

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



2 THE CIRCLE | PO BOX 417
GEORGETOWN, DE 19947
(302) 855-7878 T
(302) 854-5079 F
sussexcountyde.gov

Sussex County Planning & Zoning Commission

AGENDA

March 26, 2020

5:30 P.M.

PLEASE NOTE – AS PERMITTED BY GUBERNATORIAL AUTHORITY, IN ORDER TO LIMIT THE RISK OF POTENTIAL COVID-19 EXPOSURE, THE PUBLIC SHALL BE DENIED ENTRY TO THE PLANNING & ZONING COMMISSION MEETING EXCEPT FOR THE 6:00 PM, 6:45 PM AND 7:30 P.M. PUBLIC HEARINGS.¹

MEMBERS OF THE PUBLIC WHO CHOOSE TO ATTEND A PUBLIC HEARING WILL ENTER THE CHAMBERS AT THE START TIME OF THE HEARING. THE PUBLIC SHOULD ARRIVE ON TIME AND WILL BE FORBIDDEN TO GATHER IN THE LOBBY.

MEMBERS OF THE PUBLIC WHO CHOOSE TO ATTEND THE PUBLIC HEARING SHOULD EXPECT TO UNDERGO HEALTH SCREENINGS AND MANDATORY “SOCIAL DISTANCING” SEATING IN COUNCIL CHAMBERS.

THE PUBLIC IS ENCOURAGED TO WATCH OR LISTEN TO THE COUNCIL MEETING ELECTRONICALLY AT [HTTPS://SUSSEXCOUNTYDE.GOV/COUNCIL-CHAMBER-BROADCAST](https://sussexcountyde.gov/council-chamber-broadcast).

UNLESS OTHERWISE LEFT OPEN FOR A LONGER PERIOD BY THE COMMISSION, THE PUBLIC RECORD FOR EACH PUBLIC HEARING SHALL REMAIN OPEN UNTIL 4:30 PM ON THURSDAY, APRIL 2, 2020 FOR RECEIPT OF WRITTEN COMMENTS SUBMITTED ELECTRONICALLY OR BY U.S. MAIL TO THE P&Z OFFICE.

Call to Order

Approval of Agenda

Approval of Minutes – February 27, 2020.

Old Business

2019-25 Workman’s Crossing – Dunn Investment, LLC

HW

A standard subdivision to divide 11.483 acres +/- into 5 single-family lots to be located on a certain parcel of land lying and being in Little Creek Hundred, Sussex County. The property is lying at the northeast corner of Pepperbox Rd. and Brittingham Rd. Tax Parcel: 532-15.00-11.00.



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

C/U 2222 – Jessica F. Peake

BM

An Ordinance to grant a Conditional Use of land in a C-1 General Commercial District for an outdoor miniature golf course to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 0.46 acre, more or less. The property is lying on the east side of Coastal Highway (Rt. 1), approximately 212 feet south of Jefferson Bridge Road 911 Address: 32967 Coastal Highway, Bethany Beach. Tax Parcel: 134-17.11-40.00

Other Business

WMF Powersports LLC (S-20-07)

BM

Revised Preliminary Site Plan

Generations Welding (S-20-08)

KH

Preliminary Site Plan

Baker Petroleum – Lewes Exxon

KS

Preliminary Site Plan

Lands of The Dale Farm, LLC

KH

Minor Subdivision off Existing Easement

Public Hearings

6:00 PM - C/U 2224 – Pamela Price

HW

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a real estate office to be located on a certain parcel of land lying and being in Little Creek Hundred, Sussex County, containing 1.75 acres, more or less. The property is lying on the west side of Sussex Highway (Rt. 13) approximately 0.25 miles north of the intersection of Whitesville Road and Sussex Highway (Rt. 13). 911 Address: 34590 Sussex Highway, Laurel. Tax Parcel: 332-7.00-22.00

6:45 PM - C/Z 1907 – Matthew C. Hete

KS

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a MR Medium Density Residential District for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 1.25 acres, more or less. The property is lying on the southeast side of Postal Lane approximately 0.22 mile northeast of Plantation Road. 911 Address: 34360 Postal Lane, Lewes. Tax Parcel: 334-6.00-686.00

6:45 PM - C/U 2209 – Matthew C. Hete

KS

An Ordinance to grant a Conditional Use of land in an MR Medium Density Residential district for multi-family (14 units) to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 1.25 acres, more or less. The property is lying on the southeast side of Postal Lane approximately 0.22 mile northeast of Plantation Road. 911 Address: 34360 Postal Lane, Lewes. Tax Parcel: 334-6.00-686.00

7:30 PM - C/Z 1904 – Dry Acres, LLC (Jill Cicierski) KS
An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a C-2 Medium Commercial District for a certain parcel of land lying and being in Broadkill Hundred, Sussex county, containing 10.88 acres, more or less. The property is lying on the southwest corner of the intersection of Lewes Georgetown Highway (Route 9) and Fisher Road (S.C.R. 262). 911 Address: N/A. Tax Parcel: 235-30.00-51.00

Additional Business

Discussion as to start time of future meetings

Planning and Zoning Commission meetings can be monitored on the internet at
www.sussexcountyde.gov.

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on March 19, 2020 at 4:30 p.m., and at least seven (7) days in advance of the meeting.

This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.

#

¹ These restrictions are being implemented to limit the exposure and risk related to “COVID-19” for County personnel and members of the public who may attend the P&Z Commission Meeting. These decisions are being made under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.
See: <https://governor.delaware.gov/proclamation-173292-03132020/>.

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, AICP, MRTPI
ACTING DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date March 26, 2020.

Application: (CU 2224) Pamela Price

Applicant: Pamela Price
38613 Benro Drive, Unit 5
Delmar, DE 19940

Owner: Pamela Price/Taylor Carney LLC
38613 Benro Drive, Unit 5
Delmar, DE 19940

Site Location: Located on the east side of Sussex Highway (Route 13) at 34590
Sussex Highway, Laurel, DE 19956.

Current Use: Residential

Proposed Use: Real Estate Office

Comprehensive Land
Use Plan Reference: Low Density Areas

Councilmatic
District: Mr. Rieley

School District: Delmar School District

Fire District: Delmar Fire District

Sewer: Sussex County

Water: Private, On-site

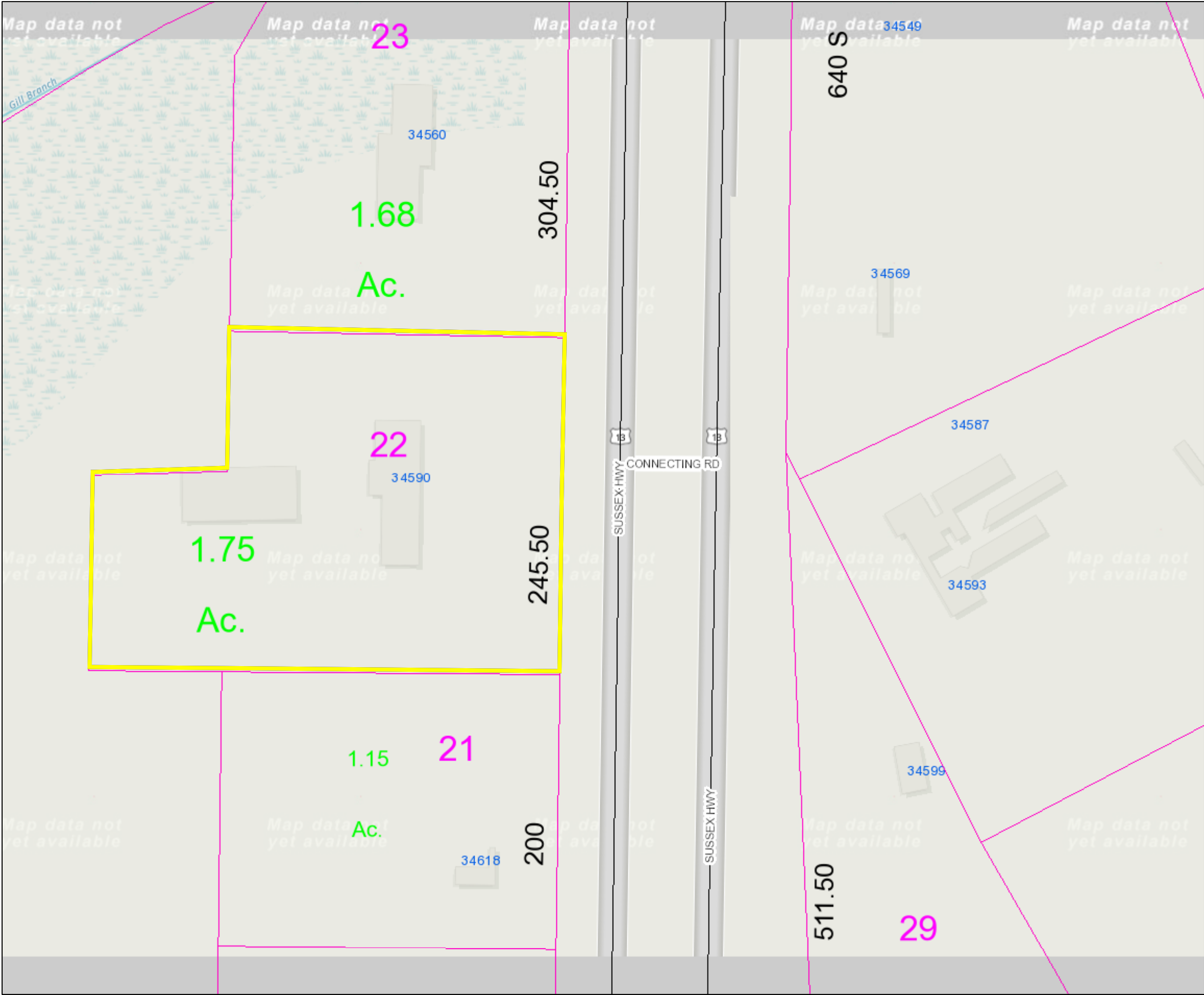
Site Area: 1.75 acres +/-

Tax Map ID.: 332-7.00-22.00





Sussex County

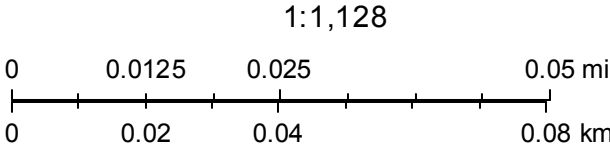


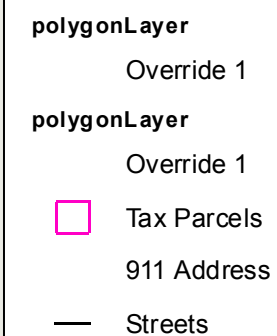
PIN:	332-7.00-22.00
Owner Name	TAYLOR CARNEY LLC
Book	5190
Mailing Address	38613 BENRO DR UNIT 5
City	DELMAR
State	DE
Description	W/RT 13
Description 2	N/A
Description 3	N/A
Land Code	

- polygonLayer

Override 1
- polygonLayer

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





Mailing List Exhibit Map
Planning and Zoning Commission
CU 2224 Pamela Price
332-7.00-22.00
Pamela Price/Taylor Carney LLC
38613 Benro Drive, Unit 5
Delmar, DE 19940

On the east side of Sussex Highway (Route 13) at 34590 Sussex Highway, Laurel, DE 19956.



332-7.00-19.00

332-7.00-23.00

332-7.00-22.00

332-7.00-21.00

332-7.00-20.00

332-7.00-30.00

332-7.00-30.04

332-7.00-30.03

332-7.00-30.00

332-7.00-29.00

7-26-2018

0 35 70 140 210 280
Feet

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government, DelDOT, Planning, Surdex Corp, 2017



Memorandum

To: Sussex County Planning Commission Members
From: Jamie Whitehouse, AICP, MRTPI Planning & Zoning Director
CC: Vince Robertson, Assistant County Attorney and applicant
Date: March 17, 2020
RE: Staff Analysis for CU 2224 Pamela Price

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2224 Pamela Price to be reviewed during the March 26, 2020 Planning 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 parcel 332-7.00-22.00 to allow for a real estate office to be located at 34590 Sussex Hwy. The size of the property is 1.75 ac. +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework for 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 property has the land use designation of Low-Density Area.

The surrounding parcels to the north, east, south, and west are all designated on the Future Land Use Map as "Low Density Area". The properties to the south have the land use designation of "Commercial Area" and "Existing Development Area". The Low-Density Area land use designation recognizes agricultural activities and homes. Business development should be largely confined to business addressing the needs of these two uses. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas.

The property is zoned AR-1 (Agricultural Residential Zoning District). The adjoining and surrounding properties to the north, south, east and west are all zoned AR-1 (Agricultural Residential Zoning District). Since 2011, there have been no applications for Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use for a real estate office could be considered consistent with the land use, area zoning and uses.



File #: CU # 2224
202001333

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

34590 Sussex Hwy Laurel, DE 19956

Type of Conditional Use Requested:

Professional Office / Small Real Estate Office

Tax Map #: 322-07.00-22.00 Size of Parcel(s): 1.75

Current Zoning: AR-1 Proposed Zoning: AR-1 Size of Building: 2800 sqft

Land Use Classification: RS

Water Provider: Well Sewer Provider: Septic

Applicant Information

Applicant Name: Pamela Price

Applicant Address: 38613 Benro Dr Unit 5

City: Delmar State: De Zip Code: 19940

Phone #: 302-249-2546 E-mail: pamprice@remax.net

Owner Information

Owner Name: Pamela Price / Taylor Carney LLC

Owner Address: 38613 Benro Dr Unit 5

City: Delmar State: De Zip Code: 19940

Phone #: 302-249-2546 E-mail: pamprice@remax.net

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Haller and Hudson

Agent/Attorney/Engineer Address: 101 S. Bedford St.

City: Georgetown State: De Zip Code: 19947

Phone #: 302-856-4525 E-mail: Stephanie@hallerandhudson.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

___ Completed Application

___ Provide eight (8) copies 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 Fee \$500.00

___ 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.

___ DelDOT 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

Date: _____

Signature of Owner

Carole Spruce

Date: 2/4/2020

For office use only:

Date Submitted: 2/5/2020

Staff accepting application: LD

Location of property: _____

Fee: \$500.00 Check #: PC

Application & Case #: 202001333

Subdivision: _____

Date of PC Hearing: 3/26/2020

Date of CC Hearing: 5/12/2020

Recommendation of PC Commission: _____

Decision of CC: _____



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

JENNIFER COHAN
SECRETARY

February 11, 2020

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

Dear Mr. Jamie:

The Department has completed its review of a Service Level Evaluation Request for the **Pamela Price** conditional use application, which we received on January 13, 2020. This application is for an approximately 1.75-acre parcel (Tax Parcel: 332-7.00-22.00). The subject land is located on the west side of US Route 13, approximately 1,250 feet northwest of the intersection of US Route 13 and Whitesville Road / Dorothy Road (Sussex Road 64), southeast of Laurel. The subject land is currently zoned as AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to utilize the existing residential facility as five-employee real estate office.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of US Route 13 where the subject land is located, which is from Whitesville Road / Dorothy Road to Delaware Route 24, is 22,602 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

The subject property is adjacent to US Route 13, thereby is subject to the Department's Corridor Capacity Preservation Program. The main goal of the Program is to maintain the capacity of the existing highway by minimizing the number of direct driveway access points on the arterial highway. The Program was established in accordance with the provisions of Title 17, Section 145 of the Delaware Code. According to the Office of State Planning, *Strategies for State Policies and Spending document*, the property is located within a Level 4 Investment Area. In this Investment Area, State policies encourage the preservation of a rural lifestyle and discourage new development. According to Program policy, no new or expanded



Mr. Jamie Whitehouse
Page 2 of 2
February 11, 2020

direct access to the corridor will be permitted in a Level 4 Investment Area. Therefore, the property owner can retain direct access to the corridor for a development that produces a similar vehicular trip generation as compared to the site's current use; under 100 vehicle trips per day according to the 10th Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The U-shape driveway will be subject to review by the Subdivision and District Offices and may require some modification. The Corridor Capacity Preservation Program policy can be viewed on Department's website at www.deldot.gov.

