CITY OF DOVER PLANNING COMMISSION
MAY 15, 2017

The Regular Meeting of the City of Dover Planning Commission was held on Monday, May 15, 2017 at 7:00 PM with Chairman Mr. Tolbert presiding. Members present were Mr. Roach, Ms. Edwards, Mr. Holt, Mr. Baldwin, Dr. Jones, Mrs. Welsh, Ms. Maucher and Mr. Tolbert. Mr. Holden was absent. (Mr. Holden arrived at 7:03 PM)

Staff members present were, Mr. Dave Hugg, Mrs. Dawn Melson-Williams, Mr. Eddie Diaz, Mr. Jason Lyon, Mrs. Tracey Harvey and Mrs. Kristen Mullaney. Also present was Mr. Isaac Morris, Mr. C.B. Cloud, Mr. Troy Adams, Mr. Michael Maupin, Mr. David Kuklish and Ms. Michele Wright.

APPROVAL OF AGENDA

Mr. Holt moved to approve the agenda as submitted, seconded by Dr. Jones and the motion was unanimously carried 9-0.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF MARCH 20, 2017

Mrs. Welsh moved to approve the Planning Commission Meeting minutes of March 20, 2017, seconded by Ms. Maucher and the motion was unanimously carried 9-0.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams welcomed Mr. Dave Hugg. He has joined the City as the Interim Director of Planning and Community Development. He will be with us for a few months and he has certainly had fun so far.

Mrs. Melson-Williams stated that the Planning Commission Quarterly Workshop is scheduled for Wednesday, May 17, 2017 in the City Hall Conference Room beginning at noon. Please let Staff know if you plan on attending.

Mrs. Melson-Williams stated that the next Planning Commission meeting is scheduled for Monday, June 19, 2017 at 7:00pm in the City Council Chambers.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on March 27, 2017, April 10, 2017, April 24, 2017 and May 8, 2017.

Mrs. Melson-Williams stated that there is a training opportunity called "Planning 201 – Creating a Flood Ready Community" that is scheduled to be held on Friday, May 19, 2017. It's one in a series of planning education elements that the Institute for Public Administration at the University of Delaware has been conducting. If anyone is interested in attending, please let Staff know in the next couple of days and they will see if there are any seats available for that training session.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Melson-Williams presented the audience information on policies and procedures for the

meeting.

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval:
   A. S-15-05 North Street Mini Storage at 1351 West North Street – Request for a one-year extension of the Planning Commission approval granted on May 18, 2015 of a Site Development Plan to construct a self-storage facility consisting of three (3) buildings totaling 108,940 S.F. to include an office building and two (2) storage buildings with 519 units, and associated site improvements. The property is zoned IPM (Industrial Park Manufacturing Zone). The property is located on the north side of West North Street east of Mifflin Road and west of Commerce Way. The owner of record is RES-Data, LLC and SSS-Data, LLC c/o Dean Pletz. Property Address: 1351 West North Street. Tax Parcel: ED-05-076.14-01-07.00-000. Council District 1. Waivers Approved: Elimination of Curbing, Elimination of Opaque Barrier Requirement.

Representatives: None

Mrs. Melson-Williams stated that this is a request for an extension of a Planning Commission Site Plan approval that was granted in May 2015. From that initial date, they have two years to finalize their plan and commence construction. This project has not moved through that process as of yet so they are seeking an additional one year extension that would grant that approval through the end of May 2018. There is some possibility of a new property owner who's looking to pick up the project so there has been some recent inquiry as to the status of this plan. There is no public hearing related to this request for extension.

Mr. Holt questioned if there was to be a new owner on this property will there be any changes in the plan? Responding to Mr. Holt, Mrs. Melson-Williams stated that she believes that they are evaluating that. If there are significant enough changes then there is the potential that the application would need to be re-filed for Planning Commission review. If there are minor changes, some of them can be handled administratively through the plan review approval process that they have yet to finish.

Mr. Holt moved to approve S-15-05 North Street Mini Storage at 1351 West North Street for a one year extension, seconded by Dr. Jones and the motion was unanimously carried 9-0.

