



DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF October 8, 2025

PLANNING COMMISSION MEETING OF October 20, 2025

<u>Plan Title:</u>	LivSmart Extended Stay Hotel at 530 and 540 Bay Road, S-25-14
<u>Plan Type:</u>	Site Development Plan
<u>Location:</u>	Lands between S. Bay Road and Martin Street just south of Miller Road
<u>Owners:</u>	Bay Road Four, LLC and Bay Road Three, LLC
<u>Equitable Owner:</u>	Weathervane Capital Partners
<u>Addresses:</u>	530 and 540 S. Bay Road, Dover DE
<u>Tax Parcels:</u>	ED-05-077.00-01-45.00-000, ED-05-077.10-01-10.02-000
<u>Size:</u>	2.20 acres +/-
<u>Present Uses:</u>	Vacant
<u>Proposed Use:</u>	Hotel with parking
<u>Zoning:</u>	C-4 (Highway Commercial Zone)
<u>Building Area:</u>	11,480 square feet (footprint) (Estimated 57,400 SF total floor area)
<u>Off Street Parking:</u>	123 vehicle parking spaces (including 7 handicap spaces)
<u>Sewer & Water:</u>	City of Dover
<u>For Consideration:</u>	Site Plan Review
<u>Waiver Requests:</u>	Reduction of Arterial Street Buffer Elimination of Loading Berth

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: October 1, 2025

City of
Dover
Planning
Office

DRAFT

APPLICATION: LivSmart Extended Stay Hotel at 530 and 540 Bay Road

FILE #: S-25-14

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP PHONE: 302-736-7196

Note: The Review Report was initially prepared by Staff of the Rossi Group (under a Planning services contract with the City of Dover). The Report was completed with additional review and editing by the City's Planning Office.

I. PLAN SUMMARY

This Application is for Review of a Site Development Plan Application to permit construction of a new 5-story hotel of 113 rooms as a Hilton LivSmart Extended Stay Hotel and with associated parking lot and site improvements. The project will involve the consolidation of two parcels totaling 2.20 acres +/- . The properties are zoned C-4 (Highway Commercial Zone) and are located at the southwest corner of Miller Road and Bay Road with Martin Street to the west. The owners of record are Bay Road Four, LLC and Bay Road Three, LLC and the equitable owner is Weathervane Capital Partners. Property Addresses: 530 Bay Road and 540 Bay Road. Tax Parcels: ED-05-077.00-01-45.00-000 and ED-05-077.10-01-10.02-000. Council District 2.

Previous Applications

The original Site Development Master Plan was approved in April of 2018, which planned for offices on a portion of this site under S-17-19 Bay Road Office Park Master Plan (Planning Commission review in July and October 2017). One office building was constructed with Administrative Site Plan S-17-30 Bay Road Office Park Phase 1: Office Building. Final Record Plan Approval was granted on December 18, 2028 for a Minor Subdivision Plan SB-19-8-04 that reconfigured the involved parcels to set each building on a parcel. In 2021, the Master Plan revisited the Planning Commission for review after the additional property at 530 Bay Road was acquired and incorporated into the development plan. On March 23, 2022, Final Site Development Master Plan Approval was granted to application S-21-05 Bay Road Office Park Master Plan Revised for the construction of two additional office buildings and other site improvements for Phases 2 and 3 to the east of the existing two-story office building constructed in Phase 1. Site Development Master Plan S-21-05 expired in May 2023, as construction did not commence and the applicant did not file an extension.

Preliminary Land Use Services Review (PLUS):

The PLUS Review is required by a City of Dover Memorandum of Understanding (MOU) for certain types of projects. This project's building square footage is below the threshold for PLUS review.

II. PROJECT DESCRIPTION

The application proposes construction of a new 5-story hotel of 113 rooms, a Hilton LivSmart Extended Stay Hotel, and associated parking lot and site improvements. The project involves the consolidation of two parcels totaling 2.20 acres +/- . The properties are zoned C-4 (Highway Commercial Zone) and are located at the southwest corner of Miller Road and Bay Road with Martin Street to the west. The owners of record are Bay Road Four, LLC and Bay Road Three, LLC and the equitable owner is Weathervane Capital Partners. Property Addresses: 530 Bay Road and 540 Bay Road. Tax Parcels: ED-05-077.00-01-45.00-000 and ED-05-077.10-01-10.02-000.

The project is seeking two Waiver Requests: Reduction of Arterial Street Buffer and Elimination of Loading Berth. See Plan Set submission (print date 9/3/2025) and architectural elevations drawings.

Surrounding Land Uses

This subject property location is north of the entrance drive (driveway) to 550 S. Bay Road, east of Martin Street, and south of Miller Road. As previously noted, both parcels in the application are zoned C-4 (Highway Commercial Zone). The properties immediately adjacent to the subject project location are zoned C-4 (Highway Commercial Zone), with other nearby properties zoned RG-1 (General Residence Zone) and RG-3 (Group Housing Zone). The residential properties are located along Martin Street, west of the subject site. The property across Bay Road is zoned IO (Institutional and Office Zone) and is the location of the Kent County Administration Building.

III. ZONING REVIEW

C-4 (Highway Commercial Zone)

The subject property is zoned C-4 (Highway Commercial Zone); this zoning designation will remain in place. The description of the C-4 (Highway Commercial Zone) zoning district is provided in Article 3 §16 of the *Zoning Ordinance* and provisions identify the allowable (permitted) uses and the related bulk standards for the C-4 zone. The C-4 zone allows for “hotels as a principal use.” The subject property, once combined into one parcel, will have frontage on Bay Road.

C-4 zone	Required	Provided
Lot Width	150 ft.	>150’
Lot Depth	150 ft.	>150’
Front Yard	20 ft.	+/- 150’
Arterial Street Buffer	30 ft.	20 ft. – waiver requested
Side Yard	15 ft.	+/- 50’
Rear Yard	10 ft. or equal to bldg. height	+/- 75’
Building Height	6 stories / 75 ft.	5 stories / 61 ft +/-
FAR	4.0	57,400 total floor area/95,832) = 0.60 FAR
Lot Coverage	75%	(71,152/95,832) = 74.25%

IV. PARKING SUMMARY

Zoning Ordinance, Article 6, §3 details required off street parking for special uses, including hotels or motels. At least one parking space is required for each guestroom, plus one (1) for every 200 ft. of office space, banquet hall, or meeting areas.

- Calculation: $113 \text{ rooms} \times 1 \text{ space/room} + (750 \text{ SF banquet} / 200 \text{ SF}) = 117 \text{ parking spaces}$

The applicant has provided 123 total parking spaces, 7 of which are handicapped spaces.

Bicycle Parking

Bicycle parking shall be provided for parking spaces at a rate of one (1) bicycle parking space for every twenty (20) parking spaces. Based on the 123 parking spaces provided, seven (7) bicycle spaces are required. The Plans submitted do not include any bicycle parking; the applicant has indicated a willingness to find a placement location for a bicycle parking rack. *Zoning Ordinance*, Article 6 §3.10 states “The planning commission may waive the requirement for the bicycle parking if it is demonstrated that bicycle parking would not be appropriate for safety reasons or due to the nature of the use of the site.” Unless the Planning Commission waives this requirement, seven (7) bicycle parking spaces are required. No waiver request has been submitted.

