CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, July 17, 2017– 7:00 P.M.
Dover Police Department Public Assembly Room
400 South Queen Street, Dover, Delaware

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

1) Application S-17-21 DIYA Apartments at 1302, 1310 and 1324 Forrest Avenue will not be heard on July 17, 2017. This application will be rescheduled for a future Planning Commission meeting and will be subject to Public Notice requirements.

ADOPTION OF MINUTES OF REGULAR MEETING of June 19, 2017

COMMUNICATIONS & REPORTS

1) The Annual Meeting of the Planning Commission typically held in July including the election of Chairman and Vice Chairman will be scheduled for a future meeting upon completion of the appointment process for Commission members.

2) Notice: The Planning Commission Quarterly Workshop is cancelled for WEDNESDAY, July 19, 2015 and will be rescheduled in the future.

3) Reminder: The next Planning Commission regular meeting is scheduled for MONDAY, August 21, 2017 at 7:00pm in the City Council Chambers.

4) Update on City Council Actions

5) Update from Planning Office

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

2) Development Applications
   A. S-17-15 Dover Station at 655 West North Street – Continuation of Review of a Site Development Plan application to permit construction of a 20,000 S.F. two-story office building and a 6,000 S.F. group home as well as associated site improvements. This project adds to the existing development at 645 West North Street and will share site access. The property is zoned IO (Institutional and Office Zone) and is located on the north side of West North Street east of Clarence Street. The owner of record is Faithworks, LLC. Property Address: 655 West North Street. Tax Parcel: ED-05-076.12-04-08.00-000. Council District 4. *Waiver Requested: Reduction of Loading Spaces, Partial Elimination of Opaque Barrier (Fence Component) and Alternative Format of Opaque Barrier. This property was the subject of Site Development Plan Application S-*

07-37 for a similar development, granted Final Approval in May 2008; construction was not commenced and the plan subsequently expired. This property is also associated with Site Development Plan Application S-06-40, granted Final Approval in July 2007, for development of the adjacent property at 645 West North Street.

- *The Planning Commission conducted a Public Hearing and began consideration of S-17-15 at the June 19, 2017 meeting and deferred action pending submission of additional information.*

NEW DEVELOPMENT APPLICATIONS

1) SB-17-02 Minor Subdivision Plan for Panera Bread Restaurant at 545 North DuPont Highway – Public Hearing and 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 – Public Hearing and 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. *Waiver Request: Elimination of Upright Curbing. 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 – Public Hearing and 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. Review of the Performance Standards Review Application associated with the Site Plan to determine if the proposed use will conform to the applicable performance standards as outlined in *Zoning Ordinance,* Article 5 §8 Performance Standards. 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 Upright Curbing and Consideration of Performance Standards Review Application.*

4) S-17-19 Bay Road Office Park Master Plan – Public Hearing and 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. *Waivers Requested: Elimination of Loading Spaces, Partial Elimination of Upright Curbing, and Reduction of Arterial Street Buffer. This project has also filed a variance request (V-17-12) 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. A second variance request is associated with the Elimination of the Opaque Barrier (Landscape Component).*

5) S-17-20 Bay Road Commercial at 560 and 600 Bay Road – Public Hearing and 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.*

NEW BUSINESS

ADJOURN

THE AGENDA ITEMS MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

Posted Agenda: posted July 7, 2017