



DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF May 3, 2023

PLANNING COMMISSION MEETING OF May 15, 2023

Plan Title: Parking Lot of Landing Square at 560 and 600 Bay Road, S-23-10

Plan Type: Site Development Plan

Associated Plans: Bay Road Commercial at 560 & 600 Bay Road, S-17-20
DSP Administration Building Updated to Bay Road Commercial, S-19-20
Landing Square (Condition Use Plan for Apartments), C-20-02 *denied*
Landing Square Commercial Building; Phase 2 Revised (Site Plan), C-20-02
Lands of Bayroadcap, LLC at 600 Bay Road, SB-21-01 (Lots 1 & 2)
Lands of Bayroadcap, LLC at 600 Bay Road, SB-22-03 (Lots 1, 2, & 3)

Applicants/Owners: Bayroadcap, LLC

Property Location: West side of Bay Road and north its intersection with Blue Hen Boulevard and the Bay Road Plaza entrance drive

Property Address: 560 and 600 Bay Road

Tax Parcel: ED-05-077.00-01-09.01-000

Parcel: Lot 2: 4.6493 acres +/-

Zoning: C-4 (Highway Commercial Zone)

Current Use: Office Buildings, Parking Lot, and vacant land

Proposed Use: Same with additional Parking Lot area

Waiver Request: Reduction of Arterial Street Buffer

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
D.A.C. MEETING DATE: May 3, 2023

APPLICATION: Parking Lot of Landing Square at 560 and 600 Bay Road

FILE #: S-23-10

REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP

PHONE #: (302) 736-7196

I. PLAN SUMMARY

This application is for review of Site Development Plan for development of a 99-space parking lot area and associated site improvements instead of a previously proposed 6,400 SF restaurant for Phase 3A of the Landing Square development. It is referred to as the Parking Lot of Landing Square: Revised Phase 3A. The subject area is 1.02 acres+/- of the Lot 2 parcel consisting of 4.6493 acres +/- fronting on Bay Road in the northern portion of the site. The property is located on the west side of Bay Road north of its intersection with Blue Hen Boulevard and the Bay Court Plaza entrance drive. The property is zoned C-4 (Highway Commercial Zone). The owner of record is BAYROADCAP, LLC. Property Addresses: 560 and 600 Bay Road. Tax Parcel Number: ED-05-077.00-01-09.01-000. Council District 2.

Existing Property:

The Landing Square complex consists of three Lots (Lots 1, 2 & 3) as created by Minor Subdivision Plan SB-22-03. The subject area is part of Lot 2 located in the northeast corner of the property. The Lot 2 area includes the north Office Building and areas of parking that were developed by Application C-20-02 Landing Square (Previously Bay Road Commercial): Revised Phase 2 Area as approved by the Planning Commission on August 17, 2020 and received Final Plan approval on February 25, 2021.

Surrounding Land Uses

Neighboring properties on Bay Road are also zoned C-4 (Highway Commercial Zone) and SC-2 (Shopping Center Development). The properties immediately to the north was developed under Site Plan S-17-30 Century Engineering Office for the rear parcel of its three parcels. The property to the south of Lot 3 area of the Landing Square complex is zoned SC-2 (Shopping Center Development) and is a shopping center known as Bay Court Plaza and provides shared access to the Landing Square site. To the east across Bay Road is the Kent County Levy Court Administration Building which is zoned IO (Institutional and Office Zone) and to the west are a lumber company and car dealership that front on S. DuPont Highway and are zoned C-4 (Highway Commercial Zone).

II. PREVISION APPLICATIONS

The property has been the subject of several applications for site development; the most recent

applications are noted as follows.

The Application SB-22-03 Lands of Bayroad, LLC at 600 Bay Road: Minor Subdivision Plan resubdivided the existing Lots of the overall 12.9366 +/- acre Landing Square Commercial Development on Bay Road. The Plan subdivided the larger of the Lots (with direct frontage on Bay Road) into two (2) new Lots identified as Lots 2 and 3. The Plan also completed a Minor Lot Line Adjustment between Lot 1 and the proposed Lot 2. Plan SB-22-03 dividing the overall property into three Lots was approved by the Planning Commission on April 18, 2022 and was recorded on May 24, 2022.

