER	SHEET TITLE
T-1	COVER SHEET
EX-1	EXISTING CONDITIONS PLAN
C-1	SITE PLAN
G-1	GRADING PLAN
U-1	UTILITY PLAN
L-1	LANDSCAPE PLAN
LT-1 - LT-2	LIGHTING PLAN
A-1	CONCEPTUAL ARCHITECTURAL ELEVATION

REVISIONS

REVISION	DATE	DESCRIPTION

CIVIL ENGINEERING ASSOCIATES, LLC
• ENGINEERING • SURVEYING • CONSTRUCTION SERVICES
55 W. MAIN STREET
MIDDLETOWN, DE 19709
PHONE (302) 376-8833
FAX (302) 376-8834
WWW.CEA-DE.COM

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COVER SHEET
FOR
LOT 13
KENT COUNTY INDUSTRIAL PARK
118 GALAXY DRIVE
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

DATE: MARCH 31, 2026
DESIGNED BY: RT
APPROVED BY: RHS
FILE: P25031-COVER_PRELIM.DWG
SHEET NO.: **T-1**

N/F
KENT COUNTY LEVY COURT
T.P. 2-05-08700-01-0712
555 BAY ROAD
DOVER, DE 19901
P.B. 21, PG. 00016
ZONING: IPM

N/F
KENT COUNTY
T.P. 2-05-08700-01-0722
555 BAY ROAD
DOVER, DE 19901
P.B. 21, PG. 00016
ZONING: IPM

N/F
AERO PARK LLC
T.P. 2-05-08700-01-0723
1 RIVER PLACE, SUITE 114
WILMINGTON, DE 19801
P.B. 21 PG. 00016
ZONING: IPM

N/F
BRANDYWINE VALLEY SPCA, INC.
T.P. 2-05-08700-01-0300
1212 PHOENIXVILLE PIKE
WEST CHESTER, PA 19380
D.B. 9118, PG. 108
ZONING: IPM

N/F
INDEPENDENT NEWSPAPER, INC.
T.P. 2-05-08700-01-0714
110 GALAXY DRIVE
DOVER, DE 19901
D.B. 619, PG. 163
ZONING: IPM

S 72°10'35" E 251.60'
N 08°00'43" W 486.10'
N 00°06'33" E 88.63'
S 06°29'49" W 203.49'
S 27°14'01" W 399.16'
A=381.33'
R=910.00'
A=378.27'
R=1289.79'
100.00'
40.00'
60.00'

EXISTING GRAVEL DRIVE
EXISTING WETLANDS (1.40 AC±)
EXISTING TOWER EASEMENT (2,500 S.F. ±, P.B. 12787, P. 225)
50 ' WIDE STORM DRAINAGE EASEMENT
EXISTING 20' WIDE ACCESS & UTILITY EASEMENT (2,500 S.F. ±, P.B. 12787, P. 225)
ELECTRIC BOXES
VERIZON BOX
GALAXY DRIVE (60' ROW)
HORSE POND ROAD (ROW VARIES)

EX. SAN MH
RIM = 25.30
INV IN = 13.83 (WEST)
INV IN = 14.21 (NORTH)
INV OUT = 13.81 (SOUTH)

EX. SAN MH
RIM = 25.62
INV IN = 13.55 (NORTH)
INV IN = 13.88 (SOUTH)
INV OUT = 13.36 (EAST)

12" RCP
INV. = 24.73

12" RCP
INV. = 24.78

EX. SAN MH
RIM = 23.83
INV IN = 12.44 (WEST)
INV IN = 12.46 (SOUTH)
INV IN = 12.59 (NORTH)
INV OUT = 12.33 (EAST)

PROJECT BENCHMARK
IRON PIN FOUND
N: 415330.76
E: 640175.57
EL.: 22.40

IPF

GRAPHIC SCALE
0' 40' 80' 120'
SCALE: 1" = 40'

REVISIONS

REVISION	DATE	DESCRIPTION

DATE

CIVIL ENGINEERING ASSOCIATES, LLC
• ENGINEERING • SURVEYING • CONSTRUCTION SERVICES
55 W. MAIN STREET
MIDDLETOWN, DE 19709
PHONE (302) 376-8833
FAX (302) 376-8834
WWW.CEA-DE.COM

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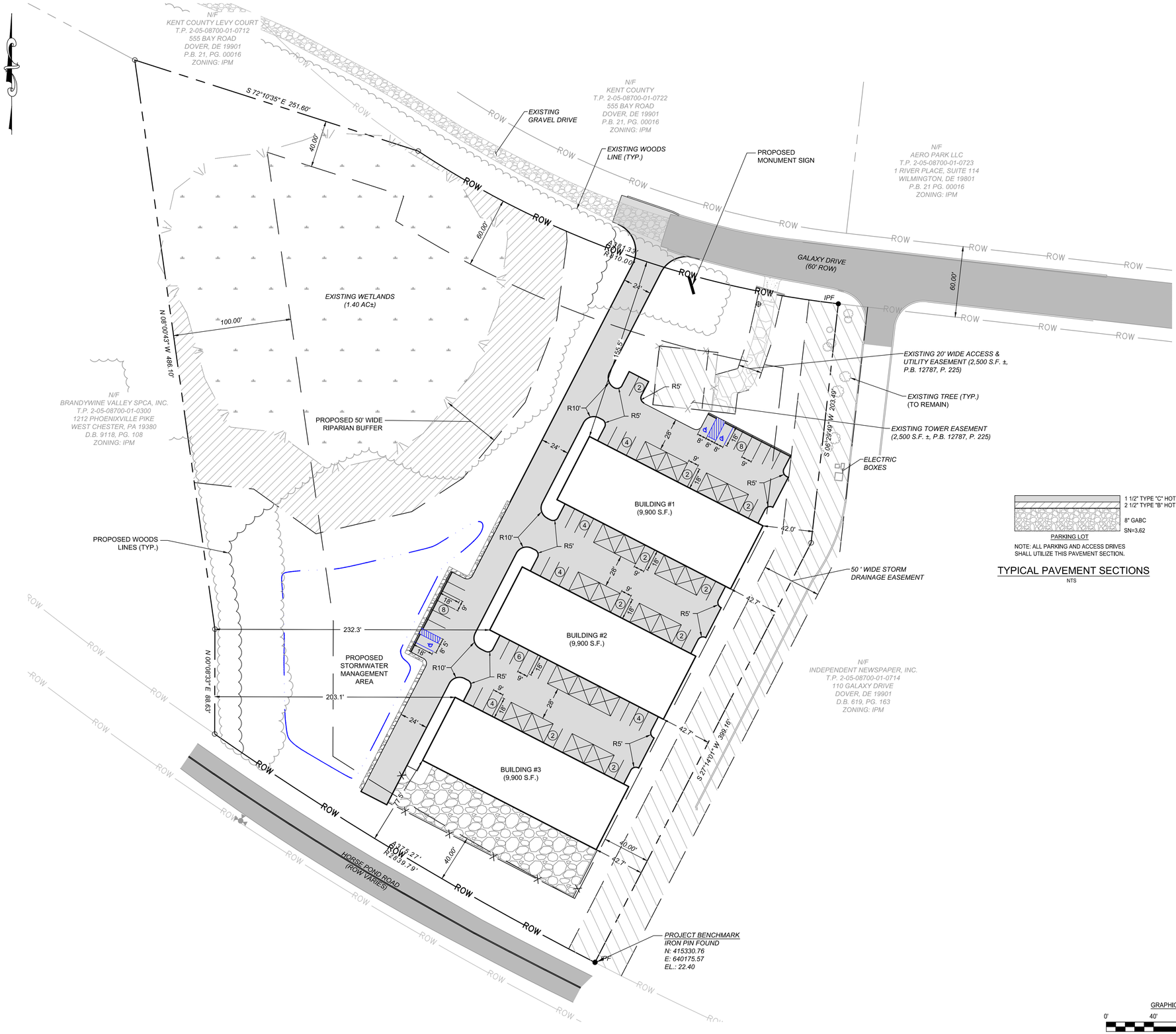
EXISTING CONDITIONS PLAN
FOR
LOT 13
KENT COUNTY INDUSTRIAL PARK
118 GALAXY DRIVE
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