NEW DEVELOPMENT APPLICATIONS

1) Z-17-03 Lands of Most Worshipful Prince Hall Grand Lodge at 1408, 1412, and 1416 College Road – Public Hearing and Review for Recommendation to City Council for rezoning of three parcels located on the southeast side of College Road. The properties are zoned R-8 (One Family Residence Zone) and the proposed zoning is IO (Institutional and Office Zone). The owner of record is The Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of the State of Delaware, Inc. Property Addresses: 1408 College Road, 1412 College Road, and 1416 College Road. Tax Parcels: ED-05-067.14-01-47.00-000, ED-05-067.18-01-11.00-000, and ED-05-067.18-01-09.00-000. Council District 4. Ordinance

#2017-05. *For this zoning map amendment, the First Reading was completed on April 24, 2017. Public Hearing before the Planning Commission is scheduled for May 15, 2017 and Final Reading/Public Hearing is scheduled before City Council for June 12, 2017.*

Representatives: Mr. Isaac Morris, The Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of the State of Delaware, Inc; Mr. C. B. Cloud, The Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of the State of Delaware, Inc.

Mrs. Melson-Williams stated that this is an application for rezoning. It does involve three properties on College Road, specifically the addresses of 1408, 1412 and 1416. In the aerial that is presented on the screen, the property is pretty much right in the center of the picture. There is kind of a large square white roof and then a surrounding paved area that leads to College Road. It is an application of three parcels and the three parcels total 4.48 acres. It is currently the location of a membership club and its associated parking lot and the proposed use is to continue as the same (a membership club with the associated parking lot). The present zoning of the three parcels is R-8 (One Family Residence Zone) and the proposed zoning classification is IO (Institutional and Office Zone). This property was identified as part of the study of non-conforming uses in residence zones that the Planning Office has been conducting over the past year in response to a City Council request. This property has the opportunity to seek rezoning in order to come into compliance with that non-conforming issue. Currently, the use as the membership club would not be something that is a conforming use under the R-8 (One Family Residence Zone). The three properties in particular are three of the four that are owned by The Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of the State of Delaware, Inc. The main lodge building is on the property that is addressed 1412 College Road. The parcel addressed 1408 College Road is basically un-developed. It is the lawn area that is adjacent to the driveway leading to the parking lot. The property as 1416 College Road includes a portion of the building's parking lot. The lodge is in ownership of a fourth parcel of land which is a large triangular wooded piece that has no street frontage; however, it is not proposed for rezoning. It's used as an open space area.

Surrounding this area is a lot of different residential zoning; however, the *Comprehensive Plan* shows this area as an Institutional land-use classification which clearly allows the property to be rezoned to IO (Institutional and Office Zone). Even at the time of the *Comprehensive Plan* in 2008 that was anticipated. The other two parcels at 1408 and 1416 College Road are shown in the *Comprehensive Plan* as Residential Medium Density. Typically, the zoning classification of IO (Institutional and Office Zone) would not fit that land use category; however, they explored the opportunity of those two parcels to be recognized as what is termed a "Minor Variation" from the Land Development Plan in the *Comprehensive Plan.* A Minor Variation is an application for rezoning that while it is inconsistent with the City's *Comprehensive Plan* it is where the non-conformity is of a minor and relatively insignificant nature. There are specific conditions that must be met in order for it to be considered a Minor Variation. Staff did that review and determined that it does fit to be designated a Minor Variation and by letter of April 21, 2017 the Office of State Planning Coordination concurred with that decision that the two smaller parcels would be considered a Minor Variation of the *Comprehensive Plan* and thus eligible to also be rezoned to the IO (Institutional and Office Zone) category.

The existing and proposed use as a membership club would continue to be permitted in the IO

(Institutional and Office Zone). It would be classified as a place of public assembly. The recommendation of Planning Staff is to support the Rezoning request from R-8 (One Family Residence Zone) to IO (Institutional and Office Zone) for all three parcels. They note that the Planning Commission makes a recommendation and City Council is the final determination of a Rezoning application. The Development Advisory Committee Report continues with the information from the participating agencies. The City Electric Department and Public Works Department have no objection to the Rezoning. They do add some advisory comments should any re-development be anticipated. The Fire Marshal's Office has no objection to the Rezoning and they note that the Fire Marshal's Office conducts annual fire and life safety inspections at the property and that the building is sprinklered and has a hood suppression system related to kitchen activities. DelDOT had no comments and the Kent Conservation District also had no objection to the Rezoning of these parcels.