This superseded Minor Subdivision Plan SB-21-01 was approved by Planning Commission in March 2021 to subdivide the Bay Road Commercial property at 600 Bay Road. Lot 1 encompassed the western portion of the property developed with Phase 1: Building, stormwater management facility, and parking area. Lot 1 does not have frontage on Bay Road; however, it was granted a Subdivision Waiver to allow Lot 1 to be created without direct frontage on a public street by City Council action on April 12, 2021. Lot 2 encompassed the eastern residual portion of the property with frontage on Bay Road.

Regarding the development of the Lot 1 area, Site Plan Application S-19-20 Delaware State Police Building Update at Bay Road Commercial was approved by the Planning Commission in September 2019 and received Final Plan Approval on March 6, 2020; the Plan superseded Application S-17-20 Bay Road Commercial previously approved by the Planning Commission in July 2017 with Final Plan Approval of July 23, 2019. The Office Building and associated site improvements are complete for this Phase 1 area.

The development of the Lot 2 area (and Lot 3 area) with an Office Building and 2 Restaurants was proposed with Site Plan Application C-20-02 Landing Square: Revised Phase 2 Area. It was approved by the Planning Commission on August 17, 2020 and achieved Final Plan approval on February 25, 2021. This Office Building construction is complete, but construction of the proposed restaurant buildings along the Bay Road frontage has not commenced. A proposal for development of an Apartment Building in the Lot 2 area reviewed as Conditional Use Site Plan C-20-02 was denied by the Planning Commission in July 2020.

III. PROJECT DESCRIPTION

This current Site Development Plan S-23-10 involves the Lot 2 area and designates Phase 3 as the remaining area of the Landing Square complex. This plan specifically focuses on Phase 3A at the northeast corner of the tract where a restaurant was proposed by earlier plans. This project instead creates a 99-space Parking Lot area to the east of the existing east main circulation drive. The circulation drive is subject to easement provisions that grant access to several adjacent properties (easement shown as dark hatched areas on the Plan documents). As shown, Phase 3A for the Parking Lot expansion does not include the construction of the right-in/right-out site access drive from Bay Road. It continues to rely on access from the shared Bay Road Plaza entrance drive.

IV. ZONING REVIEW C-4 Zoning District

The property is zoned C-4 (Highway Commercial Zone) and subject to the regulations of *Zoning*

Ordinance, Article 3 Section 16 and Article 4 Section 4.15. The development must comply with the setbacks, Floor Area Ratio, and other bulk standards of the C-4 zone. Since no building is proposed with this Phase 3A, the focus of bulk standards compliance is related to lot coverage.

Lot Coverage

The C-4 zoning district currently has a maximum lot coverage of 75% (Ordinance #2018-06). Site Plan S-17-20 for the overall Landing Square site was approved for development by Planning Commission in July 2017 with a total impervious coverage of 88.9%. The Plan review was prior to a Code change that implemented the 75% maximum lot coverage zoning requirement in the C-4 Zone. When Site Plan S-19-20 was approved with 77.9% impervious coverage, this became the new standard for the project to meet as the approval of S-19-20 revised and superseded S-17-20. Likewise, the subsequent plans of C-20-02 Revised, SB-21-01, and SB-22-03 complied with the 77.9% impervious lot coverage limitation for the Lots. Decreases in impervious coverage are encouraged to get closer to the 75% maximum lot coverage in C-4; however, any increase beyond the previously approved 77.9% coverage would not be permitted without a variance.

The current Plan S-23-10 does not provide the information necessary to confirm the lot coverage of Lot 2 with this change in design for the Parking Lot (from the Restaurant).