DATE: MARCH 31, 2026

DESIGNED BY:	APPROVED BY:
RT	RHS

FILE: P25031-EX.COND_PRELIM.DWG

SHEET NO.: **EX-1**



1 1/2" TYPE "C" HOT MIX
2 1/2" TYPE "B" HOT MIX
8" GABC
SN=3.62

PARKING LOT

NOTE: ALL PARKING AND ACCESS DRIVES SHALL UTILIZE THIS PAVEMENT SECTION.

TYPICAL PAVEMENT SECTIONS

NTS

GRAPHIC SCALE

0' 40' 80' 120'

SCALE: 1" = 40'

DATE

REVISIONS

REVISION	DATE	DESCRIPTION

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• ENGINEERING • SURVEYING • CONSTRUCTION SERVICES
55 W. MAIN STREET
MIDDLETOWN, DE 19709
PHONE (302) 376-8833
FAX (302) 376-8834
WWW.CEA-DE.COM

SITE PLAN
FOR
LOT 13
KENT COUNTY INDUSTRIAL PARK
118 GALAXY DRIVE
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

DATE: MARCH 31, 2026

DESIGNED BY: RT

APPROVED BY: RHS

FILE: P25031-SITE_PLAN_PRELIM.DWG

SHEET NO.: C-1



STRUCTURE TABLE							
CATCH BASIN	TG/RIM ELEV.	INVERT IN	INVERT IN	INVERT OUT	BOX SIZE	TOP UNIT	FRAME/ GRATE
A-1	24,26	-	-	22,50	34"X24"	TYPE B	TYPE 1
A-2	24,26	22.47	-	22.47	34"X24"	TYPE B	TYPE 1
A-3	25,21	22.38	23.25	22.38	34"X24"	TYPE B	TYPE 1
A-4	26,70	22.25	24.89	22.25	34"X24"	TYPE B	TYPE 1
A-5	25.53	23.42	-	23.42	34"X24"	TYPE A	TYPE 1
A-6	25.53	-	-	23.77	34"X24"	TYPE A	TYPE 1
A-7	26.70	24.96	-	24.96	34"X24"	TYPE B	TYPE 1
A-8	27.20	25.10	-	25.10	34"X24"	TYPE A	TYPE 1
A-9	27.20	-	-	25.45	34"X24"	TYPE A	TYPE 1
A-10	26.17	22.04	24.28	22.04	48"X48" MH	-	-
A-11	26.59	24.49	-	24.49	34"X24"	TYPE A	TYPE 1
A-12	26.59	-	-	24.84	34"X24"	TYPE A	TYPE 1
FES A	-	-	-	22.00	-	-	-

PIPE SCHEDULE						
PIPE	INVERT IN	INVERT OUT	LENGTH (LF)	SIZE (IN)	SLOPE (FT/FT)	TYPE
P-A-1	22,50	22.47	22	15	0.0014	ADS-N12 ST
P-A-2	22.47	22.38	62	15	0.0015	ADS-N12 ST
P-A-3	22.38	22.25	96	15	0.0013	ADS-N12 ST
P-A-4	22.25	22.04	153	24	0.0014	ADS-N12 ST
P-A-5	23,42	23.25	54	15	0.0031	ADS-N12 ST
P-A-6	23,77	23,42	111	15	0.0032	ADS-N12 ST
P-A-7	24,96	24,89	22	15	0.0032	ADS-N12 ST
P-A-8	25,10	24,96	43	15	0.0033	ADS-N12 ST
P-A-9	25,45	25,10	111	15	0.0032	ADS-N12 ST
P-A-10	22,04	22,00	25	24	0.0016	ADS-N12 ST
P-A-11	24,49	24,28	67	15	0.0032	ADS-N12 ST
P-A-12	24,84	24,49	111	15	0.0032	ADS-N12 ST

GRAPHIC SCALE
0' 40' 80' 120'
SCALE: 1" = 40'

