MEMORANDUM

Department of Planning & Inspections
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DATE: June 30, 2017

TO: Applicants to the Planning Commission

FROM: Planning Office

SUBJECT: D.A.C. Meeting of **WEDNESDAY**, July 5, 2017

The Development Advisory Committee (D.A.C.) will hold a meeting with the applicants on **WEDNESDAY, July 5, 2017 at 10:00 AM in the Dover Public Library, Multi-Purpose Room A** to review and comment on the following applications. The Dover Public Library is located at 35 Loockerman Plaza, Dover. These applications are anticipated to be considered by the Planning Commission at its meeting of Monday, July 17, 2017 to be held in the Public Assembly Room of the Dover Police Station at 400 South Queen Street, Dover.

Participation in the DAC meetings is limited to agency reviewers and project applicants. While the public is welcome to attend, public comment will not be accepted. The opportunity for public comment will be available at the Planning Commission meeting.

Applicants: Please review the DRAFT Development Advisory Committee (D.A.C) Report provided for your project and be prepared to discuss any questions or concerns.

1) SB-17-02 Minor Subdivision Plan for Panera Bread Restaurant at 545 North DuPont Highway - Review of a Minor Subdivision Plan application to permit the subdivision of an 0.86 acre (37,341 S.F.) lot from the 8.417-acre parcel. The new lot coincides with the pad site area of Capitol Commons that is under development as the Panera Bread Restaurant. The property is located on the east side of North DuPont Highway north of Townsend Boulevard. The property is zoned C-4 (Highway Commercial Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone – Tier 3: Excellent Recharge Area). The owner of record is Dover, DE Retail LLC c/o TLM Realty Corp. Property Addresses: 515 North DuPont Highway and 545 North DuPont Highway. Tax Parcel: ED-05-068.09-01-34.00-000. Council District 3. *This application is associated with Site Plan S-16-02 Capital Commons that was granted conditional approval by the Planning Commission in February 2016 and Final Plan approval in May 2016 and with S-16-23 Panera Bread Restaurant that was granted conditional approval by the Planning Commission in November 2016 and Final Plan approval in April 2017.*

2) C-17-02 Shell's Early Learning Center at 868 South State Street - Review of a Conditional Use Site Plan to construct a 1,038 SF addition to an existing 2,598 SF Day Care Center. Other proposed improvements include demolition of an existing garage and construction of additional parking. The applicant proposes a Day Care Center that can accommodate 83

children. The property is zoned R-8 (One-Family Residence Zone) and is located on the west side of South State Street north of Wyoming Avenue. The owner of record is 868 State Street LLC. Property Address: 868 South State Street. Tax Parcel: ED-05-077.17-03-49.00-000. Council District 2. *This project requested variances from the Board of Adjustment to permit the maximum number of children in a Day Care Center in a residential zone to increase from 50 to 83, and to permit the maximum building coverage for a conditional use in a One-family Residential Zone to increase from 20% to 23.7%. The requested variances were approved on May 17, 2017.*

3) S-17-18 Frito Lay Building at Tudor Business Park - Review of a Site Development Plan application to permit construction of a 4,278 S.F. one-story warehouse/office building and associated site improvements. This is to be an additional building within the Tudor Business Park. The property is zoned C-3 (Service Commercial Zone). The property is located on the south side of South Little Creek Road and is served by Otis Drive. The owner of record is Tudor Enterprises, LLC. Property Address: multiple addresses in Tudor Business Park on South Little Creek Road. Tax Parcel: ED-05-077.12-01-02.00-000. Council District 2. *Waiver Request: Partial Elimination of Curbing.*