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.

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence or Mr. Thomas Felice, at (302) 760-2338, if you have questions concerning the Corridor Capacity Preservation Program.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Pamela Price, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Thomas Felice, Corridor Capacity Preservation Program Manager, Development Coordination
Gomez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne K. Laws, 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

December 18, 2019

To whom it may concern:

In regards to the property we currently own located at 34590 Sussex Highway, Laurel, DE 19956, the new buyers for the property are applying for Conditional Use to be able to occupy the property as a professional building/real estate office. We welcome this use of the property and are willing to provide any necessary documentation you may need.

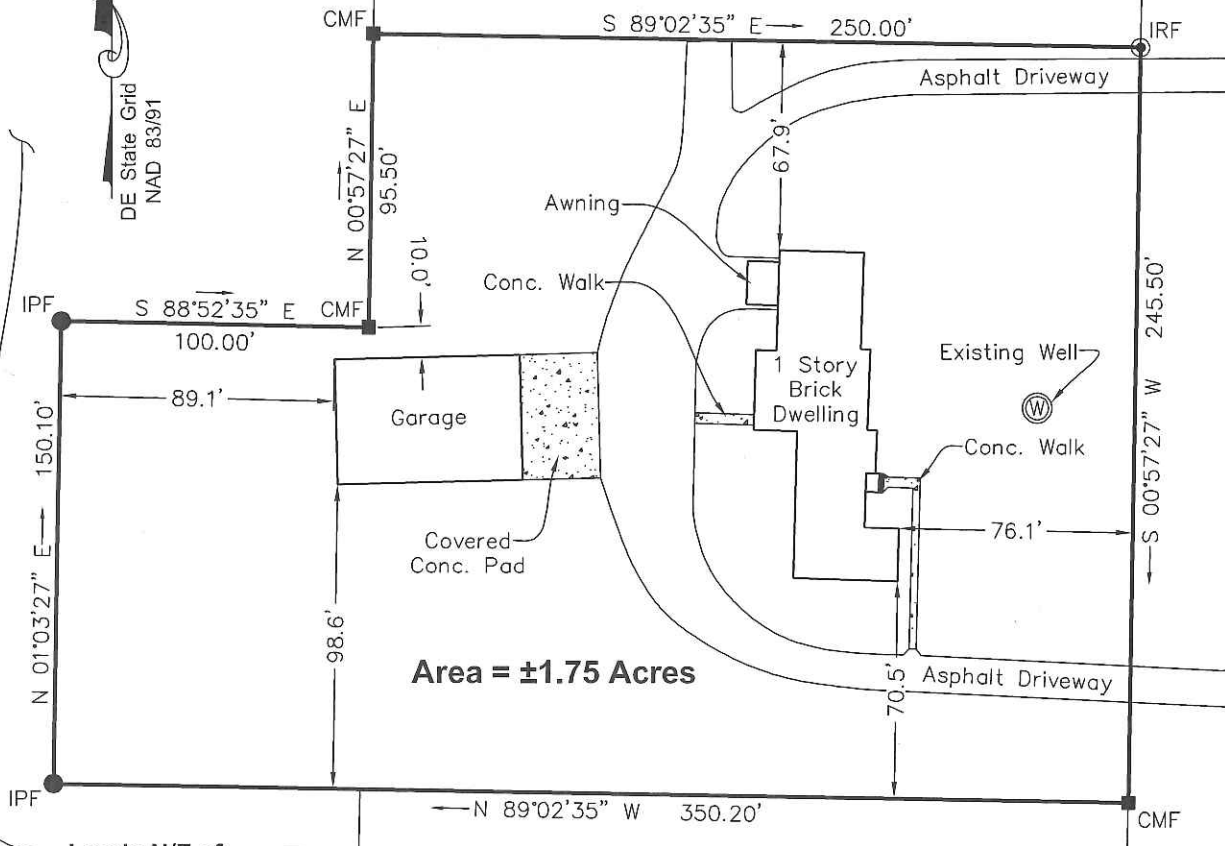
Please do not hesitate to contact us with any questions or concerns at 443-359-0100.

Sincerely,

Hal & Lisa Cathell

A handwritten signature in black ink, appearing to read 'Hal Cathell', with a stylized flourish extending from the end.

Lands N/F of
Hal K. Cathell
332-7.00-23.00



Lands N/F of
Levin N. Dickerson, Trustee
Deed Ref.: 3594/80
332-7.00-19.00

Lands N/F of
House of Solid Rock Tabernacle
332-7.00-21.00

OTHER THAN SHOWN, THIS PLAT
DOES NOT VERIFY THE EXISTENCE OR
NON-EXISTENCE OF RIGHTS OF WAY
OR EASEMENTS ON THIS PROPERTY.

NO TITLE SEARCH WAS REQUESTED
OR PERFORMED.

LEGEND

- CMF Concrete Monument Found
- IPF Iron Pipe Found
- ⊙ IRF Iron Rod Found



Douglas P. Williams, Professional Land Surveyor

Land Surveying • Land Planning • GPS/GIS

9072 Canter Lane

Hebron, MD 21830

410-726-1831

**BOUNDARY SURVEY PLAN
WITH IMPROVEMENTS LOCATION**

34590 SUSSEX HIGHWAY
TOWN OF LAUREL

SUSSEX COUNTY, DELAWARE

SCALE

1" = 60'

DATE

01/09/2020

TAX MAP

332-7.00

JOB NO.

20001

DRAWN BY

MPB

PARCEL

22.00

NOTES

1. Deed Ref.: 4018/198

2. Plat Ref.: N/A

3. Owner of Record: Cathell Family, LLC
3510 Yacht Club Rd.
Eden, MD 21822

PLANNING & ZONING COMMISSION

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

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302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
ACTING DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: February 27, 2020

Application: CU 2209 & CZ 1907 Matthew C. Hete

Applicant/Owner: Matthew C. Hete
45 Kings Creek Circle
Rehoboth Beach, DE 19971

Site Location: 34360 Postal Lane. Southeast side of Postal Lane, approximately 0.22 mile east of Plantation Road.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Zoning: MR (Medium Residential District)

Proposed Use: Multi-Family (14 Units)

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmatic
District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Sussex County

Water: Tidewater

Site Area: 1.25 ac. +/-

Tax Map ID.: 334-6.00-686.00



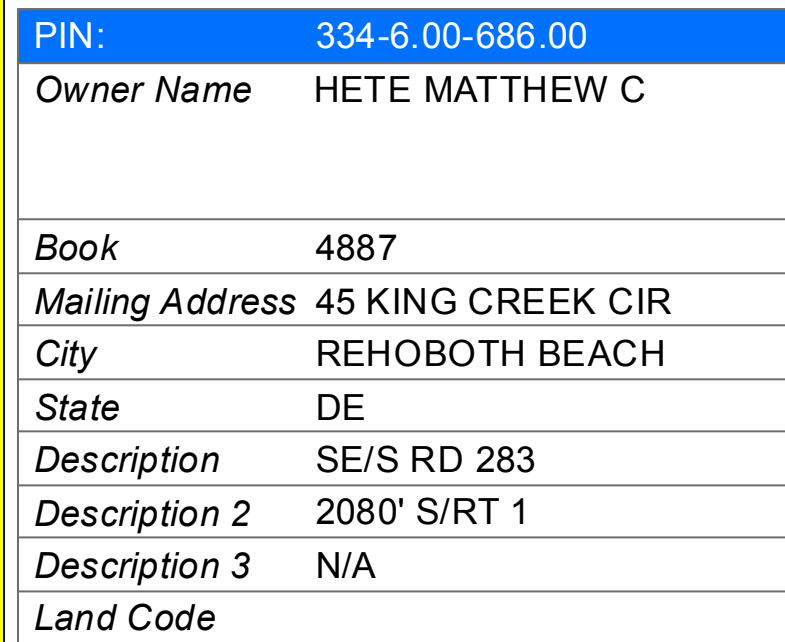


Sussex County



PIN:	334-6.00-686.00
Owner Name	HETE MATTHEW C
Book	4887
Mailing Address	45 KING CREEK CIR
City	REHOBOTH BEACH
State	DE
Description	SE/S RD 283
Description 2	2080' S/RT 1
Description 3	N/A
Land Code	

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



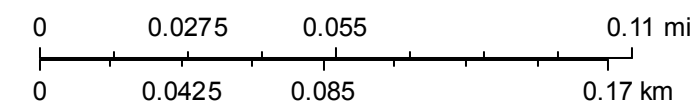
Override 1

Override 1

911 Address

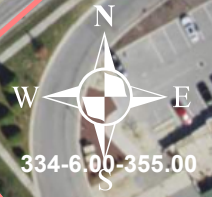
— Streets

1:2,257



Mailing List Exhibit Map
Planning Commission
CU 2209 & CZ 1907 Matthew C. Hete
334-6.00-686.00
Matthew C. Hete
45 Kings Creek Circle
Rehoboth Beach, DE 19971

Located on the southeast side of Postal Lane, approximately 0.22 miles east of



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



Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: February 11, 2020
RE: Staff Analysis for CU 2209 Matthew C. Hete

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2209 Matthew C. Hete to be reviewed during the March 12, 2020 Planning 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 334-6.00-686.00 to allow for 14 multifamily dwelling units to be located at 34360 Postal Lane (S.C.R. 283) south of the Sandy Brae Subdivision and Postal Lane (S.C.R. 283). The size of the property is 1.251 acres +/-.

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 property has the land use designation of "Coastal Area."

The areas to the north, south, east and west are also designated "Coastal Areas." "Coastal Areas" are areas that can accommodate development provided special environmental concerns are addressed. The "Coastal Area" also supports a range of housing types including single-family homes, townhomes, 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. Mixed-use development should also be allowed.

The property is zoned Agricultural Residential (AR-1). The properties to the north of the application site on the opposite side of Postal Lane (S.C.R. 283) are zoned Medium Density Residential (MR) Zoning District. Properties to the east, west and south of the application site are zoned Agricultural Residential (AR-1) Zoning District.

Since 2011, there have been no Conditional Use approvals within a 1-mile radius of the application site.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use for the abovementioned use subject to considerations of scale and impact, could be considered as having a limited degree of consistency with the land use, area zoning and surrounding uses.



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**

34360 Postal Lane, Lewes, DE 19958

Type of Conditional Use Requested:

Seeking conditional use to permit multi-family dwellings

Tax Map #: 334-6.00-686.00Size of Parcel(s): 1.25 Ac.Current Zoning: AR-1Proposed Zoning: MRSize of Building: 0.50 Ac. +/-Land Use Classification: Mixed ResidentialWater Provider: Tidewater UtilitiesSewer Provider: Sussex County**Applicant Information**Applicant Name: Matthew C. HeteApplicant Address: 45 Kings Creek CircleCity: Rehoboth BeachState: DEZip Code: 19971Phone #: (302) 344-8988E-mail: mchete@msn.com**Owner Information**Owner Name: Same as Applicant

Owner Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____

Agent/Attorney/Engineer InformationAgent/Attorney/Engineer Name: The Kercher Group, Inc.Agent/Attorney/Engineer Address: 37385 Rehoboth Ave. Ext., Unit #11City: Rehoboth BeachState: DEZip Code: 19971Phone #: (302) 781-4346E-mail: kts@kerchergroup.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

☒ Completed Application

☒ Provide eight (8) copies 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 Fee \$500.00

☐ 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



Date: 10/23/19

Signature of Owner



Date: 10/23/19

For office use only:

Date Submitted: 10/25/19

Staff accepting application: ceh

Location of property: _____

Fee: \$500.00 Check #: 325

Application & Case #: 201912383

Subdivision: _____

Date of PC Hearing: _____

Date of CC Hearing: _____

Recommendation of PC Commission: _____

Decision of CC: _____

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



Sussex County

DELAWARE
sussexcountye.gov

Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: January 16, 2020
RE: Staff Analysis for CZ 1907 Matthew C. Hete

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1907 Matthew C. Hete to be reviewed during the March 12, 2020 Planning 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 Change of Zone for parcel 334-6.00-686.00 to facilitate a change from an Agricultural Residential (AR-1) Zoning District to the Medium Density Residential (MR) Zoning District and is located at 34360 Postal Lane (S.C.R. 283) south of the Sandy Brae Subdivision and Postal Lane (S.C.R. 283). The size of the property is 1.251 acres +/-.

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 property has the land use designation of "Coastal Area."

The areas to the north, south, east and west are also designated "Coastal Areas." "Coastal Areas" are areas that can accommodate development provided special environmental concerns are addressed. The "Coastal Area" also supports a range of housing types including single-family homes, townhomes, 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. Mixed-use development should also be allowed.

The Medium Commercial (C-2) Zoning District is listed as an applicable zoning district for the Coastal Area under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" of the 2018 Sussex County Comprehensive Plan.

The property is zoned Agricultural Residential (AR-1). The properties to the north of the application site on the opposite side of Postal Lane (S.C.R. 283) are zoned Medium Density Residential (MR) Zoning District. Properties to the east, west and south of the application site are zoned Agricultural Residential (AR-1) Zoning District.



Since 2011, there has been one Change of Zone application within the vicinity of the application site: To the southeast is CZ 1835 to facilitate a change of zone from an Agricultural Residential (AR-1) Zoning District to the Neighborhood Business (B-1) Zoning District, which was approved by County Council on January 9th, 2008 and adopted through Ordinance #2546

Based on the analysis of the land use, surrounding zoning and uses, a change of zone to allow for a property zoned Medium Density Residential (MR) Zoning District subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

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**

34360 Postal Lane, Lewes, DE 19958

Type of Conditional Use Requested:

Seeking change of zone from agricultural residential (AR-1) to medium density residential (MR)

Tax Map #: 334-6.00-686.00Size of Parcel(s): 1.25 Ac.Current Zoning: AR-1Proposed Zoning: MRSize of Building: 0.50 Ac. +/-Land Use Classification: Mixed ResidentialWater Provider: Tidewater UtilitiesSewer Provider: Sussex County**Applicant Information**Applicant Name: Matthew C. HeteApplicant Address: 45 Kings Creek CircleCity: Rehoboth BeachState: DEZip Code: 19971Phone #: (302) 344-8988E-mail: mchete@msn.com**Owner Information**Owner Name: Same as Applicant

Owner Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____

Agent/Attorney/Engineer InformationAgent/Attorney/Engineer Name: The Kercher Group, Inc.Agent/Attorney/Engineer Address: 37385 Rehoboth Ave. Ext., Unit #11City: Rehoboth BeachState: DEZip Code: 19971Phone #: (302) 781-4346E-mail: kts@kerchergroup.com

Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

☒ Completed Application

☒ Provide eight (8) copies 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 Fee \$500.00

☐ 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



Date: 10/23/19

Signature of Owner



Date: 10/23/19

For office use only:

Date Submitted: 10/25/19

Staff accepting application: Ceh

Location of property: _____

Fee: \$500.00 Check #: 325

Application & Case #: 201912382

Subdivision: _____

Date of PC Hearing: _____

Date of CC Hearing: _____

Recommendation of PC Commission: _____

Decision of CC: _____



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

JENNIFER COHAN
SECRETARY

June 13, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Matthew Hete** conditional use application, which we received on May 22, 2019. This application is for an approximately 1.25-acre assemblage of parcels (Tax Parcels: 334-6.00-685.01 and 686.00). The subject land is located on the southeast side of Postal Lane (Sussex Road 283), approximately 1,200 feet northeast of the intersection of Plantation Road (Sussex Road 275) and Postal Lane / Cedar Grove Road (Sussex Road 283). The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking a conditional use approval to develop five 5 single-family detached houses.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Postal Lane where the subject land is located, which is from Plantation Road to Delaware Route 1, are 9,812 and 12,628 vehicles per day, respectively.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

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.