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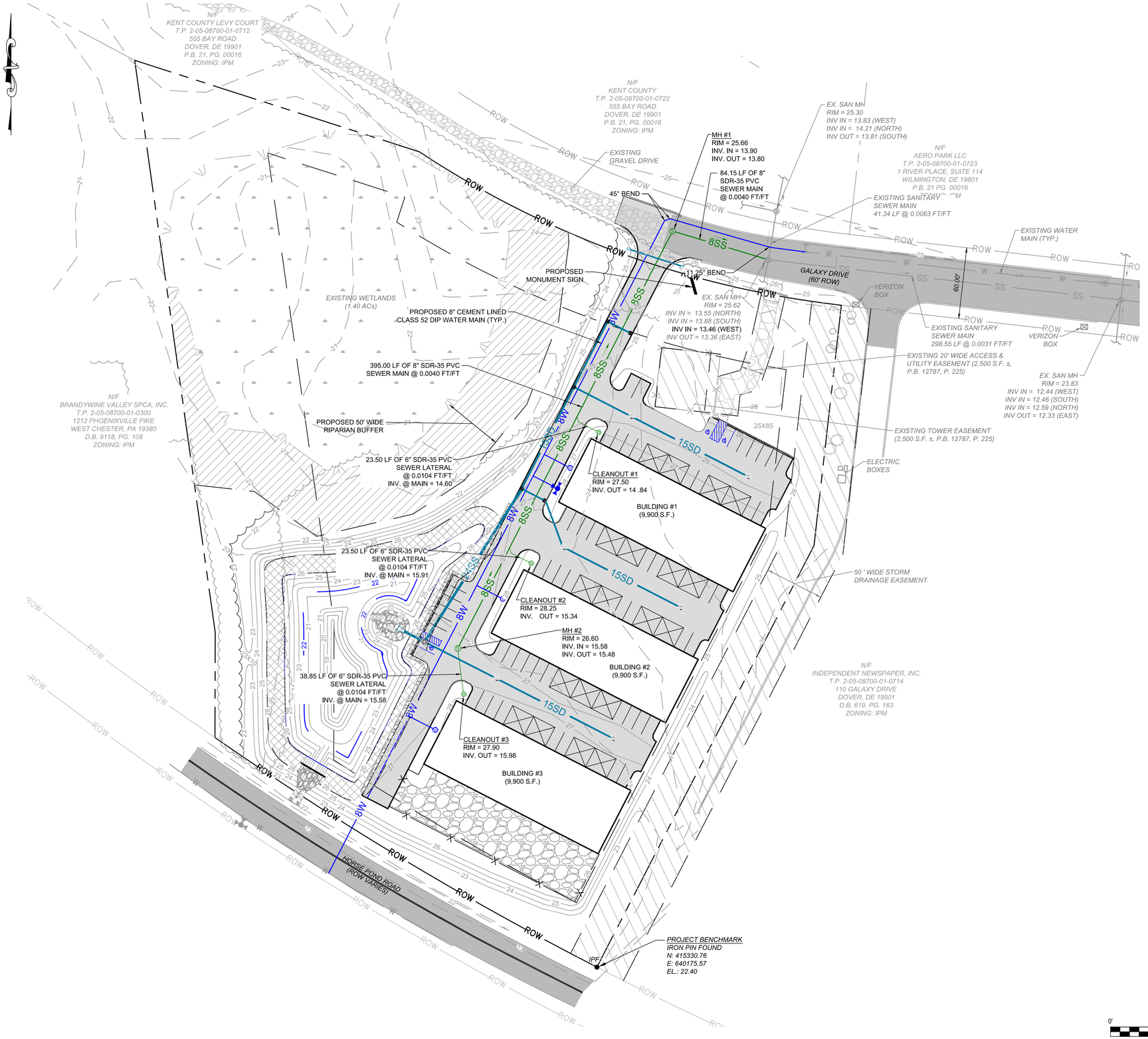
GRADING PLAN
FOR
LOT 13
KENT COUNTY INDUSTRIAL PARK
118 GALAXY DRIVE
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

DATE: MARCH 31, 2026

DESIGNED BY: RT | APPROVED BY: RHS

FILE: P25031-GRADING_PRELIM.DWG

SHEET NO.: G-1



REVISIONS

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UTILITY PLAN
FOR
LOT 13
KENT COUNTY INDUSTRIAL PARK
118 GALAXY DRIVE
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

DATE: MARCH 31, 2026

DESIGNED BY: RT

APPROVED BY: RHS

FILE: P25031-UTILITY_PLAN_PRELIM.DWG

SHEET NO.: U-1



TREE DENSITY CALCULATIONS	
TOTAL LOT AREA:	6.45 AC.
TOTAL AREA OF WOODLANDS ON SITE:	3.11 AC.
TOTAL AREA OF WOODLANDS TO BE PRESERVED (MUST BE >= 50%):	2.76 AC. (89%)
NON-WOODLAND AREA (SITE AREA MINUS AREA OF PRESEREVED WOODLAND):	3.69 AC.
NEW TREE PLANTINGS REQUIRED (@ 1 TREE PER 3,000 S.F. OF NON-WOODLAND AREA ON SITE):	3.69 AC. x 43,560 S.F. = 160,736.40 S.F. 160,736.40 S.F. / 3,000.00 S.F. = 53.58
TREE PLANTINGS PROPOSED:	54 TREES

SITE DATA:

1. OWNER/ APPLICANT: RAH REALTY, LLC
   4369 DUPONT PARKWAY
   TOWNSEND, DE 19734
   CONTACT: RICK HESS
   PHONE: (302) 293-9352
   EMAIL: RICK.HESS@TRISTATEUG.COM
2. ENGINEER: CIVIL ENGINEERING ASSOCIATES
   55 WEST MAIN STREET
   MIDDLETOWN, DE 19709
   CONTACT: RONALD H. SUTTON, JR.
   PHONE: (302) 376-8833
   EMAIL: RON@CEA-DE.COM
3. TAX PARCEL #: 2-05-087.00-01-07.13-00001
4. SITE ADDRESSES: 118 GALAXY DRIVE
   DOVER, DE 19901
5. SOURCE OF TITLE: D.B. 13525, P. 166
   P.B. 21, P. 16
6. SITE AREA: EXISTING: 280,910.80 S.F. (6.45 AC. ±)

   PROPOSED:

TOTAL GFA:	29,700.00 S.F.± (0.68 AC.±)
STORMWATER:	17,853.08 S.F.± (0.41 AC.±)
ROAD/PARKING:	44,303.43 S.F.± (1.02 AC.±)
REMAINING AREA:	189,054.29 S.F.± (4.34 AC.±)
TOTAL AREA:	280,910.80 S.F.± (6.45 AC.±)

7. PRESENT USE: AGRICULTURAL
8. PROPOSED USE: STORAGE WAREHOUSES
9. ZONING: IPM - INDUSTRIAL PARK MANUFACTURING
10. SETBACKS:

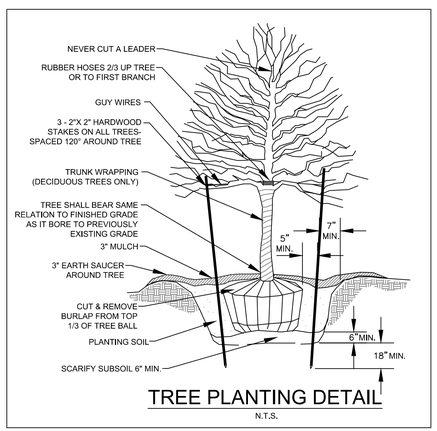
	SINGLE
MINIMUM LOT AREA:	60,000 S.F.
MINIMUM LOT WIDTH:	150 FEET
MINIMUM LOT DEPTH:	250 FEET
STREET YARD:	60 FEET
SIDE YARD:	40 FEET
REAR YARD:	40 FEET/100 FEET*
MAXIMUM BUILDING HEIGHT:	2 STORIES/35 FEET
FLOOR AREA RATIO:	0.5

