

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: August 25th, 2022

Application: CU 2316 Southern Delaware Medical Center, LLC

Applicant: Lighthouse Construction, Inc.
859 Golf Links Lane
Magnolia , DE 19962

Owner: Southern Delaware Medical Center, LLC
859 Golf Links Lane
Magnolia, DE 19962

Site Location: 17611 Shady Road, 17637 Shady Road & 17623 Shady Road

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Medical Office Buildings

Comprehensive Land Use Plan Reference: Commercial

Councilmanic District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Lewes Fire Department

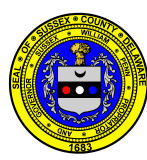
Sewer: Sussex County

Water: Tidewater Utilities, Inc.

Site Area: 2.297 ac. +/-

Tax Map ID.: 334-6.00-511.02
334-6.00-511.06
334-6.00-513.00





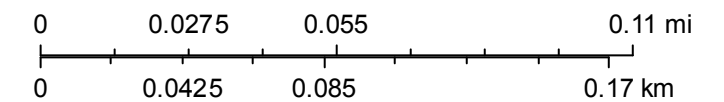
Sussex County

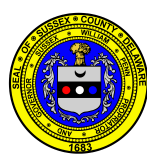


PIN:	334-6.00-511.02
Owner Name	SOUTHERN DELAWARE MEDICAL CENTER LLC
Book	5514
Mailing Address	859 GOLF LINKS LN
City	MAGNOLIA
State	DE
Description	S/RT 276
Description 2	T#5266
Description 3	N/A
Land Code	

- polygonLayer**
 - Override 1
- polygonLayer**
 - Override 1
- ⋯ Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Flood Zones 2018**
 - 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
 - A
 - AE
 - AO
 - OPEN WATER
 - VE

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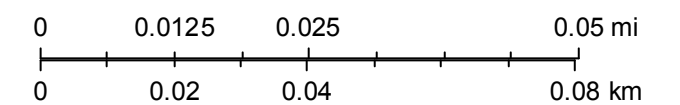
Sussex County

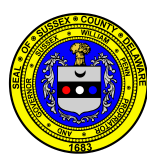


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Owner Name	SOUTHERN DELAWARE MEDICAL CENTER LLC
Book	5514
Mailing Address	859 GOLF LINKS LN
City	MAGNOLIA
State	DE
Description	SE/RT 276
Description 2	550' E/RT 275
Description 3	
Land Code	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- ⋮ Tax Parcels
- 911 Address
- Streets
- County Boundaries

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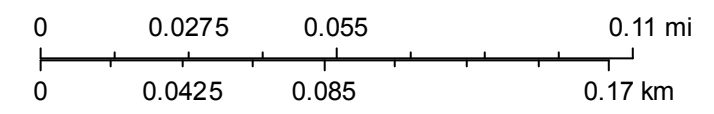
Sussex County



PIN:	334-6.00-513.00
Owner Name	SOUTHERN DELAWARE MEDICAL CENTER LLC
Book	5514
Mailing Address	859 GOLF LINKS LN
City	MAGNOLIA
State	DE
Description	S/RD 276
Description 2	
Description 3	
Land Code	

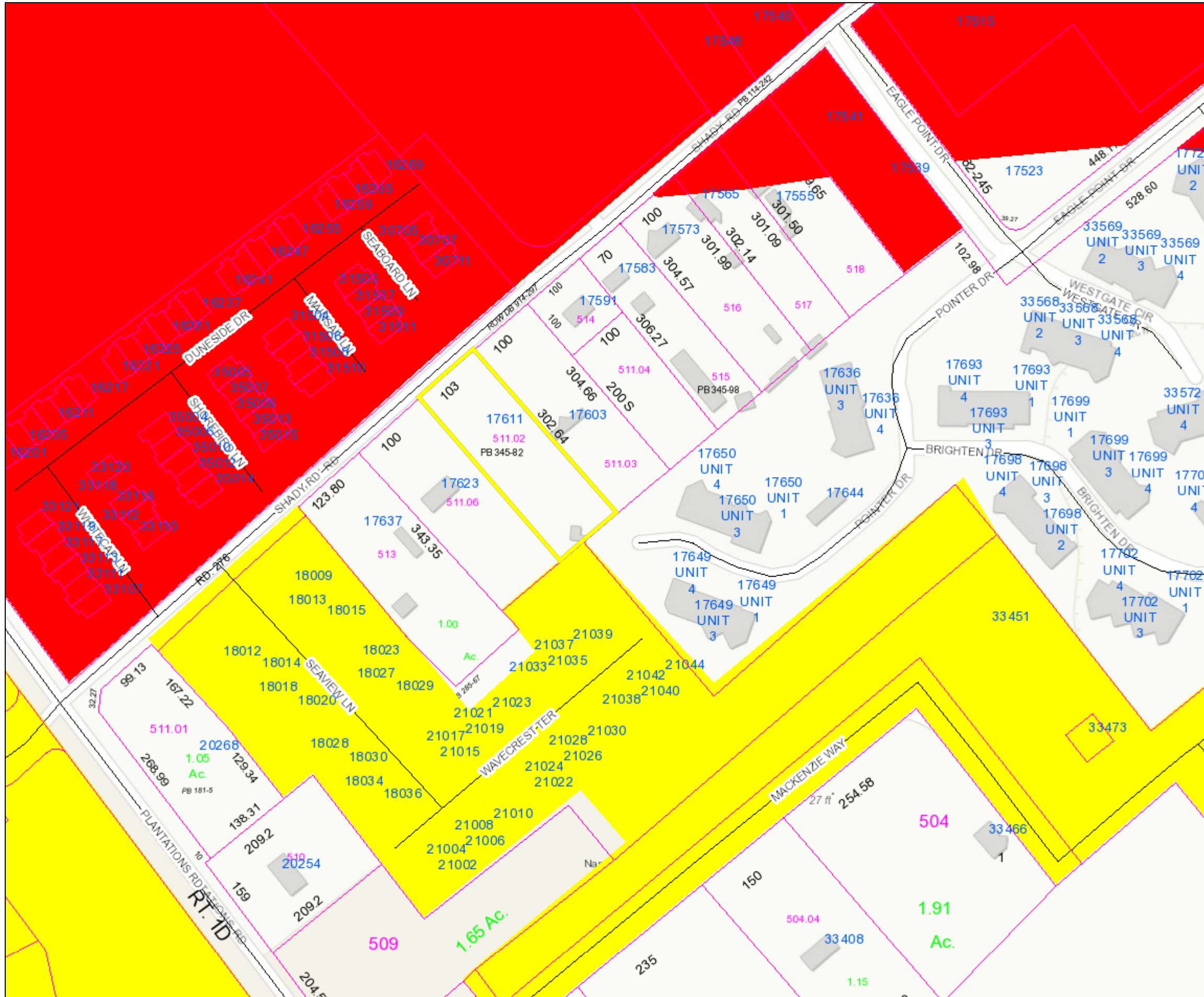
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- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

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Sussex County



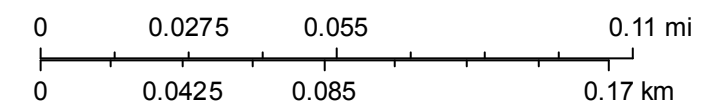
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Owner Name	SOUTHERN DELAWARE MEDICAL CENTER LLC
Book	5514
Mailing Address	859 GOLF LINKS LN
City	MAGNOLIA
State	DE
Description	S/RT 276
Description 2	T#5266
Description 3	N/A
Land Code	

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 - Override 1
- polygonLayer**

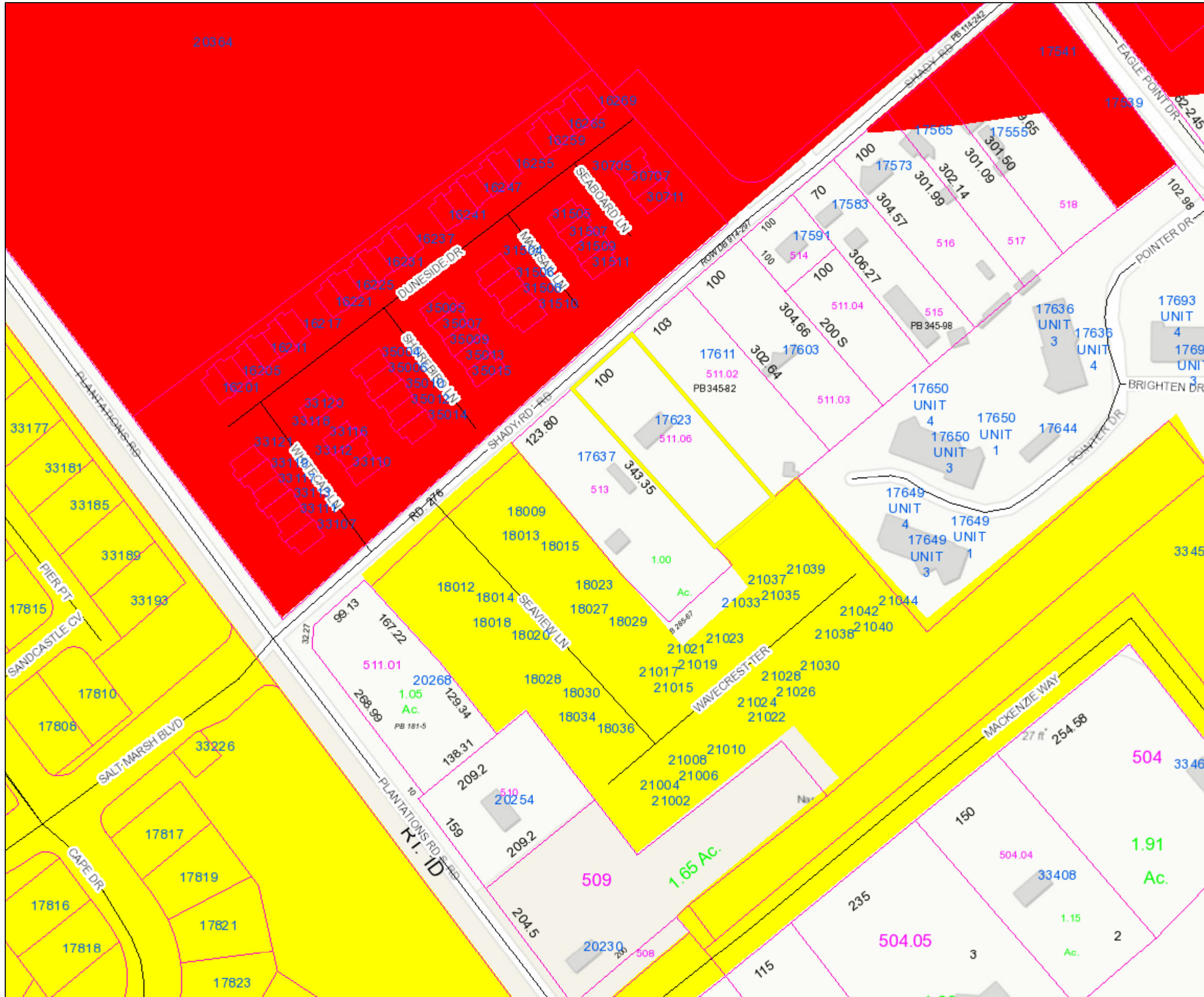
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- ⋯ Tax Parcels
- 911 Address
- Streets

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Sussex County



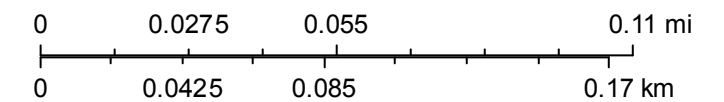
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Owner Name	SOUTHERN DELAWARE MEDICAL CENTER LLC
Book	5514
Mailing Address	859 GOLF LINKS LN
City	MAGNOLIA
State	DE
Description	SE/RT 276
Description 2	550' E/RT 275
Description 3	
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

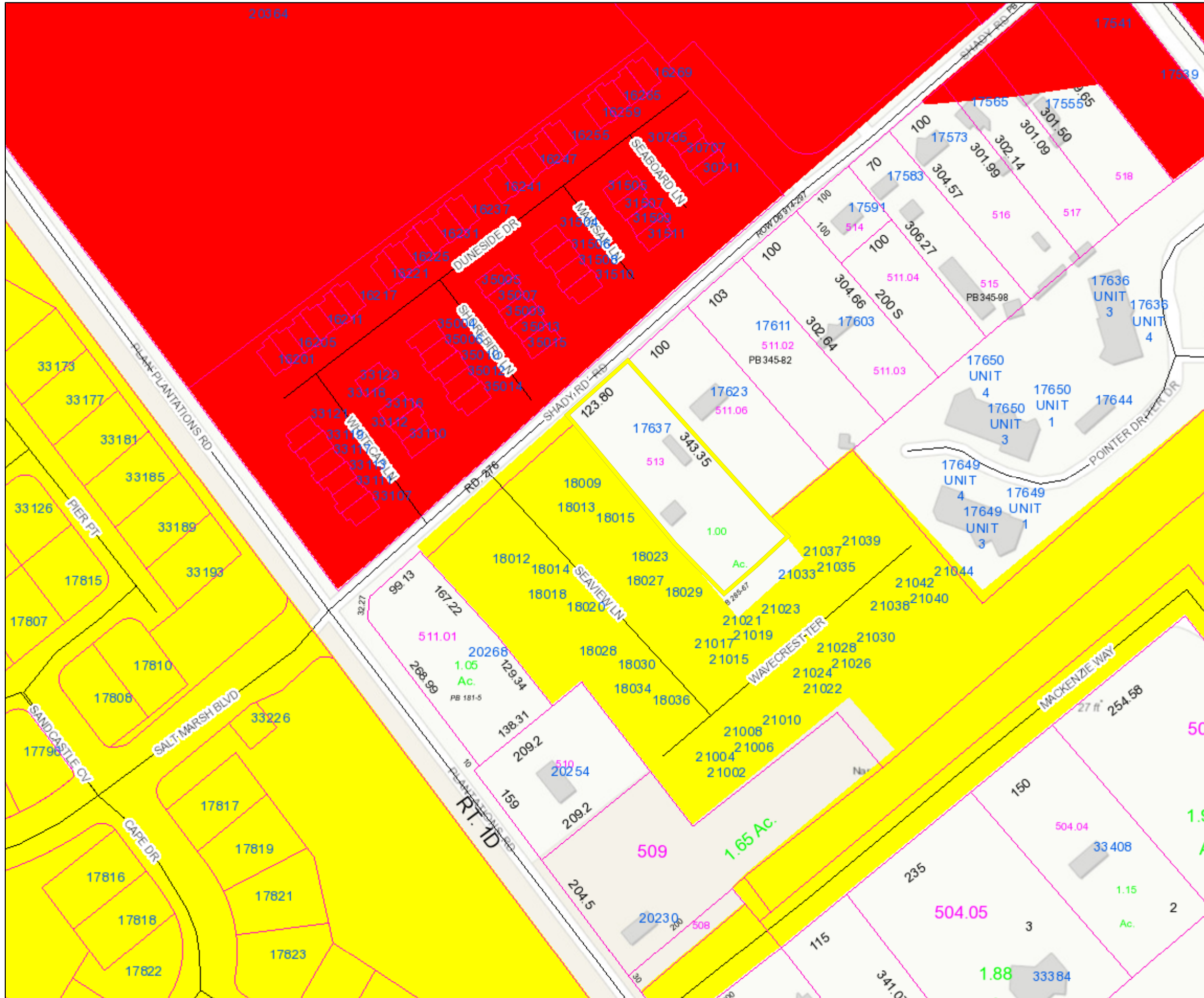
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- ⋯ Tax Parcels
- 911 Address
- Streets

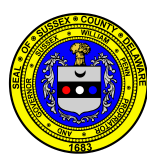
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Sussex County





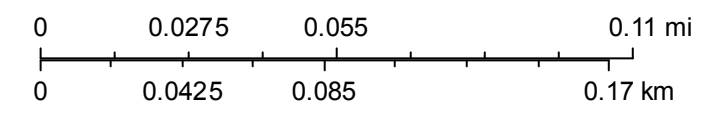
Sussex County



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jamie.whitehouse@sussexcountyde.gov



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Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Mr. Elliott Young, Planner I
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: August 3rd, 2022
RE: Staff Analysis for CU 2316 Southern Delaware Medical Center, LLC

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application CU 2316 Southern Delaware Medical Center, LLC to be reviewed during the August 25th, 2022, Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcels: 334-6.00-513.00, 334-6.00-511.06 & 511.02 to allow for medical office buildings, to be located between the 3 existing parcels on Shady Road, Lewes, Delaware. The property is lying on the southeast side of Shady Road (S.C.R. 276), approximately 0.14-miles northeast of the intersection of Plantations Road (Rt. 1D) and Shady Road. The parcels consist of 2.29 acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of "Commercial Area." The adjoining parcel to the west also has a Future Land Use Map designation of "Commercial Area". The parcels to the north across Shady Road (S.C.R. 276) also have a Future Land Use Map designation of "Commercial".

Commercial Areas include concentrations of retail and service uses that are mainly located along arterials, and highways. As opposed to small, traditional downtown areas that are often historic and pedestrian-friendly, Commercial Areas include commercial corridors, shopping centers, and other medium and large commercial vicinities geared towards vehicular traffic. In addition to primary shopping destinations, this area would also be the appropriate place to locate hotels, motels, car washes, auto dealerships, and other medium and larger scale commercial uses not primarily targeted to the residents of immediately adjacent residential areas. These more intense uses should be located along main roads or near major intersections. Institutional and commercial uses may be appropriate depending on surrounding uses. Mixed-use buildings may also be appropriate for these areas

The adjoining parcels to the south and east of the subject parcels contain the Future Land Use Map designation of "Coastal Area".