V. PARKING SUMMARY

The parking requirement for C-4 (Highway Commercial Zone) is based on a rate of one parking space per 300 square feet of floor area and/or based on an alternative parking rate for a specific use. The approved Site Plans (S-19-20 and C-20-02) for the overall property depict vehicle and bicycle parking spaces on Lot 1, Lot 2, and Lot 3. The D.S.P. Office Building and the north Office Building have parking based on a rate of 1 parking space per 300 SF of floor area and the proposed south Restaurant of 4,200 SF is estimated to have 168 seats which requires one parking per 3 seats (or one parking space per 4 bar seats). The total required spaces are 316 spaces and by the plan it appears about 467 spaces have been constructed to date. The Parking Lot expansion of Phase 3A will only add to the parking tally.

Bicycle Parking

The bicycle parking requirement is one bicycle parking space per 20 vehicle spaces. The Plan shows that the existing Office Building included bicycle rack. The exact number of bike spaces should be confirmed as some racks are labeled as 'proposed.'

Upright Curbing

The upright cubing for parking lots and drive aisles is required by the requirements of the Article 6 Section 3.6(b) of the *Zoning Ordinance*. The Parking Lot expansion shows the use of upright curbing at its perimeter and for islands and median.

VI. SITE CONSIDERATIONS

Site Access

There are multiple entrances proposed to the overall property site: a right-in/right-out on Bay Road and three access/exit points off the Bay Court Plaza entrance drive which intersects with Bay Road at a signalized intersection of Bay Road and Blue Hen Boulevard (to the east). Lot 1 is served by two access/exit points off the Bay Court Plaza entrance drive; one is at the parking lot drive aisle (located just on Lot 3) which allows entry to the parking lot area on the east (front) side of the Office Building and one that serves the area west of the Office Building. And the

eastern access/exit point off the Bay Court Plaza entrance drive) serves the Lot 3 area while also providing the parking circulation drive allow access to Lot 1 and Lot 2.

The right-in/right-out access point directly to Bay Road had not been constructed and while depicted on Lot 2 it is shown within the Phase 3 area and it appears to not be proposed for construction with Phase 3A: Parking Lot.

On Lot 2, the Plan continues to identify the cross-access interconnection to a neighboring parcel to the north (550 Bay Road). On Lot 3, the Plan identifies cross-access interconnection to the adjacent parcel on Bay Road (580 Bay Road surrounded by the subject site and owned by The Law Office of Karen Y. Vicks).

Sidewalk

Zoning Ordinance, Article 5 §18 requires the installation of sidewalks along the public street frontage of a property whenever such property involves a development proposal which is subject to Planning Commission review and approval. There are existing sidewalks along portions of the Bay Court Plaza entrance drive and a proposed multi-use pathway along the Bay Road frontage of Lot 2 and Lot 3 as identified on the Site Development Plans. It appears however that the multi-use path along Bay Road adjacent to the proposed Parking Lot project area is not intended for construction in Phase 3A. If the Applicant is seeking to delay construction of this adjacent multi-use path segment from Phase 3A, then submission of Waiver Request for Planning Commission consideration would be required.

Lighting

The layout of the Parking Lot in the Phase 3A area includes a series of light pole in the corner of the lot to comply with the lighting requirements for parking areas.

VII. TREE AND LANDSCAPE PLANTING

The overall Landing Square development has a tree planting and landscape plan for the overall complex. These tree planting and landscaping requirements are subject principally to the regulations found in *Zoning Ordinance*, Article 5 Sections 15 and 16 and are also addressed in other various sections of code related to buffering, screening, and open space. There are existing tree plantings that have already occurred with the development of the Phase 1 area and Phase 2 area including partial implementation of an approved Tree Mitigation Plan which plants trees on the adjacent property to the south. However, these trees are not shown on the plan as only the tree and shrub plantings of Phase 3 are shown (and the tally chart appears to list all plantings of the complex).

This proposal for Phase 3A – Parking Lot is required to provide tree planting at a rate of one (1) tree per 3,000 SF of “Development Area.” For the area identified as 1.02 acres, a total of at least 15 trees is required. However, the area likely proposed more as it is providing planting locations to meet a larger portion of the property/complex.

