



DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF: April 8, 2026

PLANNING COMMISSION MEETING OF: April 20, 2026

Plan Title:	Lands of Commerce Way QOZB LLC at 175 Commerce Way Commerce Way DE, LLC on 175 Commerce Way
Plan Type:	Site Development Plan, S-26-06
Location:	Northwest side of Commerce Way
Address:	175 Commerce Way Dover, DE 19904
Tax Parcel:	ED-05-076.10-02-07.03-000
Owner:	Commerce Way QOZB, LLC
Lot Size:	22.97-acres +/-
Zoning:	IPM (Industrial Park Manufacturing Zone)
Previous Use:	Existing Farmland (Land currently vacant)
Proposed Use:	Warehouse Facility
Building Area:	234,000 SF +/-
Off Street Parking:	Required – 293 spaces Proposed – 300 spaces (296 standard spaces, 4 handicap spaces)
Loading Spaces:	Proposed - 30 spaces
Truck/Trailer Parking Spaces:	51 spaces (total)
For Consideration:	Performance Standards Review Application
Waiver Request:	Partial Elimination of the Fence Component of the Opaque Barrier

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: April 8, 2026

APPLICATION: Lands of Commerce Way QOZB LLC (Warehouse) at 175 Commerce Way

FILE #: S-26-06

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP

PHONE #: (302) 736-7196

Note: This 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 to permit construction of a 234,000 SF +/- warehouse, parking, and associated site improvements on a 22.97-acre parcel on 175 Commerce Way. The property is zoned IPM (Industrial Park Manufacturing Zone). The property is located on the northwest side of Commerce Way, north of W. North Street. The owner of record is Commerce Way QOZB, LLC. Property Address: 175 Commerce Way. Tax Parcel: ED-05-076.10-02-07.03-000. Council District 1.

Previous Applications

This site was previously subject to the Comprehensive Plan Amendment Application MI-19-02 which was to allow for an amendment to Map 12-1: Land Development Plan Map, in the 2008 *Comprehensive Plan*. Specifically, this amendment was to change the Land Use Classification from Residential High Density to Industrial and Public Utilities. This was approved by City Council at their March 11, 2019 meeting.

This change in Land Use Classification allowed for the second application which was Rezoning Application Z-19-01: Lands of H&M Properties on Commerce Way to change the zoning of the property from RG-2 (General Residence Zone) to IPM (Industrial Park Manufacturing Zone). This Rezoning Application was also approved by City Council at their March 11, 2019 meeting.

There were also other previous Rezoning and Site Development Plan proposals for this property, including Z-06-07, Z-08-03, and C-08-14.

A prior Site development Plan for a Warehouse project was submitted for this property and reviewed by the Development Advisory Committee in November of 2022 and in December 2022. The City of Dover Planning Commission granted conditional approval to Site Development Plan S-22-14 Commerce Way Warehouse in December 2022 and granted an Extension on December 16, 2024. Planning Commission approval is valid for two (2) years from the date of Planning Commission approval with an additional year granted by the Extension,

during which time the Site Plan shall be finalized, Building Permits obtained, and the project commenced. For Site Development Plan S-22-14, the approval expiration date was December 31, 2024 and then extended to December 31, 2025. The Site Plan S-22-14 achieved Final Plan Approval on April 24, 2024; however, construction did not commence under permit and the Site Plan approval expired. This DAC application is an updated resubmission of the Warehouse Site Plan as the previous approval window has since expired.

Preliminary Land Use Services Review (PLUS)

A project application of this size requires a Preliminary Land Use Services (PLUS) Application review with the State, which the subject Application did with Site Plan S-22-14 under PLUS Application File Number #2022-09-05. The Findings from the State were released in a Report dated October 24, 2022. The Applicant should ensure the Planning Office has a copy of the Applicant's Response comments.

II. PROJECT DESCRIPTION

The subject property area consists of 22.97 acres +/- on the northwest side of Commerce Way, north of W. North Street. This site has not been developed and was most recently farm field with some small, wooded areas around the site perimeter. There are no existing buildings or other such features on site. This location is within Enterprise Business Park area.

The proposed project is a large warehouse facility of 234,000 SF with a building height stated to be 51.2 feet (1-story). The site access will be via a drive-aisle off Commerce Way. This drive-aisle in turn will allow access to three hundred (300) vehicle parking spaces, as well as thirty (30) loading bays along the east side of the building. The Plans also note a proposed fifty-two (51) Truck/Trailer Parking Spaces.

The Site Plans submitted show a sidewalk along the entirety of the Commerce Way frontage of the property. A sidewalk providing dedicated pedestrian access is shown connecting the sidewalk along the Commerce Way frontage onto the site and leading to the southeast corner of the proposed building where the primary entrance to the building is to be located.

Surrounding Land Uses:

The properties to the south, southeast, and east are all located along Commerce Way and North Street (State Route 15) as well and are zoned IPM (Industrial Park and Manufacturing Zone). These properties contain a mix primarily of professional office uses, including some State offices, the Capital School District, People's Place Inc., and others.

The properties immediately adjacent to the west are zoned RG-2 (General Residence Zone) and are developed with garden apartments (Woodmill Apartments). Immediately adjacent to the north is a city-owned parcel zoned ROS (Recreational Open Space). Immediately beyond this parcel to the north are properties also zoned RG-2 but contain primarily one-family detached dwelling units (single-family homes) fronting on South Farmview Drive.

