

CITY OF DOVER PLANNING COMMISSION
March 16, 2026

The Meeting of the City of Dover Planning Commission was held on Monday, March 16, 2026, at 7:00 PM as an In-Person Meeting and also using the phone/videoconferencing system Webex. The Meeting Session was conducted with Chair Mr. Witham presiding. Members present were Mr. Lewis, Mr. Roach (virtual), Mrs. Maucher, Mrs. Denney, Dr. Jones, Mr. Reaves (virtual), Mrs. Welsh (virtual) and Mr. Witham. Mr. Baldwin was absent.

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

APPROVAL OF AGENDA

Mrs. Maucher moved to approve the Agenda as presented, seconded by Mrs. Welsh and the motion was carried 7-0 by voice vote with Mr. Baldwin and Mr. Reaves absent.

APPROVAL OF MEETING MINUTES OF FEBRUARY 17, 2026

Mrs. Maucher moved to approve the Planning Commission Meeting Minutes of February 17, 2026, seconded by Mrs. Maucher and the motion was carried 7-0 by voice vote with Mr. Baldwin and Mr. Reaves absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, April 20, 2026 in the City Hall Council Chambers. We do have three applications and a couple of them are a little big. If there is no objection, we can certainly start the meeting time at 6PM. If there is interest among the Planning Commissioners to consider starting all of your meetings at 6PM, we could certainly address that this evening and she won't have to bug you each time. First, is there any concern or thought about the April 20th Meeting for a 6PM start?

Mrs. Denney stated that she doesn't really have an issue with it for herself here but we moved the time for the Kent County Board of Adjustment Meeting to accommodate because on the Board of Adjustment we have Commission members who travel from way downstate to enter Kent County and it's difficult for them. Sometimes the people who have applications before us find it difficult, especially if they are working or have things with their children like school events, which a lot of them happen at night. So, she does occasionally get a complaint and that's not here favoring one way or the other; she is just making that known.

Mr. Witham stated if that's a concern with any Commissioners here. There are two things, because of the busy schedule next month; do we want to start at 6PM? Then for all of the meetings; do we want to start at 6PM?

Mrs. Maucher asked when the letters are sent to homeowners within the 200-foot radius; does it get sent like a week before the meeting? Responding to Mrs. Maucher, Mrs. Melson-Williams stated that the public notice requirements have to be completed a minimum of 15 days prior to the meeting. When Planning Staff provides to the applicant the information about how to

complete the public notice as well as when setting up a meeting, we have to know what our start time is going to be. At this point, we have not established that public notice for your April meeting, which is why there is an opportunity tonight if we wish to move to 6PM. Then if we want to consistently move to a 6PM start, she thinks we could address that as well.

Mrs. Denney stated that she thinks especially in light of the fact that our Agenda is heavy for April, we need to start at 6PM as suggested by Mrs. Melson-Williams.

Mr. Witham asked if there was a consensus on that. (Everyone in the room did not have an issue with a 6PM start time.)

Mrs. Welsh stated that she doesn't have a problem with the April Meeting starting at 6PM.

Mr. Roach stated that he had no issues at all.

Mr. Witham stated that they will start the meeting for April at 6PM. The next issue is changing the start time to 6PM for every meeting. His issue is that in the Spring and Summer, a lot of families have sports after school and they may not be in a position to come to a meeting by 6PM.

Mrs. Denney stated that she agrees with that. She still has young grandchildren and she finds herself over at Kent County Parks & Recreation watching soccer or lacrosse or one thing or the other more often than not. Especially until school gets out, they don't start very early. She can see for applicants it being inconvenient.

Mr. Lewis stated that he doesn't have a strong opinion one way or the other but he thinks that they can just do it on a meeting by meeting basis. The Planning Office knows what's on the Agenda and they can make their suggestions and we can decide just like we did tonight.

Dr. Jones stated like Mr. Lewis, she doesn't have a strong opinion either way but she does concur, let's just go month by month and be led by Mrs. Melson-Williams.

Mrs. Welsh stated that she agrees with what Dr. Jones just said. She believes that we should just take it on an as needed basis right now if we need more time for the meeting.

Mrs. Maucher stated that she concurs. We have had two meetings out of the past six (6) or so meetings so it does happen.

Mr. Roach stated that he agrees with everyone. Whatever is good for the group, he is fine either way.

Mr. Witham stated that the consensus is that we will just continue the start time at 7PM and change it to 6PM on an as-needed basis.

Mrs. Melson-Williams stated that the Planning Staff will note that the April Meeting will have a 6PM start time and that will be a change for that month only at this point.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on February 25 & 26, 2026 and March 9 & 10, 2026.