Ms. Janelle M. Cornwell
Page 2 of 2
June 13, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Matthew Hete, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision 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
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **2/18/2020**

APPLICATION: **CU 2209 & CZ 1907 Matthew C. Hete**

APPLICANT: **Matthew C. Hete**

FILE NO: **OM-9.04**

TAX MAP &
PARCEL(S): **334-6.00-686.00**

LOCATION: **34360 Postal Lane. Southeast side of Postal Lane,
approximately 0.22 mile east of Plantation Road.**

NO. OF UNITS: **5**

GROSS
ACREAGE: **1.25**

RECEIVED
FEB 21 2020
SUSSEX COUNTY
PLANNING & ZONING

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 2**
- (3). Is wastewater capacity available for the project? **Yes, As Proposed** 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? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** 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? **Yes**

☒ 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? **Yes**

(8). Comments: **This parcel was originally two separate parcel which were combined in 2019. The original allocation was for 1 EDU per parcel.**

(9). Is a Sewer System Concept Evaluation required? **No**

(10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

UTILITY PLANNING APPROVAL:



John J. Ashman
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.
Jayne Dickerson
Christine Fletcher

Policy for Extending District Boundaries

1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate for the development being planned.
3. With appropriate zoning, property owner (developer) and/or his representative shall send a letter (with appropriate application fee as listed below) requesting the Sussex County Council to consider extending the water and/or sanitary sewer district boundaries. (Sussex County Code)

Application Fees	
Less than 2 acres	\$500.00
2.1 - 9.99 acres	\$750.00
10 - 150.00 acres	\$1,500.00
Greater than 150.00 acres	\$2,500.00

4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the notices is not given, the appropriate fee is refunded.)
6. Within ninety days of the posting of the notices, the Sussex County Council approves/disapproves extending the boundaries.
7. The Sussex County Council approves/disapproves of the extension of the water and/or sanitary sewer pipelines under the appropriate Sussex County Ordinance.

March 15, 2020

Received 3/17/20

Michael H. Vincent, Council President
Samuel R. Wilson Jr.
Irwin G. Burton III
George B. Cole, Council Vice President
Robert B. Arlett
Sussex County Council
2 The Circle, P.O. Box 589
Georgetown, DE 19947

RECEIVED

MAR 18 2020

SUSSEX COUNTY
PLANNING & ZONING

Dear Council Members:

We are the partners of HKLS, LLC, located on the Southwest corner of Plantations Rd and Cedar Grove/Postal Lane intersection. We are writing in support of the Change of Zone Density application number C/Z 1907 & C/U 2209, made by Matthew C. Here for parcel #334-6.00-686.00, because we believe the zoning change would allow for needed affordable housing to be built and benefit local residents.

We respectfully submit our support for approval of this rezoning application.

Sincerely,



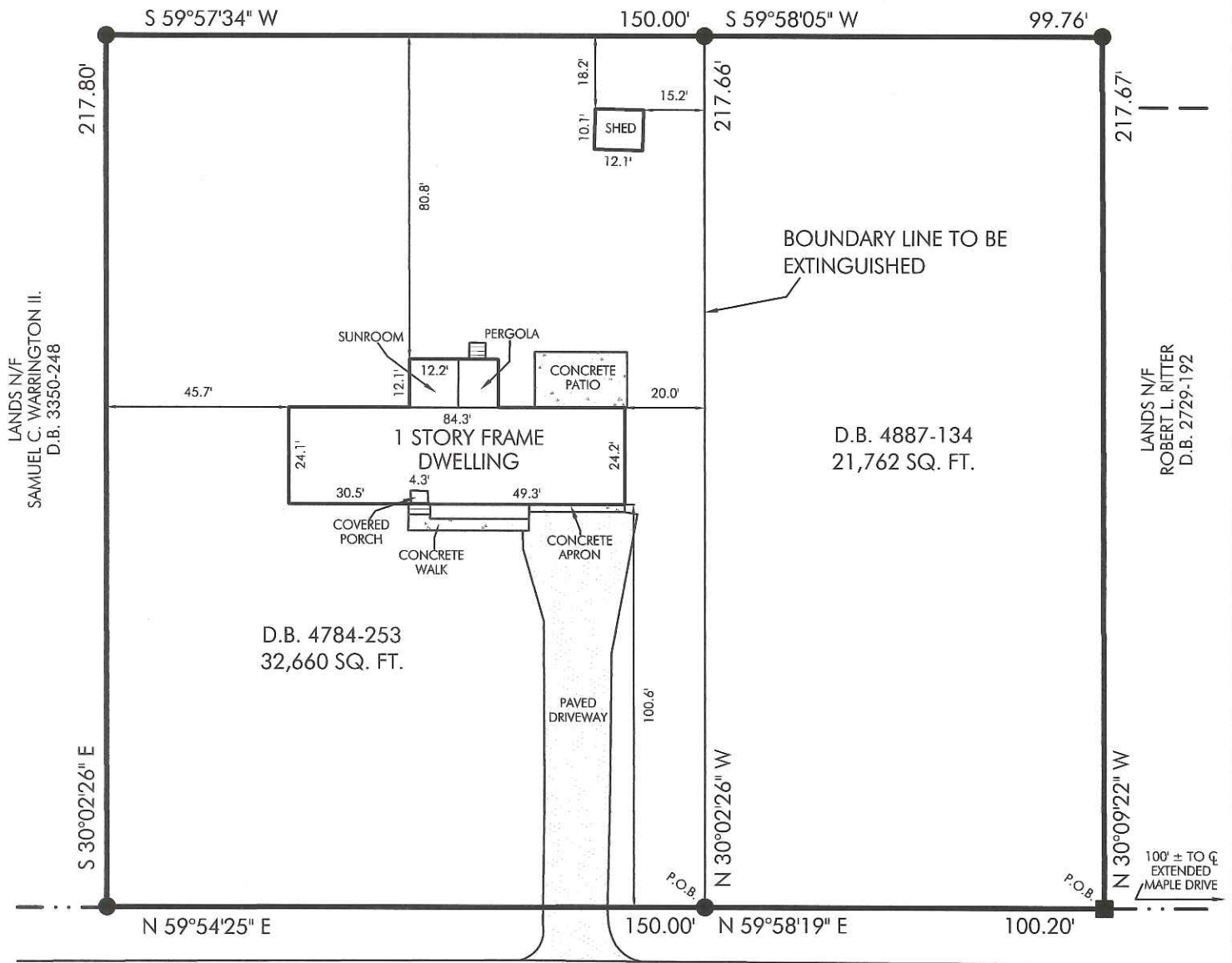
Kenneth K. Martin
On behalf of HKLS partners, LLC



Sherri S. Martin

LANDS N/F
SAMUEL C. WARRINGTON II.
D.B. 3350-248

T.M. #3-34-6.00-685.01 & 686.00



LEGEND:

- IRON PIPE (FOUND)
- CONCRETE MONUMENT (FOUND)

NOTES:

ALL SETBACKS MUST BE VERIFIED BY THE HOME OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CALL SUSSEX CO. (302-855-7720).

THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.

NO TITLE SEARCH PROVIDED OR STIPULATED.

SURVEY CLASS: SUBURBAN

PROPOSED COMBINATION OF LANDS
BOUNDARY SURVEY PLAN FOR

**MATTHEW C. &
MINDY H. HETE**

TOTAL AREA: 54,422 SQ. FT.

34360 POSTAL LANE, LEWES

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

JUNE 11, 2019 SCALE: 1" = 40'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302 226 2229 phone

302 226 2239 fax

2103A Coastal Highway

Dewey Beach, DE 19971



**Lands of Hete4, LLC
C/Z #1907 & C/U #2209**

**Proposed 14-unit
Townhome Development**

**Lewes & Rehoboth Hundred
Sussex County, Delaware**

March 5, 2020

THE KERCHER GROUP, INC.

CONTENTS

Appendix I

- **Sussex County Planning & Zoning Application (C/Z & C/U)**
- **Service Level Evaluation Request Form**
- **DELDOT Service Level Evaluation Response**
- **Sussex County Planning & Zoning Department Letter**
- **Proposed Finding of Facts and Conditions**
- **Chapter 115-194.3 Compliance**

Appendix II

- **Combination & Boundary Survey (Foresight Services)**
- **Deed Book 4784, Page 253**
- **Deed Book 4887, Page 134**
- **Preliminary Site Plan**

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- **Flood Insurance Rate Map (FIRM) Overview**
- **Annex Areas of Concern Map Overview**
- **Wastewater Service Areas Map Overview**
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- **Future Land Use Map Overview**
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- **Strategies for State Policies Spending Map Site**
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- **Water Recharge & Wellhead Map Overview**
- **Water Service Area Map Overview**
- **Watersheds & Waterways Map Overview**
- **Wellhead Protection Map Overview**

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**

34360 Postal Lane, Lewes, DE 19958

Type of Conditional Use Requested:

Seeking change of zone from agricultural residential (AR-1) to medium density residential (MR)

Tax Map #: 334-6.00-686.00**Size of Parcel(s):** 1.25 Ac.**Current Zoning:** AR-1**Proposed Zoning:** MR**Size of Building:** 0.50 Ac. +/-**Land Use Classification:** Mixed Residential**Water Provider:** Tidewater Utilities**Sewer Provider:** Sussex County**Applicant Information**

Applicant Name: Matthew C. Hete

Applicant Address: 45 Kings Creek Circle

City: Rehoboth Beach

State: DE

Zip Code: 19971

Phone #: (302) 344-8988

E-mail: mchete@msn.com

Owner Information

Owner Name: Same as Applicant

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: The Kercher Group, Inc.

Agent/Attorney/Engineer Address: 37385 Rehoboth Ave. Ext., Unit #11

City: Rehoboth Beach

State: DE

Zip Code: 19971

Phone #: (302) 781-4346

E-mail: kts@kerchergroup.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

☒ **Completed Application**

☒ **Provide eight (8) copies 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 Fee \$500.00**

☐ **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.

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Signature of Applicant/Agent/Attorney

Date: 10/23/19

Signature of Owner

Date: 10/23/19

For office use only:

Date Submitted: _____

Fee: \$500.00 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: _____

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**

34360 Postal Lane, Lewes, DE 19958

Type of Conditional Use Requested:

Seeking conditional use to permit multi-family dwellings

Tax Map #: 334-6.00-686.00

Size of Parcel(s): 1.25 Ac.

Current Zoning: AR-1

Proposed Zoning: MR

Size of Building: 0.50 Ac. +/-

Land Use Classification: Mixed Residential

Water Provider: Tidewater Utilities

Sewer Provider: Sussex County

Applicant Information

Applicant Name: Matthew C. Hete

Applicant Address: 45 Kings Creek Circle

City: Rehoboth Beach

State: DE

Zip Code: 19971

Phone #: (302) 344-8988

E-mail: mchete@msn.com

Owner Information

Owner Name: Same as Applicant

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: The Kercher Group, Inc.

Agent/Attorney/Engineer Address: 37385 Rehoboth Ave. Ext., Unit #11

City: Rehoboth Beach

State: DE

Zip Code: 19971

Phone #: (302) 781-4346

E-mail: kts@kerchergroup.com



Check List for Sussex County Planning & Zoning Applications

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- 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 Fee \$500.00**

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☒ **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

Date: 10/23/19

Signature of Owner

Date: 10/23/19

For office use only:

Date Submitted: _____

Fee: \$500.00 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: _____



Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 10/24/19

Site Information:

Site Address/Location: 34360 Postal Lane, Lewes, DE 19958

Tax Parcel Number: 334-6.00-686.00

Current Zoning: AR-1

Proposed Zoning: MR

Land Use Classification: Mixed Residential

Proposed Use(s): 14 multi-family units (townhomes)

Square footage of any proposed buildings or number of units: 21,780 s.f.

Applicant Information:

Applicant's Name: Matthew C. Hete

Applicant's Address: 45 Kings Creek Circle

City: Rehoboth Beach State: DE Zip Code: 19971

Applicant's Phone Number: (302) 344-8988

Applicant's e-mail address: mchete@msn.com





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

JENNIFER COHAN
SECRETARY

November 20, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Matthew C. Hete** rezoning application, which we received on October 24, 2019. This application is for an approximately 1.25-acre parcel (Tax Parcel: 334-6.00-686.00). The subject land is located on the southeast side of Postal Lane (Sussex Road 283), approximately 1,200 feet northeast of the intersection of Plantation Road (Sussex Road 275) and Postal Lane / Cedar Grove Road (Sussex Road 283). The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking to rezone the land to MR (Medium-Density Residential) to develop 14 units of multi-family housing (townhouses).

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Postal Lane where the subject land is located, which is from Plantation Road to Delaware Route 1, are 9,812 and 12,628 vehicles per day, respectively.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

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.



Ms. Janelle M. Cornwell

Page 2 of 2

November 20, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,

A handwritten signature in cursive script, reading "T. William Brockenbrough, Jr.", enclosed within a rectangular box.

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Matthew C. Hete, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision 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
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination



March 5, 2020

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

RE: Lands of Hete4, LLC, C/Z #1907 & C/U #2209

Dear Mr. Whitehouse:

On March 26, 2020 and May 12, 2020, public hearings are to be held in the County Council Chambers, within the Administrative Building of Sussex County. During those hearings, the Planning & Zoning Commission and County Council will allow our clients, Lands of Hete4, LLC to present a rezoning application along with a conditional use for 14-unit townhome development for consideration of approval. The subject development would be known as Lands of Hete4, LLC, referenced as C/Z #1907 and C/U #2209.

Lands of Hete4, LLC is a proposed 14-unit townhome development, located on Postal Lane (SCR 283), approximately 110' northeast of Maple Drive in Lewes, DE. The project shall meet the minimum standards set forth by the County and State. With the subject property currently being zone Agricultural Residential (AR-1), our client is seeking to rezone the property to Medium Residential (MR) with a Conditional Use in order to provide for the multi-family housing at the proposed density of 11.21 units per acre. In a pre-developed condition, the subject property contains a single residential dwelling, which is currently occupied.

The developers of Lands of Hete4, LLC have made every attempt to assure that the design of the project conforms to the articles as presented in the County Code and they would like to be sure that the members of the Commission are aware of what investigations had been performed on the subject property before the public hearing.

Attached to this document are findings associated with Lands of Hete4, LLC. All documents contained within should be on record in the Planning and Zoning Department's file and we hope that they can be used as a guide by both the Planning Commission and the County Council while making their recommendation and decision on the application.

If you should have any questions regarding a statement made within this document please do not hesitate to contact our office at your earliest convenience.

Thank you for your attention and consideration.

Sincerely,

Kevin Smith, Project Manager

THE KERCHER GROUP, INC.

**PROPOSED FINDINGS OF FACT and CONDITIONS FOR
LANDS OF HETE4, LLC
CHANGE OF ZONE #1907 / CONDITIONAL USE #2209**

- This is an application for a Change of Zone and Conditional Use for multi-family dwelling units on a parcel of land on the south side of Postal Lane (SCR 283), 1.249 acres in size, and identified by the County Assessment Office as Sussex County Tax Map 334-6.00, parcels 686.00.
- The property is currently zoned AR1 and is located within the County's Environmentally Sensitive Developing District Overlay Zone. A rezoning to MR is proposed.
- The property is located near existing multi-family residential developments (Woods Cove, Heritage Village/American Classic Golf Club). There are other developments located within the immediate vicinity that MR. (Sandy Brae, Plantations East, The Plantations, Summercrest, Maplewood). There are also commercial developments nearby (Pelican Square, Heritage Inn, Bob Evans, Tanger Outlets, Midway Shopping Center).
- According to the Sussex County Comprehensive Plan, this property is identified for purposes of future land use as mixed residential. The Strategies for State Policies and Spending identify the area as an investment level 1.
- The project is in character with a long history of development and approved applications for development in the immediate area. The development will provide housing in an area where infrastructure and transit services are available and thereby meets the general purpose of the County's Zoning Ordinance by promoting the orderly growth, convenience, order, prosperity, and welfare of the County.
- The project will be served with central water by Tidewater Utilities, Inc. and wastewater collection will be provided by Sussex County via the Dewey Beach Sanitary Sewer District.