III. ZONING REVIEW

IPM Zoning District

The property is zoned IPM (Industrial Park Manufacturing Zone) and is subject to the regulations of *Zoning Ordinance*, Article 3 §20, Article 4 §4.16, and Article 5 §8.1 as a conventional

planned lot development. Broadly speaking, the use as a Warehouse Facility is a permitted use within this zoning district; however, a more specific description of the intended use should be provided to confirm compliance with the permitted uses of the IPM zone. The following Table highlights some of the lot design standards for the IPM zone:

Minimum Required	IPM (Conventional Planned)
For All Permitted Uses:	
Lot Area (acres)	2.50
Lot width (ft.)	200
Lot depth (ft.)	300
Front Yard (ft.)	60
Side yard (ft.)	40
Rear yard (ft.)	40
Side or rear yard which adjoins a residential zone (ft.)	100
Off-street parking space:	
Per 800 sq. ft. of floor area	1
Per employee, per largest working shift (if greater than the requirement under the floor area calculation)	1
Maximum Permitted	
Building Height:	Not limit
Stories	Equal to distance to
Feet	nearest lot line (103.4 feet)
Floor Area Ratio	0.5
Lot Coverage	75%

IV. PARKING SUMMARY

The *Zoning Ordinance*, Article 4 §4.16 states that the parking requirement for conventional planned development in the IPM zone is based on a rate of one parking space per 800 SF of floor area or 1 space per employee per largest working shift (if greater). The employee count per largest working shift was not provided to confirm parking rate calculation. With a stated floor area of 234,000 SF, this would require a minimum parking space count of 293 spaces. The Plans submitted show that three hundred (300) vehicle parking spaces are to be provided to the south and west of the proposed building This includes four (4) ADA-accessible spaces located near the main, southeast entrance of the warehouse.

Loading Spaces

Article 6 §4.27 of the *Zoning Ordinance* states for a manufacturing use in the IPM Zone, as well as for buildings that are in excess of 150,000 SF, that Staff will determine the sufficiency of the loading berths after reviewing written documentation from the applicant through the site plan review process.

The applicant has stated in the plans that there are a planned 30 total loading spaces. These are located along the east side of the facility and are paved. There are an additional 51 spaces listed as “truck/trailer storage spaces” to the east of the building.

Bicycle Parking

The site is required to provide bicycle parking. The minimum bicycle parking requirement is one (1) for every twenty (20) vehicle parking spaces. Based on the 300 parking spaces identified for this site, at least fifteen (15) bicycle parking spaces are required for the project. The applicant has stated on the plans that there are a planned 15 parking spaces to be provided at the southwest corner of the building, which appears to be opposite the main entrance.

V. SITE CONSIDERATIONS

Access

The main/only vehicle entrance to the site is via Commerce Way in the southeast corner of the site. Commerce Way, a City street, connects south to W. North Street (a State maintained roadway) and Hazletville Road (Route 15). The entrance drive connects to the (300) vehicle parking spaces along the south and west sides of the building. The entrance drive also provides access to the thirty (30) loading bays and (51) truck/trailer parking spaces along the east side of the building.

Sidewalk

Sidewalks are required along all street frontages. The plan notes a sidewalk being placed along the Commerce Way frontage of the property. The Plan shows that a sidewalk is planned providing pedestrian access from this pathway, onto the site, and connecting to the main facility at the southeast corner of the building. This sidewalk then continues along the entire length of the south and west sides of the proposed building.

Lighting

Article 5 §7.1 stipulates that lighting shall provide no less than 1.5 foot-candles at grade. Light shall also be deflected away from adjacent residential areas and shall not be distracting to traffic on adjacent roads. Information was provided on the lighting scheme that appears to show that these regulations are being met.

Dumpsters

The *Zoning Ordinance*, Article 5 §6.1 stipulates the regulations regarding the required number of dumpsters and the associated placement and screening requirements thereof. Article 5 §6.11 specifically notes the following:

6.11 *Location and screening required.* All dumpsters must be located in approved locations on the lot. Dumpsters must be placed on hard, paved, dust-free surfaces and may not be placed in designated parking spaces, fire lanes, or access ways. Outside storage of trash, cardboard, or shipping pallets is prohibited. A dumpster enclosure is required to screen the dumpster from view whenever these units are situated so that they will be visible from any public right-of-way or from an adjacent property.

The *Zoning Ordinance* goes on in Article 5 §6.12 to note that nonresidential uses provide a minimum of two (2) dumpsters per property.

The Plans identify one (1) compactor and four (4) dumpsters to be provided: two (2) located in an enclosure at the southwest corner of the southern parking area and two (2) located in an enclosure at the northeast corner of the truck storage spaces. The proposed trash enclosures will

use PVC lattice auto-close gates. The current number of dumpsters proposed in the Plan meets the minimum requirement for use.

Curbing and Partial Elimination of Curbing Waiver

The use of 6-inch upright curbing for parking lots and drive aisles is a requirement stipulated in Article 6 §3.6(b) of the *Zoning Ordinance*. The Site Plans submitted (sheet C-601) note there is 6-inch upright curbing to be provided. The Planning Office has granted approval of the elimination of upright curbing along the Truck/Trailer Parking Spaces row on the east side of the site as related to nearby stormwater management facilities. These spaces have parking bumpers/wheel stops at the head of each parking space.