Mrs. Melson-Williams stated that we continue to have some vacancies and hopefully we will have people that can fill those positions sooner rather than later. As City residents, we must be aware that we just came out of a special yard debris pick up time frame and then the Spring Clean-up will be starting in a few weeks. That gives you an opportunity to clean up to be ready for Dover Days in early May.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

Requests for Extensions of Planning Commission Approval: None

NEW APPLICATIONS

Z-26-02 Lands of ASMA Property, LLC at 317, 319, and 325 W. Division Street - Public Hearing and Review for Recommendation to City Council for a Rezoning Application for three parcels of land consisting of 0.05 +/- acres, 0.13 +/- acres, and 0.08 +/- acres, for a total 0.26 +/- acres (11,628 SF +/-). The properties are zoned IO (Institutional and Office Zone). The proposed zoning for all three properties is C-1A (Limited Commercial Zone). The properties are located on the north side of West Division Street and east of North Queen Street. The owner of record for all three parcels is ASMA Property, LLC. Property Addresses: 317, 319, and 325 W. Division Street. Tax Parcels: ED-05-076.08-05-03.00-000, ED-05-076.08-05-02.00-000, and ED-05-076.08-05-01.00-000 respectively. Council District 4. Ordinance #2026-08. *Previously, the Rezoning to IO was approved in November 2021 with Application Z-21-06 Lands of Ingram at 317, 319, and 325 W. Division Street (Ordinance #2021-21). The First Reading was completed at the City Council Meeting of February 25, 2026 (rescheduled to this date due to weather). Public Hearing before the Planning Commission is scheduled for March 16, 2026 and the Public Hearing before the City Council on April 13, 2026.*

Representative: Mr. Ali Alhaidari; ASMA Property, LLC

Mrs. Melson-Williams stated that this is a request for Rezoning. It actually involves three properties on W. Division Street. Those specifically located at 317, 319, and 325 W. Division Street. This location is on the north side of W. Division Street, just to the east of Queen Street. On the image on the screen, the three parcels are highlighted in yellow. It is a corner lot area and is bounded on the north and the immediate east by alleyways. The property includes an existing single family detached dwelling on the easternmost lot and then a previous auto sales and service building that is now vacant on the middle lot and then a parking lot area at the corner of Division and Queen Street. The present zoning of the property is IO (Institutional and Office Zone) and the request is for rezoning to C-1A (Limited Commercial Zone). This is file number Z-26-02 and is associated with Ordinance #2026-08. This evening, the Planning Commission will be making

a recommendation after a public hearing and that recommendation will go to City Council for their own public hearing and review. As noted, we've got an existing property that has several structures on it. The *Comprehensive Plan* notes this area with a Land Use Category of Mixed Use. Our Report outlines the goals from the *Comprehensive Plan* when it comes to Mixed Use. Mixed Use in this case means, the greater area is a mix of residential, commercial, civic and institutional uses which could be in the same building or on adjoining properties. It is in the Downtown Area and there are some recommendations regarding that. The key thing is that the Land Use Category of Mixed Use has a series of zoning districts that are considered compatible with that. One of them is the C-1A (Limited Commercial Zone). The C-1A (Limited Commercial Zone) is described in the *Zoning Ordinance* in Article 3, Section 12. It allows for uses such as retail, personal service establishments, restaurants, offices, and then some residential type uses as well. There are specific uses that are prohibited in that zone and those would include fuel pumps and motor vehicle storage/repair. The Planning Staff has provided a recommendation in regards to this Rezoning and that is that the Rezoning be granted. We find that it is consistent with the *Comprehensive Plan* for that mixed use land use category and it is also similar in nature to the other C-1A (Limited Commercial Zone) properties along this Division Street corridor. The Planning Commission, in hearing from the applicant and the public this evening in addition to the DAC Report, is charged with evaluating the Rezoning request based on three factors. Those include whether the use is permitted and the proposed change would be compatible with existing uses and zones in the general area. The second criteria is whether adequate public services and infrastructure can be created or do exist to serve the needs related to such change and whether the proposed change is in accordance with the City's Comprehensive Plan. The Development Advisory Committee Report includes the comments for the various other regulatory agencies. They seem to have no objection to the Rezoning but have provided the applicant in some cases with advisory comments about future redevelopment should that occur on this property. Tonight, we are looking at three properties on W. Division Street addressed as 317, 319, and 325 W. Division Street for rezoning from IO (Institutional and Office Zone) to C-1A (Limited Commercial Zone).