Waiver Request: Reduction of Arterial Street Buffer

In July 2017, the Planning Commission granted a waiver request to reduce the width of the Arterial Street Buffer from the required thirty (30) feet to the proposed twenty (20) feet (*Zoning Ordinance*, Article 5 §7.3) for the entire complex. The Arterial Street Buffer is shown as twenty

(20) feet of landscaped green space and is proposed to be planted with a variety of evergreen and deciduous trees and shrub plantings. With this submission, the Waiver Request has been submitted again to reconfirm this reduction of the Arterial Street Buffer along Bay Road.

VIII. 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) Confirmation of the previously approved waiver request to allow for a 20-foot wide (rather than 30-foot wide) Arterial Street Buffer must be granted by the Planning Commission.
- 2) The Plan depicts a multi-use/shared use path along Bay Road; however, it is not within the proposed Phase 3A construction area. A ten-foot-wide multi-use path rather than a standard sidewalk is required to be installed along the Bay Road frontages in accordance with DelDOT requirements and the *2015 Bicycle Plan*. **With the Phase 3A site development activity occurring adjacent to its location, the multi-use path is required to be constructed for that segment.**
 - a. A Waiver Request to delay construction of the multi-use path would be required to be submitted for consideration by the Planning Commission; no Request has been received.
- 3) The Plan set needs to show the location of the current property lines for Lot 1, Lot 2, and Lot 3. The phase lines are very confusing in the set. Perhaps only show the Phases on one overall sheet and then just highlight the Phase 3A only to show this intended construction phase. An existing conditions sheet would also be helpful.
- 4) **Provide information on the details of Lot 2 including size, existing impervious coverage, proposed impervious coverage with this Phase 3A project area, etc. The maximum lot coverage of Lot 2 is limited to 77.9% or less. If the impervious coverage proposed is greater than 77.9%, then design revisions will be necessary.**
- 5) Sheet C-001 Cover Sheet
 - a. In the Data Column:
 - (1) Update information specific to this application by listing all parcels (Lots 1, 2 and & 3) and note the subject site location.
 - (2) Item #8: List total area of each lot and number Total Site Area (of Phase 3A) separately.
 - (3) Item #10: The impervious coverage must be listed for each Lot. And for Lot 2 list existing and then proposed condition of impervious coverage.
 - (4) Item #12 – Parking Calculation: List Phases in order and list a tally of parking spaces as existing and proposed by remaining build-out.
 - (5) Item #13 – Bicycle Parking: Clarify requirement, existing, and proposed. Ensure plan drawing matches.
 - (6) Item #15 – Dumpsters: Update the Dumpsters provided and reserved for phases already complete. Update calculation for only one Restaurant.
 - b. Update Sheet Index for this plan set.

- c. General Notes:
 - (1) Note #11 and Note #13: Add S-17-20 reference.
 - (2) Note #14: Add S-19-20 reference.
 - (3) Note #20. Ensure that this is reference to the last Record Plan for the configuration of three Lots. SB-22-03
 - d. On the plan drawing:
 - (1) Show the lots and update associated labels for cross access easements as existing.
 - (2) Update property ownership of B&B Investments lots.
- 6) Provide a tally of the parking requirements and construction by Lot and/or Phase including vehicle parking, handicapped parking count, and bicycle parking.
- 7) Sheet C-200:
- a. This Sheet could become the sheet showing all the Project Phases and also reference to the Entrance Plan improvement documents and also any stormwater management facility improvements.
 - b. Remove Reserved Dumpsters label.
 - c. Remove cross access easement label on Bay Road access drive unless showing.
- 8) Sheet C-201 Site Plan: On the plan drawing complete the following corrections (and also as depicted throughout the plan set):
- a. Check placement of light pole as several appear to be within the pavement areas at corner of new Parking Lot.
 - b. Identify/remove light poles in the middle of the Phase 2/Phase 3 parking lot (shown in drive aisles).
 - c. Clarify how the pedestrian sidewalk continues from the new parking lot to the North Office Building. It stops at the drive aisle with no additional markings.
 - d. Clarify if there is striping/painted curb for the circulation drive aisle/fire lane on the west side of this new Parking Lot.
 - e. Clarify the location of any new handicapped parking spaces as related to the increase in parking spaces.
- 9) Confirm existing bicycle parking rack locations and space counts. Some locations are only labeled as proposed. Identify any new bicycle rack locations on the plan to be implemented to satisfy the additional of vehicle parking spaces.
- 10) Sheet C-301 – Utility Plan – North and Sheet C-401 – Grading Plan North: Clarify what is proposed as new work/installation with this Phase 3A. I.e., is the water line already complete? Identify boxes to east of northern 4- Dumpster set.
- 11) Landscape Plan, L-101:
- a. Identify Development Area and complete calculation of required tree planting. Show in Tree Density Requirements data column.
 - b. Show locations of existing tree plantings.
 - c. Update tally chart to reflect existing trees and proposed trees by phase.
 - d. There are several tree planting conflicts with pavement areas and sidewalk locations. Revise locations.