VI. BUILDING ARCHITECTURE

Conceptual Renderings and Elevation Drawings were submitted for the Warehouse Facility. The building is proposed as a rectangular-shaped structure. The exterior is composed primarily of rectangular-shaped panels, whose material is not identified. They are in a small variety of gray tones with a light, medium, and darker gray (paint) provided (SW 6253 Olympus White, SW 6225 Morning Fog, and SW 6257 Gibraltar, respectively). The darker neutral tone that encompasses the entirety of the building in a thinner horizontal band near the top of each elevation. Lastly, there is a wood accent feature (Longboard siding 6" V groove in Dark National Walnut) identified at the southeast corner (on both the south and east facades) that surround the doors and windows. There appear to be some windows features higher up on the façade along the loading areas as depicted in the conceptual rendering, but this needs to be confirmed. The east elevation shows a series of loading doors. The west side also has two-tiered glass doors at the center and southwest corner of the building.

VII. TREE PLANTING AND LANDSCAPE PLAN

Woodland

The *Zoning Ordinance*, Article 5 §16.2 defines Woodland as follows:

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.

The Landscape Plan provided by the Applicant notes that there is an existing area of woodlands on site at 4.61 +/- acres (187,313 SF). The *Zoning Ordinance* lays out the requirement for development on lots that include woodland in Article 5 §16.5, with §16.51 further requiring that a Tree Preservation and Selective Clearing plan be provided:

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.

Of the 4.61 +/- acres of woodland identified by the Applicant, they further note in the Demolition Plan that 3.34 acres (145,580 SF) are to be preserved and 0.96 acres (41,733 SF)

are to be removed from site. The submitted Tree Preservation and Selective Clearing Plan indicates that the majority of the cleared woodlands are located along the north side of the property. Article 5 §16.52 further notes the requirements for any woodland clearing:

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.

The Site Plan must clearly identify the areas intended for woodland clearance and ensure that such clearance meets the above-mentioned requirements.

Tree Planting

Article 5 §16.62 of the *Zoning Ordinance* specifies that new tree plantings should be provided at a rate of density no less than one (1) tree per 3,000 SF of non-woodland area. The total site area has been identified by the Applicant as being 22.97 acres +/- (1,000,573 SF). The non-woodland development area is 19.63 +/- acres (854,993 SF). The required number of newly planted trees would be 285 trees.

The Plan submitted notes that 294 trees are to be planted along the north, east, south, and west property lines. The trees proposed include a mix of maple, oak, and other shade trees. The notes further note the implementation of landscape buffers along the perimeters of the property that are to include evergreen screening of American Arborvitae trees in areas where the existing woodland area are not complete dense; see Opaque Barrier description below. No details as to further plantings, like shrubbery or other ornamental landscaping, are provided.

Opaque Barrier

Waiver Request: Partial Elimination of Fence Component of the Opaque Barrier: The *Zoning Ordinance* requires a buffer between a residential use and a non-residential use (Article 5 §7.2). The buffer has two components: an opaque barrier consisting of a wooden fence, a masonry wall or an earthen berm and a landscape component. The property immediately adjacent to the west of the subject site is zoned RG-2 and is the location of the Woodmill Apartment Complex. Adjacent to the north is a parcel zoned ROS, with a residential development of primarily one-family detached dwelling units (single-family homes) located beyond that. An Opaque Barrier would therefore be required along the west and a portion of the north property lines of the parcel. There does appear to be existing woodland areas along the north and portions of the west property lines.

According to *Zoning Ordinance*, Article 5 §7.24, the Planning Commission can consider a Waiver Request to eliminate the opaque barrier (fence component) and require only landscaping in cases where noise is not a concern, and the vegetation alone is considered a desirable aesthetic alternative. The Applicant has submitted a Waiver Request from the requirements of providing a Fence along the north property line, citing the existence of woodland in this area as being sufficient buffer from the residential uses further towards the north (with S-22-14). They also

note that they intend to provide a fence along part of the western property boundaries, which directly abuts the neighboring Woodmill Apartments to satisfy the Opaque Barrier requirements. This information is depicted in the Plan sheet (as the exhibit). On December 19, 2022 the Planning Commission granted approval of the Waiver Request to implement the fence component of the opaque barrier only in areas where it would not require clearing of existing woodland for the previously submitted Plans (S-22-14). The Planning Commission noted that the fence would still need to be implemented where existing trees are too few to consistently constitute an opaque barrier.

The current proposed Site Plan S-26-06 shows a 6-foot-tall wooden (northern white cedar) fence at the northwest corner of the site between the parking lot and the RG-2 zone where existing woodlands are the less densely located. The Applicant submitted a Waiver Request for the current Plans (S-26-06) and the Planning Commission will consider if the current design is sufficient to satisfy the Opaque Barrier requirements.

VIII. PERFORMANCE STANDARDS REVIEW

Uses in the IPM Zone are subject to the Performance Standards Procedure set forth in the *Zoning Ordinance*, Article 5, §8.1 and 8.2 and referenced sections.

Article 5 §8.1 Dangerous and objectionable elements. No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

The project's compliance with a series of performance standards for the "dangerous and objectionable elements" is to be considered by the Planning Commission. The "dangerous and objectionable elements" are as follows:

- Fire and explosion hazards (activities with and storage of)
- Radioactivity or electromagnetic disturbance
- Noise (sound pressure level)
- Vibration
- Smoke
- Odors (Odorous gases or odorous matter)
- Fly ash, dust, fumes, vapors, gases and other forms of air pollution
- Glare (from lighting or high temperature processes)
- Liquid or solid wastes
- Traffic congestion (Level of Service E)

The project cannot cause the above conditions to exist so that they adversely affect the

surrounding areas or adjoining properties. The specific limits of each performance standard are described in the *Zoning Ordinance*. Where the performance standards conflict with regulations established by other state or local agencies such as the Delaware Department of Natural Resources and Environmental Control (DNREC), the more restrictive regulations apply.