4) S-17-19 Bay Road Office Park Master Plan – Review of a Site Development Master Plan to permit phased construction of Bay Road Office Park to consist of four buildings in four phases. The buildings proposed include 25,120 S.F. office building, a 17,500 S.F. office building, a 16,250 S.F. office building, and a 15,000 S.F. flex/warehouse building. The subject properties consist of a 5.00 acre +/- parcel and a 1.46 acre +/- parcel. The properties are zoned C-4 (Highway Commercial Zone). The property is located on the southwest side of Bay Road and south of Miller Drive with access from Cowgill Street and Martin Street. The owner of record is Bay Road One, LLC. Property Address: 550 Bay Road. Tax Parcels: ED-05-077.00-01-10.01-000 and ED-05-077.00-01-11.00-000. Council District 2. *Waiver Request: Parcel Elimination of Opaque Barrier Component. Waivers to be Requested: Elimination of Loading Spaces, Reduction of Arterial Street Buffer. This project has also filed a variance request with the Board of Adjustment as Phase 1 of the project will exceed the maximum allowable parking; however, the remaining phases and full build-out of the project does not.*

5) S-17-20 Bay Road Commercial at 560 and 600 Bay Road – Review of a Site Development Plan to permit construction of a 120,046 S.F. of commercial development on a 12.9366 acre+/- parcel currently named Bay Road Commercial. The development is proposed to include two restaurants of 4,200 S.F. and 6,400 S.F., a 70,646 S.F. grocery store, a 18,000 S.F. multi-tenant building segment and a 20,800 S.F. multi-tenant building segment. The property is zoned C-4 (Highway Commercial Zone). The property is located on the southwest side of Bay Road. The owner of record is S H E Holdings, LLC c/o Mike Longwill and the equitable owner is Bayroadcap, LLC c/o Bill Krapf. Property Addresses: 560 Bay Road and 600 Bay Road. Tax Parcels: ED-05-077.00-01-09.00-000 and ED-05-077.00-01-10.00-000. Council District 2. Waiver Request: Reduction of Arterial Street Buffer. *This application is associated with S-14-08 Woodland Tree Clearing Plan of 560 Bay Road granted conditional approval by the Planning Commission in April 2014 and Final Plan approval in April 2017. A previous application S-10-03 South Dover Plaza for development of the property has expired.*

6) S-17-21 DIYA Apartments at 1302, 1310 and 1324 Forrest Avenue - Review of a Site Development Plan application to permit construction of a 7,000 S.F. one-story retail building and a three story apartment building of 44 units as well as associated site improvements. A Parcel Consolidation Plan will be required to consolidate the five parcels into one 2.61-acre parcel. The property is zoned C-2A (Limited Central Commercial Zone) and is subject to the COZ-1 (Corridor Overlay Zone). It is located on the south side of Forrest Avenue west of Independence Boulevard and adjacent to June Lane. The owner of record is Margaret H. Johnson and equitable owner is MAC Rentals, LLC. Property Addresses:1302, 1310 and 1324 Forrest Avenue. Tax Parcels: ED-05-076.10-01-01.00-000, ED-05-076.10-01-02.00- 000, ED-05-076.10-01-03.00-000, ED-05-076.10-01-04.00-000, ED-05-076.10-01-04.01-000. Council District 1. *Waiver to be Requested: Partial Elimination of Upright Curbing. This application is the subject of Application V-17-09 to the Board of Adjustment on March 15, 2017 and June 21, 2017 regarding variances for maximum allowed number of stories and allowable height of buildings located with the COZ-1.*

Please be advised that the Planning Commission meeting agenda will include other items in addition to the items listed above. As an applicant you will receive a packet of information for the Planning Commission meeting including the meeting agenda and Final D.A.C. Report.

CC: Michael Oestreich, TLM Realty Corp.
David M. Kuklish, P.E., Bohler Engineering
Wilfred M. Martin, 868 State Street LLC
Paul Hebert, Hebert Construction LLC
William Byler Jr., William Byler Jr. Architect Inc.
Julian Marvel, Colonial Land Surveyors
Robert Tudor II, Tudor Enterprises LLC
Greg Scott, Scott Engineering Inc.
Francis Smyth, Bay Road One LLC
Alex Schmidt, Century Engineering Inc.
Mike Longwill, S.H.E. Holdings
Bill Krapf, Bayroadcap. LLC
Mike Riemann, Becker Morgan Group Inc.
Jonathan N.H. Street, Becker Morgan Group Inc.
Margaret Johnson
Edward H. Ide III, P.E., i3a LLC