This recommendation of approval is subject to the following conditions:

1. There shall be no more than fourteen (14) dwelling units permitted on the subject parcels.
2. The Final Record Plan shall be subject to review and approval by the Sussex County Planning and Zoning Commission.

CHAPTER 115-194.3 COMPLIANCE

Lands of Hete4, LLC is proposing to establish a 14-unit, townhome development located along Postal Lane (SCR 283), approximately 110' northeast of Maple Drive in Lewes, DE. With the subject property currently being zoned Agricultural Residential (AR-1), our Client is seeking to rezone the property to Medium Density Residential (MR) with a Conditional Use in order to provide for the multi-family housing at the proposed density of 11.21 units per acre. While also being blanketed by the Environmentally Sensitive Development District Overlay Zone (ESDDOZ), the project was designed to be compliant with Chapter 115-194.3 in the following manner:

A. Proposed drainage design and the effect on stormwater quality and quantity leaving the site, including methods for reducing the amount of phosphorous and nitrogen in the stormwater runoff and the control of any other pollutants such as petroleum hydrocarbons or metals.

- If the application is acted-upon favorably by the Sussex County Council, detailed sediment and stormwater management plans will be prepared for the project and submitted to the Sussex Conservation District for detailed review. While a technical design has yet to be prepared for the proposed site use, it is envisioned that Green Technology Best Management Practices (BMPs) will be designed to manage surface runoff generated by the project. These features will promote the use of infiltration for stormwater management while adhering to the standards established by the Delaware Department of Natural Resources and Environmental Control (DNREC) for water quality treatment and the reduction of Total Maximum Daily Loads (TMDLs) associated with development runoff. The use of infiltration practices will also allow for the reduction of stormwater quantity, when compared to a pre-development condition, by not allowing collected runoff to be discharged from the subject property via over-land flow and, instead, allowed to permeate the site's soils.

B. Proposed method of providing potable and, where appropriate, irrigation water and the effect on public or private water systems and groundwater, including an estimate of average and peak demands.

- The proposed townhomes will be served with potable water by an existing central water distribution system, owned and operated by Tidewater Utilities, Inc. A new connection will be established to the distribution system and the same source would be used for any potential irrigation of site landscaping, without the use of private wells. Without the use of private wells, it is not envisioned that the project will have a detrimental effect on private water systems and detailed utility plans for the proposed site use will be submitted to Tidewater Utilities for review. This will be done to ensure that adequate service is available for the project and that the proposed utility connection meets their standards and specifications. Based on the proposed site use, it is estimated that the average daily demand for potable water will be 4,200 gallons per day, with the same being the peak demand.

C. Proposed means of wastewater treatment and disposal with an analysis of the effect on the quality of groundwater and surface waters, including alternative locations for on-site septic systems.

- The proposed townhomes will be served for wastewater treatment by means of a connection to an existing central wastewater collection system, owned and

operated by Sussex County. As such, private septic systems for the project will not be proposed and effects on the quality of groundwater and surface water from the treatment of wastewater will be eliminated.

D. Analysis of the increase in traffic and the effect on the surrounding roadway system.

- By the creation of the proposed townhomes, it is estimated that 102 vehicular trips will be generated via site ingress and egress on a daily basis. With that, the applicant will be required to prepare detailed entrance plans for the project for technical review by the Delaware Department of Transportation (DelDOT). These plans will be reviewed for full compliance with State standards and the applicant will be required to improve both the site and Shady Road as DelDOT would see fit to ensure vehicular and pedestrian safety.

E. The presence of any endangered or threatened species listed on federal or state registers and proposed habitat protection areas.

- Due to the existing developed nature of the subject property and surrounding areas, it is not expected to have any endangered or threatened species within the property bounds.

F. The preservation and protection from loss of any tidal or non-tidal wetlands on the site.

- There are no tidal or non-tidal wetlands present within the property bounds.

G. Provisions for open space as defined in § [115-4](#).

- The design for the Lands of Hete4, LLC allows for 0.672 acres (53.8% of the parcel area) of open space to be established. These would be areas set-aside for landscaping and stormwater management treatment.

H. A description of provisions for public and private infrastructure.

- To serve the proposed townhomes, private infrastructure will be established. This would include parking facilities, roadways, wastewater utilities, potable water utilities, and stormwater management utilities to support the project. Public utilities will be limited to the establishment of a pedestrian walkway along the property frontage, as required by DelDOT.

I. Economic, recreational or other benefits.

- The creation of the townhomes will support jobs in the local community, employing the need for skilled tradesmen to establish new infrastructure for the project, prepare the property, and erect the dwelling units.

J. The presence of any historic or cultural resources that are listed on the National Register of Historic Places.

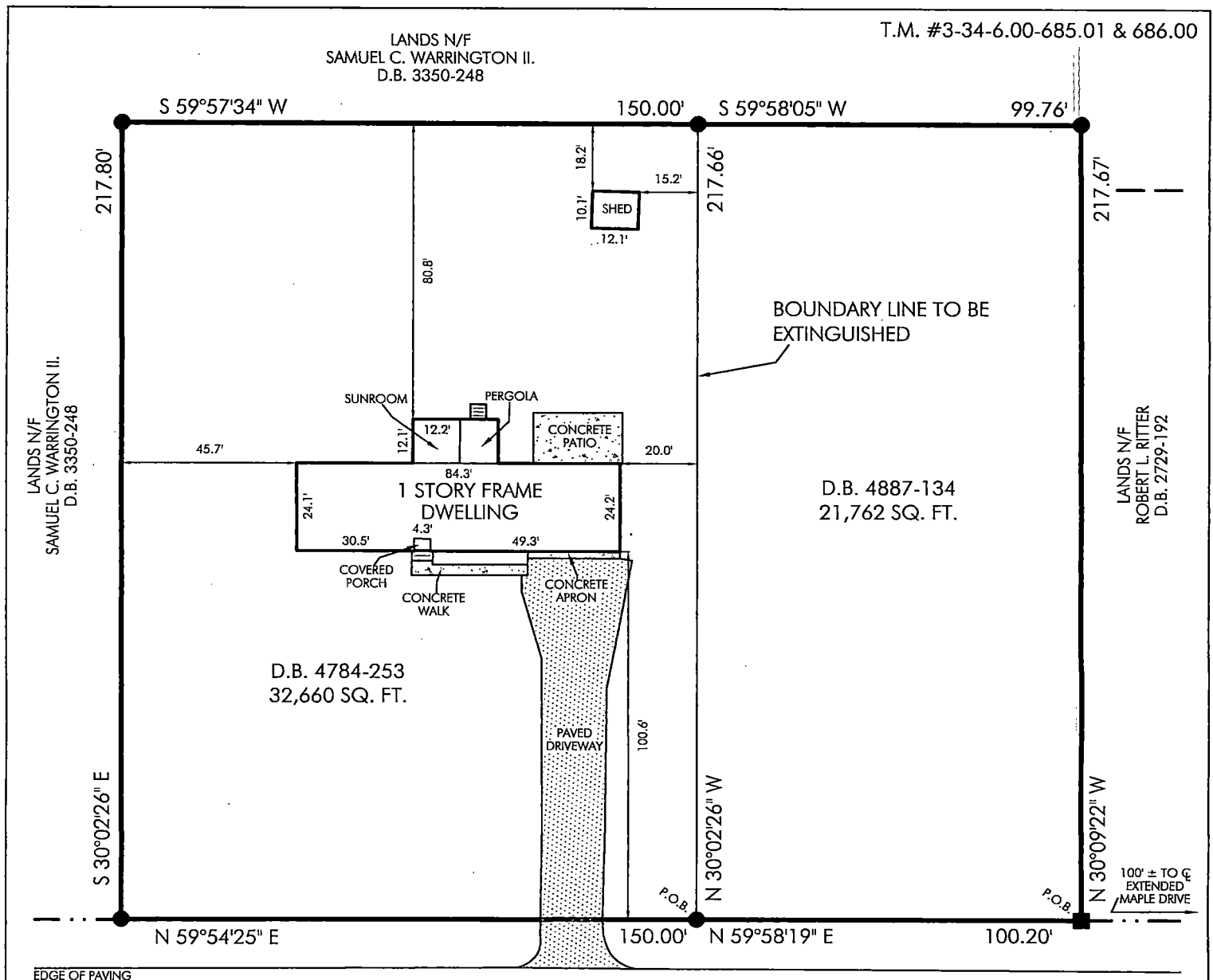
- There are no historic or cultural resources listed on the National Register of Historic Places located within the bounds of the subject parcel.

K. An affirmation that the proposed application and proposed mitigation measures are in conformance with the current Sussex County Comprehensive Plan.

- The proposed application is a permitted use by means of conditional use approval, based upon the proposed medium-density residential zoning, by the Sussex County Zoning Code. Being in an area supported for future growth, the proposed townhomes will make-use of existing infrastructure to eliminate potential impacts to the environment that can be caused through the use of private wells and septic systems.

L. Actions to be taken by the applicant to mitigate the detrimental impacts identified relevant to Subsection B(2)(a) through (k) above and the manner by which they are consistent with the Comprehensive Plan.

- The design for the Lands of Hete4, LLC has been prepared to significantly limit or eliminate potential impacts to the environment within the ESDDOZ. The utilization of existing infrastructure utilities for potable water service and wastewater collection promotes the health of local environmental systems by not establishing private wells or septic systems, which can add nutrient loads to the watershed. The design for the project's stormwater management treatment system will be in-concert with the Green Technology BMP standards and specifications of the DNREC and the preservation of open space will be maximized by setting-aside 53.8% of the subject parcel for passive open space. The project will also be established on a parcel located within an area designated for growth and outside of sensitive areas, such as the City of Lewes' wellhead protection zone.



LEGEND:

- IRON PIPE (FOUND)
- CONCRETE MONUMENT (FOUND)

NOTES:

ALL SETBACKS MUST BE VERIFIED BY THE HOME OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CALL SUSSEX CO. (302-855-7720).

THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.

NO TITLE SEARCH PROVIDED OR STIPULATED.

SURVEY CLASS: SUBURBAN

POSTAL LANE (50' R/W)

APPROVED

10+ combination

6/19/19

SUSSEX COUNTY PLANNING & ZONING COMMISSION

PROPOSED COMBINATION OF LANDS BOUNDARY SURVEY PLAN FOR

MATTHEW C. & MINDY H. HETE

TOTAL AREA: 54,422 SQ. FT.

34360 POSTAL LANE, LEWES

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

JUNE 11, 2019 SCALE: 1" = 40'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302 226 2229 phone

302 226 2239 fax

2103A Coastal Highway

Dewey Beach, DE 19971

TAX MAP #: 3-34 6.00 685.01
PREPARED BY & RETURN TO:
Hudson Jones Jaywork & Fisher
309 Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. HETE-P-17/CCM

BK: 4784 PG: 253

THIS DEED, made this 11th day of October, 2017,

- BETWEEN -

SANDRA LEE FOWLER. NOW KNOWN AS SANDRA ST. GERMAIN, of 3206 Old York Road, White Hall, MD 21161, party of the first part,

- AND -

MATTHEW C. HETE and **MINDY H. HETE**, of 45 Kings Creek Circle, Rehoboth Beach, DE 19971, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, parties of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **TEN DOLLARS (\$10.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain tract, piece and parcel of land, situate, lying and being in Lewes and Rehoboth Hundred, Sussex County and State of Delaware, and lying on the Southeasterly right-of-way line of Highway #283, and more particularly described in a survey by Coast Survey, Inc. dated January 3, 1994, as follows, to wit:

BEGINNING at an iron pipe set on the southeasterly right-of-way line of County Road #283 (50' R/W), a corner for this parcel and lands now of formerly of Sarah A. Hill; thence by and with the right-of-way of County Road #283, N 59° 50' 38" E 150 feet to an iron pipe set; thence S 30° 09' 22" E 217.80 feet to an iron pipe set; thence S 59° 50' 38" W 150.00 feet to an iron pipe set, a corner for this parcel and lands now or formerly of Sandra A. Hill; thence by and with the lands now or formerly of Sarah A. Hill, N 30° 09' 22" W 217.80 feet home to the place of beginning, containing 0.75 acres more or less.

BEING the same property conveyed to Mary Ann Foxwell from Heirs of Marian A. Waldron, namely, Blanche A. Warrington, Wayne Aydelotte, Constance Hettrich, William L. Hill II, and Sandra H. Curtin, by Deed dated January 19, 1994, and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware on January 25, 1994, in Deed Book 1958, Page 299.

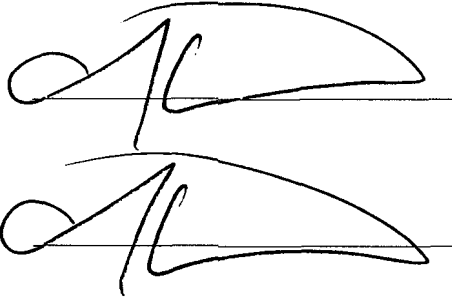
SUBSEQUENTLY the said Mary Ann Foxwell departed this life, Testate, on or about December 20, 2008, and pursuant to Article V of the Last Will and Testament of Mary Ann Foxwell dated October 13, 2009, said property was devised unto Edwin C. Power, as to a Life Estate.


SUBSEQUENTLY the said Life Estate of Edwin C. Power was terminated pursuant to Renunciation of Life Estate dated February 20, 2017, and recorded March 3, 2017, in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Book 4673, Page 87. Pursuant to Article V of the Last Will and Testament of Mary Ann Foxwell dated October 13, 2009, upon termination of the Life Estate of Edwin C. Power, said property shall descend unto her daughter, Sandra Lee Fowler. Sandra Lee Fowler is now known as Sandra St. Germain.

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 party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of:



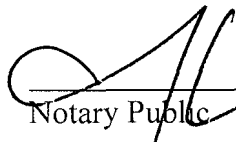
 (SEAL)
Sandra Lee Fowler, now known as Sandra St. Germain

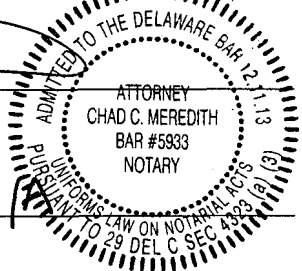
 (SEAL)
Sandra St. Germain f/k/a Sandra Lee Fowler

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on October 11, 2017, personally came before me, the subscriber, Sandra Lee Fowler, now known as Sandra St. Germain, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed.