   *THE REAR YARD SETBACK SHALL BE 100 FEET WHEN ADJOINING A RESIDENTIAL ZONE.
11. WETLANDS: A WETLAND DELINEATION STUDY WAS CONDUCTED FOR THIS SITE BY WATERSHED ECO. LLC IN JULY 2025. WETLANDS WERE FOUND TO EXIST AND COMPRISE OF 1.40 AC.±. NO WETLANDS EXIST WITHIN THE LOD AREA.
12. FLOODPLAIN: PER F.E.M.A. FIRM MAP 10001C0188J, REVISED JULY 7, 2014, THE ENTIRE PARCEL LIES IN ZONE X, AREA OF MINIMAL FLOOD HAZARD.
13. SURVEY REFERENCE: HORIZONTAL DATUM - NAD83
    VERTICAL DATUM - NAVD 88
14. SURVEY: THIS PLAN REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED BY CIVIL ENGINEERING ASSOCIATES IN MARCH 2025.

PLANTING SCHEDULE

KEY	QTY.	COMMON NAME	BOTANICAL NAME	CALIPER	HEIGHT	ROOT
SHADE TREES						
QA	18	Quercus Alba	White Oak	2 - 1/2"	12'	B&B
AR	18	Acer Rubrum	Red Maple	2 - 1/2"	12'	B&B
QP	18	Quercus Palustris	Pin Oak	2 - 1/2"	12'	B&B
TOTAL	54					

NOTE: ALL TREES SHALL HAVE A ONE YEAR REPLACEMENT GUARANTEE.



TREE PLANTING DETAIL
N.T.S.

GRAPHIC SCALE
0' 40' 80' 120'
SCALE: 1" = 40'

REVISIONS

REVISION	DATE	DESCRIPTION

DATE

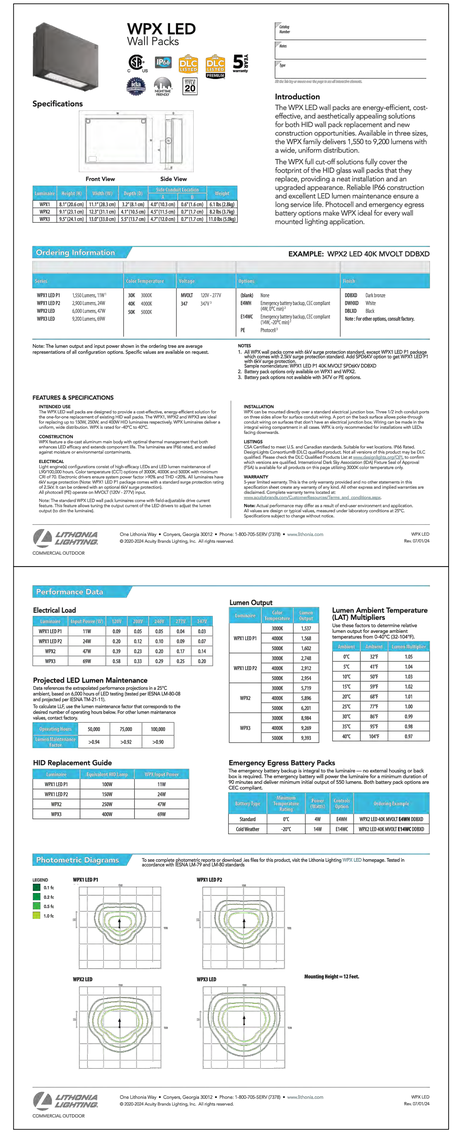
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LANDSCAPE PLAN
FOR
LOT 13
KENT COUNTY INDUSTRIAL PARK
118 GALAXY DRIVE
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

DATE: MARCH 31, 2026
DESIGNED BY: RT
APPROVED BY: RHS
FILE: P25031-LANDSCAPE_PRELIM.DWG
SHEET NO.: L-1





WPX LED
Wall Packs

Specifications

Front View | Side View

Luminaire	Height (H)	Width (W)	Depth (D)	Side-Entry Conduit Location	Weight
			A	B	
WPX1	8.7" (20.6 cm)	11.7" (28.5 cm)	3.2" (8.1 cm)	4.8" (10.5 cm)	8.6" (16 cm)	6.1 lbs (2.8kg)
WPX2	8.7" (23.1 cm)	13.7" (31.1 cm)	4.7" (10.1 cm)	4.7" (11.1 cm)	8.7" (17 cm)	9.2 lbs (3.7kg)
WPX3	9.5" (24.1 cm)	15.0" (33.0 cm)	5.2" (13.7 cm)	4.7" (12.0 cm)	8.7" (17 cm)	11.0 lbs (5.0kg)

Introduction

The WPX LED wall packs are energy-efficient, cost-effective, and aesthetically appealing solutions for both HID wall pack replacement and new construction opportunities. Available in three sizes, the WPX family delivers 1,550 to 9,200 lumens with a wide, uniform distribution.

The WPX full cut-off solutions fully cover the footprint of the HID glass wall packs that they replace, providing a neat installation and an upgraded appearance. Reliable IP66 construction and excellent LED lumen maintenance ensure a long service life. Photocell and emergency egress battery options make WPX ideal for every wall mounted lighting application.

Ordering Information — EXAMPLE: WPX2 LED 40K MVOLT DDBXD

Series		Color Temperature		Voltage		Options		Finish	
WPX1 LED P1	1,550 Lumens, 11W	30K	3000K	MVOLT	120V - 277V	(blank)	None	DDBXD	Dark bronze
WPX1 LED P2	2,900 Lumens, 24W	40K	4000K	347	347V [1]	E4WH	Emergency battery backup, CEC compliant (4W, 0°C min)[2]	DWHXD	White
WPX2 LED	6,000 Lumens, 47W	50K	5000K			E14WC	Emergency battery backup, CEC compliant (14W, -20°C min)[2]	DBLXD	Black
WPX3 LED	9,200 Lumens, 69W					PE	Photocell[3]	Note: For other options, consult factory.	

Note: The lumen output and input power shown in the ordering tree are average representations of all configuration options. Specific values are available on request.