V. SITE CONSIDERATIONS

Dumpsters

Dumpsters are required at rate of two dumpsters per non-residential building. This property would require two dumpster units which must include provisions for both trash and recycling collection. Two dumpsters are identified in the proposed plan and appear to be in the front-loaded format. The detail sheet includes a detail for the dumpster pad, but not for the dumpster enclosure.

Lighting

The Plan shows light fixtures around the parking lot areas.

Site Access

Vehicular access is proposed from Miller Road and also from Bay Road via an existing commercial driveway that serves the office building south of the proposed hotel. Access easements currently exist on Martin Street; however, an additional access easement will need to be established/clarified on parcel ED05-077.00-01-11.00-000, owned by Cohen Bay, LLC, to allow access to Bay Road. There is no direct access to Bay Road or Martin Street from the subject site. Martin Street can be accessed from the shared entrance drive.

The application proposes adequate pedestrian access to the site with new sidewalk proposed along Martin Street and Miller Road, new crosswalks proposed across the Century Engineering drive aisle and Miller Road. Both crosswalks tie into existing or proposed pedestrian facilities. The Bay Road frontage includes a multi-modal/shared use path.

Waiver Request: Elimination of Loading Berth

The applicant has requested a waiver to allow for the Elimination of a Loading Berth. *Zoning Ordinance*, Article 6, §4.25 states for hotels, one berth for each 25,000 square feet of floor area, or fraction thereof [is required]. Based on the overall building size, three loading berths would be

required. The applicant notes the proposed 5-story, 113 room Hilton LivSmart Extended Stay Hotel does not contain any restaurant, bar, banquet or meeting facilities, and does not require any major deliveries requiring a stand-alone loading berth. On occasion, linens, vending machine concessions, and some office supplies may be delivered. However, these deliveries will be made using small vehicles and trucks via the front entrance.

VI. BUILDING ARCHITECTURE

The five story building features EIFS, or Exterior Insulation and Finish Systems, multi-layered wall cladding systems featuring a foam insulation board, a reinforced base coat, and a decorative finish coat, applied over the exterior sheathing of a building to provide insulation, moisture resistance, and aesthetic versatility. The elevation plans identify three different exterior wall coat colors (harbor gray, lampblack, and black beauty) and woodgrain accents for the exterior. Louvers, vents, and grills are to be painted/prefinished to match adjacent EIFS color. Picture windows are on all elevations and floors. The bottom floor features an entry canopy and double-framed sliding glass doors on the east elevation. The south, west, and north elevations feature single-frame glass doors. While signage is depicted on the building elevation drawings, all signage is subject to a separate Sign Permit review process.

VII. TREE PLANTING AND LANDSCAPE PLAN

Tree Planting Requirements

The *Zoning Ordinance* further requires tree planting at a rate of one tree per 3,000 SF of non-woodland development area. Based on the total non-woodland area (the entire subject parcels) for the submitted plan of 2.20 acres, 32 trees are required to be planted. The applicant has proposed 41 tree plantings in a mix of species. The tree plantings are proposed around the perimeter of the site including in the Arterial Street Buffer along Bay Road and also in parking lot islands. Several existing trees along the shared entrance drive to the south are proposed to remain.

Woodlands

The plan notes indicate the removal of 0.27 acres of existing woodlands for the construction of a new building and associated parking. The applicant will be re-evaluating if this existing vegetative area on the properties qualifies as “woodland” based on the definition below; it is not believed to meet the woodland definition.

- *Woodland.* An area of contiguous wooded vegetation (7,500 square feet or greater), where trees exist at a density of at least one tree with a caliper dimension of six inches or greater per 375 square feet of land and where the tree branches form a contiguous canopy.

Article 5 § 16.5 of the *Zoning Ordinance* addresses Woodland *preservation* and requires woodland mitigation is clearing is necessary of over 50% of the woodland area. This must be clarified on the plan to determine if the project requires woodland mitigation. See code excerpt below:

Article 5

16.51 *Tree preservation and selective clearing plan required.* All site development proposals which involve the development of woodland areas and require planning commission approval shall include a tree preservation and selective clearing plan as part of the submission plan. The tree preservation and selective clearing plan shall be prepared in accordance with the provisions of subsection 16.5, subsection 16.7 and subsection 16.8 of this section.

16.52 *Limited clearing for site development allowed.* Generally, site development plans for the construction of a new building within existing woodland areas shall limit clearing of the land to those

areas necessary to provide for the placement of the building or group of buildings, adequate access onto the property and to the proposed building or group of buildings, utility placement, off-street parking and yard areas to allow for daylight infiltration and building maintenance.

When woodland areas are proposed to be cleared to allow for new construction, clearing within the area of the proposed construction shall be limited to an area of 30 feet from proposed building foundation, and 15 feet from off-street parking lots, and utility placement.

16.53 *Maximum clearing requirement.* Specifically, no more than 50 percent of a lot, parcel or tract of land occupied by woodland vegetation may be cleared for any purpose.

Waiver Request: Reduction of Arterial Street Buffer

The frontage of Bay Road requires an Arterial Street Buffer 30 feet in width. The applicant has requested a waiver from the Arterial Street Buffer requirement in Article 5, §7.3 to reduce the width to 20 feet while still providing tree and shrub plantings and lawn area in the buffer:

Article 5

7.3 Arterial street buffers. Where nonresidential zoned property fronts on a principal arterial street, as designated by the comprehensive plan, a landscape buffer shall be required in addition to normal landscaping of the street right-of-way. This landscape buffer shall be required when the property is subject to site development plan review or site development master plan review by the planning commission according to appendix B, zoning, article 10, planning commission. Arterial street buffers shall be a minimum of 30 feet in depth, measured from the right-of-way line of the arterial street.

7.31 *Landscaping of arterial street buffers.* At the time of development of the property, the arterial street buffer shall be planted with a variety of trees, shrubs and ground cover. The landscape design and planting plan for these arterial street buffers shall be subject to the approval of the planning commission as an integral part of the site development plan.

7.32 *Standards for arterial street buffer landscaping.* Landscaping in arterial street buffers shall follow the landscape guidelines outlined in appendix B, zoning, article 5, supplementary regulations, section 15, landscape guidelines. Landscaping shall be designed to enhance the appearance of the arterial street, complement the architecture of buildings on site, and integrate with adjacent landscape areas. Landscape designs and planting plans which would pose a hazard to traffic on the arterial street, obstruct underground or overhead utilities or infrastructure, or significantly impede visibility of properties from the street shall be prohibited.