As part of this procedure, a separate *Performance Standard Review Application* was submitted by the Applicant for consideration alongside the Site Plan review for the prior site development plan application (S-22-14). The Performance Standard Review Application letter appeared to have indicated that the proposed development will comply with these provisions by restricting the emission of dangerous and objectionable elements detailed in Article 5, §8.5. The Planning Commission affirmed the Performance Standard Review Application on December 19, 2022 as submitted for the prior site development plan application (S-22-14) and that the plan was generally anticipated to conform to the standards of the *Zoning Ordinance*, Article 5 §8. The Commission also noted that as the potential tenant is not yet identified, no certificate of occupancy will be certified until the tenant space is fitted out nor will any permit be approved unless both are reviewed by Planning staff for compliance at that time for objectionable or otherwise non-permitted uses. The Applicant has submitted a new Performance Standard Review Application as a Narrative Letter for the current Plans (S-26-06) for Planning Commission consideration.

IX. CITY AND STATE CODE REQUIREMENTS:

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:

- 1) Performance Standards Review: The Applicant has submitted a *Performance Standards Review Application* for the property development in accordance with *Zoning Ordinance*, Article 5 §8.6. The letter addresses each aspect of these provisions and identifies how the proposed warehouse facility will be in compliance with each section.
- 2) Waiver Request: Fence Component of the Opaque Barrier Requirement: A Fence is required to be provided along all property boundaries that border a residential use. This would include the west, and portion of the north property lines. The Applicant must provide such a feature and identify as such on the Plans unless they were to be granted a Waiver from the Planning Commission. The Applicant has submitted a Waiver Request citing their reasons for the request and identifying specifically where the relief is sought.
- 3) Overall Site Plan Sheet (C-200 series):
 - a) Data Column:
 - i) Correct the proposed Loading Stall Ratio number of Truck/Trailer Parking Spaces to "51" in the Parking Requirements.
 - ii) The Landscape and Tree Planting calculations indicate that there are 187,313 SF or 4.61 acres of woodland. The area provided in square feet equates to 4.30 acres. Please correct whichever number is incorrect. This change also needs to be made on the Landscape Plan.
 - iii) Correct the Required Min. Number of Bicycle Parking calculation to have "300/20" spaces not "304/20."

- b) Signage Requirements:
 - i) Information on the proposed wall and freestanding signage was part of the architectural submission.
 - ii) Any new potential signage for the Subject Site is subject to the Sign Provisions as found in Article 5, Section 4 of the *Zoning Ordinance* and is subject to a separate Sign Permit Application.
 - c) In the parking calculation, confirm if the parking rate is to be based on the building square footage or number of employees.
- 4) Landscape Plan (Sheet L-100 series):
- a) Correct the Total Area of Woodlands Onsite in the Landscape and Tree Preservation Calculations as referenced in comment Item #3) ii above
- 5) All signage must comply with Sign Regulations of the *Zoning Ordinance* and is subject to a separate Sign Permit Application. Signs are subject to a separate review and approval process in the City of Dover. Please review Article 5, Section 4 of the *Zoning Ordinance* prior to submitting the Sign Permit Application.
- 6) Any Erosion & Sediment Control Plans and Stormwater Management Plans granted approval by Kent Conservation District (KCD) 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.
- 7) The Final Plan set must include notes documenting any action taken by the Planning Commission and must list any additional conditions of approval.

X. 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) Recommendation on Waiver Requests:

- a. Waiver Request: Elimination of Fence Component of the Opaque Barrier Requirements:
The Applicant has submitted a Written Waiver Request from the requirements of Article 5, Section 7.2 of the *Zoning Ordinance* to provide a Fence as part of the Opaque Barrier Requirements along the north property boundary, but that they would still install a fence along the western property lines abutting Woodmill Apartments.

The Site Plan submitted by the Applicant shows that they intend to provide a wooden fence at the northwest corner of the property. Staff believes that the existing woodland of mature trees should constitute sufficient buffer to filter any sounds from the proposed

warehouse to neighboring uses and additional fencing should not be installed if it would require cutting down trees which would detract from the existing natural buffer elements.

- 2) Performance Standard Review Application: The Plan requires review of a Performance Standards Review Application to confirm that the proposed development will not violate any of the provisions as found in the *Zoning Ordinance*, Article 5 §8.6 regarding dangerous or objectionable elements. Planning Staff finds the Performance Standard Review narrative acceptable.
- 3) Preliminary Land Use Services Application (PLUS): Planning Staff requests a copy of the Letter of Response to the findings be submitted to both to the State, as well as to the City of Dover Planning Office.
- 4) Planning Staff encourages this project to include the installation of Electric Vehicle Charging Stations in its parking lot. Currently, the *Zoning Ordinance* does not require them, but many other jurisdictions have implemented such requirements. Electric Vehicle Charging Stations formats include EV-Capable, EV-Ready, and EV-Installed.
- 5) The expanse of the roof provides an excellent opportunity for Solar Panels. To that end, Planning Staff would encourage the Applicant to implement such a system or otherwise make availability the infrastructure necessary to implement such systems in the future.

Other agencies may recommend additional conditions and safeguards in accordance with their areas of expertise. The Recommended Additional Considerations to Meet Code Objectives may be accepted or rejected by the Planning Commission.