Mr. Holden questioned if R-8 (One Family Residence Zone) under a conditional use would allow the current use of this property? Responding to Mr. Holden, Mrs. Melson-Williams stated that it would. The R-8 (One Family Residence Zone) allows for a "private membership club" but it would be subject to conditional use review for the application. That is certainly a path forward that could be pursued. Staff felt that because of the size of the property and the *Comprehensive Plan* that rezoning it to IO (Institutional and Office Zone) was most appropriate and since the *Comprehensive Plan* obviously anticipated that. The other two smaller parcels of land really are part of the larger operation of the building itself. The parking lot is partially on one lot and the other one is clearly lawn area and would be subject to fairly substantial setbacks for any kind of development activity should anything be proposed in the future.

Ms. Maucher questioned what the activity was on the property in 2008 when the *Comprehensive Plan* was created? Responding to Ms. Maucher, Mrs. Melson-Williams stated that she believes that it was still the Lodge facility. It has been there for some time. We can certainly hear from the representatives that may have a little more background on the history of its establishment there.

Mr. Morris stated that he is the Deputy Grand Master of The Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of the State of Delaware, Inc. which makes him second in charge. Mr. Cloud is managing the building from day to day. This facility was specifically for The Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of the State of Delaware, Inc and we have several other chapters of the Order of Eastern Stars as well as different lodges that meet in that building regularly. They have all types of functions there and they try to keep this within a strictly business and private thing. In 2008, it was owned by a group of fellows that happened to be Masons but they operated the building a little differently. They no longer do that and when they purchased this property in April 2015, they basically closed the bar. They close down by 11 PM and they don't have loud music. There is no outside activity except once a year for their annual picnic which is on a Sunday or unless someone wants to use the small area for marriage which they have had requests for. They are in the process of updating the building; providing new heating systems and new electrical repairs that were neglected before and they are going to beautify the whole area including a new parking lot. The parking lot is going to be paved in June and they plan to be here for a while. They had another building in Wilmington, DE and they sold that building and purchased this building. Part of that building (purchase) was a facility on Reed Street and they sold that building to a developer who has built townhouses at that

location. They are planning on being a respectable and honorable resident in that area, realizing that there are people who live in that area as well.

Mr. Tolbert questioned if they purchased the building in 2015? Responding to Mr. Tolbert, Mr. Morris stated yes, they purchased the building in April 2015 from The Square Club Inc.

Mr. Tolbert stated that the building was owned by the Masons at that time as well. Responding to Mr. Tolbert, Mr. Morris stated no; it was owned by people who were Masons but it wasn't controlled by The Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of the State of Delaware, Inc. The Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of the State of Delaware, Inc controls all Prince Hall Masons.

Dr. Jones stated that as she was doing some reading and she sees that Staff has made a recommendation without the benefit of hearing the comments from surrounding land owners and residents. Responding to Dr. Jones, Mrs. Melson-Williams stated yes, that is a standard note that they include in all Rezoning applications. The fact is that there is a public hearing that occurs before the Planning Commission where there may be public testimony in regards to the application as well as in front of City Council where there is another public hearing.

Dr. Jones stated that tonight would be that night. Responding to Dr. Jones, Mrs. Melson-Williams stated that tonight would the night to hear from members of the public in regards to the application.

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

Dr. Jones moved to recommend approval to City Council for Z-17-03 Lands of Most Worshipful Prince Hall Grand Lodge at 1408, 1412, and 1416 College Road to change the zoning from R-8 (One Family Residence Zone) to IO (Institutional and Office Zone), seconded by Mr. Holt and the motion was carried 9-0 by roll call vote. Mr. Holden voting yes; as it follows the 2008 Comprehensive Plan and there is no public concern over the matter. Mr. Roach voting yes; it makes sense since the three parcels are already being interchanged as far as with the existing uses of the main one so we might as well make them all IO (Institutional and Office Zone). Ms. Edwards voting yes; based on the previous statements as well as the fact that it will bring it in to compliance with the current Zoning Ordinance. Mr. Holt voting yes; as it fits in with the City of Dover Comprehensive Plan. Mr. Baldwin voting yes; because of the 2008 Comprehensive Plan and there are no rebuttals from the neighborhood. Dr. Jones voting yes; for all of the for mentioned reasons and she looks forward to the changes and the beautification that's coming in that area. Mrs. Welsh voting yes; for all of the comments as far as the zoning classification and the compliance of the rezoning of the three parcels. Ms. Maucher voting yes; for the reasons previously stated. Mr. Tolbert voting yes; the application will bring the applicant in compliance with the Ordinance and he thinks that is very necessary at this point.