7.33 *Planning commission waiver.* The planning commission may approve a buffer less than 30 feet in depth. In approving a lesser amount of buffering, the planning commission shall consider the following factors:

- a) Whether there are specific constraints related to existing lot size, lot configuration or the orientation of existing buildings on adjoining properties that would severely limit the development potential of the property if a deep buffer was required.
- b) Whether a deep or shallow buffer would cause the property to be out of character with the surrounding built environment.
- c) Whether there is significant landscape area within the right-of-way of the arterial street itself that can contribute to the buffer, and whether future road improvement activities are likely to reduce the depth of this area.
- d) Whether the landscape design and planting plan for the buffer achieve the standards of subsection 7.32—Standards for arterial street buffer landscaping.

A waiver is being requested from installing a 30-foot Arterial Street Buffer along the Bay Road frontage. Instead, the applicant proposes to install a 20-foot-wide Arterial Street Buffer. The narrower buffer maintains the character along Bay Road (some uses have zero buffer) and the

required landscaping can be achieved in the narrower buffer. In 2017, and reduction of the Arterial Street Buffer to 20 feet was granted for the proposed office park to be located at this location. The applicant notes that in preapplication meeting with DelDOT, it was determined that no additional widening is required along Bay Road. The Planning Commission considers this waiver request.

Parking Lot Screening

Portions of the site are located across the street from residential properties on Martin Street. The *Zoning Ordinance*, Article 5 §7.23 requires that when a parking lot is located across the street then it must be screened with a hedge. The Landscape Plan shows this being implemented.

VIII. CITY AND STATE CODE REQUIREMENTS:

The subject proposal has been reviewed for code compliance, plan conformity, and completeness in accordance with the agency's authority and area of expertise. The following items have been identified as elements which need to be addressed by the applicant:

- 1) Any Waivers granted by the Planning Commission must be noted on the final plan. The waivers requested for this application include the Arterial Street Buffer width reduction and the elimination of the loading birth requirements
- 2) The applicant must evaluate the existing vegetation on the properties to determine if it meets the definition of "woodland" found in the *Zoning Ordinance*. If it does meet the definition, then full clearing of this vegetation would require consideration of a Woodland Mitigation Plan for the woodland area above 50% of the amount on the site. A Woodland Mitigation Plan would need to be considered by the Planning Commission. *Note: The applicant has indicated that this vegetation likely does not meet the definition of woodland as it appears to be a hedge-like overgrowth area along the property line.*
- 3) Construction Plans, Sheet C302:
 - a) Site Data:
 - i) Update the data column to include building height and number of stories.
 - ii) Update the data column to include the full proposed building area, including all floors.
 - iii) Update the data column to include FAR calculation.
 - iv) Update the data column to include necessary bicycle parking.
 - v) Update the data column to include proposed setbacks, not just what is required.
- 4) Bicycle Parking: Add bicycle parking or a bicycle rack to accommodate the required bicycle parking.
- 5) Ensure the project continues to comply with the parking requirements as project design is updated to include a generator placement.
- 6) Clarify the following items in the plan set: fire lane striping/markings, the format of water service connections (why split into 6 inch/2.5 inch so far from building) and valve locations, and distance of parking spaces from the building.
- 7) The project requires sidewalk/pathway along all street frontages. Any existing sidewalk sections found on these frontages must be reviewed for compliance with current sidewalk/pathway standards.

- a) The plan is difficult to read the location and details of sidewalk along portions of Martin Street and at the intersection with Miller Road.
- 8) Provide construction details for the following items but not limited to, dumpster enclosure, traffic control signage, lighting fixtures, bicycle racks, handicap signage, etc.
 - a) Ensure there is adequate access to dumpsters to allow for collection by a refuse contractor.
- 9) The construction of the site entrances and street improvements must comply with the requirements of DelDOT and the City of Dover Public Works Department based on street maintenance responsibilities.
- 10) Any Erosion & Sediment Control Plans and Stormwater Management Plans granted approval by the Kent Conservation District must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.
 - a) It appears that this property will connect to an existing stormwater management facility.
- 11) Any signage is subject to a separate sign permit application review process per the City's Sign Regulations of the *Zoning Ordinance*, Article 5 Section 4. And signage depicted in this plan set or architectural submission is not approved as it is subject to further review for compliance.
- 12) A Record Plan sheet will need to be prepared and reviewed in order to complete the parcel consolidation process. The Record Plan would need to include access and utility easements.
- 13) The Final Plan set must include notes documenting any action taken by the Planning Commission on the requested waivers and must list any additional conditions of approval.

IX. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

In accordance with the *Zoning Ordinance*, Article 10 §2.2, the Planning Commission in considering and acting upon Site Development Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 2.21 to 2.28.

- 1) Waiver Request – Elimination of Loading Berths: Staff recommends approval of the request to eliminate the loading berths/spaces based on the described functions of the building, i.e. no banquet rooms or large vehicle deliveries. The Plan does include a drop-off area to the hotel main entrance.
- 2) Waiver Request - Arterial Street Buffer: In accordance with Article 6, §7.3, the applicant has requested a waiver from the 30-foot arterial street buffer, proposing a 20-foot-wide buffer. As this would be consistent with or exceed the arterial street buffer in the adjacent area, Staff recommends approval of this waiver noting that the area will include tree plantings and landscaping.

- 3) Access Easement: Establish/Clarify a cross-access easement to allow site access via Century Engineering's (550 Bay Road) driveway.

X. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Planning Commission should act upon the request for waivers as part of any motion regarding this project application, or as a separate motion as necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.
- 2) Any conditional approval granted by the Planning Commission is subject to the approval of lot consolidation of the two lots.
- 3) In the event that major changes and revisions to the Site Plan occur in the finalization of the Plan contact the Department of Planning and Inspections. Examples include relocation of site components like paving and increase in footprint. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regard to the Plan.
- 4) Following Planning Commission approval of the Site Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff and the other commenting agencies. Upon determination that the Plan is complete and all agency approvals have been received; copies of the Plan may be submitted for final endorsement (Final Plan Approval).
- 5) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 6) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate Site Plan approvals, Pre-Construction meetings, site inspections and permits are required.
- 7) For building new construction, the requirements of the building code and the fire code must be complied with. Consult with the Building Inspections Staff and City of Dover Fire Marshal regarding these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.
- 8) The applicant shall be aware that Site Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover. Building Permits will be required for each building.
- 9) The applicant shall be aware that Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with *Zoning Ordinance*, Article 5 §4.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Office as soon as possible.



CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: OCTOBER 1, 2025



APPLICATION: LIVSMART EXTENDED STAY HOTEL @ 530 AND 540 BAY ROAD
FILE #: S-25-14
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services
CONTACT PHONE #: 302-736-7025
CONTACT EMAIL: jlyon@dover.de.us

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

SANITATION

1. Every commercial customer shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers. The City of Dover shall provide commercial customers with a maximum of two (2), 90-gallon trash containers and two (2), 90-gallon recycling containers.
2. Trash collection site shall be oriented for side-loading pick-up if customer is utilizing City of Dover sanitation services.
3. Any commercial customer requiring more containers, or larger containers, than provided above, must utilize private service.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

STREETS

1. Final site plan approval will not be granted until a letter of no objection, signed by DelDOT is submitted to our office.
2. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb. Sidewalk and curb shall be installed for the width of the project scope.
3. Please add the following notes to the plans:
 - a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free

access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.