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


Notary Public

My Commission Expires:  N/A

Consideration: 262,760.00

County	3,941.40
State	6,569.00
Town	10,510.40
Total	21,020.80

Received: Sue D Oct 16, 2017

Recorder of Deeds
Scott Dailey
Oct 16, 2017 01:08P
Sussex County
Doc. Surcharge Paid

RECEIVED
Oct 16, 2017
ASSESSMENT DIVISION
OF SUSSEX COUNTY

TAX MAP #: 3-34 6.00 686.00
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher
309 Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. HETE-P-18/CCM

BK: 4887 PG: 134

THIS DEED, made this 14th day of May, 2018,

- BETWEEN -

LIZZYCORP, LLC, a Delaware Limited Liability Company, of 3019 Macomb Street, NW, Washington, DC 20008, party of the first part,

- AND -

MATTHEW C. HETE and **MINDY H. HETE**, of 45 Kings Creek Circle, Rehoboth Beach, DE 19971, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, parties of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **TEN DOLLARS (\$10.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

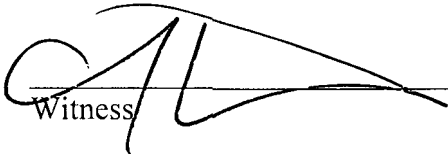
ALL that certain lot, piece or parcel of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex County, State of Delaware, and lying on the Southeasterly right of way line of County Road No. 283 (Postal Lane) and being more particularly described as follows to wit:

BEGINNING at a 3/4" pipe found along the Southeasterly right-of-way line of County Road No. 283 (Postal Lane), said point of beginning being a corner for these lands and lands now or formerly of Mary Ann Foxwell; thence from said point of beginning and with the line of lands of Foxwell, South 30 degrees 02 minutes 26 seconds East 217.66 feet to a 3/4" pipe found, a corner for these lands, lands of Foxwell and in line of lands now or formerly of Blanche Warrington; thence turning and running with the line of lands of Warrington, South 59 degrees 58 minutes 05 seconds West 99.76 feet to a 3/4" pipe found; thence turning and running with the line of lands now or formerly of Robert L. Ritter, North 30 degrees 09 minutes 22 seconds West 217.67 feet to a concrete monument found along the Southeasterly right-of-way line of County Road No. 283 (Postal Lane); thence turning and running with said right-of-way, North 59 degrees 58 minutes 19 seconds East 100.20 feet to the point and place of beginning, said to contain 21,762 square feet of land, be the same more or less, as surveyed by Simpler Surveying & Associate, March 31, 2004, which survey is of record in the Office of the Recorder of Deeds for Sussex County in Deed Book 2962, Page 341.


BEING the same property conveyed to Lizzycorp, LLC from Land Holding, LLC, by Deed dated June 20, 2012, and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware on June 22, 2012, in Deed Book 4012, Page 253.

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 said Lizzycorp, LLC, a Delaware limited liability company, has caused its name to be hereunto set under seal by Steven Himmelfarb, Sole Member of Lizzycorp, LLC, the day and year first above written.


Witness

LIZZYCORP, LLC

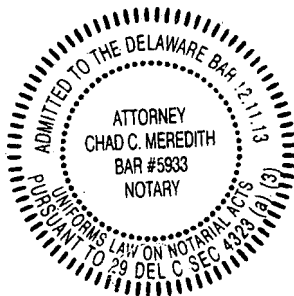
By:  (SEAL)
Steven Himmelfarb, Sole Member

Recorder of Deeds
Scott Dailey
May 16, 2018 02:08P
Sussex County
Doc. Surcharge Paid

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 14th day of May, A.D. 2018, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Steven Himmelfarb, Sole Member of Lizzycorp, LLC, a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said limited liability company; that the signature of the Sole Member is in his own proper handwriting and by his authority to act; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by a resolution of the limited liability company.

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




Notary Public

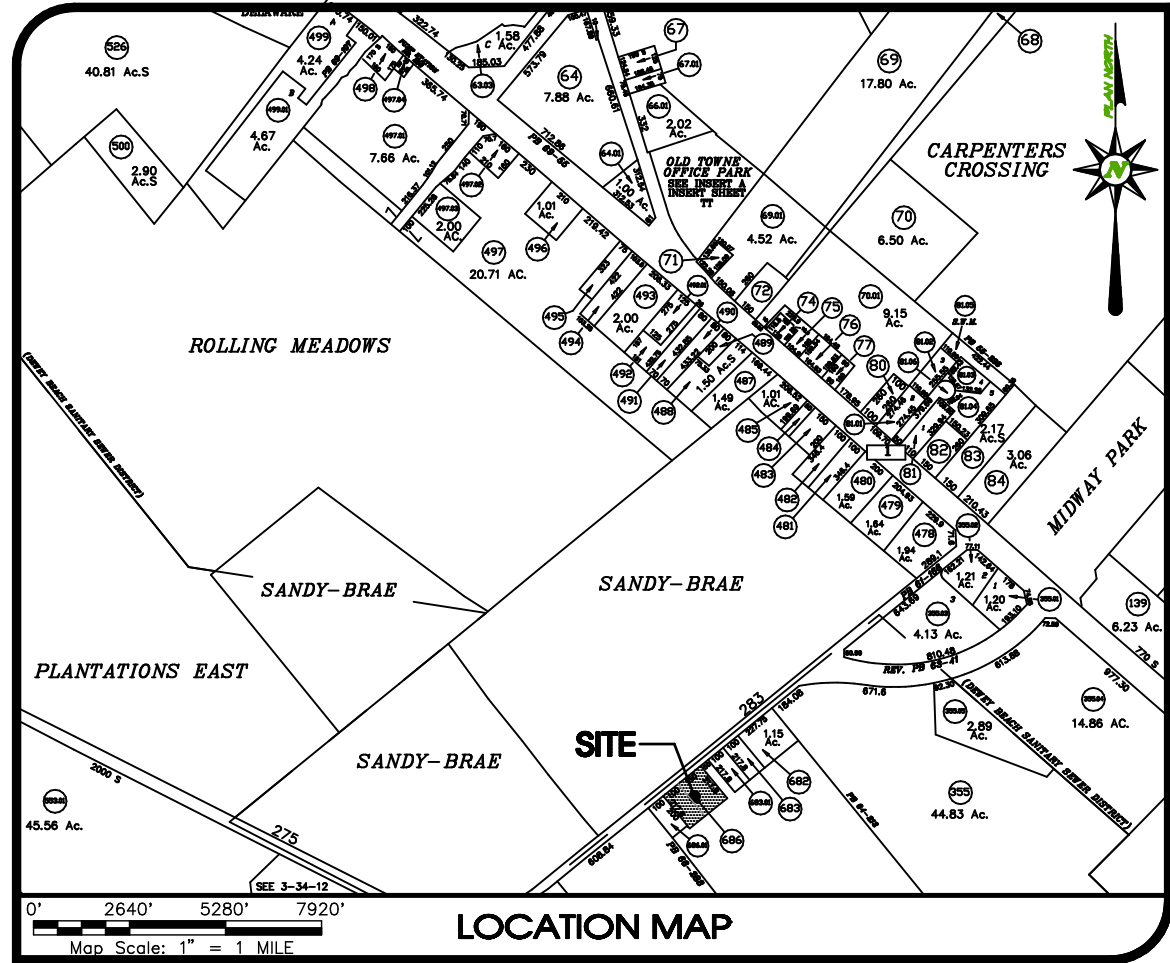
My Commission Expires: N/A

Consideration: 80,000.00

County	1,200.00
State	2,000.00
Town	Total 3,200.00

Received: Brittany B May 16, 2018

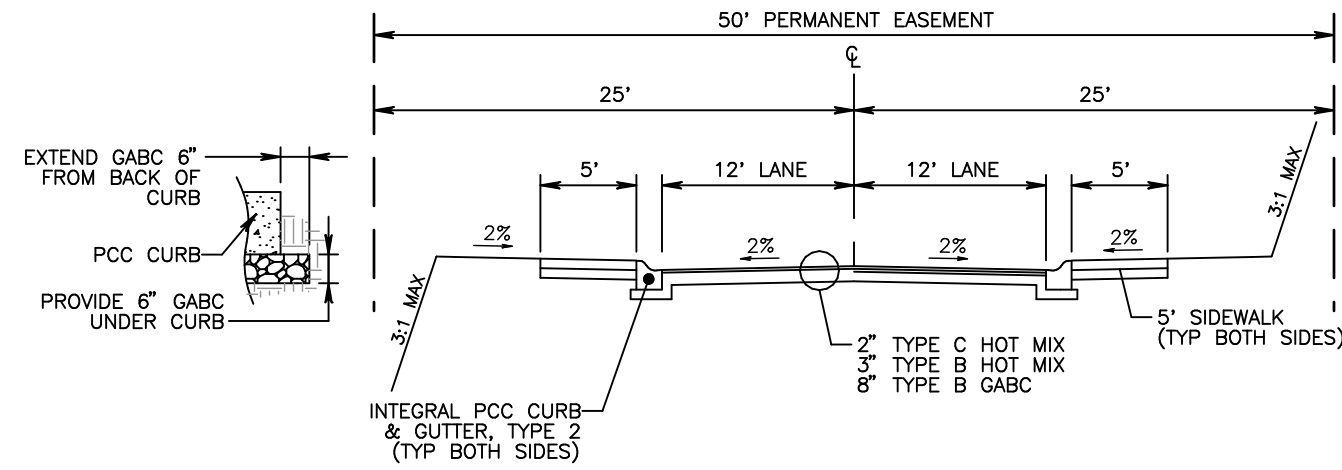
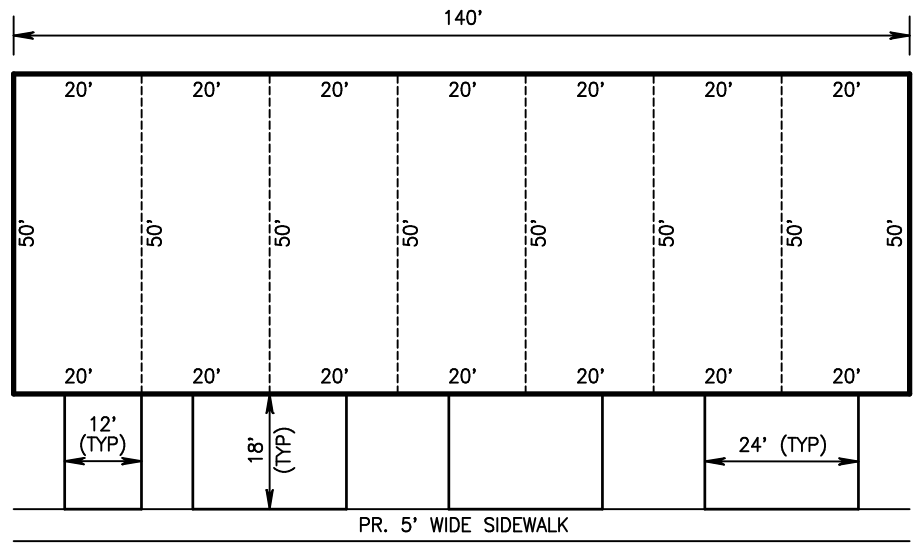
RECEIVED
May 16, 2018
ASSESSMENT DIVISION
OF SUSSEX COUNTY



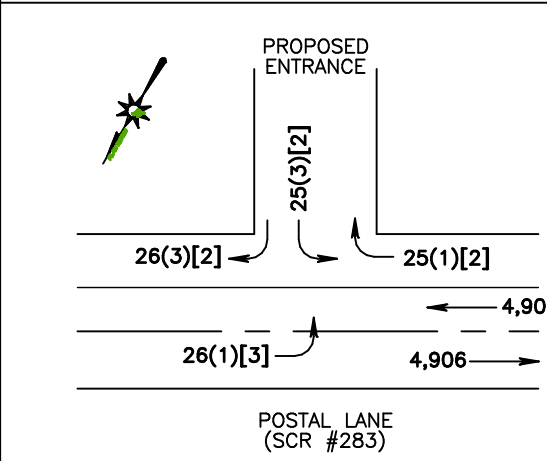
SITE DATA and ZONING SCHEDULE

TAX PARCEL No.:	334-6.00-686.00	
PROPERTY ADDRESS:	34360 POSTAL LANE LEWES, DE 19958	
EXISTING SITE USE:	RESIDENTIAL DWELLING	
PROPOSED SITE USE:	14-UNIT, MULTI-FAMILY DWELLING DEVELOPMENT	
CURRENT ZONING DISTRICT:	AR-1 (AGRICULTURAL RESIDENTIAL)	
PROPOSED ZONING DISTRICT:	MR (MEDIUM RESIDENTIAL)	
ORDINANCE ITEM	REQUIREMENT:	PROVIDED:
MINIMUM LOT AREA	10,000 Sq. Ft.	54,422 Sq. Ft.
MINIMUM LOT WIDTH	75 Ft.	249.76 Ft.
MINIMUM LOT DEPTH	100 Ft.	217.67 Ft.
MINIMUM SETBACKS:		
FRONT	40 Ft.	40 Ft.
SIDE	10 Ft.	10 Ft.
REAR	10 Ft.	10 Ft.
MAXIMUM BUILDING HEIGHT	42 Ft./3 Stories	42 Ft./3 Stories
MINIMUM BUILDING SEPARATION	40 Ft.	40 Ft.
PARKING SPACE QTY. (RESIDENTIAL USE)	2 SPACES/ DWELLING UNIT = 28	28 Spaces (incl. garage)
SEWER SERVICE	SUSSEX COUNTY	
WATER SERVICE	TIDEWATER UTILITIES	
PROPERTY OWNER		
LANDS OF HETE4, LLC 45 KINGS CREEK CIRCLE REHOBOTH BEACH, DE 19971 (302) 344-988		

PROPERTY AREA	54,422 S.F.
ROADWAY AREA (including curb, sidewalk):	8,121 S.F. (14.9%)
DRIVEWAY AREA:	3,024 S.F. (5.6%)
DWELLING AREA:	14,000 S.F. (25.7%)
OPEN SPACE AREA:	29,277 S.F. (53.8%)
PROPOSED GROSS DENSITY:	11.21 Units/Ac.



TRIP GENERATION - POSTAL LANE (SCR #283)
(FULL MOVEMENT)



ROAD TRAFFIC DATA:

FUNCTIONAL CLASSIFICATION - 5283 (POSTAL LANE) - LOCAL
POSTED SPEED LIMIT - 30 MPH
ADT = 9,812 TRIPS (FROM 2018 DELDOT TRAFFIC SUMMARY)
10-YR PROJECTED ADT = 11,948 x 9,812 TRIPS = 11,284 TRIPS
10-YR PROJECTED ADT + SITE ADT = 11,433 TRIPS
TRAFFIC PATTERN GROUP - 4 (FROM 2018 DELDOT TRAFFIC SUMMARY)
PEAK HOUR = 10% x 9,812 = 982 TRIPS

SITE TRIPS GENERATED:

SOURCE: ITE TRIP GENERATION MANUAL 10th EDITION
(220) MULTI-FAMILY HOUSING (LOW RISE)
ONE ENTRANCE - FULL MOVEMENT
DESIGN VEHICLE: SU-30
14 TOWNHOUSE UNITS
WEEKDAY = 102 TRIPS (51 IN/51 OUT)
AM PEAK = 8 TRIP (2 IN/6 OUT)
PM PEAK = 9 TRIP (5 IN/4 OUT)
TOTAL ADT FOR DEVELOPMENT (WEEKDAY) = 102 TRIPS
DIRECTIONAL DISTRIBUTION:
52% TO AND FROM THE NORTHEAST: 52 TRIPS
(4 A.M. PEAK) [5 P.M. PEAK]
48% TO AND FROM THE SOUTHWEST: 50 TRIPS
(4 A.M. PEAK) [4 P.M. PEAK]
5% TRUCKS x 102 = 6 TRIPS