NOTES
1. All WPX wall packs come with 6kV surge protection standard, except WPX1 LED P1 package which comes with 2.5kV surge protection standard. Add SPD6KV option to get WPX1 LED P1 with 6kV surge protection.
Sample number/order: WPX1 LED P1 40K MVOLT SPD6KV DDBXD
2. Battery pack options only available on WPX1 and WPX2.
3. Battery pack options not available with 347V or PE options.

FEATURES & SPECIFICATIONS

INTENDED USE
The WPX LED wall packs are designed to provide a cost-effective, energy-efficient solution for both HID wall pack replacement and new construction. The WPX1, WPX2 and WPX3 are ideal for replacing up to 150W, 250W, and 400W HID luminaires respectively. WPX luminaires deliver a uniform, wide distribution. WPX is rated for -40°C to 40°C.

CONSTRUCTION
WPX features a die-cast aluminum main body with optimal thermal management that both enhances LED efficacy and extends component life. The luminaires are IP66 rated, and sealed against moisture or environmental contaminants.

ELECTRICAL
Light engine(s) configurations consist of high-efficacy LEDs and LED lumen maintenance of 50,000 hours. Class 2 electronic drivers have a power factor >90% and THD <20%. Universal medium CRI of 70. Electronic drivers ensure system power factor >90% and THD <20%. All luminaires have 6kV surge protection (Note: WPX1 LED P1 package comes with a standard surge protection rating of 2.5kV. 6kV surge protection is optional). 0-10V dimming standard.
All photocell (PE) operates on MVOLT (120V - 277V) input.

Note: The standard WPX LED wall pack luminaires come with field-adjustable drive current feature. This feature allows tuning the output current of the LED drivers to adjust the lumen output (to dim the luminaire).

INSTALLATION
WPX can be mounted directly over a standard electrical junction box. Three 1/2 inch conduit ports are provided (one on back, two on bottom) to allow for surface conduit wiring. Internal wiring or conduit wiring on surfaces that don't have an electrical junction box. Wiring can be made in the integral wiring compartment in all cases. WPX is only recommended for installations with LEDs facing downwards.

LISTINGS
CSA Certified to meet U.S. and Canadian standards. Suitable for wet locations. IP66 Rated. DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC listed. Please check the DLC Premium or DLC Standard Qualified Products Lists to confirm which versions are qualified. International Dark Sky Association (IDA) Fixture Seal of Approval (FSA) is available for all products on this page utilizing 3000K color temperature only.

WARRANTY
5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx

Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25°C. Specifications subject to change without notice.

LITHONIA LIGHTING
COMMERCIAL OUTDOOR
One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
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WPX LED
Rev. 07/01/24

Performance Data

Electrical Load

Luminaire	Input Power (W)	120V	208V	240V	277V	347V
WPX1 LED P1	11W	0.09	0.05	0.05	0.04	0.03
WPX1 LED P2	24W	0.20	0.12	0.10	0.09	0.07
WPX2	47W	0.39	0.23	0.20	0.17	0.14
WPX3	69W	0.58	0.33	0.29	0.25	0.20

Projected LED Lumen Maintenance
Data references the extrapolated performance projections for a 25°C ambient, based on 10,000 hours of LM-80-08 testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).
To calculate L87, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	50,000	75,000	100,000
Lumen Maintenance Factor	>0.94	>0.92	>0.90

HID Replacement Guide

Luminaire	Equivalent HID Lamp	WPX Input Power
WPX1 LED P1	100W	11W
WPX1 LED P2	150W	24W
WPX2	250W	47W
WPX3	400W	69W

Lumen Output

Luminaire	Color Temperature	Lumen Output
WPX1 LED P1	3000K	1,537
	4000K	1,568
	5000K	1,402
WPX1 LED P2	3000K	2,748
	4000K	2,912
	5000K	2,954
WPX2	3000K	5,719
	4000K	5,896
	5000K	6,201
WPX3	3000K	8,584
	4000K	9,269
	5000K	9,393

Lumen Ambient Temperature (LAT) Multipliers
Use these factors to determine relative lumen output for ambient temperatures from 0-40°C (32-104°F).

Ambient	Lumen Multiplier
0°C	32°F	1.05
5°C	41°F	1.04
10°C	50°F	1.03
15°C	59°F	1.02
20°C	68°F	1.01
25°C	77°F	1.00
30°C	86°F	0.99
35°C	95°F	0.98
40°C	104°F	0.97

Emergency Egress Battery Packs
The emergency battery backup is integral to the luminaire — no external housing or back box is required. The emergency battery will power the luminaire for a minimum duration of 90 minutes and deliver minimum initial output of 550 lumens. Both battery pack options are CEC compliant.

Battery Type	Maximum Temperature Rating	Power Draw	Lumen Output	Ordering Example
Standard	0°C	4W	5490lm	WPX2 LED 40K MVOLT E4WH DDBXD
Cold Weather	-20°C	14W	5148lm	WPX2 LED 40K MVOLT E14WC DDBXD

Photometric Diagrams — To see complete photometric reports or download .ies files for this product, visit the Lithonia Lighting WPX LED homepage. Tested in accordance with IESNA LM-79 and LM-80 standards

LEGEND: 0.1 fc, 0.2 fc, 0.5 fc, 1.0 fc

WPX1 LED P1 | WPX1 LED P2 | WPX2 LED | WPX3 LED

Mounting Height = 12 Feet.

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COMMERCIAL OUTDOOR
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WPX LED
Rev. 07/01/24

DETAIL:
WPX2 LED 30K MVOLT DDBXD
WALL PACK

GRAPHIC SCALE
0' 40' 80' 120'
SCALE: 1" = 40'

REVISIONS

REVISION	DATE	DESCRIPTION

DATE

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LIGHTING PLAN
FOR
LOT 13
KENT COUNTY INDUSTRIAL PARK
118 GALAXY DRIVE
EAST DOVER HUNDRED
KENT COUNTY, DELAWARE

DATE:
MARCH 31, 2026

DESIGNED BY:	APPROVED BY:
RT	RHS

FILE:
P25031-LANDSCAPE_PRELIM.DWG

SHEET NO.:
LT-1



RSX2 LED
Area Luminaire

Catalog Number
Notes
Type

Shown with standard arm, ordered with no additional options.

Specifications

EPA (ft²/ft²): 0.69 ft² (0.06 m²)
Length: 29.3" (74.4 cm) (SPA mount)
Width: 13.4" (34.0 cm)
Height: 3.0" (7.6 cm) Main Body, 7.2" (18.3 cm) Arm
Weight: (SPA mount) 30.0 lbs (13.6 kg)



design select

Items marked by a shaded background qualify for the Design Select program and ship in 15 days or less. To learn more about Design Select, visit www.acuitybrands.com/designselect.
*See ordering tree for details

Design Select options indicated by thin black background.