XI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) If major changes and revisions to the Site Plan occur in the finalization of the Plan, contact the Planning Office. Examples include reorientation of the building, relocation of site components like stormwater management areas, and increases in floor area count. 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.
- 2) In the event that there are changes to the architecture, building footprint, layout or square footage of the building contact the Planning Office. These changes may require review by the Planning Commission.
- 3) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 4) Following Planning Commission approval of the Site Development Plan, the Plan must be revised to document all conditions of approval from the Development Advisory Committee or as otherwise noted. This process involves submission of Check Prints in

order to achieve Final Plan approval.

- 5) 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.
- 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) Construction may have an effect on the adjacent roadways, property owners and visitors. Any work requiring the closing or rerouting of residents or visitors should be coordinated to offer the least amount of inconvenience.
- 8) 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.
- 9) The applicant shall be aware that 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.

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

STAFF D.A.C. MEETING DATE: APRIL 1, 2026



APPLICATION: Lands of Commerce Way QOZB LLC at 175 Commerce Way
FILE #: S-26-06
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater
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 / DNREC 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 copy of the approved entrance plan, 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.

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.
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 building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. 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. The Department of Public Works 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. Please call out that the connection to the water main shall be accomplished with a Powerseal 3490AS tapping sleeve and valve.
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 the use(s) at this property and our team will provide the requirement based on the adopted program.

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 laterals (other than for single-family dwellings) 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. Sanitary sewer laterals shall be connected directly to the main, not manholes, unless impracticable, as determined by the Department of Water & Wastewater.
9. The downstream pump station must 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

STREETS / SANITATION / STORMWATER / 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. 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.

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: APR 1, 2026

APPLICATION: Lands of Commerce Way QOZB LLC at 175 Commerce Way
FILE #: S-26-06
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

THE PROPOSED DEVELOPMENT WILL REQUIRE COORDINATION WITH THE CITY OF DOVER ELECTRIC DEPARTMENT FOR ELECTRIC SERVICE DESIGN, INCLUDING TRANSFORMER LOCATION, PRIMARY SERVICE ROUTING, AND METER PLACEMENT. A COMPLETED ELECTRIC LOAD SHEET WILL BE REQUIRED TO EVALUATE SERVICE NEEDS. TRANSFORMER LOCATIONS AND UTILITY ACCESS SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF DOVER ELECTRIC DEPARTMENT. THE OWNER/DEVELOPER WILL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH PROVIDING ELECTRIC SERVICE TO THE SITE.

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: 04/01/26

APPLICATION: Lands of Commerce Way QOZB LLC at 175 Commerce Way

FILE #: S-26-06 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 storage (warehouse)
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 TBD by FM due to height (100% is shown) 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 TBD by FM due to height (100% is shown) 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. 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.
13. Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.
14. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.
15. Gated Areas: Fire Department access shall be provided to the property through the use of a system or device approved by the Fire Marshal. The system or device required shall be located in an area accessible to the fire department and approved by the Fire Marshal. All gates shall be either automatic or manual.

An automated system shall consist of one manual and one automated means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the system. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of both the manual and automated means.

A manual gate shall consist of one manual means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the means to open. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of the manual means to open.

To be considered accessible for fire department apparatus the actual clear openings shall be not less than 14 feet, the paved surface through the gate shall be not less than 12 feet, and the gate shall be setback from the perpendicular street by at least 50 feet.

Please contact this office to discuss options available to comply with this requirement.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.6)

16. 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

17. 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.

18. 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.

19. 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>

20. 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)

21. 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 projection 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 3In 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

22. Fire Department Connection is to be a 5-inch stortz 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)

23. 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)
24. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.
25. If there is any type of rack storage, the following will be required: 1) a diagram showing the layout and type of rack system 2) a list and quantity of items being stored 3) a letter from an authorized/licensed fire suppression contractor stating that in rack sprinklers are or are not needed. If in rack sprinklers are not needed, a letter may be requested from an authorized/licensed fire suppression contractor to ensure that the sprinkler system is adequate for the storage presented.
26. 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)

27. 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)

28. 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)

29. 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)

30. 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

31. 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
32. 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.
33. Project to be completed per approved Site Plan.
34. Full building and fire plan review is required.
35. 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.
36. Construction or renovations cannot be started until building plans are approved.
37. 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.
38. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.
39. 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. This is a large area building. Please see additional requirements listed below.
2. Please confirm that the main entrance is at the Southeast corner where the FDC is located.
3. Please confirm that parking is at least 10' from the building as outlined in item # 6 listed above

4. Please confirm that the cul-de-sac meets the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3
5. Please ensure that the subgrade fire lane is code compliant

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.**

“Large Area Building” Any building that exceeds one-hundred thousand (100,000) square feet gross floor area on any one floor.

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)

4.0 Large Area Buildings.

4.1 Application. The application of this Chapter pertains to any building exceeding one-hundred thousand (100,000) square feet gross floor area on any one floor. This Chapter does not apply to Strip Shopping/Office Center with no individual tenant exceeding 100,000 sq. ft.

4.1.1 If any one individual tenant in a Strip Shopping/Office Center exceeds 100,000 sq. ft. per floor, these requirements shall apply only to those tenants.