2) SB-17-01 Minor Subdivision Plan at 749 West North Street – Public Hearing and Review of a Minor Subdivision Plan application to permit subdivision of a 23,144 S.F. lot into three (3) new lots of approximately 7,400 S.F. +/- each. The property is zoned RG-1 (General

Residence Zone) and is located on the north side of West North Street east of Minima Street. The owner of record is MauTiste, LLC. Property Address: 749 West North Street. Tax Parcel: ED-05-076.12-03-59.00-000. Council District 4.

Representatives: Mr. Troy Adams, Mountain Consulting; Mr. Michael Maupin, Mautiste Investment Group

Mrs. Harvey stated that this Minor Subdivision Plan proposes to create three parcels of land from the existing 23,000 SF ± parcel of land. This request will subdivide the land into three parcels of approximately 7,400 SF each. The property is zoned RG-1 (General Residence Zone). The property is located on the north side of West North Street and east of Minima Street and the address is 749 West North Street. The owner of record is MauTiste, LLC.

Three dwellings will be constructed on the individual lots and they will meet the required setbacks for the RG-1 (General Residence Zone) per the requirements for Article 4, Section 4.2. The proposed dwellings are one story single family detached homes that would include front entrance steps and a porch for each home. The submitted plan shows an existing sidewalk along the West North Street frontage. West North Street is a DelDOT road. The plan shows an existing curb cut in front of proposed Lot 2. Curb cuts will need to be installed in the frontage of Lot 1 and Lot 3. Staff recommends connecting a sidewalk from the house from entry porch and steps to the paved driveway.

Mr. Roach stated that this property is literally in his back yard so he wasn't sure if it would be a conflict of interest to be involved in the voting as it pertains to this application. Responding to Mr. Roach, Mrs. Melson-Williams questioned if he received the notice that he was within 200 FT of the property?

Mr. Roach stated that they are not that close. Responding to Mr. Roach, Mrs. Melson-Williams stated that if he were that close then he would need to recuse himself but it has been noted for the record that it's in his neighborhood.

Mr. Holt questioned if these houses would have basements? Responding to Mr. Holt, Mrs. Harvey stated no.

Mr. Tolbert stated that the renderings show that the houses sit pretty high off of the ground. Responding to Mr. Tolbert, Mr. Adams stated that when the houses are built they will be built to normal elevation above existing grade to blend with the existing homes that are already in this location.

Mr. Tolbert stated that they looked high off the ground. A lot of modular homes and manufactured homes they don't have a basement either but they don't sit that high off the ground. Responding to Mr. Tolbert, Mr. Maupin stated that these houses are going to mirror exactly what is there. They are stick built, not modular. He is the developer that bought the Square Club lot and did the development that was mentioned during the last application. Their whole mission in Dover is to create new opportunities for housing development for homeownership. These three houses will conform to that.

Mr. Tolbert asked if they are practically finished with the development on Reed Street. Responding to Mr. Tolbert, Mr. Maupin stated yes, they are about one month away. He is very pleased with how they are blending.

Mr. Roach questioned if the houses are going to look like the houses that were built on the other end of North Street that's closer to the entrance of Eden Hill? Responding to Mr. Roach, Mr. Maupin stated yes.

Mr. Roach stated that the townhouses on Reed Street look nice and are a great addition.

Mr. Holt stated that he noticed a note that Staff mentioned a connecting sidewalk from the front entry of the house to the paved driveway. He thinks that it would be a real added attraction. Responding to Mr. Holt, Mr. Adams stated that this was also discussed at the DAC meeting. On the plan set, there are one or two houses that show a disconnect between the driveway and the front set of stairs to enter the house. they won't be literally having new sidewalk constructed from the existing sidewalk up to the front door. They are just going to make sure that they can walk up the driveway and walk to the front stepS of the home.

Mr. Roach questioned if a Traffic Study had been conducted? As they have already discussed, North Street is busy during the day and it's difficult to get out of the residences. Is there an idea of the increase in traffic due to these new houses? Responding to Mr. Roach, Mr. Maupin stated that typically there are two cars per household. DelDOT has seen this set of plans and they are good with it. They had to make some adjustments to some entrances but that was about it. A Traffic Study wasn't really required.

Mr. Roach questioned if the homes would be income based or just standard homeownership? Responding to Mr. Roach, Mr. Maupin stated that these houses are market rate prices. Although they have not set a price yet, they will do the normal due diligence to see what the standard market rate is. There is no assistance tied to them. They are located outside of the Downtown Dover Development so there will be no grants available.