- b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
 - b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
 - c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that effective May 1, 2022, water mains can now be constructed using DR 18 PVC.
4. Water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) water meter for the proposed buildings. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meters must be installed in a pit per City of Dover requirements and manufacturer's recommendations. The meter pit shall be installed in a non-traffic (including pedestrian) bearing location. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically, this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. There shall only be one (1) water service per building. The Department of Water & Wastewater will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Water services shall be either type K copper or SDR-9. 1. All non-metallic water lines (mains and services) shall be installed with a tracer wire and identification tape. The wire shall be a minimum of twelve (12) gauge blue coated solid copper wire, wrapped around the pipe, and extending up into all valve and curb boxes. The identification tape shall be six-inches (6") wide, laid one foot (1') above the pipe, with the following text: "Caution: Buried Water Line Below". 3M marker balls, model 1423-XR, or approved equal shall be installed at every service line connection to the water main and all bends on the service line.

8. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. Please provide a specific description of the activities in this building.
9. Please confirm that the water main in the access way (perpendicular to Bay Road) is connected to the water main in Bay Road. If it is not, it will need to be connected as part of this project.
10. The existing water main in the access way is privately owned and maintained. As this water main will not serve another property, it shall be dedicated to the city for ownership. This water main will need to meet our material requirements and be placed in a utility easement.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
 - b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "...any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer mains showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.
8. Depending on the effluent flow, the downstream pump station may be required to be evaluated by the developer / engineer to verify it can handle the additional effluent flow.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. No trees may be planted within ten feet (10') of utility infrastructure.
3. No structure may be installed within ten feet (10') of utility infrastructure, please depict all underground utilities and structures on the utility plan sheet to confirm compliance.
4. The final site plan must be submitted in the following compatible digital formats:
 - a. AutoCAD 2018 (.dwg format).

- b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees will be required to be paid prior to Certificate of Occupancy for this project.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees will be required to be paid prior to Certificate of Occupancy for this project.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

SANITATION / STORMWATER / STREETS

1. None.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
STAFF D.A.C. MEETING DATE: OCT 1, 2025

APPLICATION: LivSmart Extended Stay Hotel at 530 and 540 Bay Road
FILE #: S-25-14
REVIEWING AGENCY: City of Dover Electric Department
CONTACT PERSON: Shawn Burgett, Engineering Services & System Ops Superintendent
CONTACT PHONE #: 302-674-7568
CONTACT EMAIL #: sburgett@dover.de.us

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all existing underground electric, communications and water facilities.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.

13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: <https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Provide load sheets as soon as possible for proper sizing of transformers and creation of primary fee estimates. Current load sheets can be found at the following link: <https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf>.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 10/01/25

APPLICATION: LivSmart Extended Stay Hotel at 530 and 540 Bay Rd

FILE #: S-25-14 REVIEWING AGENCY: City of Dover, Office of the Fire MarshalCONTACT PERSON: Jason Osika, Fire Marshal
josika@dover.de.usPHONE #: (302) 736-4457

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Proposed occupancy classification is hotel/residential.
2. Building Access shall be no further than 50 feet from a primary entrance.

Where buildings are provided with an automatic sprinkler system installed in accordance with NFPA 13, access shall be no further than 100 feet from the primary entrance.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.4)

3. Parking shall be prohibited in front of the primary entrance for a width of not less than 1.5 times the width of the door(s) or for 10 feet, whichever is greater.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.2)

4. Perimeter access shall be 100% and clearly shown on the plans.

Perimeter Access minimum width shall be 10 feet for one-story buildings and 15 feet for buildings of two or more stories, measured from the face of the building at grade with a maximum slope of ten percent (10%). Plantings and utility services (includes condenser units, transformers, etc.) shall be permitted within the perimeter access, and shall not interfere with emergency services fire ground operations.

If a physical barrier (fence, pond, steep slope, etc) prevents access, that portion of the building perimeter shall not be included in the calculation of Percent of Perimeter Access.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5)

Where parking is located between the building and perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories.

5. Fire lanes shall cover 100% (due to item# 12 listed below) of the proposed building.

Fire lanes are required to be 24 feet wide and run along the front of the building as determined by the primary entrance(s). In cases where there is more than one primary entrance(s), each shall be served by a fire lane even if this exceeds the percentage as required.

The closest edge of fire lanes shall not be located closer than ten (10) feet to the exterior wall and the closest edge of fire lanes shall not be located further than 50 feet from the exterior wall if one or two stories in height; 40 feet if three or four stories in height, or 30 feet if over four stories in height.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5)

6. Where parking is located between the building and the fire lane, parking shall not be located closer than 15 feet to the exterior wall.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.4.1)

Where parking is located between the building and the perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories. 2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5.2

7. All Fire Lanes shall be marked as follows:

both the inner and outer edges of the fire lane shall be marked, where curbs are present, the top and face of the curb shall be painted yellow, where no curbs are present, a four inch (4") solid yellow demarcation line shall mark the edge(s) of the fire lane.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

8. The specific color yellow shall be the uniformly accepted yellow as utilized by State of Delaware Department of Transportation (DelDOT). Only vivid and durable paint shall be used and shall be suitable for street surfaces

9. Fire lane signs shall be located as follows:

see Figure 5-16 – Approved Sign For Marking Fire Lanes, fire lane signs shall be spaced at 150 foot intervals maximum, all fire lane signs shall be located no less than six feet (6') and no higher than eight feet (8') above the pavement, signs shall be placed at each end of the fire lane, and signs shall face all oncoming traffic.

Where parking is not restricted roadway markings shall utilize the words "FIRE" and "LANE" in lieu of fire lane signs and shall conform to the specifications of 7.6.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

10. Where overhangs, canopies, balconies, or any other building or site features must project over any fire lane, an unobstructed vertical clearance of not less than 13'-6" above the fire lane shall be provided and the portion of the building perimeter which contains overhangs, canopies, balconies, or any other building features shall not apply towards the fire lane accessibility requirements of Section 4.0, Table 5-1 in this chapter.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.8)

11. All access roadways shall be paved and be a minimum of 20 feet clear width for two-way traffic and 14 feet clear width for one-way traffic. The paved width of access roadway shall be measured from edge of parking spaces, or face of curb for vertical curb and back of curb for mountable curb, or edge of pavement if there is no curbing. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 5.2)

12. Emergency access to rear building areas compliant with City of Dover Code (Appendix B- Zoning, Article 5- Supplementary Regulations, Section 17);

all four stories and greater buildings require 24ft fire lane at the rear.

All two to three story apartment structures require an 18ft Secondary Fire Lane at the rear.

All townhouses (3-8 units with no fire protection) require a 16ft alley or 18ft secondary fire lane at the rear.

13. Multiple Access Roads shall be provided when a fire department access road (fire lane) is determined by the Fire Marshal to be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access such as placement of fire hose from fire equipment.
14. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.

15. Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations. City Ordinance Sec 46-9 (f).