e. Ensure base map drawing and labels are up to date.

- 12) Any Erosion & Sediment Control Plans and Stormwater Management Plans granted approval by the Kent Conservation District must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.

IX. RECOMMENDED ADDITIONAL CONSIDERATIONS 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 Request:
 - a) Reduction of Arterial Street Buffer: Staff recommends the Planning Commission reconfirm the approval of the Request to Reduce the Arterial Street Buffer from thirty (30) feet to twenty (20) feet. The plan remains generally unchanged along the Bay Road frontage from the previously approved plans. Prior plans also include a row of parking spaces in the area closest to the roadway and Phase 3A continues this parking space layout.
- 2) Multi-use Pathway (Sidewalk): Planning Staff recommends construction of the pathway as the adjacent areas of Phase 3A are being developed for this Parking Lot as this allows a specific pedestrian connection along the frontage and then into the site. A Waiver Request would be required to establish an alternative timeframe for its construction.
- 3) Planning Staff encourages this project to include the installation of Electric Vehicle Charging Stations in its parking lots/parking areas. 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.

Other agencies may recommend additional conditions and safeguards in accordance with their areas of expertise. The Recommended Additional Considerations to Meet Code Objectives are offered for consideration by the Planning Commission.

X. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Planning Commission should act upon the request for any waivers as part of any motion regarding this project application, or as a separate motion as necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.

- 2) In the event, that major changes and revisions to the Site Plan occur in the finalization of the Plan contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies making recommendations in regard to the plan.
- 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 Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff.
- 5) 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.
- 6) The applicant shall be aware that Site Plan approval does not represent a Building Permit, Sign Permit, and associated construction activity permits. A separate application process is required for issuance of a 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 26, 2023



APPLICATION: Parking Lot of Landing Square at 560 and 600 Bay Road:
Revised Phase 3A

FILE #: S-23-10

REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater

CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services

CONTACT PHONE #: 302-736-7025

CONTACT PHONE #: 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. This parking lot is not proposing any trash containers, if that changes, additional comments will apply.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures. Please delineate what is proposed and what is existing through phase 3A.

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. Please add the following notes to the plans:
 - a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.
 - b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

WATER

1. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please delineate what is proposed and what is existing through phase 3A.
2. All water infrastructure on the property will be owned and maintained by the property owner.

WASTEWATER

1. 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. Please delineate what is proposed and what is existing through phase 3A.
2. All wastewater infrastructure on the property will be owned and maintained by the property owner.

GENERAL

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER / WASTEWATER / SANITATION / STORMWATER / STREETS

1. None.

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.

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 26, 2023

APPLICATION: Parking lot of Landing Square at 560 and 600 Bay Road:
Revised Phase 3A

FILE #: S-23-10

REVIEWING AGENCY: City of Dover Electric Department

CONTACT PERSON: Shawn Burgett, Engineering Services & System Operations Superintendent

CONTACT PHONE #: 302-674-7568

CONTACT EMAIL #: sburgett@dover.de.us

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

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

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Provide load sheets if the new load requirements will change as soon as possible to verify 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.