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed. A range of



housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas.

Zoning Information

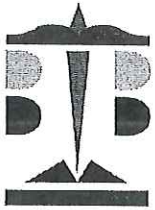
The subject properties are zoned Agricultural Residential (AR-1) District. The adjacent property to the east of the subject properties is zoned Agricultural Residential (AR-1) District. The parcels to the south and west of the subject property, are zoned Medium Residential (MR). While the properties to the north of the subject property across Shady Road (S.C.R. 276) are zoned General Commercial (C-1) District.

Existing Conditional Uses within the Vicinity of the Subject Property

Since 2011, there have been six (6) Conditional Use applications within a half (0.5) mile radius of the application site. Five (5) out of the six (6) applications were approved by the County Council while one (1) of the six (6) is still to be determined through public hearings. Below is a table with the six applications and their associated information.

Conditional Use No.	Applicant	Use	Zoning	CC Approval Date	Ordinance No.
2352	CB Lewes, LLC	Multi-Family Units (Amend Conditions of Approval)	MR	6/14/2022	N/A
2327	Howard Ritter & Sons, Inc.	Expansion of a non-conforming borrow pit	AR-1	N/A (Public Hearing TBD)	N/A
2261	What is Your Voice, Inc.	Existing Garage for office use and one-story pole building for rental facility	AR-1	9/14/2021	2800
2190	Steve & Helene Falcone	Office	AR-1	1/7/2020	2699
2106	MDI Investment Group	Multi-family	MR(Proposed)	3/20/2018	2566
2034	Beachfire Brewery Co., LLC	Restaurant and Brewery	AR-1	3/8/2016	2438

Based on the analysis provided, the Conditional use to allow for medical office buildings in this location could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.



BAIRD
MANDALAS
BROCKSTEDT
FEDERICO & CARDEA^{LLC}

Mackenzie M. Peet, Esquire
(302) 645-2262
mackenzie@bmbde.com

RECEIVED

August 3, 2022

AUG 03 2022

SUSSEX COUNTY
PLANNING & ZONING

VIA EMAIL

Department of Planning & Zoning
Director Jamie Whitehouse
2 The Circle, P.O. Box 417
Georgetown, DE 19947
pandz@sussexcountyde.gov;
ashley.paugh@sussexcountyde.gov

RE: CU2316 for Southern Delaware Medical Center, LLC

Tax Map Parcel Nos: 334-6.00-511.02, 511.06 & 513.00

Dear Director Whitehouse:

This letter confirms that Baird Mandalas Brockstedt Federico & Cardea LLC represents the Applicant, Southern Delaware Medical Center, LLC.

Should you have any questions, please contact me by email at mackenzie@bmbde.com or by phone at 302-645-2262.

Sincerely,

/s/ Mackenzie M. Peet

Mackenzie M. Peet, Esq.

File #: C/U 2316
202114048
202211209
202211215

RECEIVED

AUG 03 2022

SUSSEX COUNTY
PLANNING & ZONING

Planning & Zoning Commission Application
Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use

Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

17611, 17623, & 17637 Shady Road, Lewes, Delaware 19958; TMP 334-6.00-511.02, 511.06, & 513.00.

Type of Conditional Use Requested:

Office Building in AR-1.

Tax Map #: See above. **Size of Parcel(s):** 2.297 Acres +/-

Current Zoning: AR-1 **Proposed Zoning:** CU/AR1 **Size of Building:** 26,592 +/-

Land Use Classification: Commercial

Water Provider: Tidewater Utilities, Inc. **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: Lighthouse Construction, Inc.

Applicant Address: 859 Golf Links Lane

City: Magnolia State: DE Zip Code: 19962

Phone #: (302) 677-1965 E-mail: mglick@lhconstruction.com

Owner Information

Owner Name: Southern Delaware Medical Center, LLC

Owner Address: 859 Golf Links Lane

City: Magnolia State: DE Zip Code: 19962

Phone #: (302) 677-1965 E-mail: megang@lhconstruction.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Davis, Bowen & Friedel, Inc.

Agent/Attorney/Engineer Address: 1 Park Avenue

City: Milford State: DE Zip Code: 19963

Phone #: (302) 424-1441 E-mail: jls@dbfinc.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- ✓ **Completed Application**
- ✓ **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**
 - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - Provide a PDF of Plans (may be e-mailed to a staff member)
 - Deed or Legal description
- ✓ **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**
- ✓ **Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.**
- ✓ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**
- ✓ **DeIDOT Service Level Evaluation Request Response**
- **PLUS Response Letter (if required)**

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney
G. Michael Glick
Digitally signed by G. Michael Glick, DN: cn=G. Michael Glick, o=Lighthouse Construction, cn=G. Michael Glick, email=G.MichaelG@LHConstruction.com, c=US, Date: 2022.08.03 11:01:48-0400

Date: _____

Signature of Owner
Megan M. Glick
Digitally signed by Megan M. Glick, DN: cn=Megan M. Glick, o=Lighthouse Construction, cn=Megan M. Glick, email=MeganG@LHConstruction.com, c=US, Date: 2022.08.03 10:58:59-0400

Date: 8/3/22

For office use only:

Date Submitted: _____ Fee: _____ Check #: _____
 Staff accepting application: _____ Application & Case #: _____
 Location of property: _____
 Subdivision: _____
 Date of PC Hearing: _____ Recommendation of PC Commission: _____
 Date of CC Hearing: _____ Decision of CC: _____

Sussex County, DE
Treasury
P.O. Box 601
Georgetown, DE 19947
Welcome

33020589-0082 Lindsey S 09/22/2021 03:09PM

PERMITS / INSPECTIONS
CONDITIONAL USE - FEE
2021 Item: 202114048|2010 500.00

Subtotal	500.00
Total	500.00
CHECK	500.00
Check Number 003470	
Change due	0.00

Paid by: DAVIS BOWEN & FRIEDEL INC.

Bank of America
Davis Bowen & Friedel Inc.
Sussex County Treasury
09/22/2021
\$500.00
003470
DAVIS BOWEN & FRIEDEL INC.
Sussex County, DE

Thank you for your payment

Sussex County, DE COPY
DUPLICATE RECEIPT



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

September 10, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Southern Delaware Medical Center, LLC** proposed land use application, which we received on August 23, 2021. This application is for an approximately 2.37- acre assemblage of parcels (Tax Parcels: 334-6.00-511.02, 511.06, 513.00). The subject land is located on the southwest side of Shady Road (Sussex Road 276). The subject land is currently zoned AR-1 (Agriculture Residential) and is looking for a conditional use approval for a medical office building.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Shady Road from Plantations Road (Sussex Road 275) to Coastal Highway (State Route 1), is 5,159 vehicles per day.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 500 vehicle trips per day, and would be considered to have a **Minor** impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per a weekly peak hour and 2,000 vehicle trips per day. Because of this impact, we recommend that the applicant be required to perform a Traffic Impact Study (TIS) for the subject application. However, our Development Coordination Manual provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be fewer than 200 vehicle trips per a weekly peak hour and fewer than 2,000 vehicle trips per day, DeIDOT may permit the developer to pay an Area-Wide Study Fee of \$10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-wide Study Fee.

If the County approves this application, the applicant should be reminded that DeIDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Mr. Jamie Whitehouse
Page 2 of 2
September 10, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff

cc: Dawn Riggi, Applicant
Lauren DeVore, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

**SUSSEX COUNTY ENGINEERING DEPARTMENT
UTILITY PLANNING & DESIGN REVIEW DIVISION
C/U & C/Z COMMENTS**

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **7/29/2022**

APPLICATION: **CU 2316 Southern Delaware Medical Center, LLC**

APPLICANT: **Lighthouse Construction, Inc.**

FILE NO: **OM-9.04**

TAX MAP &
PARCEL(S): **334-6.00-511.02**

LOCATION: **17611 Shady Road**

NO. OF UNITS: **Medical office buildings**

GROSS
ACREAGE: **2.29**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **4**

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes No
 - a. If yes, see question (2).
 - b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 1**
- (3). Is wastewater capacity available for the project? **Yes** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **Yes** If yes, how many? **3.0**. Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,600.00** per EDU. Please contact **Christine Fletcher** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **N/A**
- (8). Comments: **Click or tap here to enter text.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman
Sr. Manager of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.
Lisa Walls
Christine Fletcher

DATA COLUMN

TAX MAP NUMBER: 334-6.00-511.02, 344-6.00-511.06, 334-6.00-513.00
 LOCATION: 17623 SHADY ROAD, LEWES, DELAWARE 19958
 EXISTING ZONING: AR-1
 PROPOSED ZONING: AR-1
 PROPOSED SITE AREA: 2.297 AC.
 LOCAL LAND USE AGENCY: SUSSEX COUNTY
 EXISTING USE: SINGLE FAMILY HOMES
 PROPOSED USE: OFFICE BUILDING
 BUILDING DATA:
 PROPOSED BUILDING: 32,960± S.F. OF OFFICE SPACE
 PARKING DATA:
 OFFICE: ONE SPACE IS REQUIRED FOR EVERY 200 S.F. OF FLOOR AREA
 PARKING SPACES REQUIRED: 21,888 S.F. / 200 S.F. = 110
 PARKING SPACES PROVIDED: 117
 HANDICAP SPACES PROVIDED: 5 WITH 2 VAN SPACES
 SETBACKS
 FRONT: 60 FEET
 SIDE: 20 FEET
 REAR: 30 FEET
 FLOOD HAZARD MAP: THIS SITE IS LOCATED ON THE FEMA FLOOD INSURANCE RATE MAP #1005C0331K AND IN THE FLOOD ZONE X UNSHADED
 WETLANDS: THIS SITE DOES NOT CONTAIN ANY STATE OR FEDERAL WETLANDS
 OWNER/DEVELOPER: SAMIR & THANA B GHABRA
 524 SCHOOL LANE
 REHOBOTH, DE 19958
 PREPARED BY: DAVIS, BOWEN, AND FRIEDEL, INC.
 RING W. LARDNER, P.E.
 1 PARK AVENUE
 MILFORD, DE 19971
 302-424-1441

ARCHITECTS ENGINEERS SURVEYORS
 DAVIS, BOWEN & FRIEDEL, INC.
 SAUSBURY, MARYLAND (410) 543-9881
 MILFORD, DELAWARE (302) 424-1441
 ESTON, MARYLAND (410) 770-1744

PRELIMINARY SITE PLAN

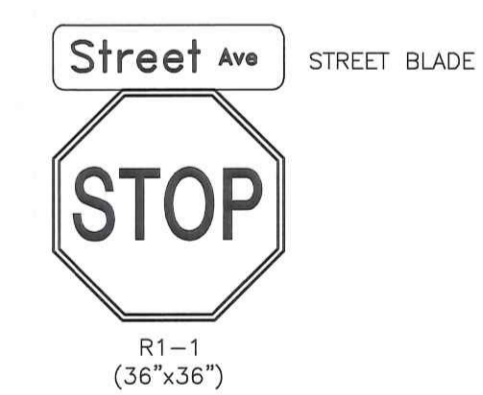
LEGEND

- RIGHT-OF-WAY / PROPERTY LINE - - - - -
- BUILDING SETBACK LINE - - - - -
- EASEMENT LINE - + + - + +
- SIDEWALK [Pattern]
- IRON ROD AND CAP SET ● IRCS
- CONCRETE MONUMENT FOUND □ CMF
- IRON ROD FOUND ○ IRF
- IRON PIPE FOUND ○ IPF
- IRON ROD AND CAP FOUND ● IRCF

SITE LEGEND:

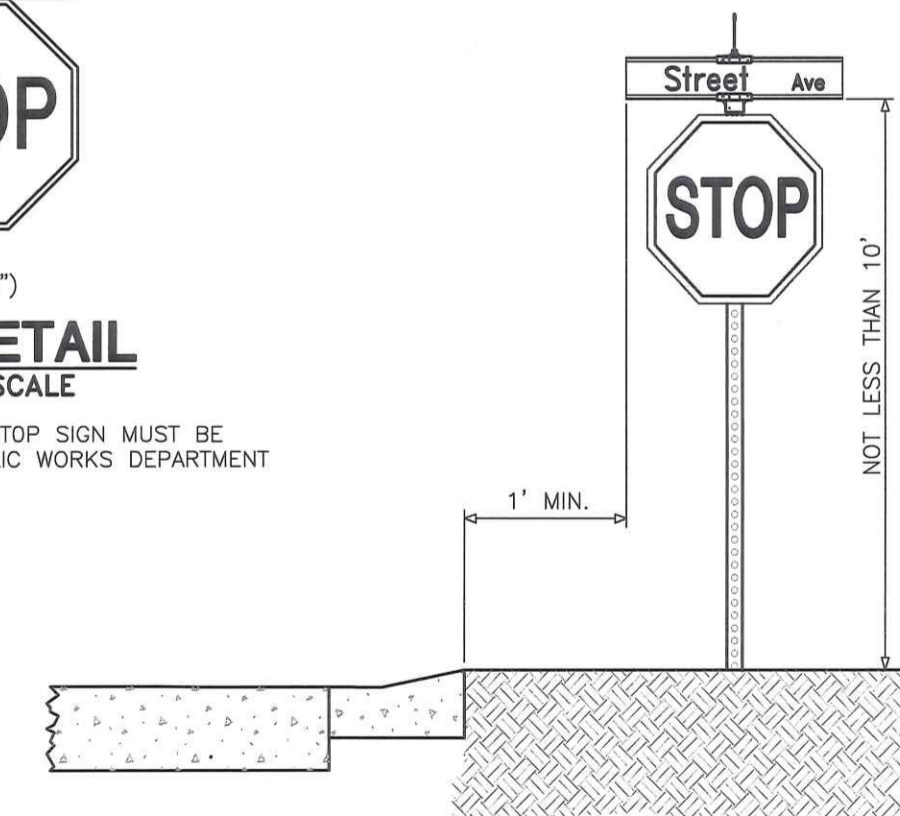
- (A) 8'x18' HANDICAP PARKING SPACE WITH SIGN
- (B) CONCRETE SIDEWALK
- (C) STOP SIGN & 16" STOP BAR
- (D) STREET LIGHT
- (E) WHEEL STOP

[Pattern] PROPOSED PAVEMENT
 - (SEE TYPICAL SECTION)

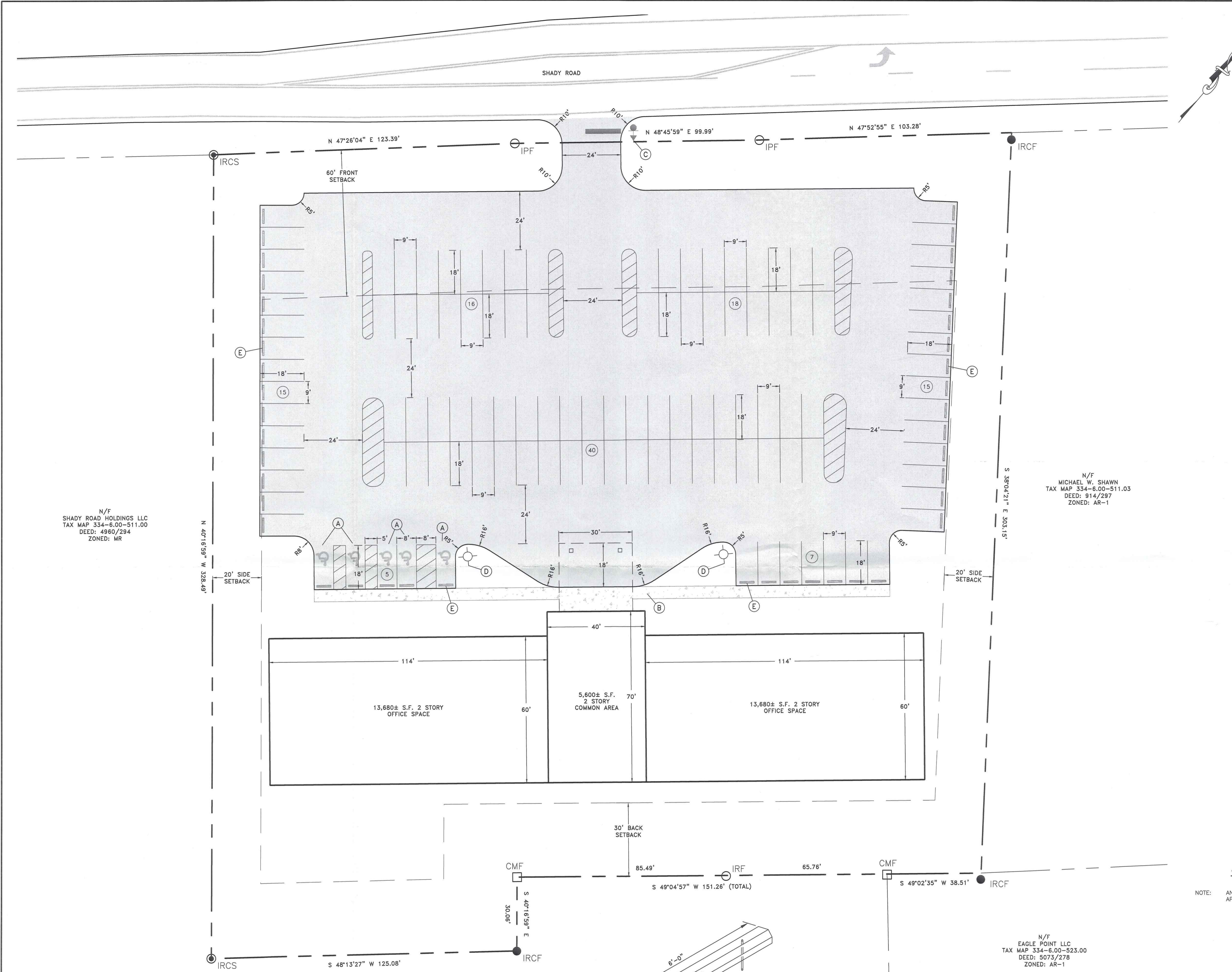
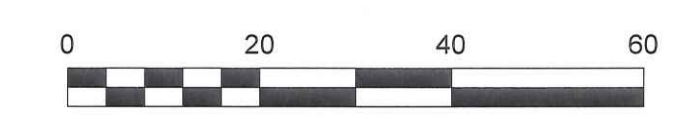