5.1.1 Hydrant spacing as shown in the Fire Flow Tables shall be used as a general rule. Hydrants shall be located at the direction of the State Fire Marshal so as to minimize friction in fire hose. All hydrant spacing shall be located along available roads or at the direction of the State Fire Marshal. This measurement shall be calculated by way of accessible thoroughfare(s) from the building to be protected to the hydrant and may not necessarily be a radius. 5.1.3 Additional hydrants shall be provided when the State Fire Marshal deems it necessary based on the configuration of the site, building(s), exposures, construction, occupancy, and/or specific hazard(s).

Fire Flow table 2, hydrant spacing shall be 800 feet on center for one and two family detached dwellings, other residential, rowhouses and townhouses, assembly, health care, business, education, storage, industrial, mercantile, and mini storage. (702, Chapter 6)

NFPA 1

18.5.2 detached one- and two-family dwellings, fire hydrants shall be provided for detached one- and two-family dwellings in accordance with both of the following: 1. the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet 2. the maximum distance between fire hydrants shall not exceed 800 feet.

18.5.3 buildings other than detached one- and two-family dwellings, fire hydrants shall be provided for buildings other than detached one- and two-family dwellings in accordance with both of the following 1. The maximum distance to a fire hydrant from the closet point on the building shall not exceed 400 feet 2. The maximum distance between fire hydrants shall not exceed 500 feet

16. All fire hydrants shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation.

All fire hydrants shall have minimum of four-inch (4") solid yellow demarcation lines to define specific areas, where fire hydrants are located along a curb line with permitted parking, the area between the fire hydrant and the street or fire lane shall be stenciled with four inch (4") demarcation lines and the words "NO PARKING", demarcation lines shall be measured from the center line of the fire hydrant and extend for a distance 15 feet on both sides.

Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four-inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)

The owner is responsible if the hydrant is private.

17. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM - 1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black.

(2021 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)

The owner is responsible if the hydrant is private.

18. Hydrants are to be Darling Co. B-62-B Breakaway <https://american-usa.com/products/valves-and-hydrants/fire-hydrants/5-1-4-american-darling-b-62-b-5>

19. NFPA 72 compliant Fire Alarm System required per occupancy code requirements.

Fire alarm in place of assembly. *Fire alarm required.* Any new occupancy or new portion of an occupancy determined to be a place of assembly by the fire marshal and is capable of receiving an occupant load of 75 persons or greater, shall be required to install a fire alarm in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Fire alarm system required. Any existing occupancy or portion of an existing occupancy determined to be a place of assembly by the fire marshal, and is undergoing renovations in excess of 50 percent of the assessed value of the building and is capable of receiving an occupant load 75 persons or greater or is being enlarged to receive an occupant load of 75 persons or greater, shall be required to install a complete fire alarm system in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Public mode audible requirements. To ensure that audible public mode signals are clearly heard by occupants of a structure, they shall have a sound level at least 15 decibels (dB) above the average ambient sound level or five decibels (dB) above the maximum sound level having a duration of at least 60 seconds, whichever is greater, measured five feet (1.5m) above the floor in the area required to be served by the system using the A-weighted scale dBA. In the event the stated requirement cannot be met a shunt trip relay/switches shall be the approved method of meeting the intent of this section of the Code.

(City Code of Ordinances 46-171)

20. Sprinkler system required. System is to be monitored by an approved Fire Alarm System.

This chapter shall apply to all buildings, structures, marine vessels, premises, and conditions which are modified by more than 50% after the effective date of these Regulations. The 50% figure shall be calculated utilizing the gross square footage of the building, structure, marine vessel, premises and conditions as to arrive at the correct application.

Any proposal that is presented to the Office of the State Fire Marshal for review and approval for a building rehabilitation as defined in the 101 Life Safety Code, for less than 50% of the gross square footage of a non-sprinklered building, may not have another such project for the same building submitted for review and approval any sooner than three (3) years after the date of the final inspection unless sprinkler protection is provided throughout the entire building.

In all buildings exceeding 10,000 square feet of aggregate, gross floor area.

In all buildings in excess of 40 feet in height or more than four (4) stories in height.

In all buildings or areas thereof used for the storage, fabricating, assembling, manufacturing, processing, display or sale of combustible goods, wares, merchandise, products, or materials when more than two (2) stories or 25 feet in height.

In all basement areas exceeding 2,500 square feet floor area.

In residential occupancies when of: Type V (0,0,0) or Type III (2,0,0) construction and exceeding two (2) stories or 25 feet in height. Type V (1,1,1) and Type III (2,1,1) or

Type IV (2,H,H) construction exceeding three (3) stories or 3 In all residential apartment buildings storage areas except individual unit closets that are located within individual residential living units.

In all buildings used as health care occupancies as defined in the Life Safety Code, NFPA 101, as adopted and/or modified by these Regulations. In all buildings or areas classified as "high hazard" under the Life Safety Code, NFPA 101, or "extra hazard" under the Standard for the Installation of Sprinkler Systems, NFPA 13, as adopted and/or modified by these Regulations.

All buildings used as dormitories, in whole or in part, to house students at a public or private school or public or private institution of higher education. (16 Del.C. Ch. 88) This applies to all such dormitories regardless if new or existing.

(2015 State of Delaware fire Prevention Regulations, 702, Chapter 4)

Places of assembly shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 150 persons or greater.

Any interior renovations of 50 percent or more to an existing place of assembly with an occupant load greater than 150 persons.

Any additions or increase in interior size to an existing place of assembly that would create an occupant load of 150 persons or greater.

Places of assembly where alcohol is served for consumption on the premises shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

Any interior renovation of 50 percent or more to an existing place of assembly with an occupant load greater than 100 persons and where alcohol will be served for consumption on the premises.

Any additions or increase in interior size to an existing place of assembly which would create an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

New educational occupancies of 5,000 square feet or greater shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13.
(City of Dover Code of Ordinances 46-162)

NFPA 101, 12.3.5.1 The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1): 1. Dance Halls 2. Discotheques 3. Nightclubs 4. Bars 5. Restaurants 6. Assembly occupancies with festival seating

21. Fire Department Connection is to be a 5-inch storz connection on a 30-degree elbow located within 50 feet of main entrance. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.

Fire department connections. Unless otherwise approved by the fire marshal, fire department connections shall be on the street side of the building and shall be located and arranged so that hose lines can be readily and conveniently attached to without interference from any nearby obstructions as defined by the fire marshal's office. Fire department connections shall be a five-inch Storz. Fire department connections shall be within 300 feet of an approved City of Dover Fire Hydrant and within 50 feet of the main entrance of the structure it serves. All fire department connections shall be not less than three feet nor more than five feet in height above finished grade. The fire marshal shall have the authority to require more stringent requirements when deemed necessary. (City of Dover Code of Ordinances 46-162)

22. Parking and/or obstructions shall be prohibited in front of fire department connections for a distance measuring from the center line and extending four feet on both sides.
(2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.4)

23. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.

24. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface).

