A G E N D A
CITY OF DOVER PLANNING COMMISSION
Monday, September 19, 2011 – 7:00 P.M. - City Hall: Council Chambers

PLEDGE OF ALLEGIANCE
ROLL CALL

APPROVAL OF AGENDA
ADOPTION OF MINUTES OF REGULAR MEETING of August 15, 2011
ADOPTION OF MINUTES OF QUARTERLY WORKSHOP of August 16, 2011

COMMUNICATIONS & REPORTS

1) An Audio/Web Conference entitled "Planning for Solar Energy" will be held on October 12, 2011 from 4:00pm-5:30pm at the Kent County Administrative Building, Room 220. The session is co-sponsored by the Delaware Chapter of the American Planning Organization (APA) and the Kent County Department of Planning Services.

2) Report on City Council actions
    a. Updates from Meetings

3) Update on other Planning activities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval:

    a) S-09-19 Walker Pavilion at Four Seasons at 101 Mont Blanc Boulevard – Request for an extension of the Planning Commission approval first granted October 19, 2009 for a Site Plan application to permit the construction of a two story 24,657 S.F. building and associated site improvements. The project located on a single parcel of land consisting of 2.615 acres ± is zoned C-PO (Commercial/Professional Office Zone) and is subject to the COZ-1 (Corridor Overlay Zone). The subject area is located at the southwest corner of Saulsbury Road and Walker Road. The owner of record is Cahne Pavilion of Dover, LLC. Property Address: 101 Mont Blanc Boulevard. Tax Parcel: ED-05-067.19-04-52.00-000. Council District 1. *Previously, a one year extension was granted by the Planning Commission on September 20, 2010 setting the plan expiration date as October 31, 2011. Under the newly adopted provisions of Ordinance #2011-14 unexpired plans shall be eligible for an extension of approval not to exceed 36 months from the initial approval date.*

    b) SB-10-02 Wynsome Oaks Subdivision on White Oak Road – Request for an extension of the Planning Commission approval granted on September 20, 2010 for a Conceptual Subdivision Plan Review to create seventeen parcels from an existing parcel totaling 12.78 acres +/- of land. The property is zoned R-8 (One Family Residence Zone) and SWPOZ (Source Water Protection Overlay Zone). The property is located on the south

side of White Oak Road, southwest of Mourning Dove Lane. The owner of record is TFLD Management, LLC. Tax Parcel: LC-05-068.00-01-18.00-000. Council District 3.

c) S-10-17 Duncan Plaza at 600 Forest Street – Request for an extension of the Planning Commission approval granted on September 20, 2010 for a Site Development Plan and Architectural Review Certification for construction of a four story 32,624 S.F office building with coffee shop and the associated site improvements. The project site is zoned IO (Institutional and Office Zone) and subject to the H (Historic District Zone) and the SWPOZ (Source Water Protection Overlay Zone). The property site is located on the south side of Forest Street just west of the intersection of West Loockerman Street, South Kirkwood Street, and Slaughter Street. The owner of record is 1776 Investments & Holdings (Robert Duncan). Property Address: 600 Forest Street. Tax Parcel: ED-05-076.12-02-44.00-000. (Parcel ED-05-076.12-02-45.00-000 is reputed to be a City of Dover owned parcel). Council District 4.

d) S-10-21 NBR Properties at 850 New Burton Road – Request for an extension of the Planning Commission approval granted on September 20, 2010 for a Site Development Plan to permit the construction of a 20,000 S.F. office building with the associated site improvements on a 1.671 acre parcel. The property is zoned C-1A (Limited Commercial Zone). The property is located southwest of the intersection of New Burton Road/Queen Street and West Street. The owner of record is NBR Properties, LLC. Property Address: 850 New Burton Road. Tax Parcel: ED-05-76.00-01-23.00-000. Council District 2.

2) Review of Revisions to Architectural Review Certifications:
   a) HI-10-08 Bayard Plaza on West Loockerman Street - Update on the selected/required exterior finish materials for the Bayard Plaza project. Previously, the Architectural Review Certification for the project was issued upon recommendation of the Historic District Commission on October 21, 2010 and November 4, 2010 and upon action by the Planning Commission November 15, 2010. The project consists of the construction of a five story 54,998 S.F. mixed use building to include 5,012S.F. of retail space on the first floor, 48 residential apartments, and the associated Site improvements. The project involves demolition of the two existing buildings on the project site including the building known as the Bayard Hotel which the Commission declared on January 21, 2010 as being Demolished by Neglect. The project area consists of one parcel of land totaling 27,675.62 S.F.± of land zoned C-2 (Central Commercial Zone) and subject to the H (Historic District Zone). The property is located on the southwest corner of West Loockerman Street and South Governors Avenue. The owner of record is the Capital Plaza, LLC. The property addresses are 200-216 West Loockerman Street and 208 South Governors Avenue. Tax Parcel: ED-05-077.09-01-86.00-000. Council District 4. *The Historic District Commission reviewed this revision request on August 18, 2011 and has provided a recommendation.*

   b) S-11-11 Lands of Downtown Dover Partnership at 120 S. Governors Avenue – Report on Recommendation of Side Yard Setback Waiver Request from the Historic District Commission as associated with the Architectural Review Certificate for this Site Development Master Plan. The project proposes construction of a four story 47,042 SF