SIGN DETAIL
 NOT TO SCALE

NOTE: ANY CHANGES TO STOP SIGN MUST BE APPROVED BY PUBLIC WORKS DEPARTMENT



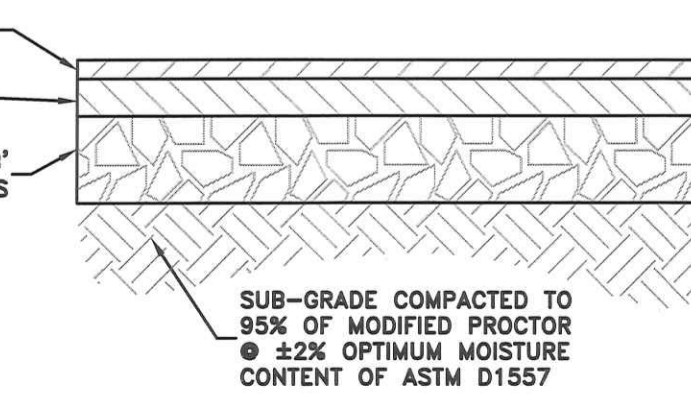
TYPICAL SIGN INSTALLATION
 NOT TO SCALE



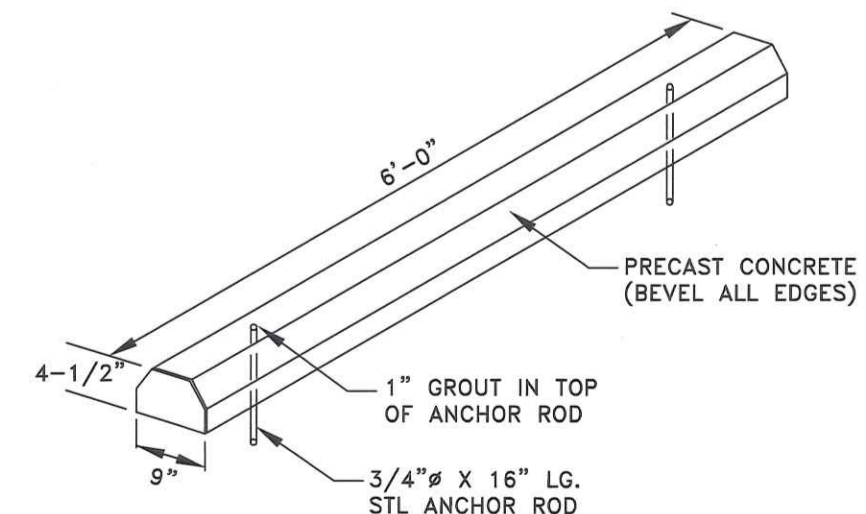
N/F SHADY ROAD HOLDINGS LLC
 TAX MAP 334-6.00-511.00
 DEED: 4960/294
 ZONED: MR

N/F MICHAEL W. SHAWN
 TAX MAP 334-6.00-511.03
 DEED: 914/297
 ZONED: AR-1

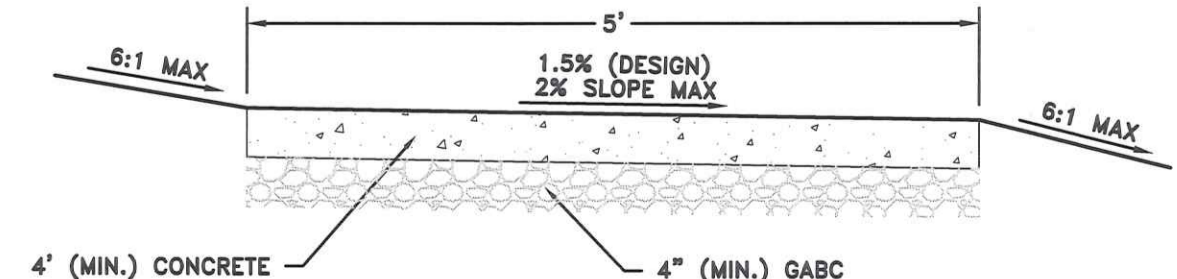
N/F EAGLE POINT LLC
 TAX MAP 334-6.00-523.00
 DEED: 9073/278
 ZONED: AR-1



PAVEMENT SECTION
 NOT TO SCALE



PRECAST CONCRETE WHEEL STOP
 NOT TO SCALE



SIDEWALK DETAIL
 NOT TO SCALE

P:\LightHouse\Shady Road\PRELIMINARY\Ghabra Shady Road-PRELIM-2021-09-21.dwg Sep 22, 2021 - 9:07am KESR

SHADY ROAD
 COMMERCIAL PROPERTY
 SUSSEX COUNTY, DELAWARE

Revisions:
 BOUNDARY REVISION
 09-21-2021

Date: JULY 2021
 Scale: 1"=20'
 Dwn.By: RPK
 Proj.No.: 000000
 Dwg.No.:

Southern Delaware Medical Center, LLC.

LEWES & REHOBOTH HUNDRED

C/U 2316 17611 Shady Road, Lewes

SUSSEX COUNTY, DELAWARE

2916A014.A01

August 2022



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- A. Presentation Outline
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- C. Conditional Use Application
- D. Conditional Use Plan
- E. Revised Conditional Use Plan
- F. Proposed Conditions of Approval
- G. Landscape Plan
- H. Color Rendering
- I. First and Second Floor Plans

Exhibits

- 1. Maps -
 - a. Surrounding Communities Map
 - b. FEMA Firmette
 - c. 2020 State Strategies
 - d. Sussex County 2045 Future Land Use Map
 - e. Sussex County Zoning Map
 - f. 1992 Aerial Photo
 - g. 2017 Aerial Photo
 - h. Environmental Map
 - i. Sourcewater Protection Area Map
 - j. NRCS Soil Survey
- 2. Current Deeds
- 3. DelDOT SLER Response
- 4. DelDOT TIS

A

Presentation Outline

A. Land Use & Zoning

1. The project will include a 32,960 sqft. (+/-) two story office building.
2. The property is located on the south side of Shady Road (SCR 276) at 17611, 17623 & 17637 Shady Road, Lewes, DE 19958 (Tax Map Parcel Numbers: 334-6-.00-511.02, 511.06 & 513.00)
3. The Owner of the parcels is Southern Delaware Medical Center, LLC.
4. The property is currently zoned AR-1 (Agricultural Residential) in Sussex County.
5. The property is in Investment Level Area 1 on the 2020 State Strategies Map.
6. The property is designated as Commercial Area on Sussex County 2045 future land use map in the latest comprehensive plan.
7. The property is located within Sussex Counties Commercial Area.

B. Land Utilization

1. The total acreage of the site is 2.297 acres of land, more or less.
2. The project proposed will include a 32,960 sqft.(+/-) 2 story office building.
3. The parking area includes 127 (+/-) parking spaces and 1 loading spaces.

C. Environmental

1. Wetlands do not exist on site.
2. There are no known archaeological sites within the project boundaries. There are no national historic listed properties within the project boundaries.
3. The proposed project is not located within an Excellent Groundwater Recharge Area.

4. The proposed project is not within a Wellhead Protection Area.

D. Traffic

1. The proposed project will include one entrance off Shady Road.
2. The property owner will continue to work with DelDOT on offsite improvements, turn lane requirements and sidewalk installation.

E. Civil Engineering

1. The internal parking areas will be privately maintained and will meet or exceed the requirements of the Code of Sussex County.
2. The grading of the site will meet or exceed the requirements of the Code of Sussex County.
3. Drinking and fire protection water will be provided by Tidewater Utilities, Inc.
4. Wastewater will be provided by Sussex County (West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District)
5. The stormwater management system will meet all State, County, and Conservation District requirements through a combination of Best Management Practices (BMP) and Best Available Technologies (BAT).
6. Fire protection will be provided by the Lewes Fire Co.
7. Electricity will be provided by Delaware Electric Cooperative.
8. The parcels are located in the Cape Henlopen School District.

B

Shady Road Commercial
Data Sheet

Owner/Developer: Southern Delaware Medical Center, LLC
Engineer: Davis, Bowen & Friedel, Inc.
Legal Services: Baird, Mandalas, Brockstedt, Federico & Cardea, LLC.

Project Description

Physical Location: Property is located on the south side of Shady Road (SCR 276)
Property Address: 17611, 17623 & 17637 Shady Road, Lewes, DE 19958
Tax Parcel #: 3-34-6.00-511.02, 3-34-6.00-511.06, 3-34-6.00-513.00
Acreage: 2.297 +/- Acres
Current Zoning: AR-1 (Agricultural Residential)
Proposed Zoning: AR-1(Agricultural Residential)
Existing Use: Residential
Proposed Use: Commerical Office
Proposed Buildings: 32,960 Sqft.(+/-) Office (2 Stories)
Parking Required: 127 Spaces (+/-)
Parking Provided: 127 Spaces including 4 Handicapped Assessible (+/-)
Loading Spaced Provide: 1
Impervious Coverage: 1.090 Acres (47%) (+/-)
Wetlands: Do not exist on site.
Flood Plain: Not within the 100-yr Flood Plain (Map #10005C0311K)

Bulk and Area Regulations:

Minimum Lot Area: 20,000 SQFT.
Minimum Lot Width: 100 FT
Front Yard Setback: 60 FT (DelDOT Road)
Side Yard Setback: 20 FT
Rear Yard Setback: 30 FT
Maximum Building Height: 42 FT
Open Space: 1.651 acres (+/-)

Water Provider: Tidewater Utilities, Inc.
Wasterwater Provider: West Rehoboth Expansion of the Dewey Beach SSD

C

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use

Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

17611, 17623, & 17637 Shady Road, Lewes, Delaware 19958; TMP 334-6.00-511.02, 511.06, & 513.00.

Type of Conditional Use Requested:

Office Building in AR-1.

Tax Map #: See above. **Size of Parcel(s):** 2.297 Acres +/-

Current Zoning: AR-1 **Proposed Zoning:** CU/AR1 **Size of Building:** 26,592 +/-

Land Use Classification: Commercial

Water Provider: Tidewater Utilities, Inc. **Sewer Provider:** Sussex County

Applicant Information

Applicant Name: Lighthouse Construction, Inc.

Applicant Address: 859 Golf Links Lane

City: Magnolia State: DE Zip Code: 19962

Phone #: (302) 677-1965 E-mail: mglick@lhconstruction.com

Owner Information

Owner Name: Southern Delaware Medical Center, LLC

Owner Address: 859 Golf Links Lane

City: Magnolia State: DE Zip Code: 19962

Phone #: (302) 677-1965 E-mail: megang@lhconstruction.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Davis, Bowen & Friedel, Inc.

Agent/Attorney/Engineer Address: 1 Park Avenue

City: Milford State: DE Zip Code: 19963

Phone #: (302) 424-1441 E-mail: jls@dbfinc.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- ✓ **Completed Application**
- ✓ **Provide two (2) paper copies and one (1) electronic copy of the Site Plan or Survey of the property**
 - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - Provide a PDF of Plans (may be e-mailed to a staff member)
 - Deed or Legal description
- ✓ **Provide relevant Application Fee (please refer to fees effective July 1, 2022)**
- ✓ **Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.**
- ✓ **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**
- ✓ **DeIDOT Service Level Evaluation Request Response**
- **PLUS Response Letter (if required)**

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney
G. Michael Glick
DN: C=US, E=M.Glick@LHConstruction.com,
O=Lighthouse Construction, CN=G. Michael Glick
Date: 2022.08.03 11:01:48-04'00'

Date: _____

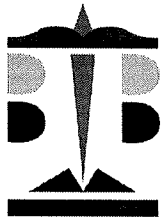
Signature of Owner
Megan M. Glick
Digitally signed by Megan M. Glick
DN: C=US, E=MeganG@LHConstruction.com,
CN=Megan M. Glick
Date: 2022.08.03 10:58:59-04'00'

Date: 8/3/22

For office use only:

Date Submitted: _____ Fee: _____ Check #: _____
Staff accepting application: _____ Application & Case #: _____
Location of property: _____

Subdivision: _____
Date of PC Hearing: _____ Recommendation of PC Commission: _____
Date of CC Hearing: _____ Decision of CC: _____



BAIRD
MANDALAS
BROCKSTEDT
FEDERICO & CARDEA LLC

Mackenzie M. Peet, Esquire
(302) 645-2262
mackenzie@bmbde.com

August 3, 2022

VIA EMAIL

Department of Planning & Zoning
Director Jamie Whitehouse
2 The Circle, P.O. Box 417
Georgetown, DE 19947
pandz@sussexcountyde.gov;
ashley.paugh@sussexcountyde.gov

RE: CU2316 for Southern Delaware Medical Center, LLC

Tax Map Parcel Nos: 334-6.00-511.02, 511.06 & 513.00

Dear Director Whitehouse:

This letter confirms that Baird Mandalas Brockstedt Federico & Cardea LLC represents the Applicant, Southern Delaware Medical Center, LLC.

Should you have any questions, please contact me by email at mackenzie@bmbde.com or by phone at 302-645-2262.

Sincerely,

/s/ Mackenzie M. Peet

Mackenzie M. Peet, Esq.