Mrs. Harvey stated that she would like to add that the City of Dover has a homeownership assistance program where they provide up to $20,000 to first time home buyers. These houses would be eligible since they are located within city limits of Dover.

Mr. Holden stated that in looking at the renderings there was a floor plan. On the floor plan, the back right corner had a room that didn't look like it had a door on it. He is curious about what that room was. Responding to Mr. Holden, Mr. Maupin stated that it should be the third bedroom.

Mr. Holden stated that it shows a five foot closet that opens into the master and at back right corner that's behind bedroom three doesn't show a door. Responding to Mr. Holden, Mr. Maupin stated that it's a closet for bedroom three.

Mr. Adams stated that Mrs. Harvey's overview of the project is correct and they agree with and intend to comply with the DAC comments.

Mr. Maupin stated that the lots conform to all of the setbacks and lot density and lot size. They are taking a large lot and making it into three conforming lots which will mirror the exact layout and elevations of the existing houses.

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

Mrs. Welsh moved to approve SB-17-01 Minor Subdivision Plan at 749 West North Street, seconded by Ms. Maucher and the motion was carried 9-0 by a roll call vote. Mr. Holden voting yes; the proposed subdivision complies with the lot dimensioning and other requirements and it will be an added benefit to this neighborhood to have homeowners on this parcel. Mr. Roach voting yes; he thinks that taking an empty lot and turning it into an opportunity for someone to become a homeowner will be great and he loves those houses. Ms. Edwards voting yes; for the reasons previously stated. Mr. Holt voting yes; he thinks it's an asset to the community. They are nice looking homes and he thinks that they will improve the neighborhood. Mr. Baldwin voting yes, for the reasons previously stated. Dr. Jones voting yes, for the reasons mentioned. Mrs. Welsh voting yes, for all of the reasons that were stated in the motion. Ms. Maucher voting yes; it's a good project. Mr. Tolbert voting yes; the houses that are going to be built are an asset to the community and having seen work that the developer has done before, he has confidence that it will be a great site when he is finished.

3) S-17-13 Longhorn Steakhouse at 505 North DuPont Highway – Public Hearing and Review of a Site Development Plan to permit construction of a 5,842 S.F. Longhorn Steakhouse restaurant and related site improvements. The project site is part of the Capital Commons development and predominately located on a separate 24,257 S.F. parcel. The property is zoned C-4 (Highway Commercial Zone) and is located at the northeast corner of North DuPont Highway and Townsend Boulevard. The owner of record is Dover, DE Retail LLC c/o TLM Realty Corp. and the project developer is the Darden Corporation. Property Address: 505 North DuPont Highway. Tax Parcel: ED-05-068.09-01-35.00-00. Council District 3. *This application is associated with Site Development Plan S-16-02 Capital Commons, granted conditional approval by the Planning Commission in February 2016 and Final Plan approval in May 2016. Site Development Plan S-16-23 Panera Bread, granted conditional approval in November 2016 and Final Plan approval in April 2017, is similarly associated with S-16-02.*

Representatives: Mr. David Kuklish, Bohler Engineering; Ms. Michele Wright, LDRA for RARE Hospitality

Mrs. Melson-Williams stated that this is a Site Plan application for the other pad site at the project known as the Capital Commons. Initially in 2016 for Capital Commons, they saw that application that made site improvements and then allowed for the re-development of the old K-Mart building into two retail tenant spaces for Burlington and Big Lots. In November of 2016, the Planning Commission saw the northern pad site which came through as a Panera Restaurant and they are moving dirt at that location. This brings us to the southern pad site. It is actually a separate parcel of land for the most part that's addressed as 505 North DuPont Highway. It was a previous location of a bank that was demolished almost one year ago. This evening it is coming

before the Commission as a Site Plan for a restaurant. That specific restaurant is a Longhorn restaurant. The building size is 5,842 SF. The parcel itself is just over 24,000 SF but there are improvements on the main Capital Commons parcel related to parking improvements and connecting the corner into the site that's already there. The property is zoned C-4 (Highway Commercial Zone) which clearly allows for restaurant uses. The Captial Commons site is actually where all the access to the restaurant pad will come from. The entrance that was improved from Townsend Boulevard to that T right angle intersection will be utilized as one way to enter to then circulate to the restaurant site as well as the existing site entrance to the property that's just north of the Panera construction location that leads into the whole Capital Commons site overall.