All fire department connections (standpipe and sprinkler) shall have a minimum 12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)

25. Standpipes shall be provided in all areas and buildings as required in the codes and standards listed in Regulation 701 as well as the following areas or buildings:

In all Class A and Class B places of assembly and institutional occupancies two (2) stories or 25 feet in height or over,

In any building over three (3) stories, In any building over 35 feet in height,

In any building that has a floor above the first floor over 10,000 square feet gross floor area,

In all buildings where the 1st floor exceeds 60,000 gross square feet,

a Class I horizontal standpipe system installed in accordance with the applicable codes and standards listed in Regulation 701 of these Regulations shall be provided. All standpipe systems shall be installed in accordance with the applicable codes and standards listed in Regulation 701.

The standpipe system shall be carried up with each floor and shall be installed and ready for use as each floor progresses.

Standpipes shall not be more than one floor below the highest forms of staging,

The 2½-inch of hose connections on Class I systems shall be provided in the following locations, At the highest intermediate landing between floor levels in every required exit stairway,

Where intermediate landing is not provided, hose connections shall be permitted to be located at the main floor landings in exit stairways when approved by the authority having jurisdiction, Where the local fire department has the capability of providing the required pressure, hydraulically designed standpipe systems in fully sprinklered, non-high-rise buildings shall be designed to provide the required waterflow rate.

A sign shall be provided at each landing, in all interior stairways, designating the floor level. (2021 Delaware State Fire Prevention Regulations 702, Chapter 4, 2)

26. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms.

Dimensions of bollards. Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however, the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection.

Color of bollards. Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector. (City of Dover Code of Ordinances, 46-4)

27. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following:

One-family and two-family residential structures, height, the number shall measure a minimum of four inches in height, *location,* the number shall be placed on the house above or to the left or right of the front entrance, *color,* the number shall be contrasting to the background color, *Arabic numerals,* all numbers shall be Arabic numerals.

Multiple-family dwellings, measurements, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color*, numbers shall be contrasting to the background color, *Arabic numerals*, all numbers used shall be Arabic numerals.

Commercial, industrial and office buildings, height, the numbers shall measure a minimum of 12 inches in height, *location generally*, numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot,

property line or driveway, should the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building,

color; each building, numbers shall be contrasting to the background color and shall be placed on each building in the complex,

Arabic numerals, all numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.
(City of Dover Code of Ordinances, 98-344)

28. A lock box (Knox) containing any and all means necessary for fire department access shall be provided at the following occupancies: any occupancy that contains a fire alarm signaling system that is monitored off-site, or any occupancy that contains an automatic sprinkler system.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.4)

Secured key systems. When required; exemption. A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy. Buildings with 24-hour staffing or guard service shall be exempt from this subsection.

Location. The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box.

Required keys. Keys to be secured in the key box shall include keys to all points of ingress or egress, whether on the interior or exterior of the building, and keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler

controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required.

Ordering responsibility. It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be the responsibility of the owner or tenant to order the key box for existing buildings.

Installation before testing. No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box.
(City Code of Ordinances 46-127)

Knox Box to be mounted 6 feet above ground level

29. All required means of egress shall have an exit discharge consisting of a non-slip surface and leading to and terminating at a public way. NFPA 101
30. All new passenger elevators in a building shall be provided with a car sized to accommodate an ambulance cot 24 inches (609 mm) by 84 inches (2133 mm) in its horizontal open position. Where two or more new passenger elevators are located in a single hoist way and serve all or the same portion of the building, only one elevator car that provides a car sized to accommodate an ambulance cot 24 inches by 84 inches in its horizontal position for each hoist way shall be required. Elevator cars required to comply with 15.1 or 15.2 shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed inside on both sides of the hoist way door frame. Firefighter recall keys shall be provided in a manner acceptable to the local fire department. (2021 Delaware State Fire Prevention Regulations 705, Chapter 1, 15)
31. Buildings over 25,000 Sq. Ft are to have radio performance testing done prior to Final CO. This must be scheduled in advance with an authorized vendor.
32. Project to be completed per approved Site Plan.
33. Full building and fire plan review is required.
34. Separate building permits/plans submission will be required for each building and/or tenant fit out. If the permit submission is for a "shell" a Certificate of Occupancy will not be issued. Separate plans and permits submissions will be required for each "tenant fit out" at which time a Certificate of Occupancy will be issued upon compliance/completion of each "tenant fit out".

Each "shell" will require a fire permit for sprinkler and fire alarm if applicable. Those systems (for the "shell") must be accepted into service prior to any "tenant fit out" fire permits being issued.
35. Construction or renovations cannot be started until building plans are approved.
36. Fire alarm systems, fire suppression systems, hoods, exhaust ducts, and hood suppression systems require a fire permit from the Fire Marshal's Office. This work cannot be started until the permit is approved.
37. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.
38. The following is City Ordinance, Appendix B-Zoning, Article 8 Enforcement and Penalties:

Section 1. - Building permits.

No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful (see section 4 for penalties).

1.1 No building permit shall be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street improved to the satisfaction of the planning commission, or without access to a public sewer.

1.2 No building permit shall be issued for any building where the site development plan of such building is subject to approval by the planning commission, except upon approval of such plans approved by the said commission.

1.21 No building permit shall be issued for any building in a subdivision unless the subdivision plot has been approved by the planning commission.

1.3 No building permit shall be issued for a building to be used for any conditional use in any zone where such use is allowed only with approval of the planning commission, unless and until such approval has been duly granted by the said commission.

(Ord. of 7-12-1993, § 3)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Please show the perimeter access as outlined in item # 4 listed above.
2. Please show the following regarding the Fire Lane as outlined in item# 5 listed above:
 - a. Fire Lane is 24'
 - b. Closest edge is at least 15' from the building
 - c. Closest edge is no farther than 30'
3. Please show that there is 15' between parking and the building as outlined in item # 6 listed above
4. Please show the clear width size of the entrances
5. Please show the fire hydrants as outlined in item #'s 15-18 listed above. There should be two, one in the front and one in the rear.
6. Please show the FDC location as outlined in item #s 21-23 listed above.
7. The Knox Box location should follow item # 28 listed above (main entrance)
8. There will need to be one address assigned to the site project
9. This is a midrise building. Please see additional comments listed below from the Delaware State Fire Prevention Regulations.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)

2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)

2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)

2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)

2009 IBC (International Building Code)

Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations

2021 Delaware State Fire Prevention Regulations

City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

“Mid Rise Building” Any building within the following occupancy classification that exceeds 50 feet in height and up to 75 feet in height.

Health Care Occupancies
Ambulatory Health Care
Detention and Correction Occupancies
Residential to include Hotels, Dormitories, Lodging and Rooming Houses,
Apartments/Condominiums, Residential Board and Care

Chapter 5 Mid Rise, High Rise and Large Area Buildings

1.0 Application

1.1 This chapter shall apply to all new buildings and this chapter shall apply to all existing buildings that undergo a change in occupancy.

1.2 This chapter shall apply to all buildings, structures, marine vessels, premises, and conditions which are modified by more than 50% after the effective date of these Regulations. The 50% figure shall be calculated utilizing the gross square footage of the building, structure, marine vessel, premises and conditions as to arrive at the correct application.