S-23-10

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 04/26/23

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APPLICATION: Parking Lot of Landing Square at 560 and 600 Bay Road

FILE #: S-23-10 **REVIEWING AGENCY:** City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Fire Marshal

PHONE #: (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. Proposal is a site development plan for development of a 99 space parking lot area instead of a previously proposed 6,400 ft² restaurant for Phase 3A. This office has no objections.
2. 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)
3. 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
4. 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)

5. Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

Residential areas

24 feet wide with no parking,
30 feet wide with parking on one side, or
36 feet wide with parking on both sides

Commercial areas

26 feet wide with no parking,
32 feet wide with parking on one side, or
38 feet wide with parking on both sides

Alley

12 feet wide

6. Project to be completed per approved Site Plan.

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Ensure Fire Lanes from previous phases remain in place and are properly marked.

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.**

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY



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APPLICATION: Parking Lot of Landing Square at 560 and 600 Bay Road

FILE#: S-23-10

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Joshua Johnson

PHONE#: 302-760-2221

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

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

CITY & STATE CODE REQUIREMENTS:

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. The developer had a coordination/pre-submittal meeting to discuss the development with DelDOT Subdivisions on 4/26. The Developer will be required to submit revised entrance plans meeting current specifications for approval.



KENT CONSERVATION DISTRICT

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**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
MAY 2023**

APPLICATION: Parking Lot of Landing Square at 560 & 600 Bay Road: Revised Phase 3A

FILE #: S-23-10

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Kate Owens

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. No changes shall be made to an approved plan without review and written approval by the Kent Conservation District. Please provide the District with a revised Sediment and Stormwater Management Plan and re-review fee.

ADVISORY COMMENTS TO THE APPLICANT:

1. The constructed infiltration basin in phase 1 of this project has failed to function according to the approved Plan and requires a corrective action plan to be reviewed and approved by the District.
2. A letter of no objection to recordation will be provided upon Kent Conservation District's approval of the revisions to the Sediment and Stormwater Management Plan.



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WAIVER REQUEST

LANDING SQUARE
560 Bay Road, Dover, DE
4/6/2023

ARTERIAL STREET BUFFER
Article 5, Section 7.3

REQUEST:

We request the relaxation of the 30-foot-wide arterial buffer requirements for the site.

EXTENT OF THE REQUEST:

By code, a 30 ft wide landscape buffer is required along road frontage that is classified as an arterial road by the Delaware Department of Transportation (South Bay Road). We are requesting a reduction of the buffer.

BASIS FOR REQUEST:

Article 5 Section 7.3 (b) states: When it can be demonstrated to the satisfaction of the planning commission through the plan review process that, due to specific constraints related to existing lot size, lot configuration or the orientation of existing buildings on adjoining properties, that compliance with this [sub]section would severely limit the development potential of the property or would cause the property to be out of character with the surrounding built environment, the planning commission may approve a lesser amount of buffering, provided that the basic objective of establishing landscaped green space along arterial roadways is achieved.

Due to the roadway classification of South Bay Road, DelDOT requires 30' of right-of-way from the outermost edge of the through lane. This dedication has previously occurred for the property, and therefore the existing property line is approximately 25 feet from the road. Although this dedication has previously occurred, no roadway widening projects are planned within the right-of-way and the area will largely remain green space. Our design provides over 40' of green space from the road to the parking lot. Requiring the full 30' wide arterial buffer would prohibit the development of a portion of parking area needed for the State's fleet vehicles and reduce the amount of developable area for the project.

The proposed 20 ft buffer development a variety of tree plantings to provide a visual buffer between the road and the development. Additionally, approximately 20 feet of green space is provided within the right-of-way. Therefore, we believe the proposed design meets the basic objective of establishing landscaped green space along arterial roadways.