GENERAL NOTES

- THE PROJECT SITE IS KNOWN AS LANDS OF HETE4, LLC, (T.P. 334-6.00-686.00), AND IS LOCATED 110' NORTHEAST OF THE POSTAL LANE (SCR283) AND MAPLE DRIVE INTERSECTION IN LEWES, DE.
- THE PROPERTY BOUNDS AND EXISTING FEATURES INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY FORESIGHT SURVEY SERVICES.
- THE PROPOSED DEVELOPMENT STREETS ARE TO BE PRIVATE AND MAINTAINED BY THE DEVELOPER/PROPERTY OWNER UNTIL A HOMEOWNERS ASSOCIATION IS ESTABLISHED TO PROVIDE FOR PROPER MAINTENANCE OF THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- ALL PROPOSED STORMWATER MANAGEMENT FACILITIES ARE TO BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNERS ASSOCIATION CAN PROVIDE FOR SAID MAINTENANCE.
- THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
- THE CONTRACTOR SHALL ENSURE THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED PRIOR TO COMMENCEMENT OF ANY SITE CONSTRUCTION ACTIVITIES.
- ALL CONTRACTORS WORKING ON THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS OF THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK (LATEST EDITION).
- CONSTRUCTION MATERIALS AND PROCEDURES SHALL FOLLOW THE SUSSEX COUNTY ENGINEERING DEPARTMENT SPECIFICATIONS AND STANDARD DRAWINGS (LATEST EDITION).
- EXISTING SUBSURFACE UTILITY INFORMATION INDICATED IS BASED UPON VISUAL FIELD INSPECTION BY FORESIGHT SURVEY SERVICES. SUCH INFORMATION CONCERNING THE SIZE, LOCATION, DEPTH, QUANTITY, ETC. OF SUBSURFACE UTILITIES IS APPROXIMATE IN NATURE AND HAS BEEN OBTAINED AS AN AID IN THE PROJECT DESIGN. THE INFORMATION PROVIDED IS REPRESENTATIVE OF SUBSURFACE CONDITIONS ONLY AT LOCATIONS AND DEPTHS WHERE SUCH INFORMATION WAS OBTAINED. THERE IS NO EXPRESSED OR IMPLIED AGREEMENT THAT UTILITY SIZE, LOCATION, DEPTH, QUANTITY, ETC. AS SHOWN EXISTS BETWEEN EXPLORED LOCATIONS. ACCORDINGLY, UTILITY INFORMATION SHOWN SHOULD NOT BE RELIED UPON FOR CONSTRUCTION PURPOSES. IT IS INCUMBENT UPON THE CONTRACTOR TO VERIFY THE SIZE, LOCATION, DEPTH, QUANTITY, ETC. OF ALL UTILITIES BEFORE EXCAVATION.
- BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 100029 0332 K, MAP NUMBER 10050C0332K, DATED MARCH 16, 2015, THE SUBJECT PROPERTY IS LOCATED IN A ZONE "X" UNSHADED WHICH IS AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- NO STATE OR FEDERAL JURISDICTIONAL WETLANDS ARE LOCATED WITHIN THE PROPERTY BOUNDS.
- ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
- IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS PART V, CHAPTER 4, SECTION 4-1.1, THE DEVELOPER SHALL PROVIDE, TO THE EMERGENCY DISPATCH CENTER HAVING JURISDICTION, A PLOT PLAN OF THE DEVELOPMENT SHOWING EACH DWELLING LOCATION. THE DEVELOPER SHALL ALSO ASSIGN NUMBERS TO ALL DWELLINGS IN A CONSECUTIVE MANNER AND HAVE PLACED THE ASSIGNED NUMBER IN A READILY VISIBLE LOCATION ON EACH DWELLING TO ELIMINATE CONFUSION IN THE EVENT THAT AN EMERGENCY VEHICLE IS NEEDED.
- ALL PROPOSED LANDSCAPE BUFFERS ARE TO BE MAINTAINED BY THE PROPERTY OWNER/DEVELOPER UNTIL SUCH TIME AS A HOMEOWNERS ASSOCIATION CAN PROVIDE FOR SAID MAINTENANCE.
- PROPOSED BUILDING TYPE IS NFPA (V000).
- THE PROPOSED SIGNAGE DEPICTED ON THE PLAN IS INDICATIVE ONLY. SEPARATE APPLICATIONS SHALL BE REQUIRED FOR ALL SIGNAGE.

RECORD PLAN NOTES

REVISED AUGUST 21, 2019

- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.
- NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 -131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- THE SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION, THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SHARED-USE PATH.
- DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
- TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STOPPED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.

SOILS DATA

SOILS MAPPED FROM <https://websoilsurvey.sc.egov.usda.gov>

Soils Name	Slopes	Hydric Soils Group
GrA Greenwich loam	0 to 2 percent slopes	B
GuB Greenwich-Urban land complex	0 to 5 percent slopes	B

PLANNING COMMISSION CERTIFICATE

RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF SUSSEX COUNTY ON THIS _____ DAY OF _____ 20____.

SECRETARY (ATTEST) _____

RECOMMENDED FOR APPROVAL BY THE SUSSEX COUNTY COUNCIL ON THIS _____ DAY OF _____ 20____.

PRESIDENT _____

OWNER CERTIFICATE

I HEREBY CERTIFY THAT I AM THE EQUITABLE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

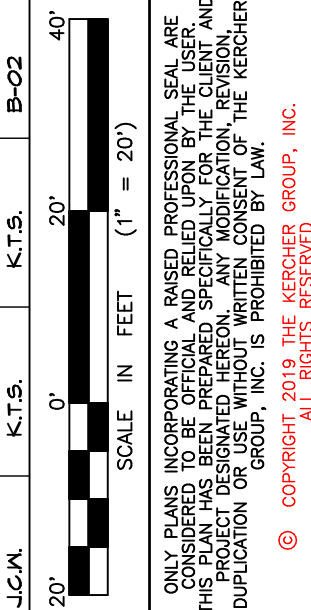
MATTHEW C. HETE
LANDS OF HETE4, LLC
45 KINGS CREEK CIRCLE
REHOBOTH BEACH, DE 19971
Phone: (302) 344-9888
Email: mchete@msn.com

DATE

REVISIONS

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE ORDINANCES OF SUSSEX COUNTY AND THE LAWS OF THE STATE OF DELAWARE.

DESIGN PROFESSIONAL DATE



OWNER/APPLICANT: LANDS OF HETE4, LLC
REHOBOTH BEACH, DE 19971
Email: mchete@msn.com

PARCEL INFORMATION: Tax Parcel No. 334-6.00-686.00
PROPERTY AREA: 54,422 s.f. (1.249 Ac.)

PRELIMINARY PLAN (Not To Be Recorded)
RECORD PLAN
LANDS OF HETE4, LLC
LEWES & REHOBOTH HUNDRED - SUSSEX COUNTY - DELAWARE

THE KERCHER GROUP, INC.
CONSULTING • SYSTEMS • ENGINEERING
37585 REHOBOTH AVE. UNIT 11 - REHOBOTH BEACH, DELAWARE 19971
302.854.9062 (Voice) 302.854.9064 (Fax) www.kerchergroup.com

JOB No: 19-1001ES

PLAN DATE: Nov. 21, 2019

SHEET No.:

S1



Lands of Hete4, LLC

Rolling Meadows

Plantations East

Bob Evans

Heritage Inn

Midway Shopping Center

Sandy Brae

Pelican Square

American Classic Gold Club

Lands of Hete4, LLC

Tanger Outlets - Surfside

The Plantations

Heritage Village

Aydelotte Estates

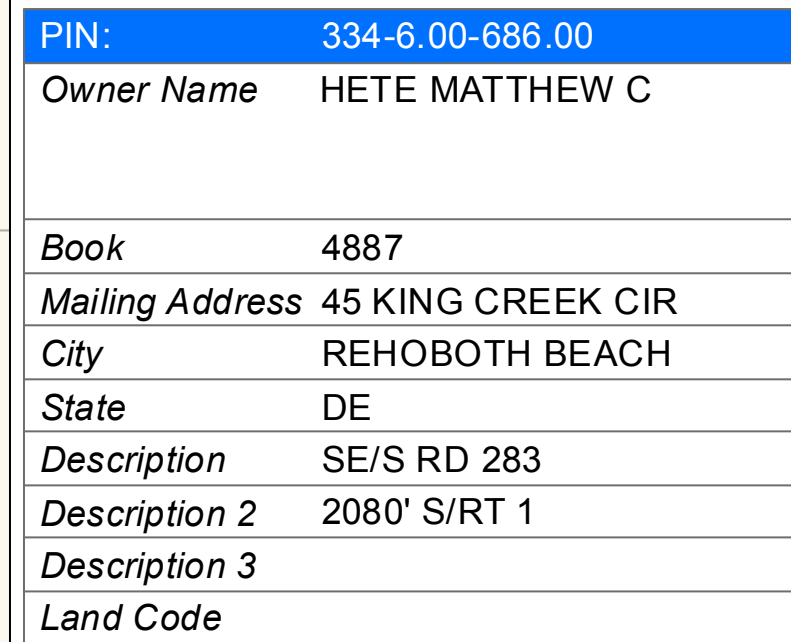
Cedar Grove























Maplewood

Woods Cove

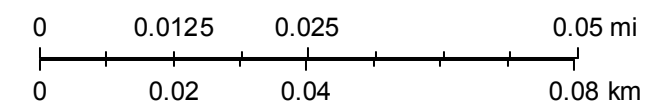
Summercrest

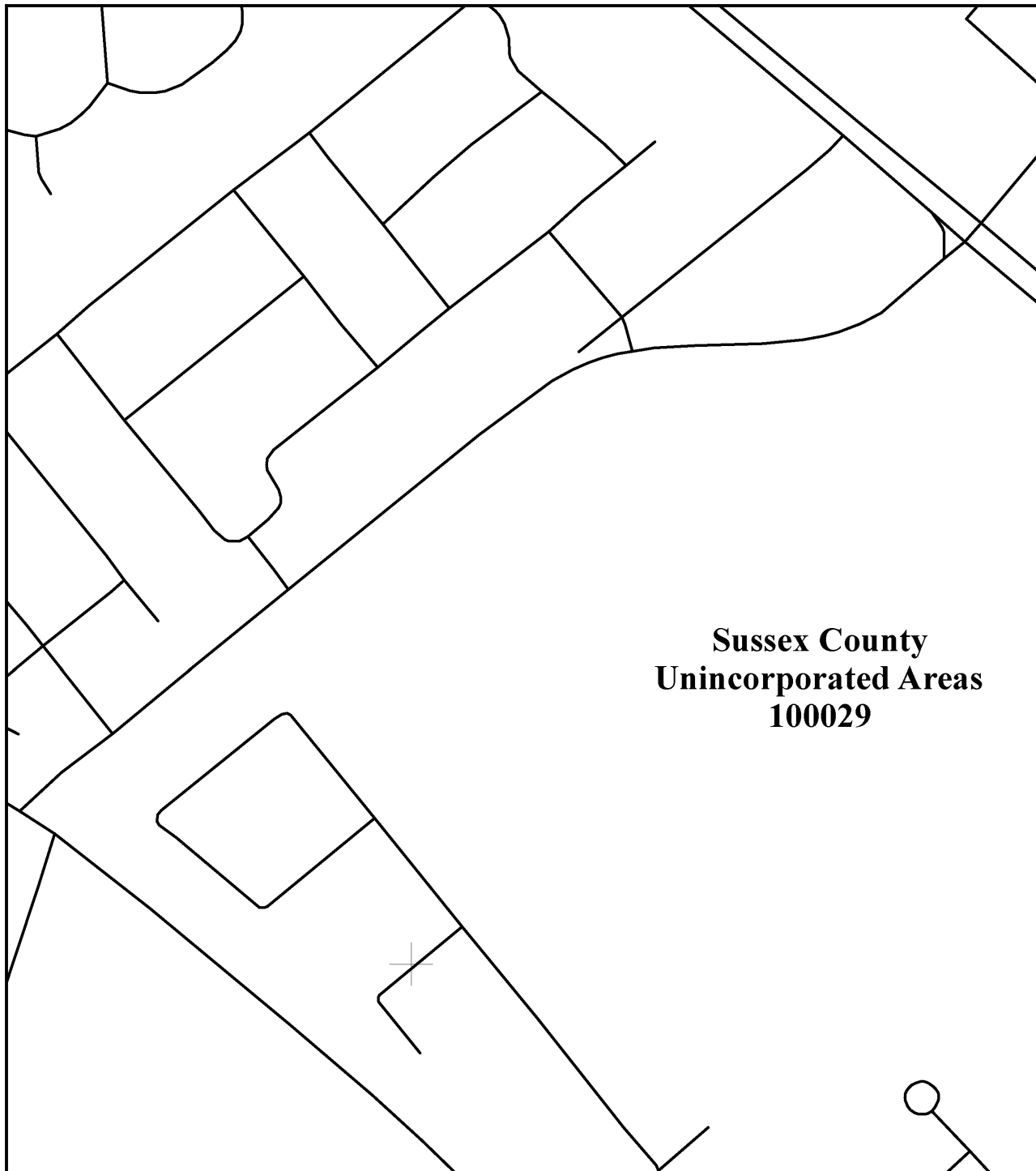




- | | | | |
|---|---------------------|---|----------------------------|
| polygonLayer | |  | Extent of Right-of-Way |
| | Override 1 |  | Approx. Watershed Boundary |
| polygonLayer | | Sussex_Co | |
| | Override 1 |  | Depression Index |
|  | Tax Parcels |  | Depression Intermediate |
| | 911 Address |  | Normal Index |
|  | Streets |  | Normal Intermediate |
|  | Hundred Boundaries | Major Routes | |
|  | District Boundaries |  | Interstate |
| Map Grid | |  | State |
|  | Subzone |  | United States |
|  | Zone |  | Rail Lines |
| | Map Index |  | Public Protected Lands |
| Tax Ditch Segments | | | Geographic Names |
|  | Tax Ditch Channel |  | Communities |
|  | Pond Feature |  | Municipal Boundaries |
|  | Special Access ROW | | |

1:1,128

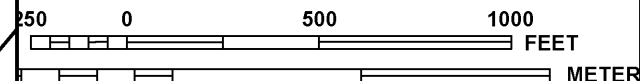




**Sussex County
Unincorporated Areas
100029**



MAP SCALE 1" = 500'



NFP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0332K

FIRM

FLOOD INSURANCE RATE MAP

**SUSSEX COUNTY,
DELAWARE
AND INCORPORATED AREAS**

PANEL 332 OF 660

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>	<u>PANEL</u>	<u>SUFFIX</u>
SUSSEX COUNTY	100029	0332	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
10005C0332K**

**MAP REVISED
MARCH 16, 2015**

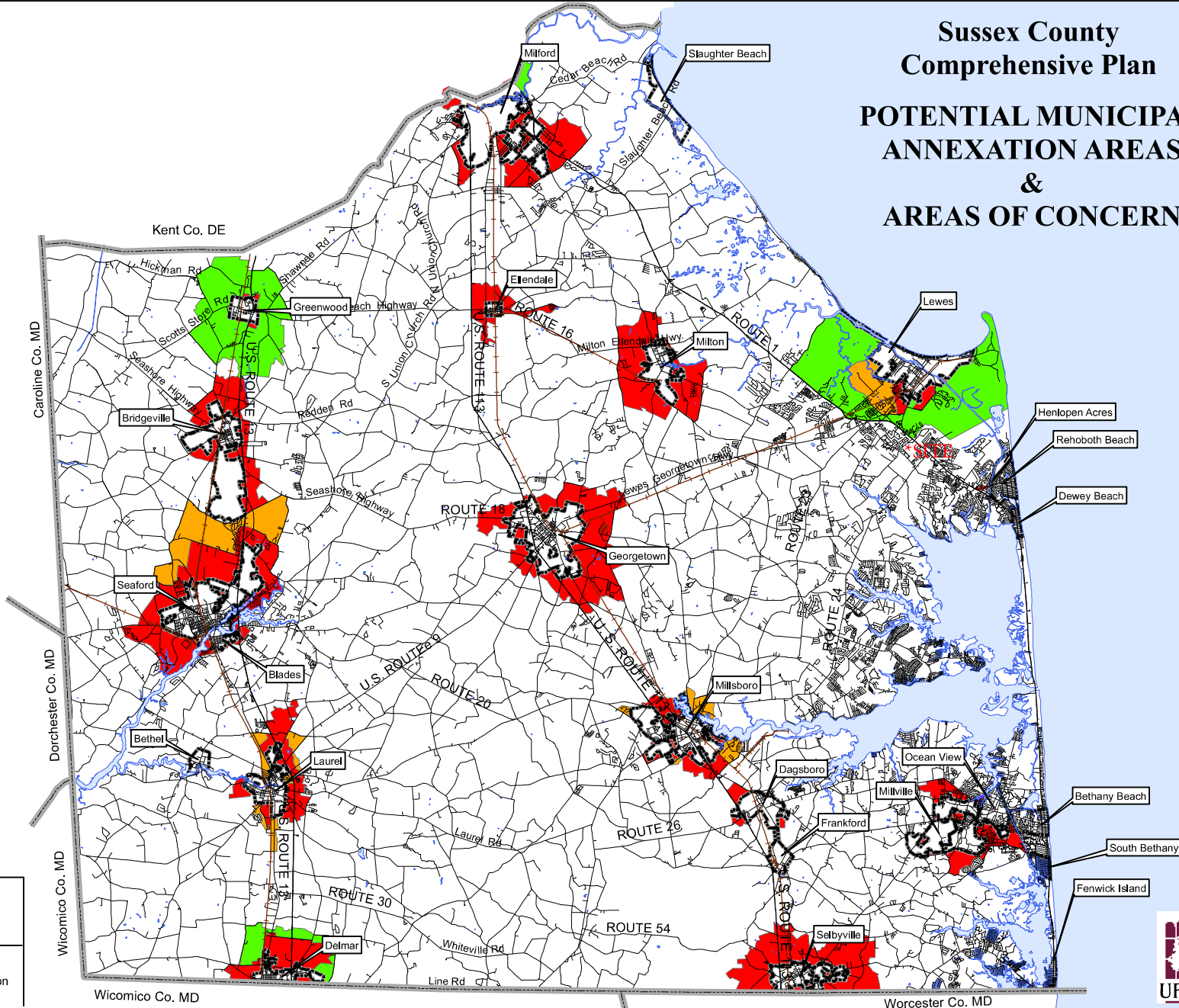
Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Sussex County Comprehensive Plan