D

DATA COLUMN

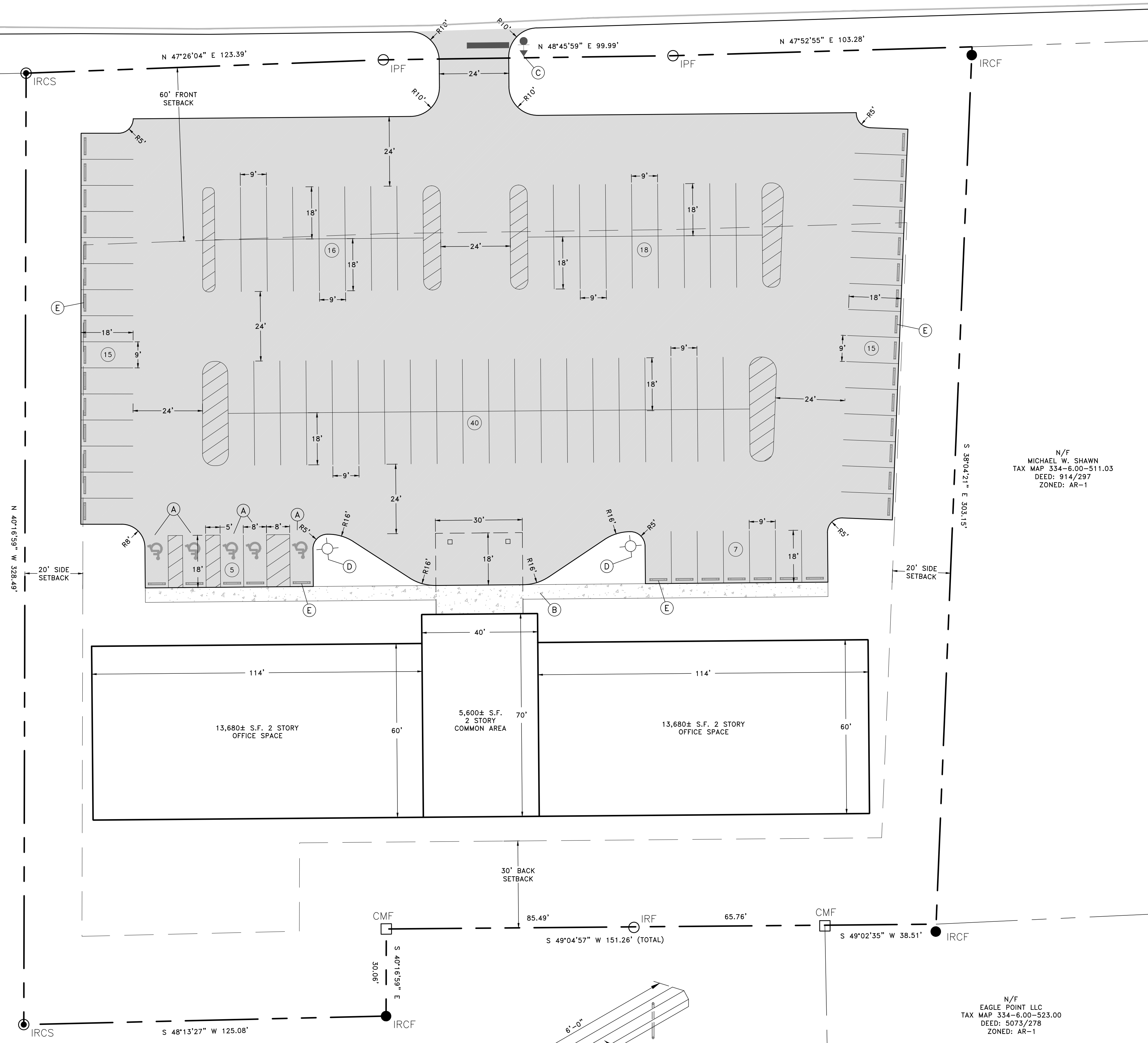
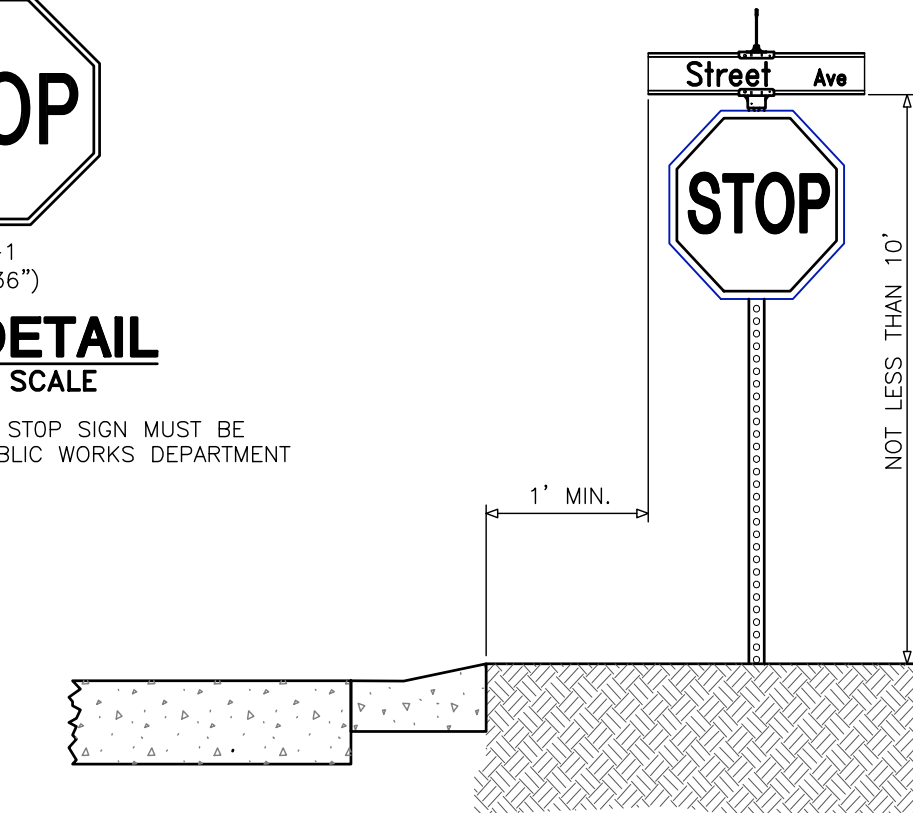
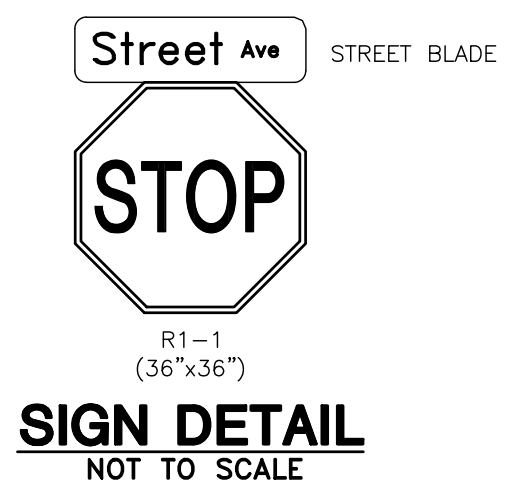
TAX MAP NUMBER: 334-6.00-511.02, 344-6.00-511.06, 354-6.00-513.00
 LOCATION: 17623 SHADY ROAD, LEWES, DELAWARE 19958
 EXISTING ZONING: AR-1
 PROPOSED ZONING: AR-1
 PROPOSED SITE AREA: 2.297 AC.
 LOCAL LAND USE AGENCY: SUSSEX COUNTY
 EXISTING USE: SINGLE FAMILY HOMES
 PROPOSED USE: OFFICE BUILDING
 BUILDING DATA:
 PROPOSED BUILDING: 32,960± S.F. OF OFFICE SPACE
 PARKING DATA:
 OFFICE: ONE SPACE IS REQUIRED FOR EVERY 200 S.F. OF FLOOR AREA
 PARKING SPACES REQUIRED: 21,888 S.F. / 200 S.F. = 110
 PARKING SPACES PROVIDED: 117
 HANDICAP SPACES PROVIDED: 5 WITH 2 VAN SPACES
 SETBACKS
 FRONT: 60 FEET
 SIDE: 20 FEET
 REAR: 30 FEET
 FLOOD HAZARD MAP: THIS SITE IS LOCATED ON THE FEMA FLOOD INSURANCE RATE MAP #1005C0331K AND IN THE FLOOD ZONE X UNSHADED
 WETLANDS: THIS SITE DOES NOT CONTAIN ANY STATE OR FEDERAL WETLANDS
 OWNER/DEVELOPER: SAMIR & THANA B GHABRA
 524 SCHOOL LANE
 REHOBOTH, DE 19958
 PREPARED BY: DAVIS, BOWEN, AND FRIEDEL, INC.
 RING W. LARDNER, P.E.
 1 PARK AVENUE
 MILFORD, DE 19971
 302-424-1441

LEGEND

- RIGHT-OF-WAY / PROPERTY LINE
- BUILDING SETBACK LINE
- EASEMENT LINE
- SIDEWALK
- IRON ROD AND CAP SET IRCS
- CONCRETE MONUMENT FOUND CMF
- IRON ROD FOUND IRF
- IRON PIPE FOUND IPF
- IRON ROD AND CAP FOUND IRCF

SITE LEGEND:

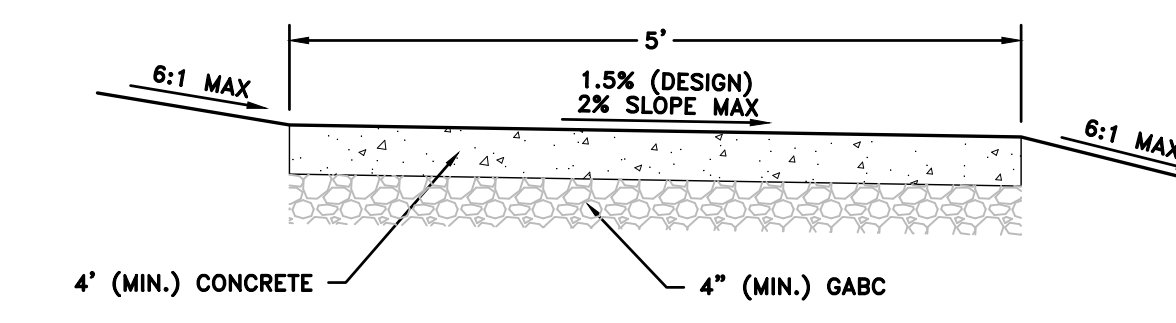
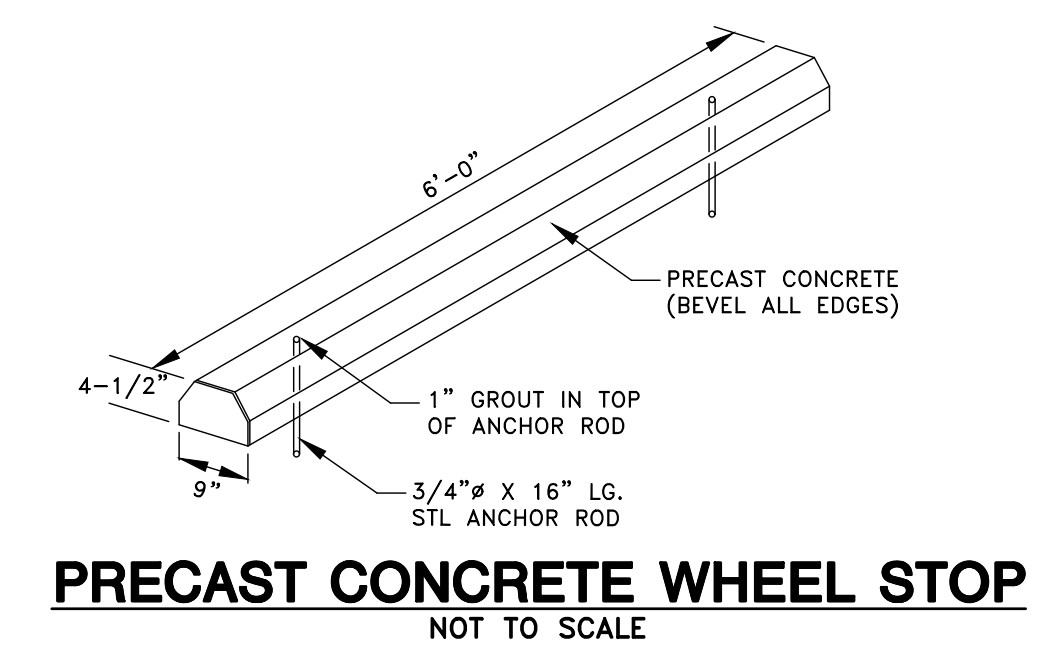
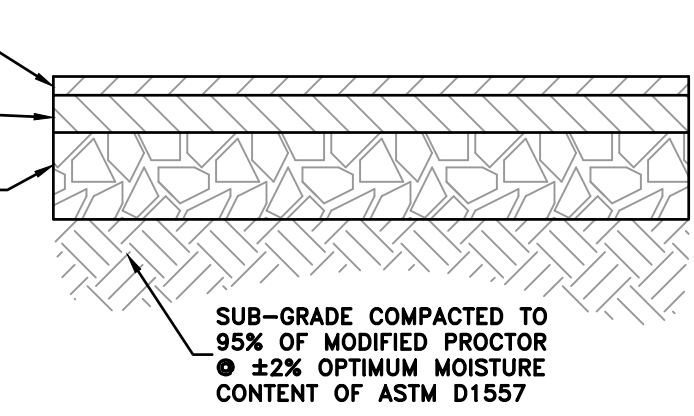
- (A) 8'x18" HANDICAP PARKING SPACE WITH SIGN
 - (B) CONCRETE SIDEWALK
 - (C) STOP SIGN & 16" STOP BAR
 - (D) STREET LIGHT
 - (E) WHEEL STOP
- PROPOSED PAVEMENT
 - (SEE TYPICAL SECTION)



N/F SHADY ROAD HOLDINGS LLC
 TAX MAP 334-6.00-511.00
 DEED: 4960/294
 ZONED: MR

N/F MICHAEL W. SHAWN
 TAX MAP 334-6.00-511.03
 DEED: 914/297
 ZONED: AR-1

N/F EAGLE POINT LLC
 TAX MAP 334-6.00-523.00
 DEED: 5073/278
 ZONED: AR-1



ARCHITECTS ENGINEERS SURVEYORS
 DAVIS, BOWEN & FRIEDEL, INC.
 1000 MARKET STREET
 MILFORD, DELAWARE 19971
 (302) 424-1441
 (410) 770-4744

SHADY ROAD
COMMERCIAL PROPERTY
SUSSEX COUNTY, DELAWARE

Revisions:
 BOUNDARY REVISION
 09-21-2021

Date: JULY 2021
 Scale: 1"=20'
 Dwn.By: RPK
 Proj.No.: 000000
 Dwg.No.: 01

P:\Lighthouse\Shady Road\PRELIMINARY\Ghabra Shady Road-2021-09-21.dwg Sep 22, 2021 - 9:07am KESR

E

F

SOUTHERN DELAWARE MEDICAL CENTER, LLC

Property: 17611 Shady Road, Lewes, Delaware

Tax Map Parcel Nos: 334-6.00-511.02, 511.06; 513.00

- A. The use shall be limited to medical and professional offices.
- B. The use shall occur within proposed structures on the Site.
- C. The hours of operation shall be between 7.00 a.m. and 7:00 p.m., Monday through Friday and Between 8:00 AM and 4:00 PM Saturdays. Additional hours shall be by emergency only.
- D. Any dumpsters shall be screened from view of neighboring properties and roadways.
- E. There shall be a 20 feet landscape buffer installed along the Site's rear yard property line and between the Site's side yard property line running and existing between the Site and Tax Map Parcel No. 334-6.00-511.03.
- F. All exterior lighting shall be in a downward direction with minimal uplighting.
- G. The use shall comply with all Sussex County parking requirements. The Final Site Plan shall designate all parking areas associated with this use.
- H. The Applicant intends to place a sign on the property as permitted by Sections 115-159 and 159.1 of the Zoning Ordinance for Sussex County, Delaware.
- I. All entrances, intersection, and roadway improvements shall be completed by the developer in accordance with all DelDOT requirements.
- J. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
- K. The use shall be served by a publicly regulated wastewater service to provide sanitary sewer.
- L. The use shall be served by a publicly regulated central water system providing drinking water and fire protection.
- M. A revised Preliminary Site either depicting or noting these conditions must be submitted to the Office of Planning and Zoning.
- N. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

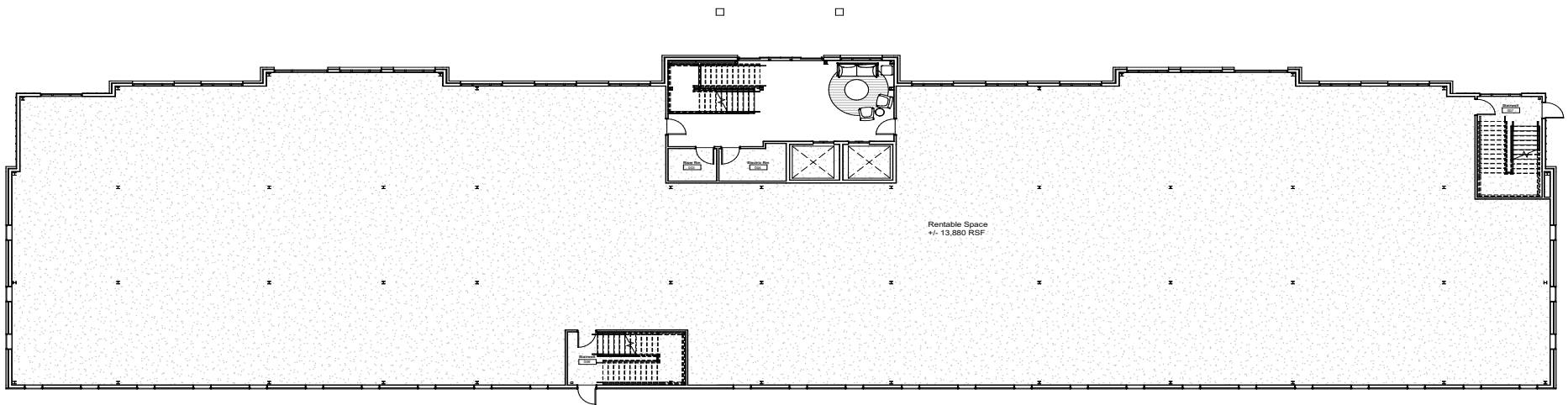
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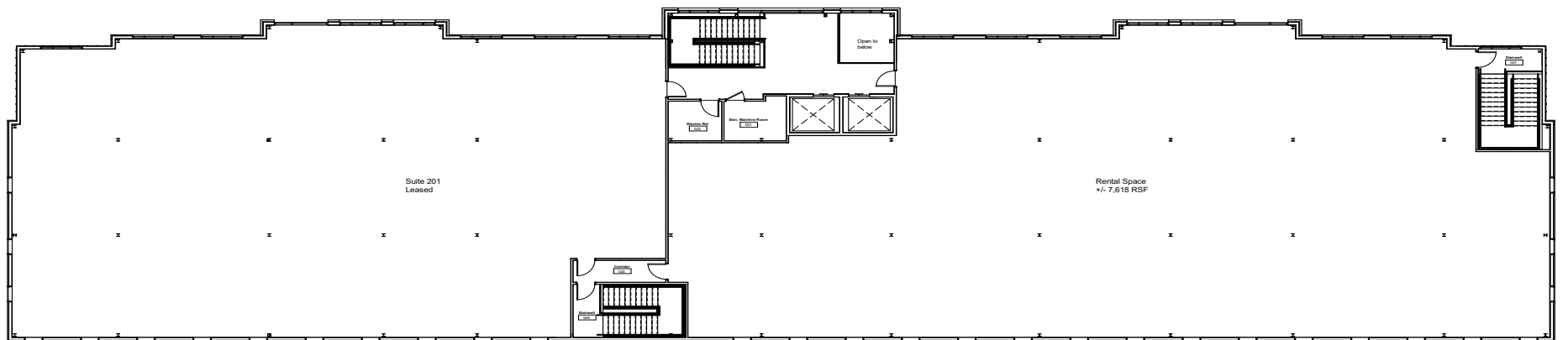


Main Entrance - Concept Rendering

!