Mr. Alhaidari stated that they are the owner for ASMA Properties, LLC. This is for 317, 319, and 325 W. Division Street. We just want to rezone from IO (Institutional and Office Zone) to C-1A (Limited Commercial Zone) and maybe in the future, switch it to retail. He doesn't think this would be a big issue because everyone else on the road is the same zone as C-1A (Limited Commercial Zone).

Mrs. Denney stated that when you say retail, what kind of retail are you thinking? Responding to Mrs. Denney, Mr. Alhaidari stated that it all depends on if there is a good tenant that will lease the spot or is going to divide the spot. There are not exact plans for it but in that area any retail would be good. Mostly it may be like a convenience store or something that would help the neighborhood.

Mrs. Denney stated that she was just wondering what you might have in mind.

Mr. Witham stated that he thinks the property that is on the north side of the three properties is a church. Responding to Mr. Witham, Mr. Alhaidari stated that the three properties that they own are three lots near Queen Street but the whole lot is just divided into like four parcels.

Mr. Witham asked if they were perhaps going to consolidate the four parcels into one parcel. Responding to Mr. Witham, Mr. Alhaidari stated that at this moment they are not and he doesn't know how the partners feel about consolidating into one. Maybe in the future that would be productive. The only thing is there are two alleyways going through it and he doesn't know if that's an issue.

Mrs. Maucher stated that she read the comments regarding the safety issues, particularly in and around that intersection. She travels that road just about every day. Is there any status on the Division Street roadway that has been a topic of great interest? Has the City made any progress on that or will the developer be responsible for that? Responding to Mrs. Maucher, Mrs. Melson-Williams stated that in the Dover/Kent County MPO comments, they make reference to several studies. One is the *Dover Capital Gateway Plan and Design Book* from about 10 years ago and then the more recent Downtown Dover Pathway Plan. Division Street is a State maintained road so any changes to that would be DelDOT led or DelDOT dictated if there were changes to this property that would involve changes to how access occurs. She believes right now that there is a curb cut from Division Street onto the property and then also from Queen Street and alley areas as well. This owner would not be charged with making all of those improvements in those plans which really focus on improvements along the length of the corridor to ensure some of the traffic flow and pedestrian and other design implications. She doesn't believe the City has focused on this area. Currently, some of our efforts with streetscape improvements are associated with the Loockerman Street project that will be involve and are related to utility needs and upgrades in that area.

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

Mrs. Denney moved to recommend to City Council approval of Z-26-02 Lands of ASMA Properties, LLC at 317, 319, and 325 W. Division Street. As she reviews the application and the comments from all the entities that have reviewed this, everybody seems to think that it is a good idea. Within that, there are some recommendations or suggestions and some of them have rules that they would like you to do. But ultimately, she thinks it's an excellent project and it's refreshing to have something going on there that will begin possibly a lot of improvements, seconded by Mr. Lewis.

Mrs. Melson-Williams stated that Staff wants to clarify for the record that your approval is for Rezoning of this property from IO (Institutional and Office Zone) to the zoning classification of C-1A (Limited Commercial Zone). Responding to Mrs. Melson-Williams, Mrs. Denney stated that is correct.

Mrs. Denney moved to recommend to City Council approval of Z-26-02 Lands of ASMA Properties, LLC at 317, 319, and 325 W. Division Street to rezone the properties from IO (Institutional and Office Zone) to C-1A (Limited Commercial Zone). As she reviews the application and the comments from all the entities that have reviewed this, everybody seems to think that it is a good idea. Within that, there are some recommendations or suggestions and some of them have rules that they would like you to do. But ultimately, she thinks it's an excellent

project and it's refreshing to have something going on there that will begin possibly a lot of improvements, seconded by Mr. Lewis and the motion was carried 8-0 by roll call vote with Mr. Baldwin absent. Mrs. Denney voting yes; in keeping with the comments that she made. Mrs. Maucher voting yes; it is consistent with the Comprehensive Plan and it is also compatible with existing zonings in the area and there is sufficient infrastructure. Dr. Jones voting yes; based upon previous comments. Mrs. Welsh voting yes; based on comments contained in the motion. Mr. Lewis voting yes; based on Staff recommendations. Mr. Roach voting yes. Mr. Witham voting yes; based upon Article 10, Section 5.36 for the three factors to be considered as a Commission and it is compatible with the existing uses and zones currently in the area. It meets the Comprehensive Plan and there is sufficient public infrastructure. Mr. Reaves voting yes; for reasons previously stated.

NEW BUSINESS

No items of New Business.

PUBLIC COMMENTS OPPORTUNITY

There was no one wishing to provide comments.

Meeting adjourned at 7:50 PM.

Sincerely,

Kristen Mullaney
Secretary