POTENTIAL MUNICIPAL ANNEXATION AREAS & AREAS OF CONCERN

- Short Term Annexation Area
- Long Term Annexation Area
- Joint Annexation Area
(Being Considered by Two Different Towns)
- Area of Concern



0 9,000 18,000 36,000
Feet
1 inch equals 18,000 feet



Base Map Provided By:
Sussex County
Mapping Department










Sources:
DNREC
DE Office of State Planning Coordination
Sussex County Mapping Department



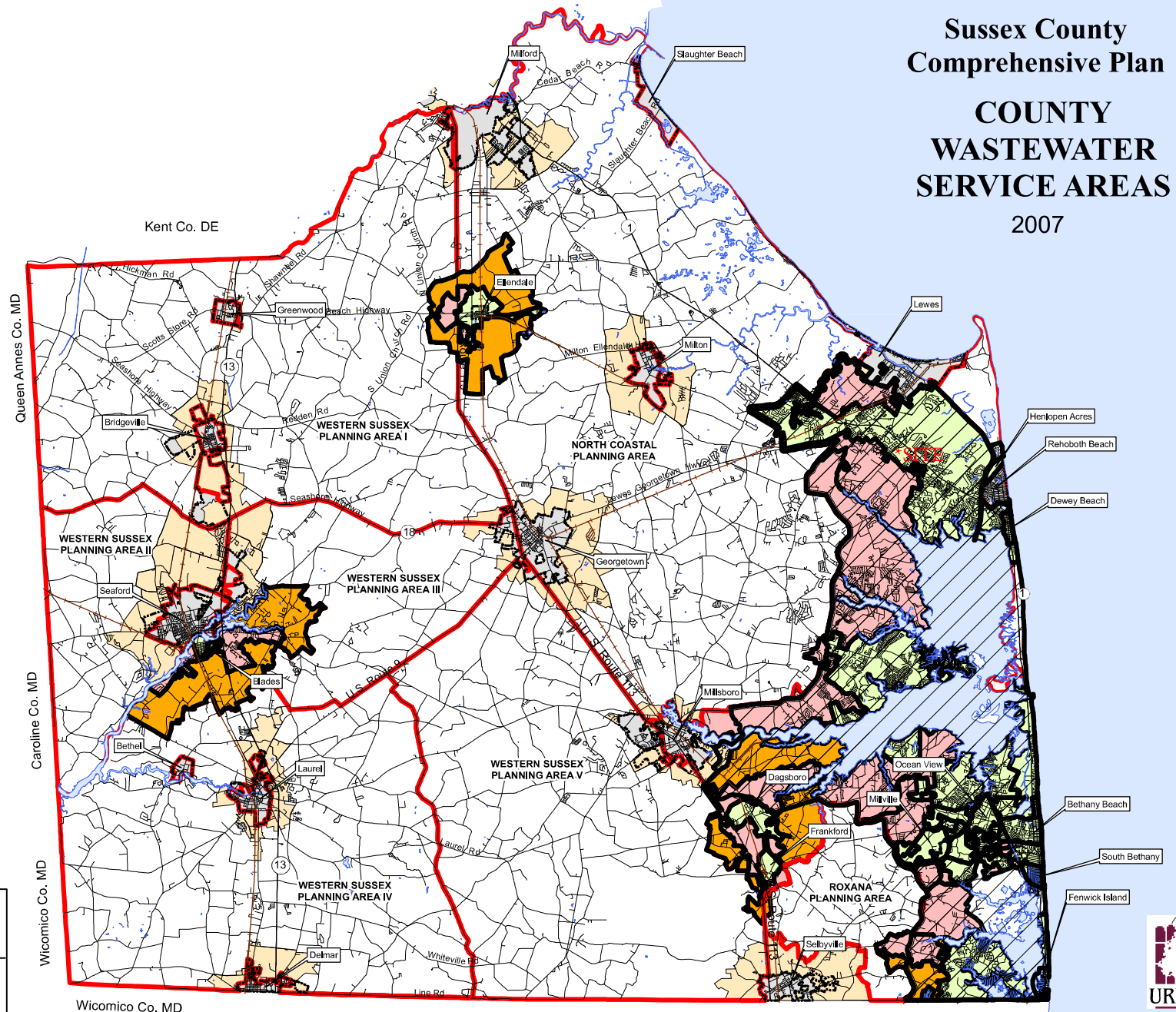
Sussex County Comprehensive Plan

COUNTY WASTEWATER SERVICE AREAS

2007

-  Environmentally Sensitive Development Area (ESDA)
-  Roads
-  Boundaries of Sewer Planning Areas
-  Existing County Sewer Districts
-  Primary County Service Areas
-  Secondary County Service Areas
-  Unclassified Service Areas
-  Town/City Potential Annexation Areas (intended to be eventually served by Town/City in most cases.)
-  Municipal Boundaries

Please see text for planning area and service area definitions.



0 9,000 18,000 36,000
Feet
1 inch equals 18,000 feet



Base Map Provided By: Sussex County Mapping Department
Sources: Sussex County Engineering Department



Sussex County Comprehensive Plan DEVELOPED & PROTECTED LANDS

Developed Lands

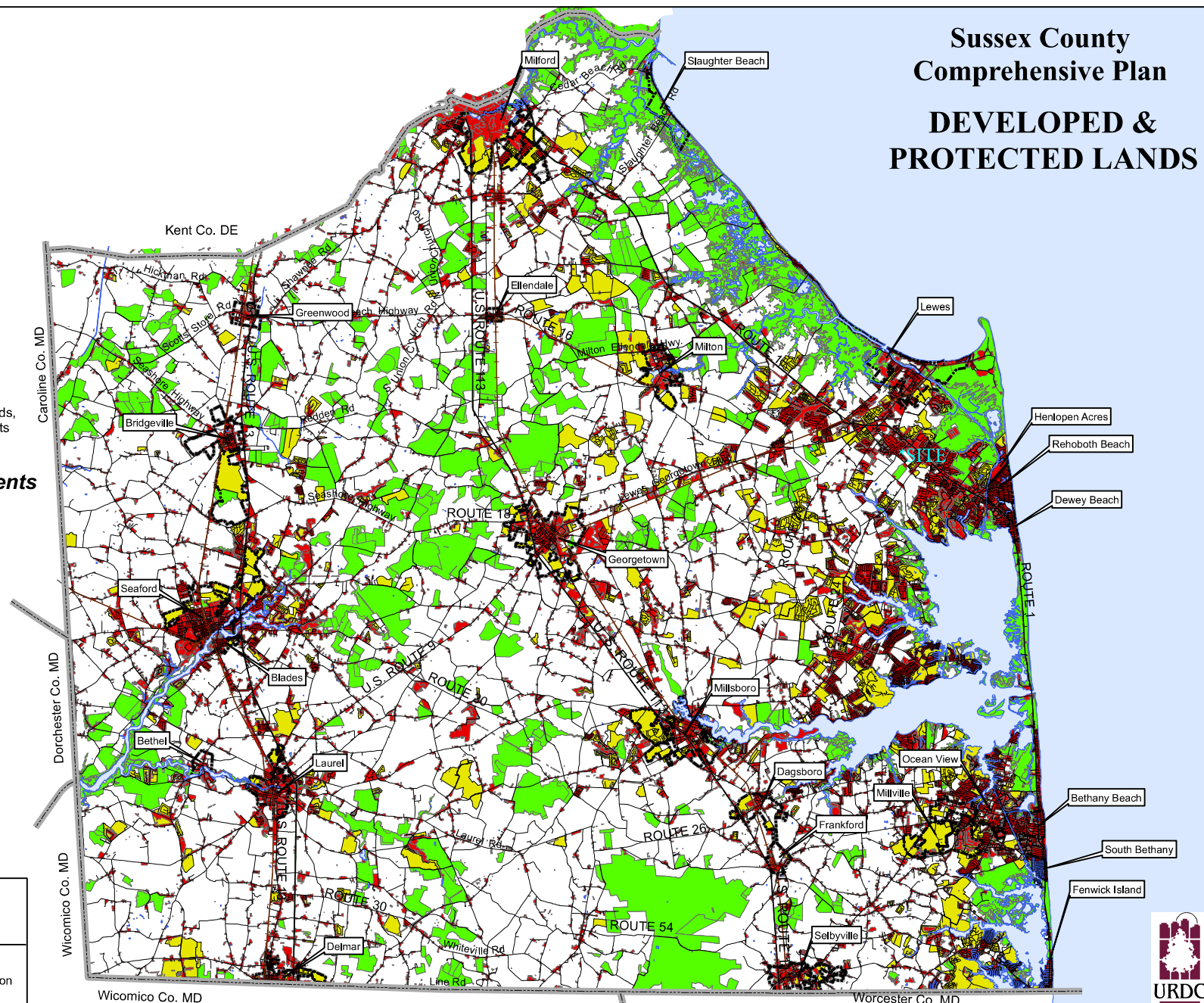
All existing residential and non-residential development

Protected Lands

All Federal lands, State lands, agricultural easements, private conservancy lands, major wetlands, and lands preserved by other conservation easements

Major Proposed Developments

All sites submitted for State PLUS review (proposed residential developments of 50 units or more, plus proposed non-residential developments of 75,000 square feet or more).

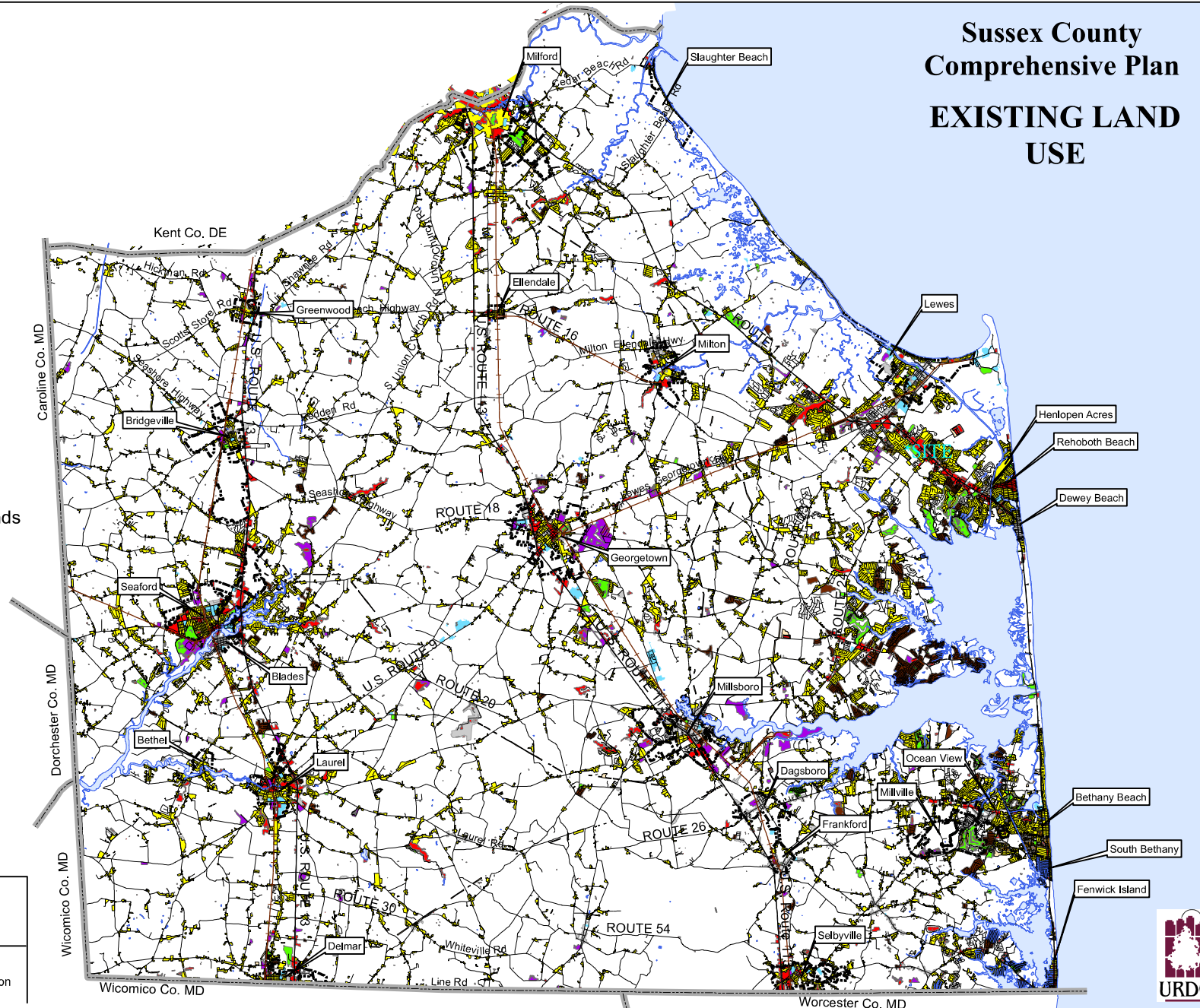


Base Map Provided By:
Sussex County
Mapping Department

Sources:
DNREC
DE Office of State Planning Coordination
Sussex County Mapping Department

Sussex County Comprehensive Plan EXISTING LAND USE

- Single-Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Institutional
- Mixed Use
- Agricultural & Undeveloped Lands
- Recreation
- Utilities

