



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

April 20, 2018

Mr. Mike Reimann
Becker Morgan, Inc.
309 South Governors Ave.
Dover, DE 19904

RE: PLUS review 2018-03-08; Beebe Healthcare – Rehoboth Site

Dear Mike:

Thank you for meeting with State agency planners on March 28, 2018 to discuss the proposed plans for the Beebe Healthcare – Rehoboth Site. According to the information received you are seeking review of an 88,495 square foot outpatient surgery center and health campus on 20 acres along Warrington Road in Sussex County. As discussed at the meeting this will mainly be an outpatient facility and the helipad will be for emergency transport out to another facility.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in Investment Level 2 according to the *Strategies for State Policies and Spending*. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near term future.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The site access on Warrington Road (Sussex Road 275) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.

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- Pursuant to Section P.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.
- Section P.5 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Chapter 1 of the Manual addresses in general terms the factors that DelDOT considers in determining what access to permit and the location of that access. DelDOT is in discussions with the applicant about the location and design of the applicant regarding the site access. Critical elements of that discussion include sight distance to the south, the length of the northbound left turn lane needed at Delaware Route 24, the length of the southbound left turn lane needed at the site entrance and the distribution of the site traffic.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. For developments with trip generation that is higher, but still less than 2,000 vehicle trip ends per day and less than 200 vehicle trip ends per hour, DelDOT may accept an Area Wide Study Fee in lieu of a TIS.

From the PLUS application, the total daily trips are estimated at 895 vehicle trip ends per day, DelDOT understands that this number may have been generated based on the projected number of employees. DelDOT accepts this approach to trip generation for this use, although they have not yet verified the correctness of this specific number. If this number can be adequately supported and the peak hour trip generation is less than 200 vehicle trip ends per hour, DelDOT could accept the Area Wide Study Fee in lieu of a TIS. Payment of the fee would not exempt the applicant from having to do a Traffic Operational Analysis (TOA) if DelDOT identifies a need for one in the plan review process. It also would not exempt the developer from responsibility for offsite improvements. Presently, DelDOT anticipates requiring the applicant to contribute to nearby DelDOT projects planned on Route 24 and at the intersection of Warrington Road and Old Landing Road.

- To the extent that additional rights-of-way need to be dedicated per the comments below, property corner markers should be provided in accordance with Section 3.2.4.2, Frontage Road Right-of-Way Monumentation, to provide a permanent reference for re-establishing the right-of-way and property corners along frontage roads. As necessary due to the right-of-way dedication, show and note the property corners markers that will need to be installed.

- In accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage on Warrington Road. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline of Warrington Road. The following right-of-way dedication note is required, **"An X-foot wide right-of-way is hereby dedicated to the State of Delaware, as per this plat."**
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Warrington Road. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **"A 15-foot wide permanent easement is hereby established for the State of Delaware, as per this plat."**
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 450 feet of the Warrington Road entrance.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.
- Section 3.5 of the Manual provides DelDOT's requirements with regard to connectivity. The requirements in Sections 3.5.1 through 3.5.3 shall be followed for all development projects having access to state roads or proposing DelDOT maintained public road for subdivisions. DelDOT fully supports the proposed internal street connection from the subject site to the applicant's campus on Route 24.
- Section 3.5.4.2 of the Development Coordination Manual addresses requirements for shared-use paths and sidewalks. For projects in Level 1 and 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required. DelDOT anticipates requiring that the applicant build a Shared Use Path across their frontage on Warrington Road.
- Referring to Section 3.5.5 of the Manual, existing and proposed transit stops and associated facilities as required by the Delaware Transit Corporation (DTC) or DelDOT shall be shown on the Record Plan.

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Warrington Road.
- In accordance with Section 5.2.5.6 of the Manual, a separate turning template plan shall be provided to verify vehicles can safely enter and exit the site entrance. As per Section 5.2.3 of the Manual, the entrance shall be designed for the largest vehicle using the entrance.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/information/business/subdivisions/Intersection-Sight-Distance.xls>.
- There are utilities along both frontages. In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.
- Construction inspection responsibilities shall be in accordance with Figure 6.4.3-a in the Manual. The preliminary reading of this figure is that if modifications are needed at either site entrance, Level I inspection will be required and DeIDOT's South District Public Works Section will be able to provide all necessary inspection services for the entrance construction.
- Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems, open or closed, that fall outside the existing right-of-way or the drainage/utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.

Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352

- The Department of Natural Resources and Environmental Control did not submit comments regarding this application. If the development of this property requires permits from a DNREC section, please contact the DNREC regulatory agency directly.

State Historic Preservation Office – Contact Carlton Hall 736-7404

- There are no known archaeological sites or buildings recorded on the parcel. However, aerial photographs and the 1868 Beers' Atlas map indicates that a structure associated with the neighboring parcel once stood adjacent to the southern part of the subject parcel. The historic map attributes this property with an owner named Morricks. The information suggests that historic archaeological resources may be present in this vicinity. If the proposed project will extend to this part of the Beebe Healthcare parcel, our office recommends that further research and an archaeological survey be conducted to determine if an archaeological site may be impacted by the project.
- The developer should also be aware of the Unmarked Human Burials and Human Skeletal Remains Law. Prior to any demolition or ground-disturbing activities, the developer should hire an archaeological consultant, to examine the parcel for archaeological resources, including unmarked human burials or human skeletal remains, to avoid those sites or areas.