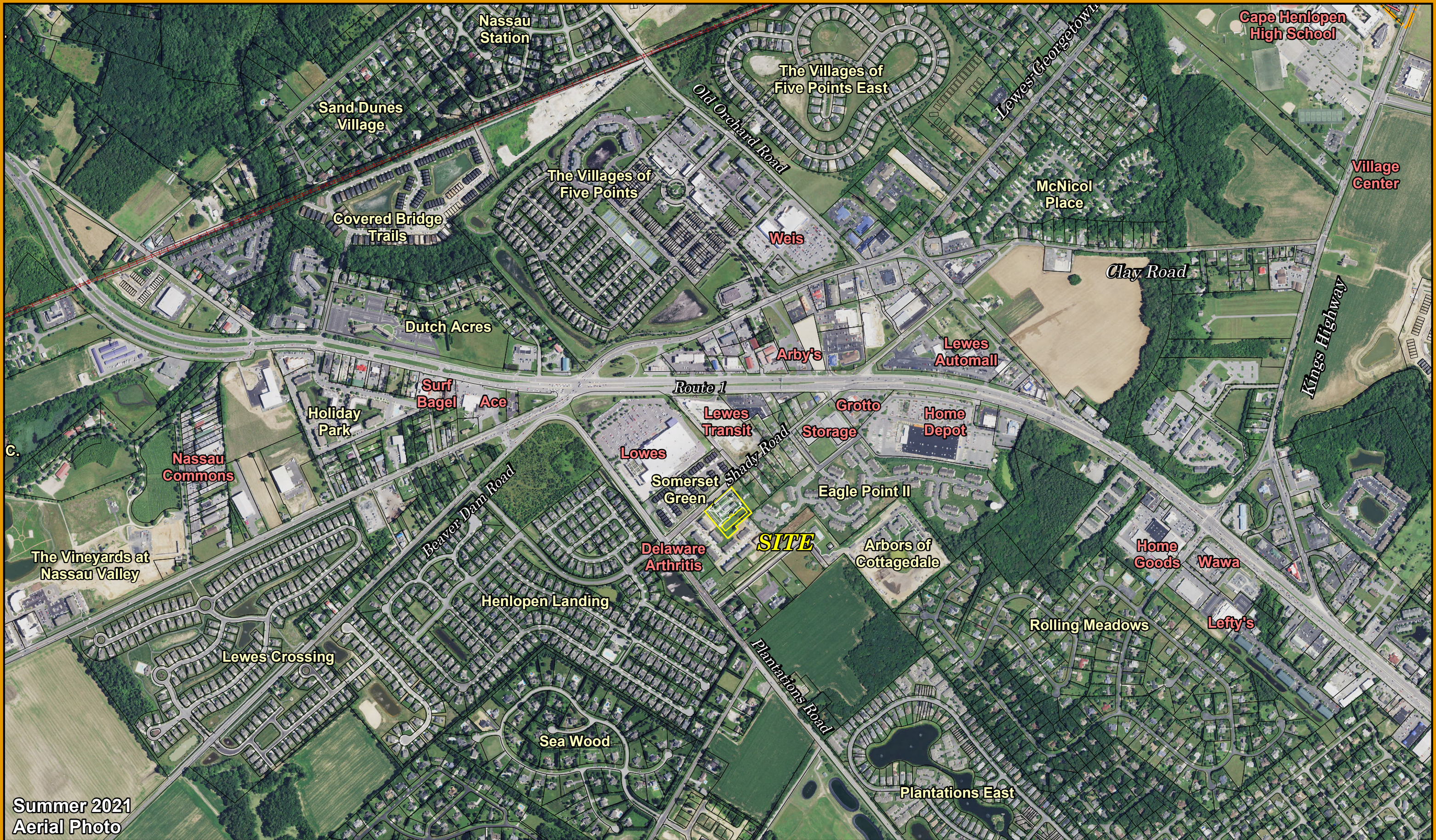


First Floor Plan



Second Floor Plan

Exhibit 1



Summer 2021
Aerial Photo

Sources:
Tax Parcels per Sussex County



Surrounding Communities Map

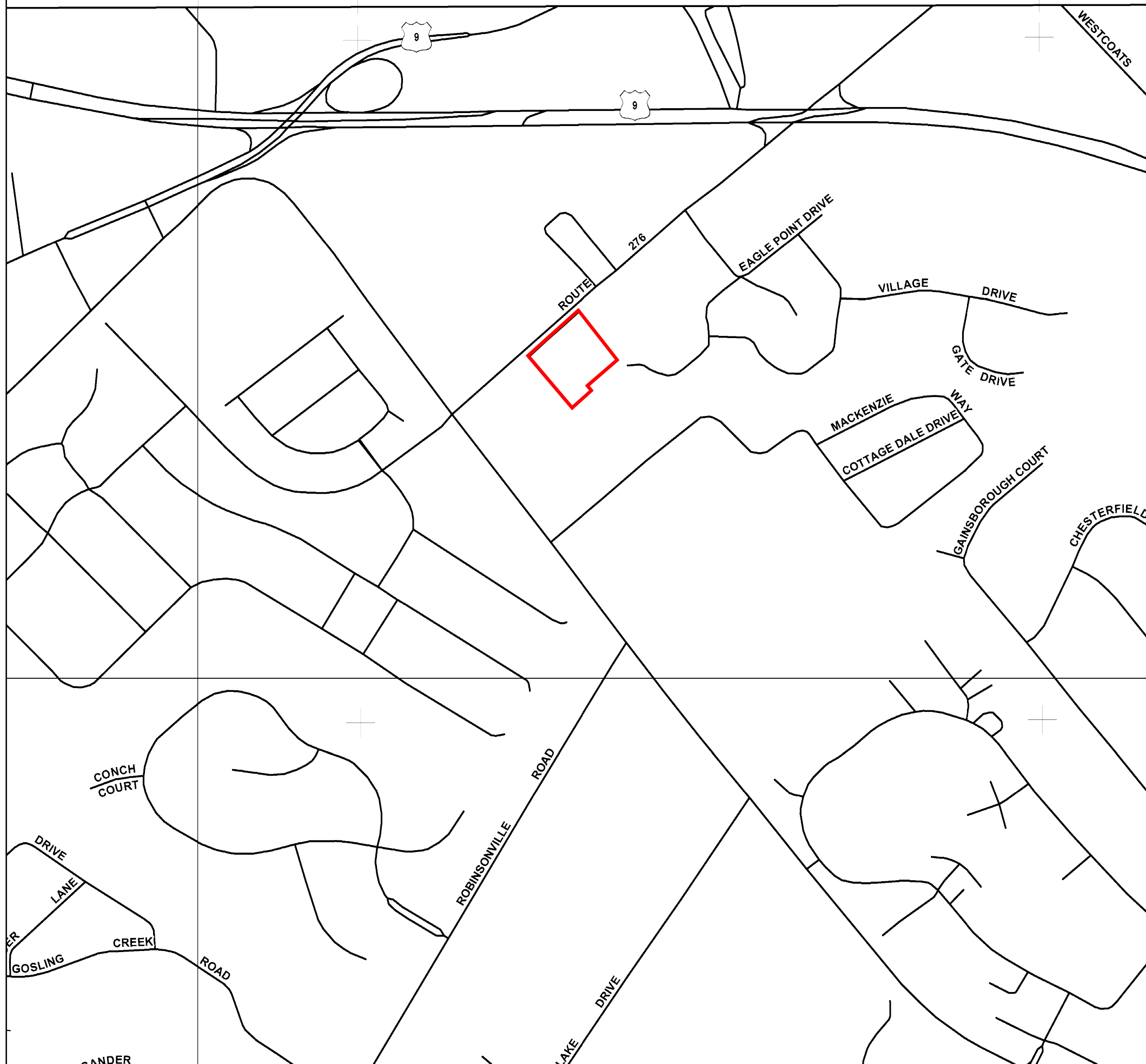
Shady Road Commercial

Sussex County, Delaware

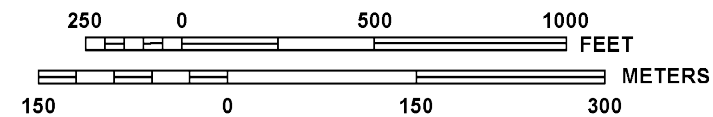


725000 FT

JOINS PANEL 0193



MAP SCALE 1" = 500'



NIP

PANEL 0331K

FIRM
FLOOD INSURANCE RATE MAP

SUSSEX COUNTY,
DELAWARE
AND INCORPORATED AREAS

PANEL 331 OF 660

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SUSSEX COUNTY	100029	0331	K

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
10005C0331K

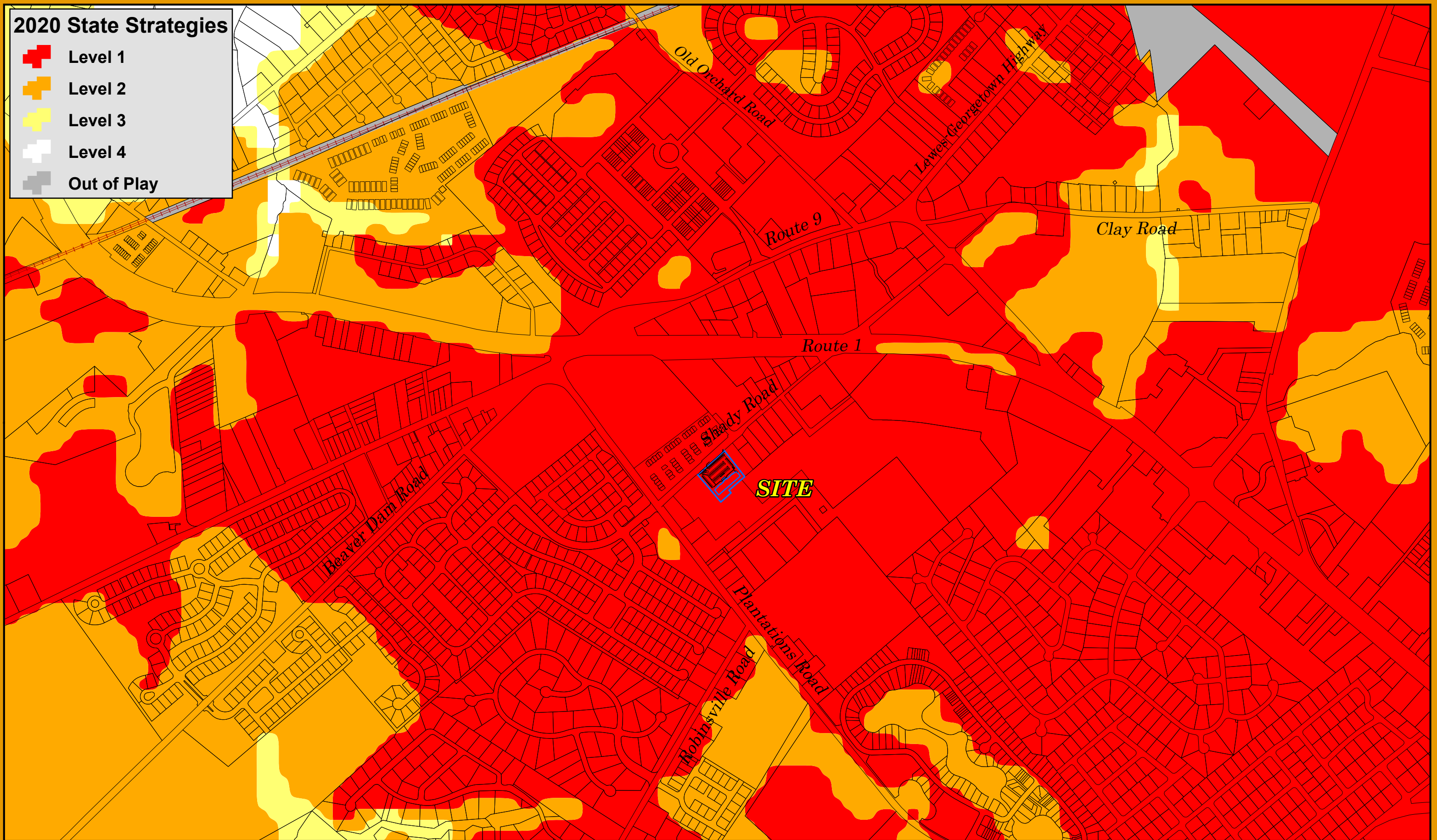
MAP REVISED
MARCH 16, 2015

Federal Emergency Management Agency

NATIONAL FLOOD INSURANCE PROGRAM

2020 State Strategies

-  Level 1
-  Level 2
-  Level 3
-  Level 4
-  Out of Play












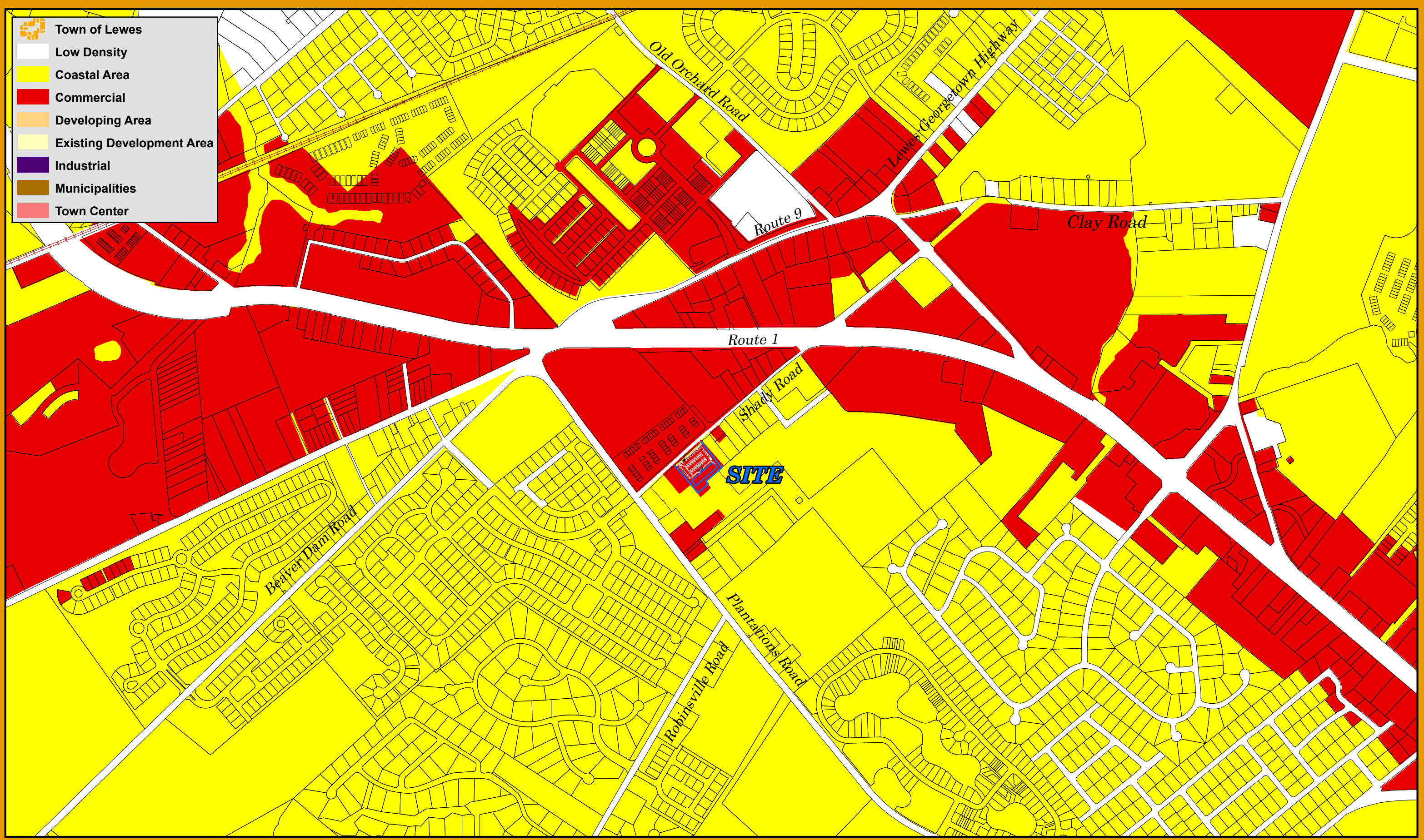
Sources:
Tax Parcels per Sussex County



2020 State Strategies Shady Road Commercial Sussex County, Delaware



-  Town of Lewes
-  Low Density
-  Coastal Area
-  Commercial
-  Developing Area
-  Existing Development Area
-  Industrial
-  Municipalities
-  Town Center



Sources:
Tax Parcels per Sussex County



Sussex County 2045 Future Land Use Map

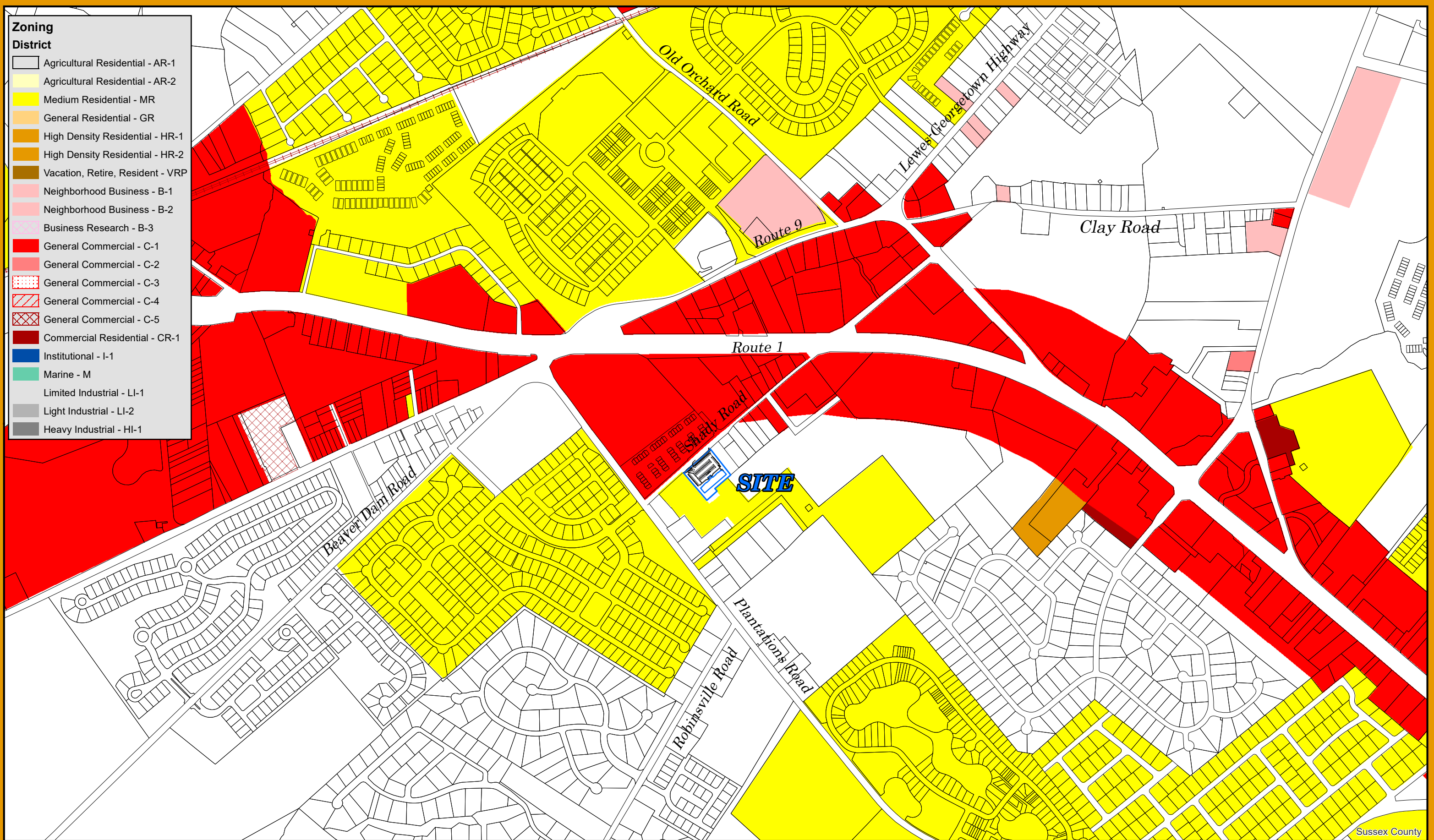
Shady Road Commercial

Sussex County, Delaware



Zoning District

	Agricultural Residential - AR-1
	Agricultural Residential - AR-2
	Medium Residential - MR
	General Residential - GR
	High Density Residential - HR-1
	High Density Residential - HR-2
	Vacation, Retire, Resident - VRP
	Neighborhood Business - B-1
	Neighborhood Business - B-2
	Business Research - B-3
	General Commercial - C-1
	General Commercial - C-2
	General Commercial - C-3
	General Commercial - C-4
	General Commercial - C-5
	Commercial Residential - CR-1
	Institutional - I-1
	Marine - M
	Limited Industrial - LI-1
	Light Industrial - LI-2
	Heavy Industrial - HI-1