mixed-use building consisting of a retail component and 27 apartments, a four story 34,896 S.F. apartment building of 24 apartments with ground level parking in the building, and other associated site improvements on the property at 120 South Governors Avenue. The existing 16,783 SF commercial building on the property is proposed for demolition. The application also includes a Minor Subdivision Plan to divide the property into two lots. The property consists of 1.7653 acres ± and is zoned C-2 (Central Commercial Zone) and subject to the H (Historic District zone). The property site spans the block between South Governors Avenue and South New Street located north of, but not adjacent to, West Loockerman Street. The owner of record is Downtown Dover Partnership (formerly the Downtown Dover Development Corporation). Property Address: 120 South Governors Avenue. Tax Parcel: ED05-077.09-01-44.00-000. Council District 4. *Previously, the Planning Commission on August 15, 2011 took action to conditionally approve the Site Development Master Plan and the Architectural Review Certificate for this project. The Historic District Commission reviewed the waiver request at their meeting of August 18, 2011 and has provided a recommendation. (HI-11-04).*

3) Review of Revised Architecture:
   a) S-11-09 State Street Plaza at 1004 S. State Street – Review Revised Architecture associated with a Site Plan for the construction of a 9,942 SF office building and other associated site improvements at 1004 South State Street. The property is 0.7635 acres ± and is zoned C-2A (Limited Central Commercial Zone). The property is located on the west side of South State Street at the intersection with Wyoming Avenue. The owner of record is Gateway South Professional Center, LLC and the equitable owner is ADP Properties, Inc. Property Address: 1004 South State Street. Tax Parcel: ED05-077.17-07-21.00-000. Council District 2. *Previously, the Planning Commission conditionally approved the Site Plan at their meeting on July 18, 2011 and requested revised architecture for the building.*

4) Annual Review of Conditional Use Permit:
   a) C-08-01 House of Pride at Properties on North New Street and South New Street – Annual Review of the Conditional Use Permit for the House of Pride properties, a philanthropic use and social service agency, including a residential recovery program and transitional housing. The project is located on seven (7) properties on North New Street and South New Street. The application involved the establishment of a multi-use philanthropic use relating to substance abuse prevention, intervention, treatment, education, and aftercare. The buildings include office, recovery houses, and transitional houses. The properties are zoned RG-1 (General Residential Zone) with the exception of 105 South New Street which is zoned C-2 (Central Commercial Zone). The owner of record is The House of Pride, Inc. The property addresses and associated tax parcels numbers are listed below. Council District 4.

20 North New Street	ED-05-076.08-05-20.00-000
29 South New Street	ED-05-077.05-03-10.00-000
37 South New Street	ED-05-077.05-03-08.00-000
38 South New Street	ED-05-076.08-05-84.00-000
55-57 South New Street	ED-05-077.05-03-02.00-000
105 South New Street	ED-05-077.09-01-37.00-000
110 South New Street	ED-05-077.09-01-31.00-000

****Initial approval of the Conditional Use by the Planning Commission on January 22, 2008. At the January 18, 2011 meeting, the Planning Commission acted to provisionally continue the Conditional Use Permit and required that it be subject to annual review by the Planning Commission.*

NEW DEVELOPMENT APPLICATIONS

1) Z-11-06 Lands of EJB, Inc. at 327 Martin Street: Serenity Place - Public Hearing and Review for Recommendation for a rezoning application consisting of one parcel of land totaling of 0.277 acres ± (11,744 S.F. +/-). The property is currently zoned C-4 (Highway Commercial Zone). The proposed zoning is IO (Institutional/Office Zone). The subject property is located on the east side of Martin Street and southeast of the intersection Court Street and South DuPont Highway (Route 13). The owner of record is EJB, Inc. The lessee is Serenity Place, Inc. Property Address: 327 Martin Street. Tax Parcel: ED05-077.10-01-48.00-000. Council District 2.

2) S-11-16 Governors Avenue Animal Hospital at 1008 South Governors Avenue – Public Hearing and Site Plan Review to permit the construction involving renovations an existing building and a two story building addition resulting in a 7,900 S.F.+/- veterinary hospital building and associated site improvements. The subject site consists of one parcel for a total of 0.8379 acres +/- (36,497 S.F. +/-) of land. The property is situated on the southwest corner of South Governors Avenue and Wyoming Avenue. The property is zoned C-1A (Limited Commercial Zone). The owner of record is Governors Avenue Realty, LLC. Property Address: 1008 South Governors Avenue. Tax Parcel: ED-05-077.17-06-20.00-000. Council District 2. *Waiver Request: Reduction of Arterial Street Buffer, Elimination of the Opaque Barrier element of the Landscape Buffer requirement. A previous application for the property was reviewed as S-09-01 South Governors Avenue Animal Hospital in February 2009; the plan has since expired.*

3) MI-11-09 Text Amendment: Revisions to Article 3 and Article 5 of the Zoning Ordinance regarding Swimming Pools – Public Hearing and Review for Recommendation to City Council on a series of Amendments to the *Zoning Ordinance,* Article 3 §1 – One Family Residence Zones and the addition of a new subsection 1.11 to Article 5 §1 – Supplementary Regulations Applying to Residence Zones. The proposed ordinance revises the regulations regarding swimming pools in residence zones and relocates the regulations into the supplementary regulations section of the Code. Ordinance #2011-21.

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.