Introduction

The new RSX LED Area family delivers maximum value by providing significant energy savings, long life and outstanding photometric performance at an affordable price. The RSX2 delivers 11,000 to 31,000 lumens allowing it to replace 250W to 1000W HID luminaires.

The RSX features an integral universal mounting mechanism that allows the luminaire to be mounted on most existing drill hole patterns. This "no-drill" solution provides significant labor savings. An easy-access door on the bottom of mounting arm allows for wiring without opening the electrical compartment. A mast arm adaptor, adjustable integral slipfitter and other mounting configurations are available.

Ordering Information

EXAMPLE: RSX2 LED P6 40K R3 MVOLT SPA DDBXD

RSX2 LED

Series	Performance Package	Color Temperature	Electrical	Voltage	Mounting
RSX2 LED	P1	30K 3000K	A2 Type 2 Wide	MVOLT (120V-277V) *	*Square pole mounting (3.5" min. SQ pole for 3 at 90°, 3.5" min. SQ pole for 2, 3, 4 at 90°)
	P2	40K 4000K	B3 Type 3 Wide	HVOLT (347V-480V) *	Round pole mounting (3" min. dia. RND pole for 2, 3, 4 at 90°. 3.5" min. dia. RND pole for 1 at 90°. 2.4" min. dia. RND pole for 1 at 180°. 2.8" min. dia. RND pole for 1 at 120°)
	P3	50K 5000K	R2S Type 2 Short	120 120V *	MA Mast arm adaptor (fits 2-3/8" OD horizontal tenon)
	P4		R3S Type 3 Short	208 208V *	S Fits on 2-3/8" OD tenon (to 2-3/8" OD tenon) *
	P5		R4S Type 4 Short	240 240V *	WBA Wall bracket *
	P6		R5S Type 5 Short	277 277V *	WBASC Wall bracket with surface conduit box
			R5S Type 5 Short	347 347V *	AASP Adjustable tilt arm square pole mounting *
			AFR Automotive Front Row Right Rotated	480 480V *	AARP Adjustable tilt arm round pole mounting *
			AFR90 Automotive Front Row Left Rotated		AARB Adjustable tilt arm wall bracket *
					AAWSC Adjustable tilt arm wall bracket and surface conduit box *

Options	Finish
Shipped installed	**Shipped installed**
PE Photocell - SSL8 (20-70 fc)*	***Standalone and Networked Sensors/Controls (factory default settings, see table page 9)**
PER Photocell, Button Style**	NLTAIR2 PIRHN nLight AIR generation 2, with NETWORK, high/low, motion sensor *
PER7 Seven-wire twist-lock receptacle only (no control)* **	BAA Buy American Act Compliant
SF Single Fuse (120, 277, 347) *	CCE Coastal Construction *
DF Double Fuse (208, 240, 480) *	*Note: NLTAIR2 PIRHN with nLight Air can be used as a standalone dimming sensor with out of box settings. For more advanced wireless functionality, see factory default settings table. Sensor coverage pattern is affected when luminaire is tilted.
SPD20KV 20KV Surge pack (1 kV/3 kV standard)	**Shipped Separately (requires some field assembly)**
FAO Field adjustable output *	BUG External glare shield
DMG 0-10V dimming extend out back of housing for external control (control ordered separately) *	EGFV External glare full visor (360° around light aperture) *
DS Dual switching * **	BS Bird spikes *

Finish
DDBXD Dark Bronze
DBLXD Black
SVAXD Natural Aluminum
WHXD White
DNATXD Textured Dark Bronze
BLLXD Textured Black
NATXD Textured Natural Aluminum
DWHGXD Textured White

Ordering Information

Accessories
Ordered and shipped separately.

RSX2EC	RSX2 House-side shield (includes 2 shields)
RSX2EC2 (FMIEC)	External glare shield (specify finish)
RSX2EVF (FMIEVF)	External glare full visor (360° around light aperture) (includes 2 shields)
RSX2EVF2 (FMIEVF2)	External glare full visor (specify finish)
RSX4FA (FMIEVA)	RSX Universal round pole adapter plate (specify finish)
RSX4WA (FMIEWA)	RSX Wide wall bracket (specify finish)
RSX2CA (FMIEWA)	RSX Surface conduit box (specify finish, for use with WBA, WBA not included)
SLLHT 1.5 (SLA)	Photocell - SSL twist-lock (20-70 FC)
SLLHT 1.5 (SLA)	Photocell - SSL twist-lock (20-70 FC)
SLLHR

City of Dover
DSHA Technical Assistance for Housing and Land Use Reform

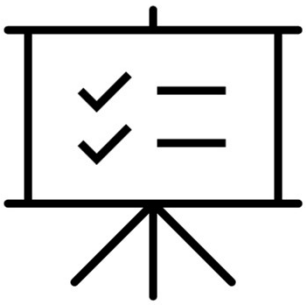
Planning Commission Meeting

May 18, 2026

1

Agenda

- Background
- Our Approach
- Housing Resources Committee (HRC)
- Participating Jurisdictions
- Housing Affordability in Dover
- Chosen Reform
- Questions/Next Steps



2

Background

In response to Delaware's housing affordability crisis, the General Assembly passed House Bill 442, creating the Affordable Housing Production Task Force.

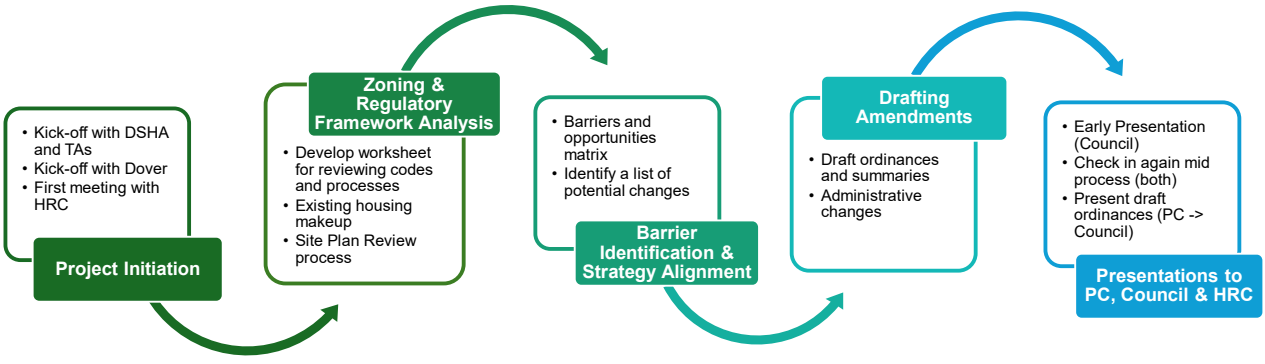
The Affordable Housing Production Task Force released a report which recommended implementing zoning reform to allow more housing choices at a local level.