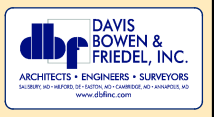
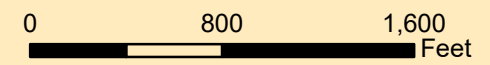


Sussex County

Sussex County Zoning Map

Shady Road Commercial

Sussex County, Delaware





Spring 1992
Aerial Photo



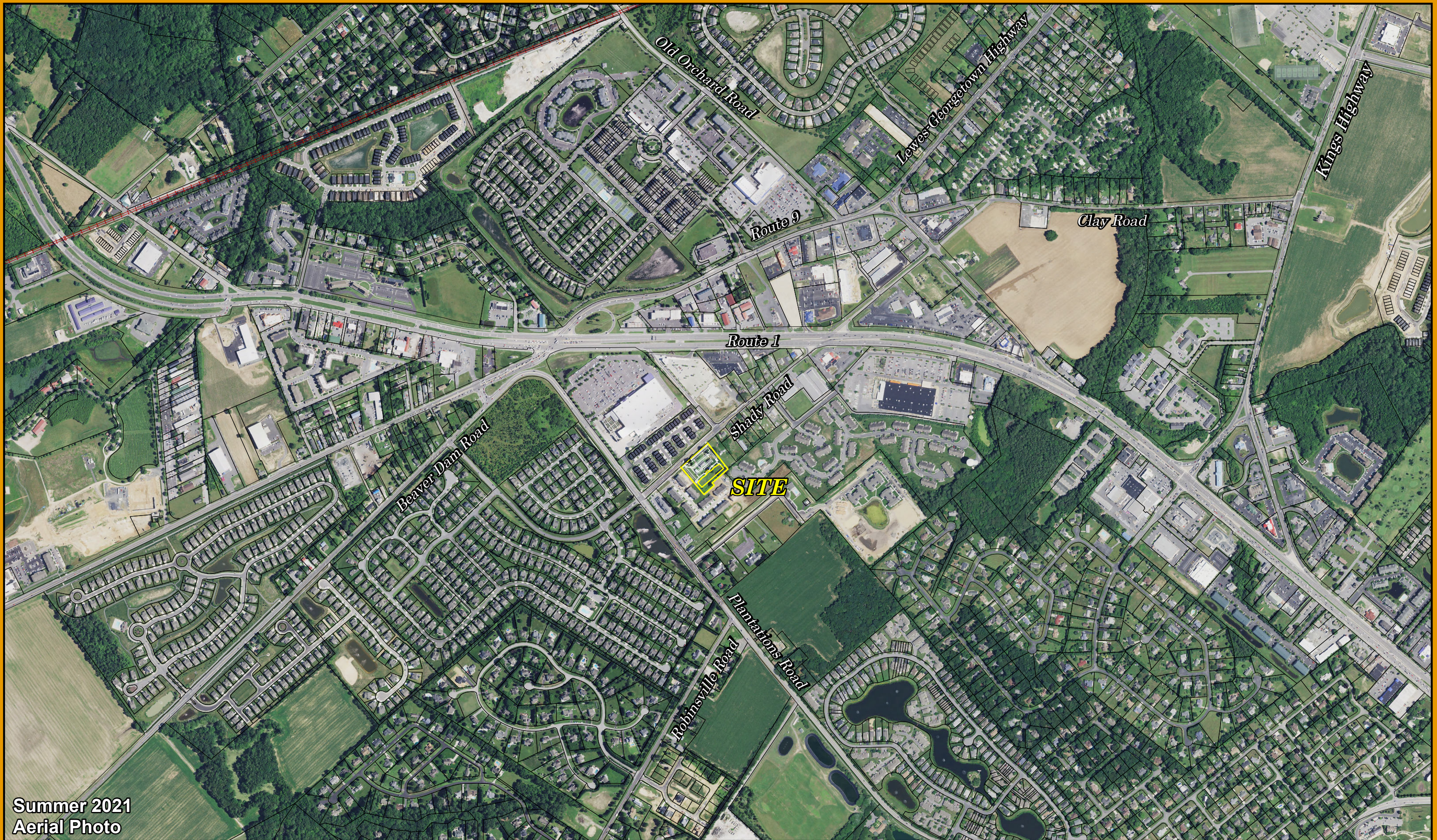
August 2022

Sources:
Tax Parcels per Sussex County

1992 Aerial Photo Shady Road Commercial Sussex County, Delaware

0 800 1,600
Feet





Summer 2021
Aerial Photo



August 2022

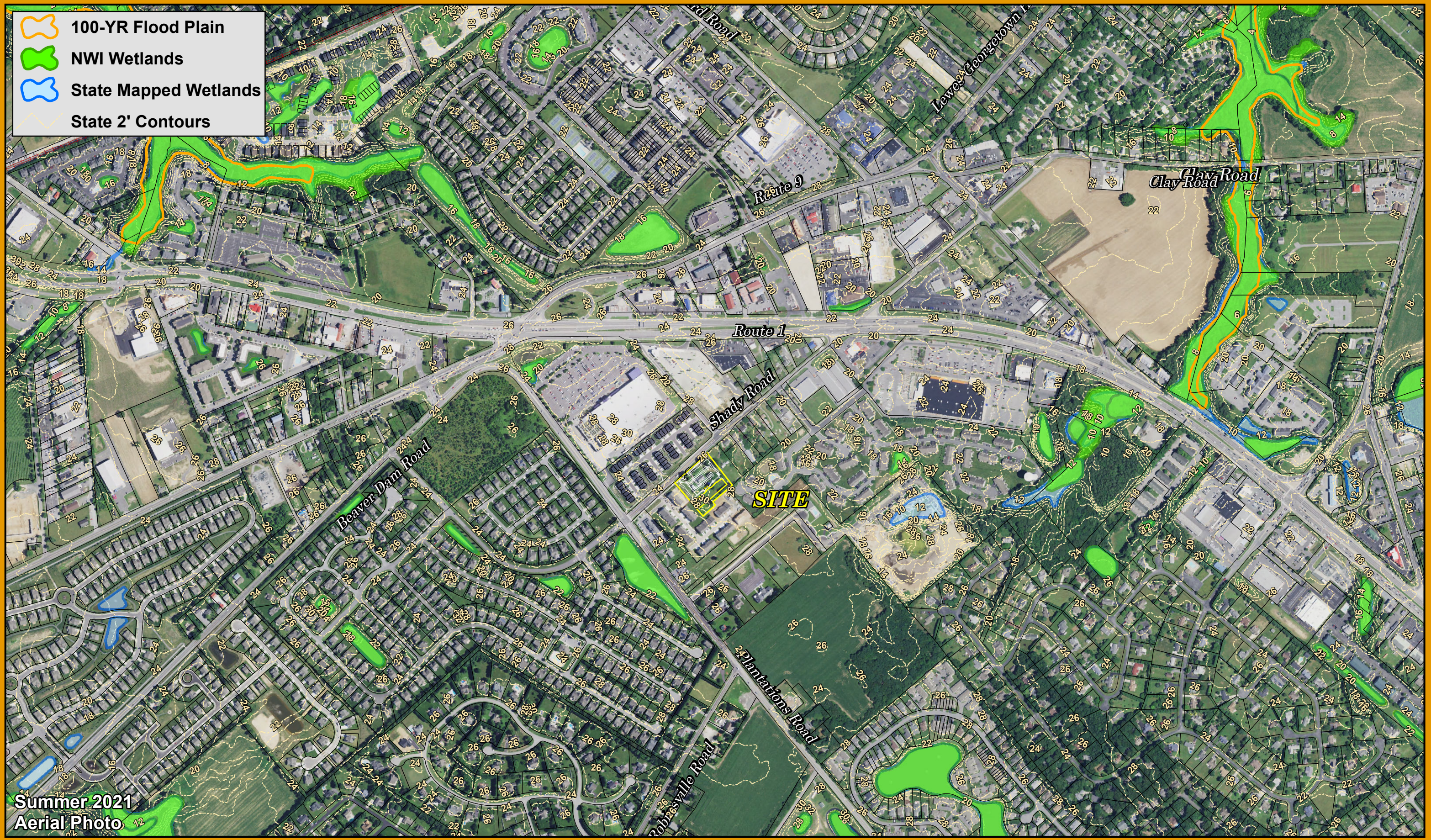
2021 Aerial Photo
Shady Road Commercial
Sussex County, Delaware

Sources:
Tax Parcels per Sussex County

0 800 1,600
Feet




-  100-YR Flood Plain
-  NWI Wetlands
-  State Mapped Wetlands
-  State 2' Contours



Summer 2021
Aerial Photo

Sources:
Tax Parcels per Sussex County

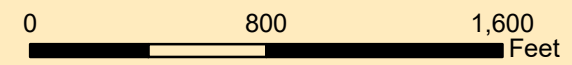
August 2022





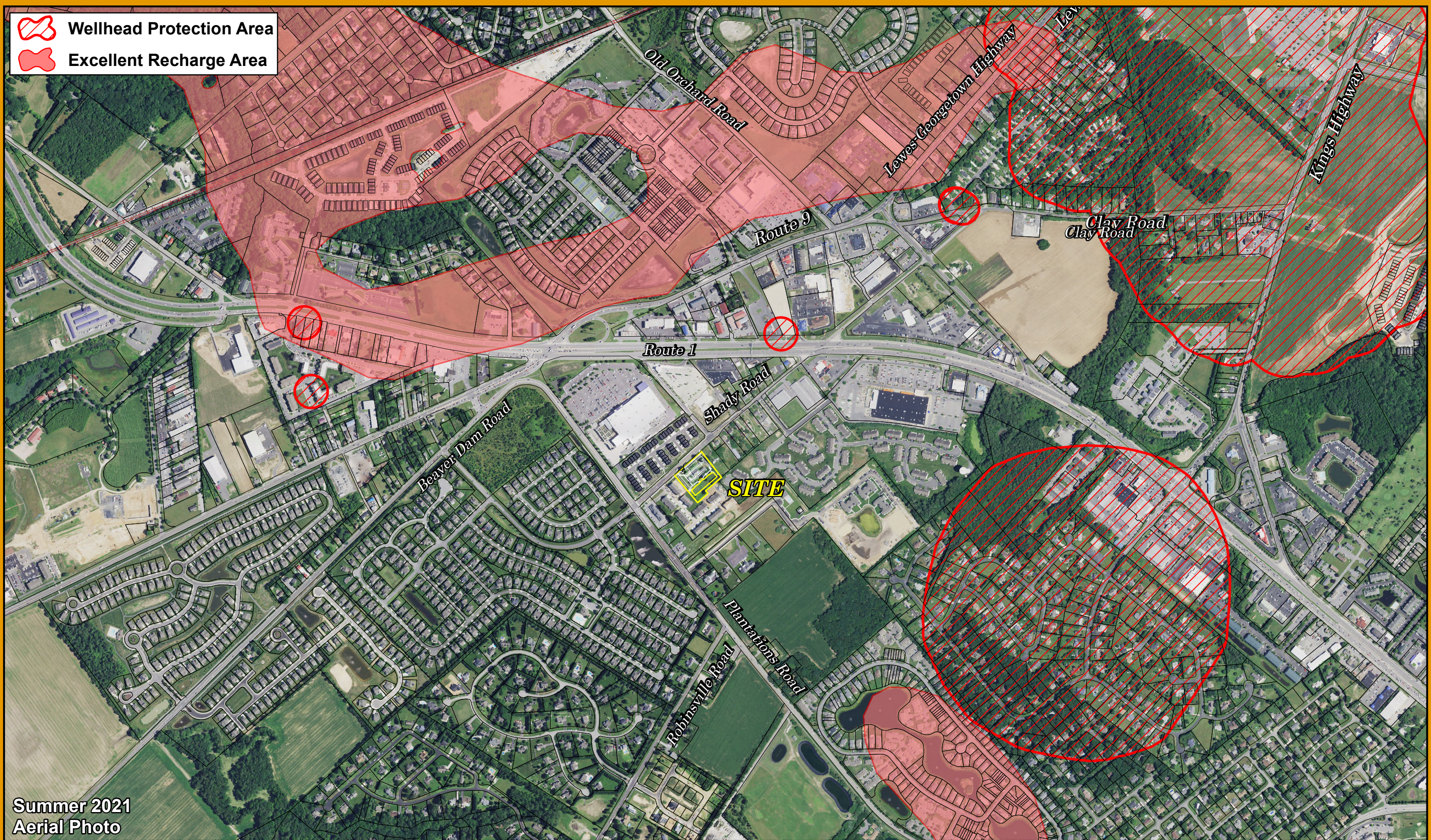
Environmental Map

Shady Road Commercial

Sussex County, Delaware



-  Wellhead Protection Area
-  Excellent Recharge Area



Summer 2021
Aerial Photo

Sources:
Tax Parcels per Sussex County

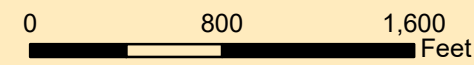
August 2022

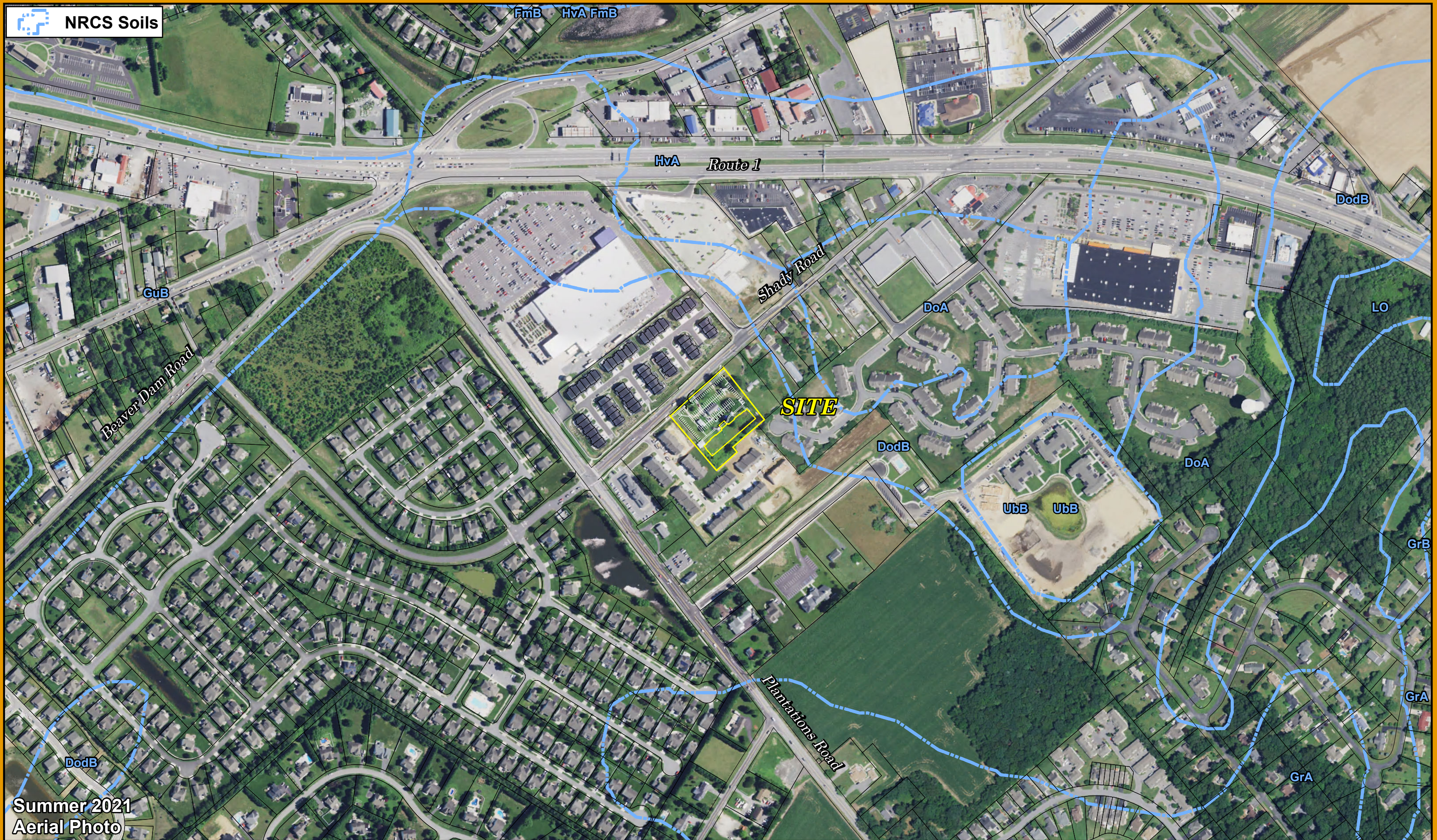


Source Water Protection Areas

Shady Road Commercial

Sussex County, Delaware





Summer 2021
Aerial Photo

Exhibit 2

TAX MAP AND PARCEL #:

3-34 6.00 511.02

3 34 6.00 511.06

3-34 6.00 513.00

PREPARED BY & RETURN TO:

Baird Mandalas Brockstedt, LLC

1413 Savannah Road, Suite 1

Lewes, DE 19958

File No. RE21-0732/HG

THIS DEED, made this 22nd day of July, 2021,

- BETWEEN -

SAMIR GHABRA and **THANA B. GHABRA**, of 524 School Lane, Rehoboth Beach, DE 19971, parties of the first part,

- AND -

SOUTHERN DELAWARE MEDICAL CENTER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, of 859 Golf Links Lane, Magnolia, DE 19962, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **Nine Hundred Twenty-Five Thousand and 00/100 Dollars (\$925,000.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

TRACT ONE (3-34 6.00 511.02)

ALL that certain lot or parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex County, Delaware, lying on the southeasterly right of way line of Route 276, more fully described as follows. To wit

BEGINNING at a pipe, set in the southeasterly right of way line of Route No. 276, a corner for this lot and other lands of the grantors; thence by and with this lot and other lands of the grantors, South 26 degrees 12' 26" East 302.64 feet to a pipe in line of lands of H. Harry Norwood; thence by and with this lot in and in line of lands of Harry Norwood, and these Grantors, South 62 degrees 27' 27" West 103 feet to a pipe; thence turning and running North 26

degrees 12' 26" West 300.57 feet to a pipe in the southeasterly right of way line of Highway No. 276; thence by and with said Highway North 61 degrees 18' 09" East 103 feet, home to the place of beginning, said to contain 31,046 square feet of land, more or less, as surveyed by Ira A. Garbutt, III surveyor on September 2, 1978.

TRACT TWO (3-34 6.00 511.06)

ALL that certain lot or parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex County, Delaware, being more particularly described as follows to wit:

BEGINNING at an iron pipe, said iron pipe being located at the corner of this lot and lands now or formerly of Robert Irving Harmon, said iron pipe also being located on the Southeastern right of way of County Road No. 276; thence turning and running by and along the Southeastern right of way of County Road No. 276 North 60 degrees 45' 40" East 100.00 feet to an iron pipe; thence turning and running by and along a common boundary line between these lands and lands now or formerly of Janet Morris South 26 12' 30" East 300.57 feet to an iron pipe; thence turning and running South 60 degrees 45' 40" West 100.00 feet to an iron pipe, thence turning and running North 26 degrees 44' 20" West 300.57 feet, home to the place of beginning, and said to contain 30,015 square feet of land, be the same more or less as surveyed by Mann Associates, Inc., Registered Surveyors, on February 28, 1984.

TRACT THREE (3-34 6.00-513.00)

ALL that certain lot or parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex County, Delaware, fronting on the south side of County Road 276 and being more particularly bounded and described in accordance with a survey prepared by Adams-Kemp Associates, Inc., dated February 23, 1999, as follows to wit:

BEGINNING at a point in the southerly right of way line of County Road 276, said point, marking a common corner between this lot and lands now or formerly of Martin W. Morris; thence turning and running by and with the lands now or formerly of Martin W. Morris, the following two (2) courses and distances, viz; (1) South 26 degrees 12 minutes 30 seconds East, 298.82 feet to a found iron pipe; (2) North 60 degrees 45 minutes 40 seconds East, 14.47 feet to a concrete monument set said monument marking a common corner between this lot and lands now or formerly of Winston Morris, in line of lands now or formerly of Martin W. Morris; thence turning and running by and with the lands now or formerly of Winston Morris and land now or formerly of Winston Tyrone Morris, the following three (3) courses and distances, viz; (1) South 28 degrees 44 minutes 19 seconds East 30.06 feet to a set concrete monument; (2) South 59 degrees 46 minutes 07 seconds West, 125.08 feet to a set concrete monument (3) North 28 degrees 44 minutes 19 seconds West, 328.49 feet to a concrete monument set in the southerly right of way line of County Road 276; thence tuning and by and with the southerly right of way line of County Road 276 North 59 degrees 46 minutes 07 seconds East, 123.80 feet to a point and place of beginning, said to contain 38,724 square feet of land more or less with improvement situate thereon.

TRACT ONE (3-34 60.00 511.02)

BEING the same lands conveyed to Samir Ghabra and Thana B. Ghabra from Samir Ghabra, by deed dated November 16, 2011 recorded in Deed Book 3944, Page 286 in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

TRACT TWO (3-34 60.00 511.06)

BEING the same lands conveyed to Samir Ghabra and Thana B. Ghabra from Samir Ghabra, by deed dated November 16, 2011 recorded in Deed Book 3944, Page 288 in the Office of the Recorder of Deeds in and for Sussex County, Delaware.


TRACT THREE (3-34 60.00 513.00)

BEING the same lands conveyed to Samir Ghabra and Thana B. Ghabra from Samir Ghabra, by deed dated November 16, 2011 recorded in Deed Book 3944, Page 290 in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:


_____(SEAL)
Samir Ghabra


_____(SEAL)
Thana B. Ghabra

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on July 22, 2021, personally came before me, the subscriber, Samir Ghabra and Thana B. Ghabra, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.

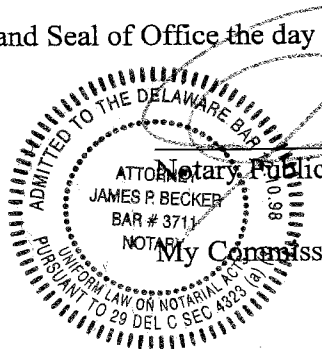

My Commission Expires: N/A

Exhibit 3



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

September 10, 2021

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Southern Delaware Medical Center, LLC** proposed land use application, which we received on August 23, 2021. This application is for an approximately 2.37- acre assemblage of parcels (Tax Parcels: 334-6.00-511.02, 511.06, 513.00). The subject land is located on the southwest side of Shady Road (Sussex Road 276). The subject land is currently zoned AR-1 (Agriculture Residential) and is looking for a conditional use approval for a medical office building.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Shady Road from Plantations Road (Sussex Road 275) to Coastal Highway (State Route 1), is 5,159 vehicles per day.

Based on our review, we estimate that the proposed land use will generate more than 50 vehicle trips per peak hour or 500 vehicle trips per day, and would be considered to have a **Minor** impact to the local area roadways. In this instance, the Department considers a Minor impact to be when a proposed land use would generate more than either 50 vehicle trips per peak hour and / or 500 vehicle trips per day but fewer than 200 vehicle trips per a weekly peak hour and 2,000 vehicle trips per day. Because of this impact, we recommend that the applicant be required to perform a Traffic Impact Study (TIS) for the subject application. However, our Development Coordination Manual provides that where a TIS is required only because the volume warrants are met, and the projected trip generation will be fewer than 200 vehicle trips per a weekly peak hour and fewer than 2,000 vehicle trips per day, DelDOT may permit the developer to pay an Area-Wide Study Fee of \$10 per daily trip in lieu of doing a TIS. For this application, if the County were agreeable, we would permit the developer to pay an Area-wide Study Fee.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Mr. Jamie Whitehouse

Page 2 of 2

September 10, 2021

Please contact Ms. Annamaria Furmato, at (302) 760-2710, if you have questions concerning this correspondence.

Sincerely,

Handwritten signature in cursive script, reading "Clancy Funder for".

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:aff

cc: Dawn Riggi, Applicant
Lauren DeVore, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, Sussex County Review Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furmato, Project Engineer, Development Coordination

Exhibit 4



June 9, 2022

Mr. Claudy Joinville
Project Engineer
Delaware Department of Transportation
Development Coordination, Division of Planning
800 Bay Road
Dover, DE 19901

DRAFT

RE: Agreement No. 1945F
Project Number T202069012
Traffic Impact Study Services
Task 5-8A –Southern Delaware Medical Center TIS

Dear Mr. Joinville:

Johnson, Mirmiran, and Thompson (JMT) has completed a review of the Traffic Impact Study (TIS) for the Southern Delaware Medical Center development, which was prepared by Davis, Bowen & Friedel, dated March 24, 2022. This review was assigned as Task Number 5-8A. The report is prepared in a manner generally consistent with DelDOT's *Development Coordination Manual*.

The TIS evaluates the impacts of a proposed development comprised of 32,960 square feet of medical office space in Sussex County, Delaware. The site is located on the south side of Shady Road (Sussex Road 276) between Plantation Road (Sussex Road 275) and Shady Nook Drive, near Five Points. The subject property is on an approximately 2.297-acre assemblage of parcels that is currently zoned as AR-1 (Agricultural Residential). The developer is seeking a Conditional Use approval to build the subject site. One full access point is proposed on Shady Road. Construction for the development is anticipated to be completed in 2023.

The proposed development is located within the boundary of the proposed Henlopen Transportation Improvement District (TID). DelDOT and Sussex County developed the TID and the formal creation of the TID was unanimously approved by Sussex County on October 27, 2020. The TID limits generally extend from the Georgetown to Lewes Trail and Delaware Route 1 to the north, Burton Pond and Herring Creek to the south, Arnell Creek and Rehoboth Bay to the east, and Beaver Dam Road to the west. The *Henlopen TID CTP Cost Development Report* was prepared in October 2019 by JMT and contained a summary of the traffic analysis conducted and the associated roadway concept plans and cost estimates for the TID. As part of the report, improvements were recommended at the Plantation Road/Shady Road intersection.

Although the subject property is within the Henlopen TID, the proposed plan for the development is not consistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee in lieu of performing a TIS and making off-site improvements in accordance with the TID. However, as the proposed development is not consistent, a TIS was required.



The purpose of the TIS is to identify any additional improvements beyond the TID improvements that the development would be required to contribute to. If no additional improvements are identified within the TIS, the development would still be required to participate in the TID. The TID fee would cover off-site improvements beyond their entrance improvements. The TID fee would be based on actual construction built, so the fee would be higher with more development. DelDOT would only require additional contributions beyond the TID fee for additional improvements needed beyond those in the TID.

The *Plantation Road Improvement, Robinsonville Road to US 9 (Phase 1)* (DelDOT Contract No. T202011201) project proposes to include operational improvements at the Belltown Road and US Route 9 intersection, a multi-lane roundabout at the intersection of Plantation Road, Belltown Road, and SR 23, and an additional southbound through lane on Plantation Road. Bicycle and pedestrian facilities will be upgraded throughout the corridor. This project begins at the Plantation Road and Robinsonville Road intersection, includes the Plantation Road and Shady Road/Salt Marsh Boulevard intersection, and ends near the Plantation Road/Belltown Road/US Route 9 intersection. This project proposes to preserve mobility for local residents and businesses while providing roadway improvements along Plantation Road to reduce congestion, improve safety, and accommodate anticipated growth in local and seasonal traffic. The latest project updates indicate that design and right-of-way acquisition are currently underway. Construction is anticipated to begin in Fall 2022 and end in 2024. More information about this project can be found at: <https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T202011201>

The *Plantation Road Improvements, SR 24 to Robinsonville Road (Phase 2)* (DelDOT Contract No. T201911201) project consists of operational improvements including turn lanes and other intersection modifications, median turn lanes for residential entrances, and bicycle and pedestrian facilities throughout the corridor. This phase (Phase 2) of the project begins near the intersection of Plantation Road and Shady Road/Salt Marsh Boulevard and ends north of the intersection of Plantation Road and SR 24. Concept development is ongoing, and a construction start date has not been determined at this time. More information about this project can be found at: <https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T201911201>

The *Shady Road (Plantation Road to SR 1) Improvements* DelDOT project was added to the Fiscal Year (FY) 2023 – FY 2028 Capital Transportation Program (CTP). Preliminary engineering is scheduled to start in FY 2028. A construction start date has not been determined at this time.

The *Five Points Transportation Study* is a joint effort developed by DelDOT and Sussex County to examine potential improvements to the area around the intersection of Delaware Route 1 and US Route 9 near Lewes, also known as Five Points. The Study seeks to reduce congestion and improve capacity on Delaware Route 1. Phase 1 of the Study involved the Working Group, which was comprised of public as well as state, county, and municipal agency members, to develop transportation recommendations for the area. The Study has moved into Phase 2 – Implementation, which involves the development and execution of studies, projects, and plans based on the Working Group's recommendations. Phase 1 was completed in Fall of 2018, and Phase 2 began in Spring of 2019. Recommendations from the Study that are within the area of study for the TIS include evaluating potential short-term safety and operational improvements at Route 9, Plantation Road, and Beaver Dam Road while longer-term improvements are under development. Additional



information can be found on the DelDOT project website at <https://deldot.gov/projects/Studies/fivepoints/>.

Based on our review of the traffic impact study, we have the following comments and recommendations:

All the study intersections operate at acceptable levels of service with the existing physical roadway and traffic control under 2023 future build conditions.

The TIS included an additional scenario for future 2045 conditions with the proposed development (Case 4). The signalized Shady Road and Plantation Road intersection under the PM peak hour Case 4 scenario would exhibit LOS deficiencies with a delay of 80.0 seconds per vehicle (LOS F). As part of the *Plantation Road Improvement, Robinsonville Road to US 9 (Phase 1)* project (DelDOT Contract No. T202011201), the intersection would be improved to provide two through lanes along the southbound Plantation Road approach. With these improvements the intersection would improve to operate at acceptable LOS during the PM peak hour under Case 4 conditions with 44.5 seconds of delay per vehicle (LOS D). Additionally, as part of the Henlopen TID the intersection would be improved to provide two through lanes along the northbound and southbound Plantation Road approaches. With these improvements, the intersection would operate at acceptable LOS with 24.4 seconds of delay per vehicle during the PM peak hour under Case 4 conditions.

Should Sussex County approve the proposed development, the following items should be incorporated into the site design and reflected on the record plan. All applicable agreements (i.e. letter agreements for off-site improvements and traffic signal agreements) should be executed prior to entrance plan approval for the proposed development.

1. The developer shall improve Shady Road within the limits of their frontage to meet DelDOT's standards for their Functional Classification as found in Section 1.1 of the *Development Coordination Manual* and elsewhere therein. The improvements shall include both directions of travel, regardless of whether the developer's lands are on one or both sides of the road. Frontage is defined in Section 1 of the *Development Coordination Manual*, which states "This length includes the length of roadway perpendicular to lines created by the projection of the outside parcel corners to the roadway." Questions on or appeals of this requirement should be directed to the DelDOT Subdivision Review Coordinator in whose area the development is located.

To accommodate the *Shady Road (Plantation Road to SR 1) Improvements* DelDOT project, the developer should dedicate an additional five feet of right-of-way beyond the typical requirement for a local roadway. As a result, a 10-foot P.E. would be required. The value of the additional portion of right-of-way is deductible from the TID fee.

To the extent that the frontage improvements are not addressed by the site entrance construction (Item 2 below), the cost of the work completed to improve Shady Road to meet DelDOT's standards and the sidewalk, addressed in Item 4a below, are deductible



from the TID fee discussed in Item 3. It may be appropriate for DelDOT to require less than the work contemplated here to adjust the cost of the work with the amount of the TID fee.

2. The developer should construct an unsignalized full access for the proposed Southern Delaware Medical Center development along Shady Road. The intersection should be consistent with the lane configurations shown in the table below.

Approach	Current Configuration	Proposed Configuration
Eastbound Shady Road	One through lane	One through lane and one right turn lane
Westbound Shady Road	One through lane	One left turn lane and one through lane
Northbound Site Entrance	Approach does not exist	One shared left turn/right turn lane

Based on DelDOT’s *Development Coordination Manual*, the recommended minimum storage length (excluding taper) of the eastbound Shady Road right turn lane is 110 feet. Based on DelDOT’s *Development Coordination Manual*, the recommended minimum storage length (excluding taper) of the westbound Shady Road left turn lane is 120 feet. The projected queues from the HCS analysis can be accommodated within the recommended storage lengths. Per the Preliminary Site Plan prepared by DBF dated July 2021, the proposed entrance would be located approximately 575 feet east of the northeast point of tangency with Plantation Road. It is recommended that the proposed entrance be located towards the westernmost limits of the site frontage, approximately ~~475~~ 515 feet east of the northeast point of tangency with Plantation Road, to accommodate the recommended westbound left turn storage length.