4.2 Horizontal Standpipes.

4.2.1 Horizontal Standpipes shall be required in accordance with Regulation 702, Chapter 4 of these Regulations

4.3 Emergency Voice/Alarm Communications and Detection System.

4.3.1 Large area buildings shall be equipped with a voice alarm, communication and detection system which shall be installed in accordance with the applicable codes and standards listed in Regulation 701 of these Regulations; and approved by the Office of the State Fire Marshal

4.4 Fire Command Station.

4.4.1 Large area buildings containing Health Care Occupancies, Ambulatory Health Care and Detention and Correction Occupancies 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. The Office of the State Fire Marshal may require a Fire Command Center for other Large Area Buildings.

4.4.2 The fire command center shall contain the following:

- 4.4.2.1 Voice alarm and public address panels
- 4.4.2.2 Fire department communications panel
- 4.4.2.3 Fire detection and alarm system annunciator panels and smoke management panels
- 4.4.2.4 Status indicator for elevator and annunciator indicating which elevators are operational
- 4.4.2.5 Status indicators and controls for air handling systems
- 4.4.2.6 Controls for unlocking all fire exit stairway doors simultaneously
- 4.4.2.7 Emergency power, light and system controls; and status indicators
- 4.4.2.8 Telephone and internet access for fire department use
- 4.4.2.9 Emergency and standby power status indicators
- 4.4.2.10 Generator supervision devices and manual start and transfer features
- 4.4.2.11 Public address system, where specifically required by other sections of this Code
- 4.4.2.12 Controls required for smoke control
- 4.4.2.13 Important keys to include
 - 4.4.2.13.1 Elevator machine room
 - 4.4.2.13.2 Elevator hoistway door access key
 - 4.4.2.13.3 Side access door elevator car key
 - 4.4.2.13.4 Electric room keys
 - 4.4.2.13.5 Fire pump room keys
 - 4.4.2.13.6 Mechanical room keys
 - 4.4.2.13.7 Any master key

4.4.2.14 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.

4.4.3 The fire command center shall be separated from the remainder of the building by one-hour construction and equipped with a heating, ventilating and air conditioning system that will prevent smoke laden air from entering the space.

4.4.4 It is not the intent of this section to require a room dedicated for this purpose, but the area provided must be available for immediate use in case of emergency.

4.4.5 The room shall be a minimum of 96 square feet with a minimum dimension of 8 feet.

4.4.6 The fire command room door shall be clearly identified for use by the fire department.

4.5 Smoke Management Systems

4.5.1 Large area buildings shall be equipped with a smoke management system approved by the Office of the State Fire Marshal, designed in accordance with §4.5.2 or §4.5.3, and shall be capable of being operated by the fire department.

4.5.2 This smoke control system shall, at a minimum, consist of manually operated smoke vents installed in accordance with the Standard for Smoke and Heat Venting, NFPA 204 with the following criteria:

4.5.2.1 One, 100 sq. ft. vent per 25,000 sq. ft. of floor area.

4.5.2.2 Each vent shall be centrally located within the 25,000 sq. ft. protected area.

4.5.3 Large Area buildings using mechanical means of smoke management shall be installed in accordance with NFPA 92A, NFPA 92B and approved by the Office of the State Fire Marshal. Such system shall provide the following:

4.5.3.1 Egress Stair Tower Pressurization if stairs are more than three (3) communicating floor levels

4.5.3.2 Area of Refuge Pressurization

4.5.3.3 Horizontal Exit Passageway Pressurization

4.5.3.4 Fire Floor or Fire Area Smoke Exhaust

4.5.3.5 Other Criteria as deemed necessary by the Office of the State Fire Marshal for Unusual Spaces

4.5.4 Smoke management system operation/actuation shall be approved by the Office of the State Fire Marshal.

Note: As per NFPA 92A and NFPA 92B, the smoke management system shall be provided with a graphic annunciator and manual override panel to be located in the fire command center. The design and operation of the graphic annunciator shall be approved by the Office of the State Fire Marshal.

4.6 Standby Power, Light, and Emergency Systems.

4.6.1 Large area buildings shall be equipped with standby power, light, smoke management system and emergency systems which shall comply with the provisions of the Standard for Emergency and Standby Power Systems, NFPA 110, as adopted and/or modified by these Regulations.

Exception: If the occupancy is such that "standard" battery operated emergency systems (emergency lighting, exit signs, fire alarm signaling system backup power, etc.), are deemed to be adequate by the State Fire Marshal.

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

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

From: [Mobley, Will \(DeIDOT\)](#)
To: [Melson-Williams, Dawn](#)
Cc: [Jones, Tijah \(DeIDOT\)](#)
Subject: EXTERNAL: DAC Comments 1 Apr 26 Staff Development Meeting
Date: Wednesday, April 1, 2026 10:03:46 AM

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning.

Here are the comments from DeIDOT for the applications discussed in the DAC Meeting 1 April.

1. SB-26-01 Lands of Fuller at 7 Nixon Lane: Minor Subdivision Plan
 - a. No Objection to re-subdivision. If a Letter of No Objection is required, please have engineer/PLS submit Minor Subdivision plans to DeIDOT for review and approval.
2. S-26-06 Lands of Commerce Way QOZB LLC at 175 Commerce Way
 - a. Please have applicant schedule a Pre Submittal Meeting with DeIDOT.
3. C-26-02 Lands of Bay Village Residential Planned Neighborhood Design
 - a. Please have applicant schedule a Pre Submittal Meeting with DeIDOT.