The General Assembly passed Senate Joint Resolution 8 (SJR8), directing the DSHA to create a pilot program to provide technical assistance for municipal governments related to zoning reform.

DSHA opened an application process for municipalities to participate in this pilot program where they could select zoning reform options and Dover applied to participate.

3

Our Approach



HRC = Housing Resources Committee

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Housing Resources Committee (HRC)

Advisory group of non-participating jurisdictions and state agencies who have deep understanding of local development processes

Role

- ✓ Support technical assistance (TA) providers and local jurisdictions
- ✓ Provide expertise and guidance on challenges and solutions
- ✓ Engage and convene TA providers and municipalities via monthly meetings
- ✓ Evaluate proposed solutions
- ✓ Support development of public engagement

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Participating Jurisdictions & TA Providers

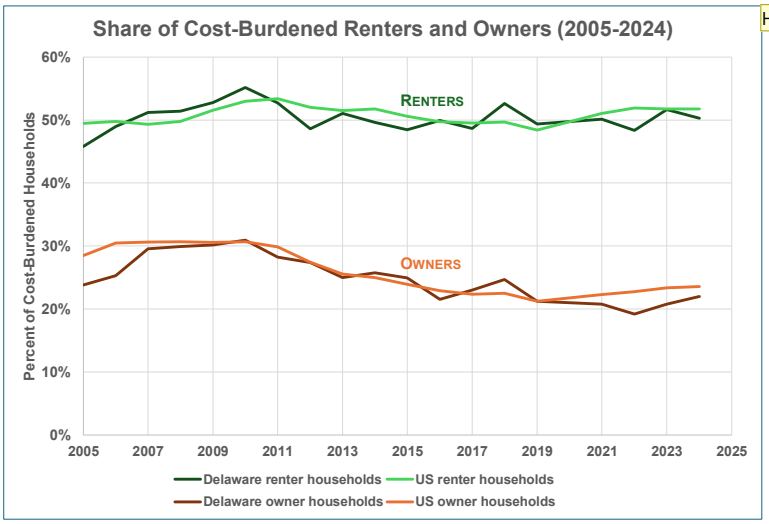
Rossi Group
- Newark
- Dover
- Lewes
- Laurel

Smart Growth America
- Milford
- Rehoboth Beach
- Georgetown
- Bridgeville

McCormick/Taylor
- Sussex County

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Housing Affordability in Delaware



HH1

Cost-burdened households:

Households who spend at least 30% of their total income on rent or mortgage payments and utilities.

According to 2024 ACS data, 50% of renters and 22% of homeowners are cost-burdened in Delaware.

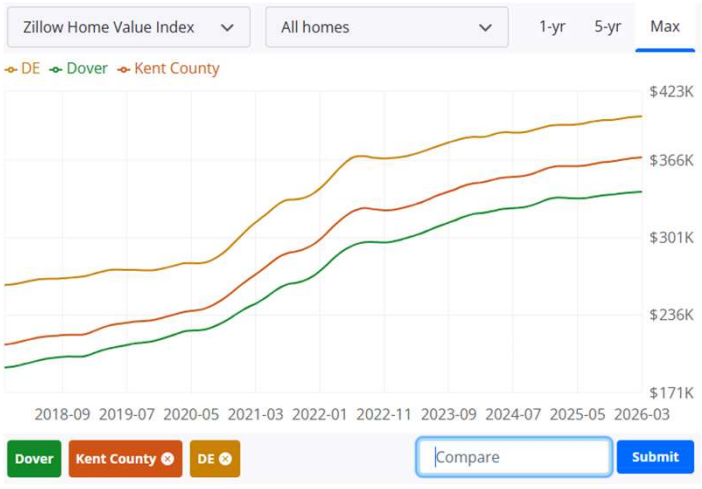
Median monthly housing cost in Dover: **$1,337**

An individual would need to make **$4,457** a month to afford the median housing cost in Dover

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Zillow Home Value Index (ZHVI)

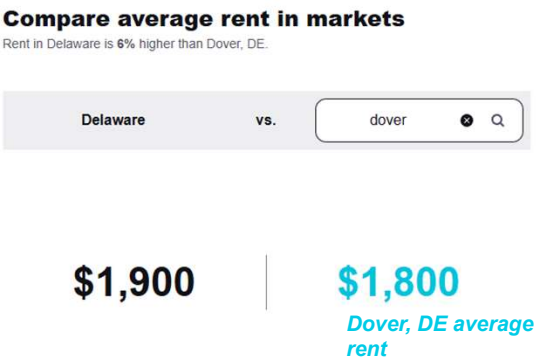
- The **ZHVI** is a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type.
- It reflects the typical value for homes in the 35th to 65th percentile range.
- **Dover ZHVI: $339,650**
- **Kent County ZHVI: $368,542**
- **Delaware ZHVI: $396,207**



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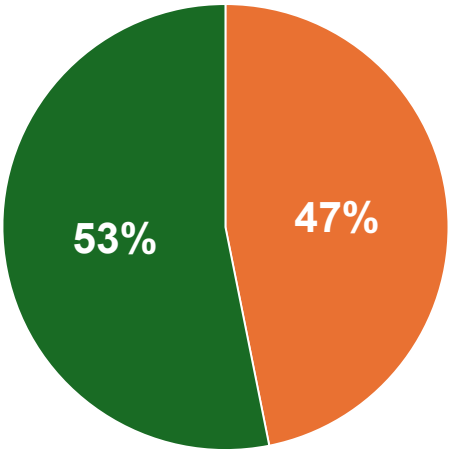
Dover Rental Market (ZillowRentals)

- Average overall monthly rent in Dover is **$1,800**
- Average rent for a one-bedroom apartment $1,450