Abandoned or unmarked family cemeteries are very common in the State of Delaware. They are usually in rural or open space areas, within or near the boundary, of a historic farm site. Even a marked cemetery can frequently have unmarked graves or burials outside of the known boundary line or limit. Disturbing unmarked graves or burials triggers the Delaware's Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54), and such remains or discoveries can result in substantial delays while the procedures required under this law are carried out. If there is a discovery of any unmarked graves, burials or a cemetery, it is very costly to have them archaeologically excavated and the burials moved. The Division of Historical & Cultural Affairs recommends that owners and/or developers have a qualified archaeological consultant investigate their project area, to the full extent, to see if there is any unmarked cemetery, graves, or burial sites. In the event of such a discovery, the Division of Historical & Cultural Affairs also recommends that the plans be re-drawn to leave the full extent of the cemeteries or any burials on its own parcel or in the open space area of the development, with the responsibility for its maintenance lying with the landowner association or development. If you would like to see more information, please review the following websites: www.history.delaware.gov/preservation/umhr.shtml and www.history.delaware.gov/preservation/cemeteries.shtml.

- If there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources.

Owners and developers who may plan to apply for an Army Corps of Engineers permit or for federal funding, such as HUD or USDA grants, should be aware of the National Historic Preservation Act of 1966 (as amended). Regulations promulgated for Section 106 of this Act stipulate that no ground-disturbing or demolition activities should take

place before the Corps or other involved federal agency determines the area of potential effect of the project undertaking. These stipulations are in place to allow for comment from the public, the Delaware State Historic Preservation Office, and the Advisory Council for Historic Preservation about the project's effects on historic properties. Furthermore, any preconstruction activities without adherence to these stipulations may jeopardize the issuance of any permit or funds. If you need further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: www.achp.gov

Delaware State Fire Marshall's Office – Contact Dwayne Fox 739-4394

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

Fire Protection Water Requirements

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- Where a water distribution system is proposed for business sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Fire Protection Features: Fire Protection Features

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq. ft. 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR
- Facility where helicopter will be present are required to comply with the requirements of the 2011 edition of the "*Standard for Heliports*" published by the National Fire Protection Association as NFPA 418.

Accessibility

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Gas Piping and System Information

- Provide type of fuel proposed, and show locations of bulk containers on plan.

Required Notes

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Sussex County – Contact Rob Davis (Engineer) 855-1299

- The proposed project is located within a planning area for sewer service, however, it is located outside the boundary of the Sussex County Unified Sanitary Sewer District boundary. The project parcel adjoins Sussex County’s Unified Sanitary Sewer district and can be annexed into the sewer district using the County’s administrative procedure.
- At this time, it is unknown if the proposed Beebe Healthcare is within sewer system design assumptions of 4.0 EDUs per acre for sewer service. Therefore, it is not known if existing sewer capacity is adequate for the proposed project. Additional information must be provided in order to determine if available sewer capacity is adequate for the proposed project.
- A potential sewer connection point is to the existing Beebe owned and maintained private system on the adjoining Beebe parcel. If the proposed facility is unable to obtain a sewer connection on the adjoining Beebe owned parcel, then it will be necessary for the project to extend public sewer in Warrington Road from an approved connection point. If the proposed project is required to extend public sewer in Warrington Road, the project will be required to install the collection system in accordance with Sussex County standard requirements and procedures. The Sussex County Engineer must approve the connection point. A “Use of Existing Infrastructure Agreement” may also be required. The Sussex County Engineering Department requires that a Sewer Concept Plan be submitted for review and approval.

Attached is a checklist for preparing conceptual plans. One-time system connection charges and annual front footage and service charges will apply. Please contact Mrs. Christine Fletcher at 302 854-5086 for additional information on one-time and annual charges.

Recommendations/Additional Information

This section includes a list of site specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how the suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- Presently, DelDOT is working with Sussex County to create the Henlopen Transportation Improvement District (TID) for an area south of Five Points that includes the subject land. As detailed in Section 2.4 of the Manual, the idea of a TID is to plan the transportation network in advance and to assess impact fees for new developments rather than relying on TIS and off-site improvements. While DelDOT recommends that the applicant proceed without waiting for the TID, it is possible that applicant will be able to pay a fee in lieu of doing or contributing to specific offsite improvements.
- Section 3.4 of the Manual requires that a record plan be prepared and submitted prior to DelDOT issuing a “Letter of No Objection.” The applicant should expect a requirement that the Record Plan submittal include the items listed on the “Critical Items for Acceptance: Record Plan” document, which can be found at <https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items-Record-Subdivision.pdf?09222017>.
- Chapter 4 of the Manual requires that an entrance plan be prepared and submitted prior to DelDOT issuing an entrance plan approval. The applicant should expect a requirement that the Entrance Plan submittal include the items listed on the “Critical Items for Acceptance: Entrance/Construction/Subdivision Set Plans” document, which can be found at https://www.deldot.gov/Business/subdivisions/pdfs/Critical-Items_Entrance_Construction_Subdivision.pdf?09222017.
- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Warrington Road.

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall now be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is available on our website at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision date of December 8, 2017. The notes can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.

Delaware State Fire Marshall's Office – Contact Dwayne Fox 739-4394

- The facility may be required to be licensed by the Department of Health and Social Services (DHSS), specifically the Office of Health Facilities Licensing & Certification (OHFLC). Additionally, the Center for Medicare and Medicaid Services (CMS) may impose additional requirements if applicable. It is suggested that you contact Corrina Getchell of OHFLC for additional information at (302) 283-7220.
- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov technical services link, plan review, applications or brochures.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,



Constance C. Holland, AICP
Director, Office of State Planning Coordination

CC: Sussex County Planning