1.3 Any proposal that is presented to the Office of the State Fire Marshall for review and approval for a building rehabilitation as defined in the 101 Life Safety Code, for less than 50% of the gross square footage of a non-sprinklered building, may not have another such project for the same building submitted for review and approval any sooner than three (3) years after the date of the final inspection unless sprinkler projection is provided throughout the entire building.

Note: It is the intent of this subsection to prevent a submission for review and approval of a project in such stages that would have the effect of being less than the 50% of the square footage, in order to avoid having to have the building, etc., meet current standards.

19 DE Reg. 843 (03/01/16)

2.0 Mid Rise Building Fire Protection Features Required.

2.1 Fire Command Center

2.1.1 Every Mid Rise building shall contain a fire command center for fire department operations in a location reviewed by the responsible Fire Chief and approved by the Office of the State Fire Marshal.

2.1.2 The fire command center shall contain the following:

2.1.2.1 Fire detection and alarm system annunciator panels and smoke management panels

2.1.2.2 Status indicator for elevator and annunciator indicating which elevators are operational

2.1.2.3 Status indicators and controls for air handling

2.1.2.4 Emergency power, light and system controls; and status indicators

2.1.2.5 Telephone and internet access for fire department use

2.1.2.6 Emergency and standby power status indicators

- 2.1.2.7 Generator supervision devices and manual start and transfer features
- 2.1.2.8 Controls for unlocking fire exit stairway doors simultaneously
- 2.1.2.9 Controls required for smoke control
- 2.1.2.10 Important Keys to include
 - 2.1.2.10.1 Elevator machine room
 - 2.1.2.10.2 Elevator hoistway door access key
 - 2.1.2.10.3 Side access door elevator car key
 - 2.1.2.10.4 Electric room keys
 - 2.1.2.10.5 Fire pump room keys
 - 2.1.2.10.6 Mechanical room keys
 - 2.1.2.10.7 Any master key

2.1.2.11 As built drawings. Specific types and format of drawings to be determined by the Office of the State Fire Marshal at time of plan review.

2.1.3 The Office of the State Fire Marshal may reduce the requirements of §1.1.2 of this Chapter if the Office of the State Fire Marshal determines that a specific item is not necessary for a specific building.

2.1.4 It is not the intent of this section to require a room solely for the purpose of a fire command center. The fire command center can be constructed as part of a lobby, security office, or other accessible gathering area. However, this area must meet the minimum criteria specified in this section for equipment, location, and personnel use.

2.2 Fire Alarm and Detection

2.2.1 Every Mid Rise building shall be provided with a fire alarm and detection system in accordance with the Life Safety Code, (NFPA 101) and other provisions of the Delaware State Fire Prevention Regulations.

2.2.2 Every Mid Rise building shall be provided with a standard manual fire alarm system with audio and visual devices in accordance with the National Fire Alarm Code (NFPA 72).

2.3 Smoke Management

2.3.1 Every Mid Rise building shall have fire exit stair tower pressurization in accordance with NFPA 92 and include Areas of Refuge if located in an enclosed area other than an exit stair tower.

2.3.2 Except for the lobby at main entrance level, all elevators lobbies shall be separated from the remainder of the floor by a smoke barrier. The elevator lobby is permitted to serve additional elevators.

2.3.3 The elevator lobbies shall be permitted to be open to the remainder of the floor in buildings equipped with a mechanical smoke control system that will restrict smoke and hot gases from entering the elevator shaft on the fire floor.

2.4 Standby Power, Light, and Emergency Systems

2.4.1 Every Mid Rise building shall be provided with an emergency power supply.

2.4.2 Standby power, light and emergency systems shall comply with the provisions of NFPA 110, or NFPA 111 as adopted and modified by these Regulations.

2.4.3 The fuel supply located on premises shall be sufficient for not less than two hours of the full demand operation of the system.

2.4.4 The standby system shall have a rated capability needed to simultaneously supply all equipment required to be operational during an emergency.

2.4.5 All required lighting, smoke management pressurization, electrically powered fire pumps and at least one elevator shall be connected to the standby power source. Elevators shall be provided with a selective load switch to allow transfer of power to each elevator. This will permit each elevator to be returned to the lobby and placed out of service except for fire department service.

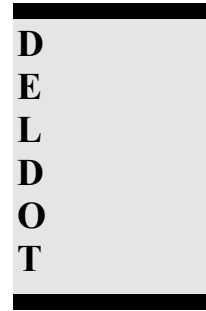
2.4.6 Emergency Systems. Exit signs, exit illumination, and elevator car lighting shall be considered emergency systems, shall be connected to the standby source and shall operate within ten seconds of failure of the normal power supply.

2.4.7 Areas of Refuge. Areas of Refuge shall be provided in accordance with the requirements of this Regulation, Chapter 3.

13 DE Reg. 629 (11/01/09)

19 DE Reg. 843 (03/01/16)

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY



APPLICATION: LivSmart Extended Stay Hotel

FILE#: S-25-14

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian Williams

PHONE#: 302-760-2141

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

No person, firm, corporation or the like shall construct, open, reconstruct, maintain, modify or use any crossing or entrance onto a state-maintained highway, street or road, including any drainage modifications leading into or carried by the highway drainage system, without first having complied with standards and regulations adopted by the Department and having obtained a permit issued by the Department. Please contact the Delaware Department of Transportation - Development Coordination section to begin permit process.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. Continue working with the Department towards plan approval.



KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901 • (302) 608-5370 • WWW.KENTCD.ORG

CITY OF DOVER ADMINISTRATIVE SITE PLAN REVIEW OCTOBER 2025

APPLICATION: LivSmart Extended Stay Hotel at 530 and 540 Bay Road

FILE #: S-25-14

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Cullen Baker

PHONE: (302) 608 - 5370

EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed application is due at the time of plan submittal to the District's office.
2. The following notes must appear on the record plan:
 - a. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - b. The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
 - c. A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. There is an existing wet regional stormwater management facility located within Bay Road Office Park that was designed to include a proposed 16,250 sf office building located at 540 Bay Road. The parcel located at 530 Bay Road was not included in the design of the regional facility. We will need calculations provided to show the existing regional facility would be able to handle the stormwater runoff generated by the impervious of both parcels that are to be consolidated. If the existing regional facility cannot manage the stormwater of both parcels, a separate stormwater facility would be required to manage the increased runoff.
2. The existing regional facility was inspected on 7/24/24 and a letter was drafted and sent to the owner of record on 7/30/24, detailing the requirement for maintenance to be performed. All required maintenance to the stormwater facility would need to be completed prior to KCD plan approval.
3. We will require to hold a pre-application meeting prior to a formal submittal and application for the project.
4. Please note the Kent Conservation District will not review an application more than three times. If after the third review the plan is still not found to be approvable, the application will be denied, and a new application with review fees are to be re-submitted to continue a detailed plan review.
5. A letter of no objection to recordation will be provided upon approval of the Sediment and Stormwater Management Plan.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
ADVISORY BRIEF
D.A.C. MEETING DATE: 10/8/2025

**Dover/Kent
County
Metropolitan
Planning
Organization**

S-25-14 LivSmart Extended Stay Hotel at 530 and 540 Bay Road

FILE # S-25-14

REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob

PHONE #: (302) 387-6030

Attached, please find comments submitted by Dover Kent MPO for each of the current City of Dover Development Advisory Committee (DAC) applications. These comments are a part of the MPO's ongoing goals of promoting transportation safety and connectivity within the region. They are submitted in accordance with the support given by the MPO Council on November 6, 2024.

Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission
Site Development Plan Review

S-25-14 LivSmart Extended Stay Hotel at 530 and 540 Bay Road

The site plan shows a continuation of the ten-foot-wide shared use path that is currently located along the frontage of 540 Bay Road. This is an important feature that will have a positive impact on safety and connectivity. Bay Road is a major commercial corridor, with businesses and places of employment drawing in substantial pedestrian and bicycle traffic as well as vehicle traffic. As discussed in Dover Kent MPO's *Bay Road Pedestrian Path and Walking Trail Study*, the road acts as a barrier to pedestrian connectivity, as there are several key gaps in the sidewalk network and crossing the road is also a challenge.¹ Furthermore, in the recently completed *Kent County Safety Action Plan*, Bay Road was identified as a part of Kent County's "High-Injury Network." This means the corridor has experienced a disproportionately high number of fatalities and serious injuries.² Bay Road has a Level of Traffic Stress (LTS) of 3 and 4, indicating the average

¹ *Bay Road Pedestrian Path and Walking Trail Study*. Dover/Kent County MPO (2023).

<https://doverkentmpo.delaware.gov/files/2023/09/Bay-Road-Pedestrian-Path-and-Walking-Trail-Study-Final-09192023-Web.pdf>.

² *Kent County Safety Action Plan*. Dover/Kent County MPO (2025).

<https://doverkentmpo.delaware.gov/files/2025/06/Kent-County-Safety-Action-Plan-FINAL-June-2025.pdf>.



bicyclist would not be comfortable using it. This heightens the need for separated facilities. Note that the applicant should follow both the City of Dover Code for sidewalks³ and the DelDOT specifications for pathways,⁴ to make sure the requirements of both entities are met.

It would also be beneficial to add a pathway as far north as the intersection with Martin Luther King Jr. Boulevard. This is a distance of less than 500 feet, though it would provide a crucial connection for guests at the hotel who are interested in walking to the nearby businesses. In addition to being examined in the *Bay Road Pedestrian Path and Walking Trail Study*, Bay Road is listed as a high-priority location for new pedestrian facilities in the 2020 *Dover Bicycle and Pedestrian Plan*.⁵ In this plan, a pathway that continues all the way to Martin Luther King Jr. Boulevard is recommended to improve pedestrian safety and connectivity.

Other pedestrian improvements depicted in the site plan include a sidewalk along Miller Road, crosswalks across Miller Road and the property entrance, and ADA ramps at key locations. Accessible parking spaces are also used in the plan. Dover Kent MPO supports all of these improvements to the property. The MPO also recommends adding sidewalks to the southern side of the property (along the road leading towards Century Engineering), as well as crosswalks connecting to the building from all sides, so that the property is completely navigable by pedestrians.

Finally, the site plan makes references to bike racks that are to be added to the property. This should be done at a rate of one (1) bicycle parking space for every twenty (20) vehicle parking spaces in order to meet the City of Dover requirements.⁶ If more information on specific types of bicycle racks is needed, please contact Dover Kent MPO.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.

³ "Dover Code: Appendix B, Article 5, Section 18." City of Dover, DE.

https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOOR_APXBZO_ART5SURE_S18PEBIMUDAACRE.

⁴ *Pedestrian Accessibility Standards Manual*. Delaware Department of Transportation (DelDOT) (2021).

<https://deldot.gov/Publications/manuals/pedestrianAccessibility/pdfs/2021/Pedestrian-Accessibility-Standards-for-Facilities-in-the-Public-Right-of-Way-2021-Edition.pdf>.

⁵ *Dover Bicycle and Pedestrian Plan*. City of Dover, DE (2020).

<https://doverkentmpo.delaware.gov/files/2021/04/Dover-Bicycle-and-Pedestrian-Plan-2020-FINAL-1.pdf#page=101>.

⁶ "Dover Code: Appendix B, Article 6, Section 3.10." City of Dover, DE.

https://library.municode.com/de/dover/codes/code_of_ordinances?nodeId=PTIICOOR_APXBZO_ART6OREPAD_RLOFA_S3REOREPASP.



10/1/2025 DAC Meeting Comments

Chesapeake Utilities

Z-25-01 Lands of Bayhealth Medical Center, Inc. at 600 South State Street: Rezoning RGO/SWPOZ to IO/SWPOZ

- No Comments, currently serve existing building.

S-25-14 LivSmart Extended Stay Hotel at 530 and 540 Bay Road

- Natural Gas is in the area. Contact Jared H @ Jhughart@chpk.com prior to construction

S-25-15 7-Eleven with Fuel Pumps at 736 and 738 N. DuPont Highway and 1021 & 1027 N. State Street

- Natural Gas is in the area. Contact Jared H @ Jhughart@chpk.com prior to construction
- NOTE: we do have active services, please contact Chesapeake Utilities in advance for due diligence and planning. There is a potential that some services may need to be relocated or retired. Please contact Ddagg@chpk.com and Jhughart@chpk.com for this request.

Thank you,

Jared

Applicant: Weathervane Capital Partners

Waiver Request #1: Waiver from City of Dover Code, Appendix B, Article 5, Section 7.3 .

Waiver Requested: Waiver from the 35-foot Arterial Street Buffer requirement along Bay Road.

Project Background Information: The proposed project is located on Bay Road (US113) in Kent County, Delaware, within the limits of the City of Dover. The project also has access from Miller Street and the Century Office entrance drive. The proposed project includes the construction of a 5-story, 113 room Hilton LivSmart Extended Stay Hotel, parking areas, and associated amenities. The site plan is proposing the required tree planning, including screening the residential neighbors at the back of the site.

A waiver is being requested from installing a 35' arterial street buffer along the Bay Road frontage. Instead the applicant proposes to install a 20' wide arterial street buffer. The narrower buffer maintains the character along Bay Road (some uses have zero buffer) and the required landscaping can be achieved in the narrower buffer. In 2017, a reduction of the arterial buffer to 20 feet was granted for the proposed office park to be located at this location. During our preapplication meeting with DelDOT, no additional widening is required along Bay Road.

Waiver Request #2: Waiver from City of Dover Code, Appendix B, Article 6, Section 2.1 .

Waiver Requested: Waiver from providing an off-street loading berth.

Project Background Information: The proposed 5-story, 113 room Hilton LivSmart Extended Stay Hotel does not contain any restaurant, bar, banquet or meeting facilities, and does not require any major deliveries requiring a stand-alone loading berth. On occasion, linens, vending machine concessions, and some office supplies may be delivered. However, these deliveries will be made using small vehicles and trucks via the front entrance.