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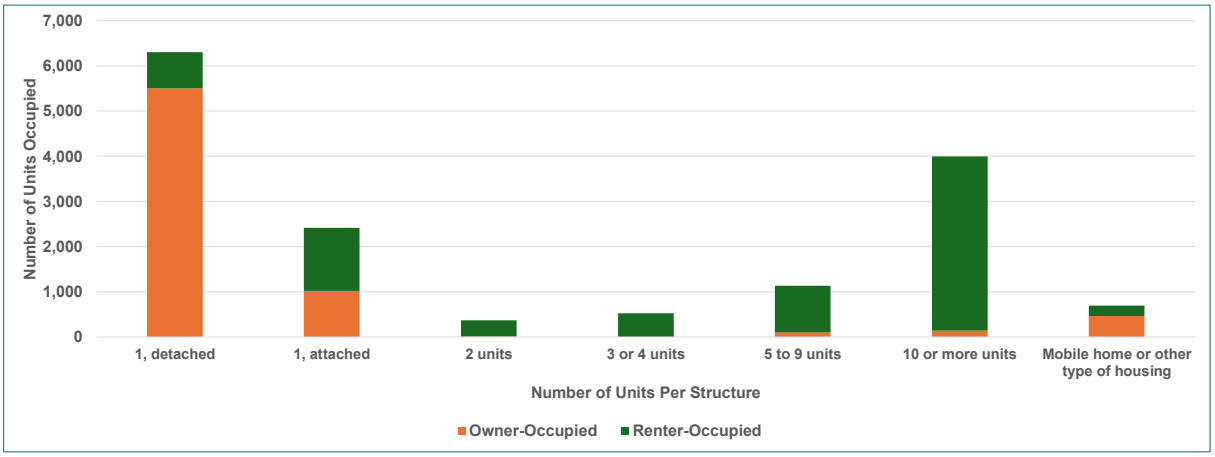
Owner and Renter Occupancy in Dover



- Per 2024 ACS data, there are 16,448 housing units in Dover, 15,428 of which are occupied

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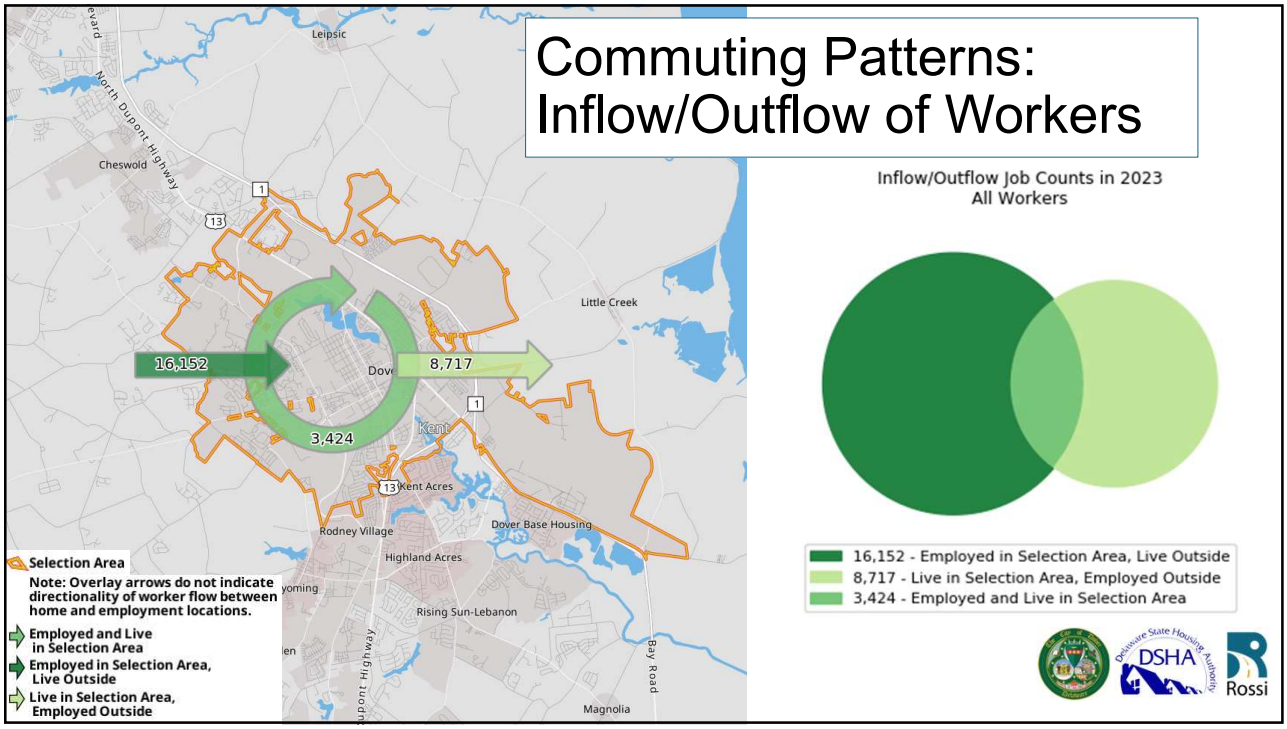
Occupancy by # of Units* per Structure



**A housing units refers to a house, a condo, an apartment, a mobile home or trailer, a group of rooms, or a single room that is occupied*

2024 ACS, 5-Year Estimates

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Local Barriers vs. Local Levers*

Local Barriers

- Zoning and Land-use constraints limiting small-scale housing
- Permitting timelines and development friction increasing project costs
- Infrastructure and site readiness issues
- Financing gaps for small developers and rehab projects
- Market pressures such as rising construction costs, taxes, and insurance

Local Levers

- Enable gentle density (ADUs, duplexes, and triplexes)
- Streamline approvals for small housing projects
- Launch programs to bring vacant units back online
- Support small-scale developers and rehab projects
- Expand attainable homeownership pathways

* From Fuller Center for Housing presentation of 3/10/2026

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Chosen Reform

- Allow ADUs and/or “missing middle” housing types as permitted in residential zones
- Increase buildable density for housing by reducing minimum lot sizes and bulk standards
- Increase building heights for multifamily housing and/or mixed-use developments
- Establish an inclusionary zoning program to address affordable and workforce housing needs
- Allow higher density, mixed-use with residential in commercial zones or employment centers

Additional Reforms Available

- Allow manufactured and/or modular homes placed on permanent foundations as a permitted use where single-family detached homes are permitted
- Create pre-reviewed design plans for “missing middle” housing types
- Reduce parking requirements in areas zoned for residential and mixed-use to promote walkable communities and provide more affordable development opportunities

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Additional Reforms Available – City Council Feedback

Reform	Support	Opposed	Undecided
ADUs	-	-	-
Missing Middle	-	-	-
Buildable Density	-	-	-
Building Heights	-	-	-
Inclusionary Zoning	-	-	-
Higher Density Mixed-Use Residential	-	-	-
Manufactured/Modular Homes	-	-	-
Pre-Reviewed Designs	-	-	-
Reduced Parking Minimums	-	-	-

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Questions?

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