The rendering shown focuses more on the restaurant site itself. The restaurant is pushed to the corner. The main entrance faces west which means it faces DuPont Highway. Parking for the facility runs along the north elevation of the building and then you also have the expanse of the existing parking lot of the shopping center. There is an additional construction area of parking to the east of the restaurant site. The east side of the restaurant building is also kind of where the service elements happen for loading and drop off as well as their dumpsters being directly off the back of the building in an enclosed compound area. Parking for a restaurant is based on a seat count and for the seat count in this restaurant it would require a total of fifty-four (54) parking spaces. Those parking spaces are provided on the parcel itself and within the expanded parking area that's east of the building; then the balance will be part of the larger shared parking area of Captial Commons. Staff did do the calculations and the overall Capital Commons shopping complex does continue to meet the parking requirements of both the restaurant buildings and the retail that exists on that parcel so parking is not an issue here.

The plan includes bicycle parking; there is a rack that's proposed near the new entrance. There is the existing shared use path along DuPont Highway which after it turns the corner on Townsend Boulevard becomes a sidewalk. There are connecting sidewalks leading to the building and then also the opportunity to make the connection to the main retail building on the overall site as well.

There are no waivers specific to this application. There were several that were approved with the Capital Commons project that allowed for a reduction in the arterial street buffer from thirty feet down to twenty feet. This project continues to satisfy that requirement. There are some minor areas of depressed curb which are allowed for either access to handicapped parking as well as some stormwater management related to this site.

They are proposing tree plantings on the site as shown on the plan. The architecture plan shows the image of what would be facing DuPont Highway. The second image is the elevation that faces Townsend Boulevard. It's a one-story building and there are a number of different levels to the roof. There are some areas of flat roofs; there are pitched roofs and there are canopy elements and awnings that repeat themselves on the building. All four elevations of the building are very dynamic. They are seeing the use of stone as well as different colors of EFIS (a kind of stucco appearance) for the building itself.

The DAC Report continues with the comments from the Planning Staff. There are some minor plan fixes to be completed. Moving on with the other agencies, they will be working with Public

Works in regards to the locations of their water and sewer connections as well as the City's Electric Department. The Fire Marshal's Office has noted the various fire protection needs for the site which involve fire lanes. It is a building that will be required to be sprinklered and they are working with them as to the locations of fire hydrants to serve the site. DelDOT has actually issued a Letter of No Contention because it will allow them to utilize the existing entrances to the site. There are no new entrances added specifically to the restaurant parcel itself. The Kent Conservation District will be working with them in regards to what is called a Non-residential Standard Plan approval should they be in compliance with the overall plan that was established for stormwater on a regional basis for the Capital Commons project itself.

Mr. Tolbert stated that the one concern that he has is parking because there are already two popular retail stores on that site and now there will be two restaurants on the site as well. Responding to Mr. Tolbert, Mrs. Melson-Williams stated that she can tell them that for the overall site by their calculations of two restaurants and the size of the retail building, the complex is required to have three hundred seventy-eight (378) parking spaces. All three plans together will provide a total of four hundred seven (407) parking spaces. They exceed the minimum requirement but are still within the maximum parking allowable. Probably what you are seeing now is a lot of people parking in front of the main retail building but there is also the parking area that is adjacent to Townsend Boulevard on the south end of the main retail building.

Mr. Kuklish stated that he has no additions or changes and agrees with the overview.

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

Mrs. Welsh moved to approve S-17-13 Longhorn Steakhouse at 505 North DuPont Highway, seconded by Ms. Edwards and the motion carried 9-0 by roll call vote. Mr. Holden voting yes; due to Staff comments and conformance with Code. Mr. Roach voting yes; he thinks it's a beautiful building and in the words of Mr. Tolbert, it doesn't have a flat roof. It looks like a really good addition to the area. Ms. Edwards voting yes; she thinks it will be a great addition to the City of Dover and it will also provide additional employment opportunities. Mr. Holt voting yes; he thinks it's a nice looking building and just looking at it makes him ready to go to dinner. It does meet all specifications. Mr. Baldwin voting yes; for the reasons previously stated. Dr. Jones voting yes; it's a welcomed addition to Dover. Mrs. Welsh voting yes; it's a great project and the installation will complete this whole shopping center area quite nicely. Ms. Maucher voting yes; for the reasons previously stated. Mr. Tolbert voting yes; this is a great improvement to that site. They have transformed that site and he is anxious to see it when it's all completed.

NEW BUSINESS

Meeting adjourned at 8:02 PM.

Sincerely,

Kristen Mullaney
Secretary