3. The developer should pay the appropriate portion of the Henlopen TID fee remaining after the value of the additional right-of-way dedication and the non-entrance frontage improvements has been credited against the total TID fees owed. The developer should coordinate with DelDOT Statewide Regional Planning section on the calculation of the fee.
4. The following bicycle, pedestrian, and transit improvements should be included:
 - a. A minimum of fifteen-foot wide permanent easement from the edge of the right-of-way should be dedicated to DelDOT along the Shady Road site frontage. Within the easement, the developer should construct a five-foot wide sidewalk. The sidewalk should be designed to meet current AASHTO and ADA standards. If feasible, the sidewalk should be placed behind utility poles and street trees should be provided within the buffer area. The developer should coordinate with DelDOT’s Development Coordination Section during the plan review process to identify the exact location of the sidewalk.



- b. ~~At least one pedestrian connection should be provided from the site to the Lewes Transit Center.~~
- c. ADA compliant curb ramps and marked crosswalks should be provided along the site entrance.
- d. Where internal sidewalks are located alongside of parking spaces, a buffer, physical barrier, or signage should be added to eliminate vehicular overhang onto the sidewalk.
- e. Minimum five-foot wide bicycle lanes should be incorporated in the right turn lane and shoulder along the Shady Road approaches to the site entrance.
- f. Utility covers should be moved outside of any designated bicycle lanes and any proposed sidewalks/SUP or should be flush with the pavement.

Please note that this review generally focuses on capacity and level of service issues; additional safety and operational issues will be further addressed through DeIDOT's Plan Review process.

Improvements in this TIS may be considered "significant" under DeIDOT's *Work Zone Safety and Mobility Procedures and Guidelines*. These guidelines are available on DeIDOT's website at https://www.deldot.gov/Publications/manuals/de_mutcd/index.shtml. For any additional information regarding the work zone impact and mitigation procedures during construction, please contact Mr. Jeff VanHorn, Assistant Director for Traffic Operations and Management. Mr. VanHorn can be reached at (302) 659-4606 or by email at Jeffrey.VanHorn@delaware.gov.

Additional details on our review of the TIS are attached. Please contact me at (302) 266-9600 if you have any questions concerning this review.

Sincerely,
Johnson, Mirmiran, and Thompson, Inc.

Joanne M. Arellano, P.E., PTOE

cc: Mir Wahed, P.E., PTOE
Janna Brown, E.I.T.

Enclosure

General Information

Report date: March 24, 2022

Prepared by: Davis, Bowen & Friedel, Inc. (DBF)

Prepared for: Lighthouse Construction, Inc.

Tax Parcels: 334-6.00-511.02, 511.06, and 513

Generally consistent with DelDOT's *Development Coordination Manual (DCM)*: Yes

Project Description and Background

Description: The proposed development consists of 32,960 square feet of medical office space.

Location: The land is located on the east side of Shady Road (Sussex Road 276) between Plantation Road (Sussex Road 275) and Shady Nook Drive near Five Points in Sussex County.

Amount of Land to be developed: An approximately 2.297-acre assemblage of parcels.

Land Use approval(s) needed: Entrance Plan, Conditional Use.

Proposed completion date: 2023.

Proposed access locations: One full access point on Shady Road between Plantation Road and Shady Nook Drive.

Daily Traffic Volumes:

- 2019 Average Annual Daily Traffic on Shady Road: 5,159

Site Map



**Graphic is an approximation based on the Preliminary Site Plan prepared by Davis, Bowen & Friedel, Inc (DBF) dated July 2021.*

Relevant and On-going Projects

The proposed development is located within the boundary of the proposed Henlopen Transportation Improvement District (TID). DelDOT and Sussex County developed the TID and the formal creation of the TID was unanimously approved by Sussex County on October 27, 2020. The TID limits generally extend from the Georgetown to Lewes Trail and Delaware Route 1 to the north, Burton Pond and Herring Creek to the south, Arnell Creek and Rehoboth Bay to the east, and Beaver Dam Road to the west. The *Henlopen TID CTP Cost Development Report* was prepared in October 2019 by JMT and contained a summary of the traffic analysis conducted and the associated roadway concept plans and cost estimates for the TID. As part of the report, improvements were recommended at the Plantation Road/Shady Road intersection.

Although the subject property is within the Henlopen TID, the proposed plan for the development is not consistent with the Land Use and Transportation Plan (LUTP) that was developed for the TID. For developments that are consistent with the LUTP, the developer is required to pay a fee per dwelling in lieu of performing a TIS and make off-site improvements in accordance with the TID. However, as the proposed development is not consistent, a TIS was required.

The purpose of the TIS is to identify any additional improvements beyond the TID improvements that the development would be required to contribute to. If no additional improvements are identified within the TIS, the development would still be required to participate in the TID. The TID fee would cover off-site improvements beyond their entrance improvements. The TID fee would be based on actual units built, so the fee would be higher with more units. DelDOT would only require additional contributions beyond the TID fee for additional improvements needed beyond those in the TID.

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transportation recommendations for the area. The Study has moved into Phase 2 – Implementation, which involves the development and execution of studies, projects, and plans based on the Working Group’s recommendations. Phase 1 was completed in Fall of 2018, and Phase 2 began in Spring of 2019. Recommendations from the Study that are within the area of study for the TIS include evaluating potential short-term safety and operational improvements at Route 9, Plantation Road, and Beaver Dam Road while longer-term improvements are under development. Additional information can be found on the DelDOT project website at <https://deldot.gov/projects/Studies/fivepoints/>.

Livable Delaware

(Source: Delaware Strategies for State Policies and Spending, 2020)

Location with respect to the Strategies for State Policies and Spending Map of Delaware:

The proposed development is located within Investment Level 1.

Investment Level 1

These areas are often municipalities, towns, or urban/urbanizing places in counties where density is generally higher than in surrounding areas. In Investment Level 1 Areas, state investments and policies should support and encourage a wide range of uses and densities, promote a variety of transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity. Overall, it is the state’s intent to use its spending and management tools to maintain and enhance community character, and to promote well-designed and efficient new growth in Investment Level 1 Areas.

In Level 1 Areas the state’s first priority will be for preserving existing facilities and making safety improvements. Level 1 areas will also be the highest priority for context sensitive transportation system capacity enhancements, transit-system enhancements, ADA accessibility, and for closing gaps in the pedestrian system, including the Safe Routes to School projects. Investment Level 1 Areas are ideal locations for Transportation Improvement Districts as well as Complete Community Enterprise Districts. Further, Level 1 areas are the first priority for planning projects and studies, bicycle facilities, signal-system enhancements, and the promotion of interconnectivity of neighborhoods and public facilities.

Proposed Development’s Compatibility with Livable Delaware:

Investment Level 1 areas typically aim to provide a range of uses, while maintaining community identity. The area surrounding the proposed development is largely residential with some commercial space. The proposed development is medical office space and would be located near the commercial space. Therefore, the proposed development is consistent with the 2020 update of the Livable Delaware “Strategies for State Policies and Spending.”

Comprehensive Plan

(Source: Sussex County 2019 Comprehensive Plan)

Sussex County Comprehensive Plan:

Per the *Sussex County Comprehensive Plan Zoning Map*, the proposed development is currently zoned as AR-1 – Agricultural Residential. Per the *Sussex County Comprehensive Plan Future Land Use Map*, the proposed development is in an area designated as a Coastal Area.

Proposed Development’s Compatibility with the Sussex County Comprehensive Plan:

The *Sussex County Comprehensive Plan* states that office uses are appropriate for Coastal Areas. Therefore, the development is generally consistent with the *Sussex County Comprehensive Plan*.

Trip Generation

The trip generation for the proposed development was determined by using the comparable land use and rates/equations contained in the *Trip Generation, 10th Edition: An ITE Informational Report*, published by the Institute of Transportation Engineers (ITE) for ITE Land Use Code 720 (Medical-Dental Office Building).

Table 1
Southern Delaware Medical Center Trip Generation

Land Use	ADT	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
32,960 SF Medical-Dental Office Building (ITE Code 720)	1,179	65	18	83	32	82	114

Overview of TIS

Intersections examined:

1. Site Entrance/Shady Road (Sussex Road 276)
2. Shady Road/Plantation Road (Sussex Road 275)

Conditions examined:

1. Case 1 – 2022 Existing.
2. Case 2 – 2023 without development.
3. Case 3 – 2023 with development.
4. Case 4 – 2045 with development.

Committed Developments considered: In coordination with DelDOT, no committed developments were incorporated in the analysis.

Peak hours evaluated: Weekday morning and weekday evening peak hours.

Intersection Descriptions

1. Site Entrance/Shady Road (Sussex Road 276)

Type of Control: Proposed two-way stop-controlled intersection (T-intersection)

Eastbound Approach: (Shady Road) Existing one through lane. Proposed one through lane and one right turn lane.

Westbound Approach: (Shady Road) Existing one through lane. Proposed one left turn lane and one through lane.

Northbound Approach: (Site Entrance) Proposed one shared left turn/right turn lane.

2. Shady Road/Plantation Road (Sussex Road 275)

Type of Control: Existing signalized intersection.

Eastbound Approach: (Salt Marsh Boulevard) Existing one shared left turn/through lane and one right turn lane.

Westbound Approach: (Shady Road) Existing one shared left turn/through lane and one right turn lane.

Northbound Approach: (Plantation Road) Existing one left turn lane, one through lane, and one right turn lane.

Southbound Approach: (Plantation Road) Existing one left turn lane, one through lane, and one right turn lane. Proposed one left turn lane, two through lanes, and one right turn lane.

Note: Proposed improvements at the Shady Road/Plantation Road intersection will be constructed as part of the Plantation Road Improvements, Robinsonville Road to US 9 DelDOT project (T202011201).

Transit, Pedestrian, and Bicycle Facilities

Existing transit service: Per DelDOT Gateway, there are four DART Routes that run through the project area, 204, 206, 305, and 307. All four routes traverse the study area along Plantation Road and Shady Road and stop at the Lewes Transit Center, located approximately 600 feet northeast from the proposed Southern Delaware Medical Center. Route 204 provides 33 round trips from 6:05 AM to 10:44 PM Monday through Saturday. Route 206 provides 11 round trips from 5:30 AM to 12:11 AM on weekdays, and eight round trips from 6:05 AM to 10:26 PM on Saturdays. Route 307 provides 5 round trips from 5:27 AM to 8:25 PM on weekdays. Route 305 is a beach bus from Wilmington to Rehoboth and the schedule has not been released for Summer 2022.

Planned transit service: Per email correspondence on April 7, 2022 with Mr. Jared Kauffman, Fixed-Route Planner for DART, the Delaware Transit Corporation recommends a direct pedestrian pathway to the Lewes Transit Center.

Existing bicycle and pedestrian facilities: According to DelDOT's Sussex County On-Road Bicycle Map, Plantation Road is a statewide bike route.

Planned bicycle and pedestrian facilities: Per email correspondence on March 31, 2022 with Mr. Anthony Aglio, DelDOT Bicycle Coordinator, sidewalks and bike lanes are recommended along the site frontage.

Bicycle Level of Traffic Stress in Delaware: Researchers with the Mineta Transportation Institute developed a framework to measure low-stress connectivity, which can be used to evaluate and guide bicycle network planning. Bicycle LTS analysis uses factors such as the speed of traffic, volume of traffic, and the number of lanes to rate each roadway segment on a scale of 1 to 4, where 1 is a low-stress place to ride and 4 is a high-stress place to ride. It analyzes the total connectivity of a network to evaluate how many destinations can be accessed using low-stress routes. Developed by planners at the Delaware Department of Transportation (DelDOT), the bicycle Level of Traffic Stress (LTS) model will be applied to bicycle system planning and evaluation throughout the state. The Bicycle LTS for the roadway under existing conditions along the site frontage are summarized below. The Bicycle LTS was determined utilizing a map developed by the University of Delaware.

- Shady Road LTS: 4

Crash Evaluation

No crash analysis was incorporated in the analysis.

Sight Distance Evaluation

No sight distance constraints were noted at the site entrances per a field visit conducted on April 11, 2022.

General HCS Analysis Comments

(See table footnotes on the following pages for specific comments)

- 1) JMT and the TIS used version 7.9.6 of HCS7 to complete the analysis.
- 2) Per DelDOT's *Development Coordination Manual*, and due to the lack of available count data, JMT used a heavy vehicle percentage of 3% for each movement greater than 100 vph in the existing and future scenario analysis. The TIS used 3% for all scenarios.
- 3) Per DelDOT's *Development Coordination Manual* and coordination with DelDOT Planning, JMT used a heavy vehicle percentage of 5% for each movement less than 100 vph along roadways. The TIS used 3% for all scenarios.
- 4) Per DelDOT's *Development Coordination Manual*, and due to the lack of available count data, JMT utilized a PHF of 0.80 for roadways with less than 500 vph, 0.88 for roadways between 500 and 1,000 vph, and 0.92 for roadways with more than 1,000 vph. The TIS utilized 0.92 for all locations.
- 5) The following scenarios were analyzed:
 - a. Case 1 – 2016 Existing
 - b. Case 2 – 2023 without Development
 - c. Case 3 – 2023 with Development
 - d. Case 4 – 2045 with Development
 - e. Case 5 – 2029 with Development*

*Case 5 was analyzed for the Site Entrance along Shady Road only. Volumes were derived from collected ATR data.

Table 2
Peak Hour Levels Of Service (LOS)
Southern Delaware Medical Center TIS Review
Report Dated: March 24, 2022
Prepared by: Davis, Bowen & Friedel, Inc.

Signalized Intersection ¹	LOS per TIS		LOS per JMT	
	Weekday AM	Weekday PM	Weekday AM	Weekday PM
Shady Road / Plantation Road (Sussex Road 275)				
2016 Existing Conditions (Case 1) <i>with DelDOT Timing</i> ²	-	-	C (25.7)	C (27.1)
2016 Existing Conditions (Case 1) <i>with signal optimization</i> ³	B (12.6)	B (14.2)	B (17.5)	B (19.0)
2023 without Development (Case 2) <i>with signal optimization</i> ³	B (13.0)	B (14.8)	B (17.6)	B (19.0)
2023 with Development (Case 3) <i>with signal optimization</i> ³	B (13.0)	B (15.3)	B (17.7)	B (19.8)
2045 with Development (Case 4) <i>with signal optimization</i> ⁴	-	-	C (24.6)	F (80.0)
2045 with Development <i>with DelDOT Improvements</i> (Case 4) ⁵	-	-	C (21.4)	D (44.5)
2045 with Development <i>with Henlopen TID Improvements</i> (Case 4) ⁶	B (15.0)	B (21.4)	C (22.0)	C (24.4)

¹ For signalized and unsignalized analysis, the numbers in parentheses following levels of service are average delay per vehicle, measured in seconds.

² DelDOT Timing scenario includes utilizing the green split times consistent with DelDOT MAX 1 green times.

³ Signal Optimization scenario includes optimizing split and utilizing a cycle length of 90 seconds during the AM peak hour and 120 seconds during the PM peak hour.

⁴ Signal Optimization scenario includes optimizing split and utilizing a cycle length of 120 seconds during the AM and PM peak hours.

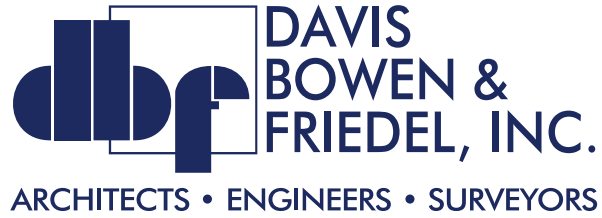
⁵ Scenario incorporates the improvements proposed as part of the *Plantation Road Improvement, Robinsonville Road to US 9 (Phase 1)* (DelDOT Contract No. T202011201). The intersection was modeled with an additional through lane along the southbound Plantation Road approach with a 90 second cycle length.

⁶ This scenario incorporates the improvements proposed as part of the DelDOT Henlopen TID project. The intersection was modeled with two through lanes along the northbound and southbound Planation Road approaches with a 90 second cycle length.

Table 3
Peak Hour Levels Of Service (LOS)
Southern Delaware Medical Center TIS Review
Report Dated: March 24, 2022
Prepared by: Davis, Bowen & Friedel, Inc.

Unsignalized Intersection Two-Way Stop Control (T-intersection)¹	LOS per TIS		LOS per JMT	
	Weekday AM	Weekday PM	Weekday AM	Weekday PM
Site Entrance / Shady Road (Sussex Road 276)				
2029 with Development (Case 5) ⁷				
Northbound Site Access Approach	B (14.9)	C (15.5)	B (14.7)	C (15.2)
Westbound Shady Road Left Turn	A (8.6)	A (8.0)	A (8.7)	A (8.0)

⁷ Per Coordination with DelDOT, site entrance analysis was performed for 2029. Volumes were developed by growing the 2019 AADT information for the roadway and incorporating the trip generation for the site. This is consistent with auxiliary lane worksheet methodology.



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August 12, 2022

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AUG 16 2022

SUSSEX COUNTY
PLANNING & ZONING

TO: Sussex Planning and Zoning Commission

RE: Proposed Southern Delaware Medical Center

Opposition
Exhibit

This letter to the SPZ Commission is to adamantly voice my opinion AGAINST the Southern Delaware Medical Center, proposed for residential land on Shady Road, Lewes, DE.

Shady Road is backed up with traffic frequently from RT 1 to Plantations Road, plus it serves as an entrance and exit for the Dart Bus Terminal. I live in the Eagle Point Development with our entrance on Shady Road, and across from the bus station. Many times we, as residents, cannot get out of our development without a very long wait, and /or some kind driver letting us out. This road is already a very dangerous nightmare!!

A medical building on this 2- lane tributary road is just ridiculous!! Shady Road also serves many as a shortcut through Eagle Point to Home Depot, and at various times State Troopers are stationed at our entrance to stop the speeding and catch those not stopping at the stop signs, due to so much extra traffic.

I urge you NOT to grant a conditional use of this land for a medical center. Please stop this developing nightmare!!

Thank you for your consideration.

Gretta L. Wolter, Eagle Point



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