Sincerely,

Will T Mobley III, PMP

Division of Economic Development, DeIDOT

Interim Kent County Review Coordinator

Phone (302)-760-2409

Will.mobley@delaware.gov



KENT CONSERVATION DISTRICT

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

**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
APRIL 2026**

APPLICATION: Lands of Commerce Way QOZB LLC at 175 Commerce Way

FILE #: S-26-06

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 1 acre, 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 for a Detailed Plan are 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. KCD currently has an approved plan for this project, which is valid until December 18, 2028.
2. KCD will require an updated set of sediment and stormwater plans to be submitted for review and re-approval, and a 25% re-approval fee will be required at that time.
3. 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: 4/8/2026

**Dover/Kent
County
Metropolitan
Planning
Organization**

S-26-06 Lands of Commerce Way QOZB LLC at 175 Commerce Way

FILE # S-26-06

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-26-06 Lands of Commerce Way QOZB LLC at 175 Commerce Way

The site plan includes storage spaces for trucks on the east side of the building, across from the loading docks. The inclusion of these parking spaces is something Dover Kent MPO strongly supports, as doing so will reduce the need for vehicles to park in "undesigned" parking locations. According to the *Delaware State Freight Plan*, recent studies have found that the demand for adequate truck parking in Delaware frequently exceeds the available supply. As a result, drivers are forced to park in undesignated parking locations, such as in the road's shoulder and close to highway interchanges.¹ The addition of truck parking spaces in this site plan will allow drivers coming to and from the warehouse to park at the site itself, rather than in places that will lead to conflicting uses. For more information on the City of Dover's goals for truck parking, please refer to the *Dover Freight Plan*.²

¹ *Delaware State Freight Plan*. Delaware Department of Transportation (DelDOT) (2022). <https://deldot.gov/Business/freight/pdfs/2026/Delaware%20State%20Freight%20Plan%20-%20Full.pdf?cache=1774450046226#page=143>.

² *Dover Freight Plan*. Dover/Kent County MPO (2025). https://doverkentmpo.delaware.gov/files/2025/04/2025-04_Dover-Freight-Plan_FINAL.pdf.



Trucks will be parking and using the loading docks on the east side of the building, while personal vehicles will be parking on the south and west sides of the building. Although all vehicles will share a single entrance, the site's layout is expected to reduce conflict between vehicle types, improving navigation for trucks and enhancing the site's overall safety.

The applicant should work with DelDOT to ensure trucks can easily move between Commerce Way and Hazlettsville Road. Improvements such as a dedicated left-hand turn lane on the eastbound side of Hazlettsville Road and merging lanes around the entrance to Commerce Way should be considered before the site is built, as the increased volume of truck traffic has the potential to cause significant congestion. These improvements would also provide better access to Commerce Way for school buses and other large vehicles. Dover Kent MPO is willing to be a part of these conversations as they progress.

The other improvements depicted in the site plan are important for pedestrian safety and accessibility. Sidewalks are planned for the frontage of Commerce Way and within the property, and ADA crosswalks are utilized in key locations such as across the site entrance. There are also accessible parking spaces with ADA ramps, a concrete pad for the future addition of a bus shelter, and bicycle parking spaces that meet the City of Dover requirements. These are all measures that Dover Kent MPO supports.

One recommendation that Dover Kent MPO has for the site plan is to include additional crosswalks within the parking areas. This will help people move from the outermost parking spaces to the sidewalk outside of the building. These crosswalks should meet ADA and DelDOT standards and should be constructed in places that are easy for pedestrians to reach. The crosswalk locations should also provide ample visibility for motorists, rather than being positioned at a bend in the road or at a similar blind spot.

Improved accessibility for trucks coming from Hazlettsville Road and additional crosswalks in the parking areas are Dover Kent MPO's most significant recommendations for this site plan. Otherwise, the plan already includes many of the features that are necessary for warehouse projects such as this. For further discussion of any of these topics, please contact the 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.





April 7, 2026

Dawn Melson-Williams, AICP
Principal Planner
City of Dover
Department of Planning & Inspection
City Hall, 15 Lookerman Plaza
Dover, Delaware 19901

RE: Commerce Way Dover DE LLC Warehouse on Commerce Way
Article 5 Section 7.2 Opaque Barrier
Removal of fence component on north side of building
Parcel ED05-076.10-02-07.03
Kimley-Horn Project # 112154006

Dear Ms. Melson-Williams,

The property immediately adjacent to the west of the subject site is zoned RG-2 and is the location of the Woodmill Apartment Complex. Adjacent to the north is a parcel zoned ROS, with a residential development of primarily single-family detached dwelling units (single-family homes) located beyond that. As stated in Article 5 Section 7.2, this proposed development is required to provide an opaque barrier consisting of a wooden fence, a masonry wall or an earthen berm and a landscape component.

This development proposes to provide an opaque barrier along the western property as shown in the attached exhibit. That barrier combined with the proposed and existing landscaping along the west property line will provide a strong barrier. In the existing condition, there are heavily wooded trees that run along the north property line of the subject site. This proposed development intends to leave the majority of those trees with the intent of acting as a natural vegetated barrier between properties.

This purpose of this letter is to request the elimination of the opaque barrier (fence component) along the north side of the subject site per Article 5 section 7.24 of the City Zoning Ordinance. We believe the heavily wooded trees that run along the north side of the subject site will provide a desirable aesthetic alternative and provide a sufficient barrier between properties.

Please review at your earliest convenience and thank you for your time with and consideration of this matter. If any questions, concerns, or issues arise, please contact me via email at jennifer.oltman@kimley-horn.com

Sincerely,

Jennifer Oltman, PE
Project Manager



April 7, 2026

Dawn Melson-Williams, AICP
Principal Planner
City of Dover
Department of Planning & Inspection
City Hall, 15 Lookerman Plaza
Dover, Delaware 19901

RE: Commerce Way Dover DE LLC Warehouse on Commerce Way
Performance Standard Review Application
Parcel ED05-076.10-02-07.03
Kimley-Horn Project # 112154006

Dear Ms. Melson-Williams,

The purpose of this letter is to demonstrate the proposed developments' compliance with Article 5 Section 8.5 of the Code of Ordinances of the City of Dover. Specifically, we have listed the City of Dover performance standards from the ordinance and provided responses to each item in bold/italic below each section, which identify how the proposed warehouse facility will be in compliance with each section.

8.51 Fire and explosion hazards. All activities involving, and all storage of, inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires is prohibited at any point. The relevant provisions of the state and local laws and regulations shall also apply.

Applicant Response: Comment will be considered during design.

8.52 Radioactivity or electromagnetic disturbance. No activities shall be permitted which emit dangerous radioactivity at any point, or electromagnetic disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

Applicant Response: Comment will be considered during design.

8.53 Noise. The maximum sound pressure level radiated by any use or facility (other than transportation facilities open to the public) at the property line shall not exceed the values in the designated octave bands given in [the following] table I, after applying the corrections shown in [the following] table II. The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z243-1944, American Standards Association, Inc., New York, N.Y., and American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953, American Standards Association, Inc., New York, N.Y., shall be used).

Table I

Octave Band Range in Cycles per Second	Sound Pressure Level in Decibels re 0.0002 dyne/cm ²
30 – 300	60
301 – 2,400	40
Above 2,400	30

If the noise is not smooth and continuous and is not radiated between the hours of 10:00 p.m. and 7:00 a.m., one or more of the corrections in table II shall be applied to the decibel levels given in table I.

Table II

	Type of Location of Operation or Character of Noise	Correction in Decibels
1.	Daytime operation only	
2.	Noise source operates less than* a. 20 percent of any one-hour period b. 05 percent of any one-hour period	a. 5 b. 10
3.	Noise of impulsive character (hammering, etc.)	-5
4.	Noise of periodic character (hum, screech, etc.)	-5
5.	Property is located in one of the following zones and is not within 500 feet of any residential district*: a. Central commercial C-2 zone b. Service commercial C-3 zone c. Manufacturing M zone	a. 5 b. 10 c. 10
6.	Property is located in industrial park manufacturing zone IPM, IPM2, IPM3	10

*Apply one of these corrections only.

Applicant Response: Comment will be considered during design.

8.54 Vibration. No vibration shall be permitted which is discernible without instruments at the property line.

Applicant Response: Comment will be considered during design.

8.55 Smoke. No emission shall be permitted at any point, from any chimney or otherwise, of visible grey smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringlemann Chart, published by McGraw-Hill Publishing Company, Inc., and copyrighted 1954 (being a direct facsimile reduction of the standard Ringlemann chart as issued by the United States Bureau of Mines), except that visible grey smoke of a shade equal to No. 2 on said chart may be emitted for four minutes in any 30 minutes. These provisions applicable to visible grey smoke shall also apply to visible smoke of a different color, but with an apparently equivalent opacity. Any emission shall be in conformance with air pollution regulations of the Delaware Department of Natural Resources and Environmental Control.

Applicant Response: Comment will be considered during design.

8.56 Odors. No emission shall be permitted of odorous gases or other offensive odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air emitted to four volumes of clean air. Any process which may involve the creation or emission of any offensive odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors Table III, Odor Thresholds, in chapter 5, "Air Pollution Abatement Manual," copyright 1951 by Manufacturing Chemists' Association, Inc., Washington D.C., and said manual and/or table as subsequently amended.

Applicant Response: Comment will be considered during design.

8.57 Fly ash, dust, fumes, vapors, gases, and other forms of air pollution. No emission shall be permitted which can cause any damage to health, to animals, vegetation, or other forms of property, or which can cause any excessive soiling, at any point, and/or which does not conform to air pollution regulations of the Delaware



Department of Natural Resources and Environmental Control, and, in no event, any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding 0.3 grain per cu. ft. of the conveying gas resulting from combustion. Standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and 50 percent excess air.

Applicant Response: Comment will be considered during design.

8.58 Glare. No direct or sky-reflected glare, whether from floodlights or from high-temperature processes such as combustion or welding or otherwise, shall be permitted. This restriction shall not apply to signs otherwise permitted by the provisions of this ordinance.

Applicant Response: Comment will be considered during design.

8.59 Liquid or solid wastes. No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, except in accord with standards approved by the Delaware Department of Natural Resources and Environmental Control, of any materials of such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements.

Applicant Response: Comment will be considered during design.

8.60 Traffic congestion. When, in the surrounding highway network, operating conditions are at or near the design capacity level beyond which would result in functional failure of the surrounding highway network. All speeds are reduced to a low, but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver or pedestrian frustration is generally high. Operations at this level are usually unstable, because small increases in flow or minor perturbations within the traffic stream will cause functional failures beyond acceptable levels. (The conditions described in this [sub]section are also used to describe "level of service E" as defined by the highway capacity manual developed by the transportation research board, dated 1985.)

Applicant Response: Applicant will be consider during design and is working with DelDOT to address comment.

Please review at your earliest convenience and thank you for your time with and consideration of this matter. If any questions, concerns, or issues arise, please contact me via email or phone at jennifer.oltman@kimley-horn.com.

Sincerely,

Jennifer Oltman, PE
Project Manager