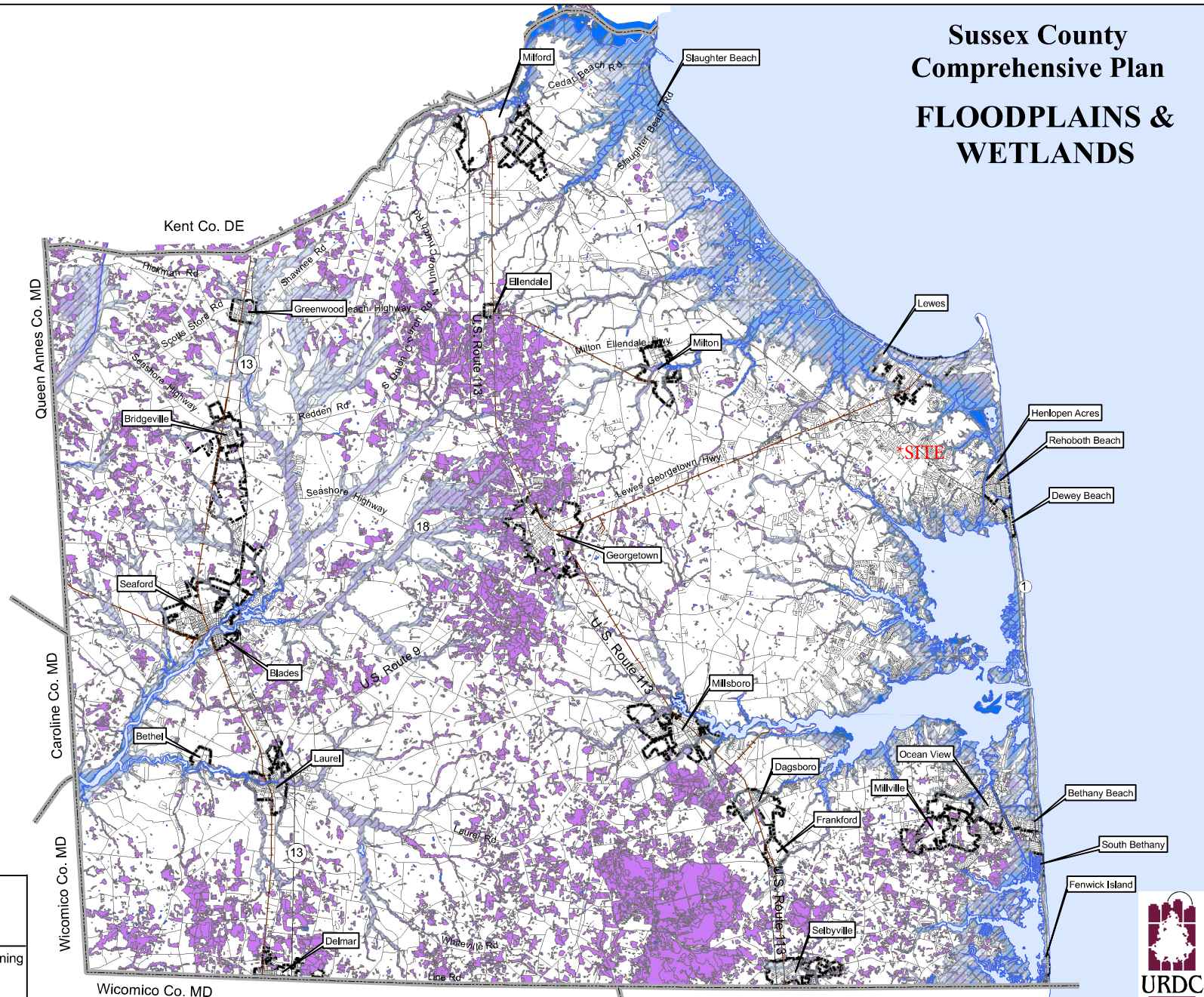


Base Map Provided By:
Sussex County
Mapping Department

Sources:
DNREC
DE Office of State Planning Coordination
Sussex County Mapping Department

Sussex County Comprehensive Plan FLOODPLAINS & WETLANDS

-  **100 Year Floodplains**
-  **Tidal Wetlands**
-  **Non-tidal Wetlands**



0 9,000 18,000 36,000
Feet
1 inch equals 18,000 feet



Base Map Provided By: Sussex County Mapping Department
Source: DNREC; DE Office of Planning
Sussex Co. Mapping Dept.






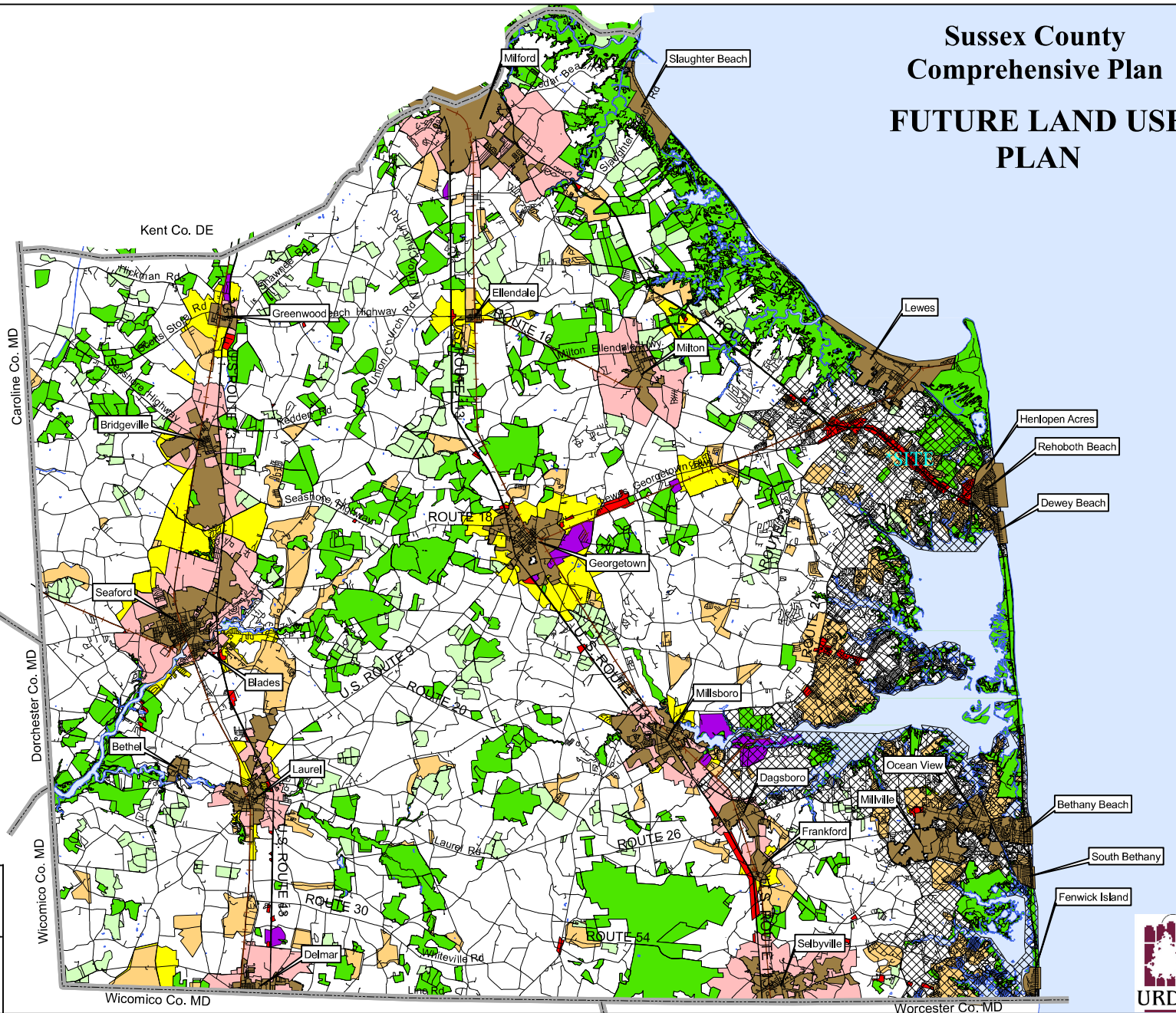
Sussex County Comprehensive Plan FUTURE LAND USE PLAN

Growth Areas

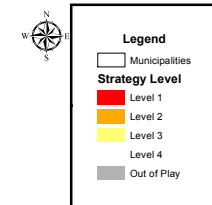
-  Municipality
-  Town Center
-  Developing Area
-  Environmentally Sensitive Developing Area
-  Mixed Residential Areas
-  Highway Commercial Areas
-  Planned Industrial Areas

Rural Areas

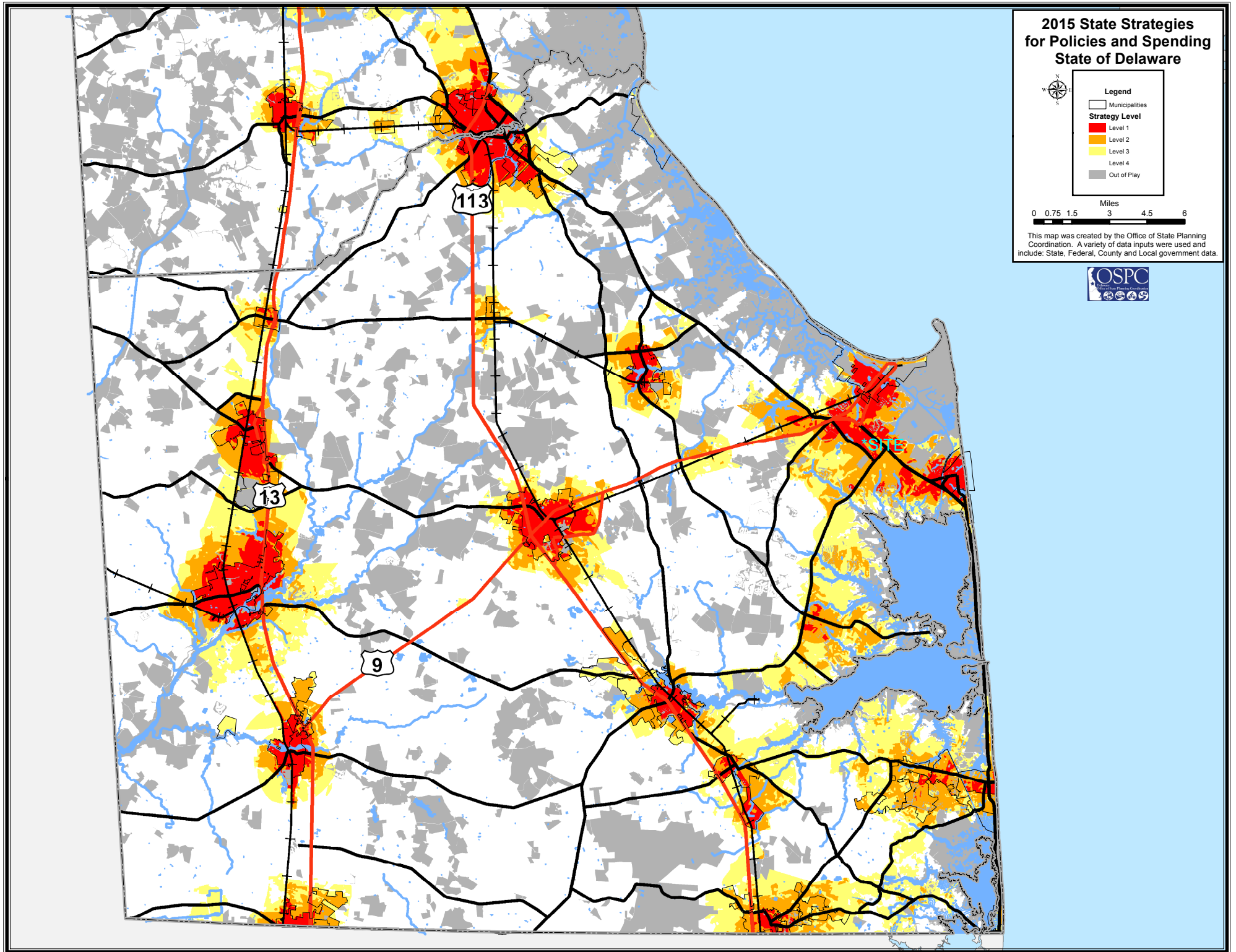
-  Low Density Area
-  Protected Lands
(All Federal lands, State lands, agricultural easements, private conservancy lands, major wetlands and lands preserved by other conservation easements)
-  Agricultural Preservation Districts Under the State Program
(A voluntary program. Only a very limited number of homes allowed on a tract under State regulations during the time of an agreement. Participating landowners are eligible to sell development rights to the State.)



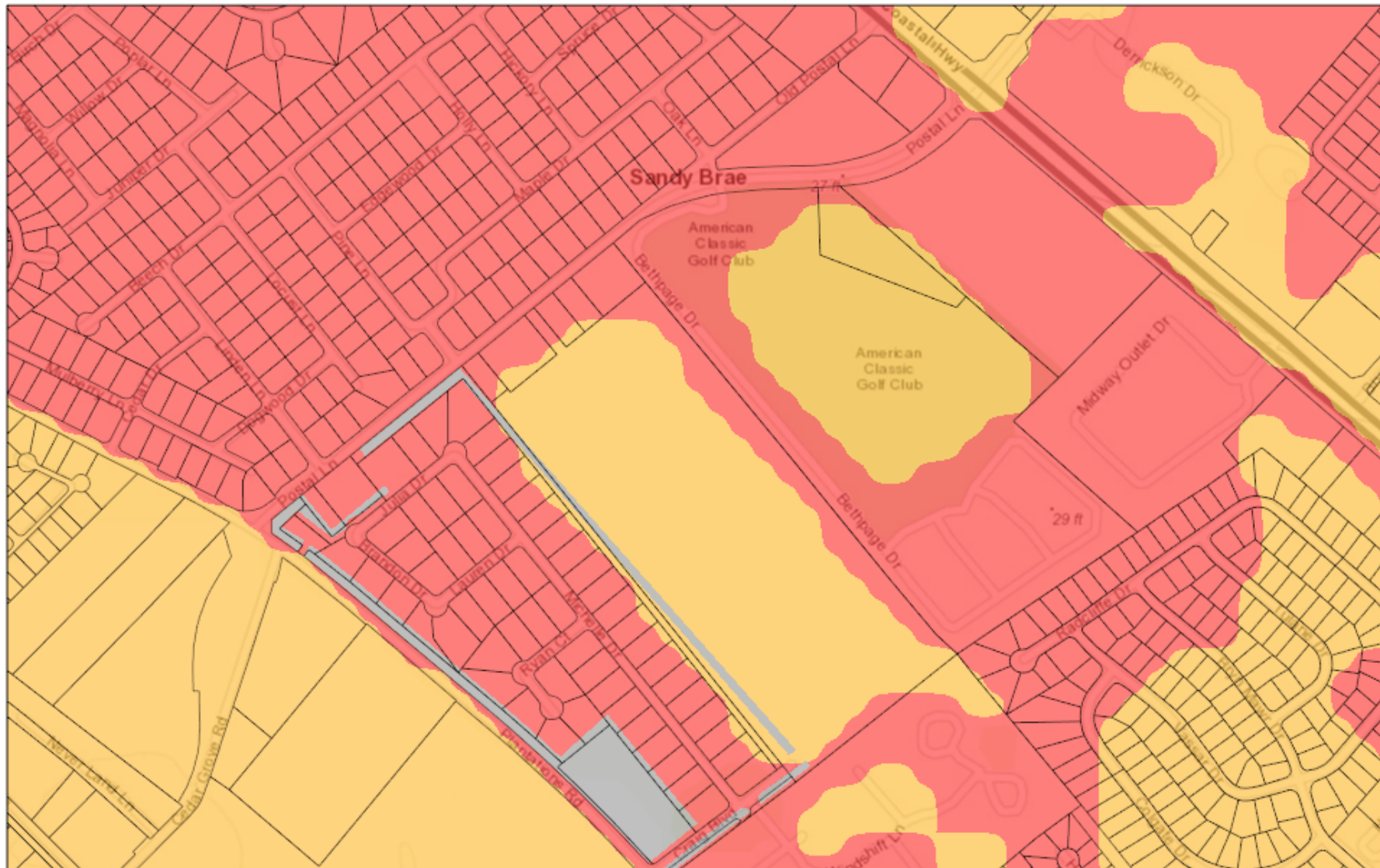
2015 State Strategies for Policies and Spending State of Delaware



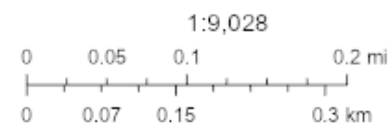
This map was created by the Office of State Planning
Coordination. A variety of data inputs were used and
include: State, Federal, County and Local government data.



PLUS



March 5, 2020



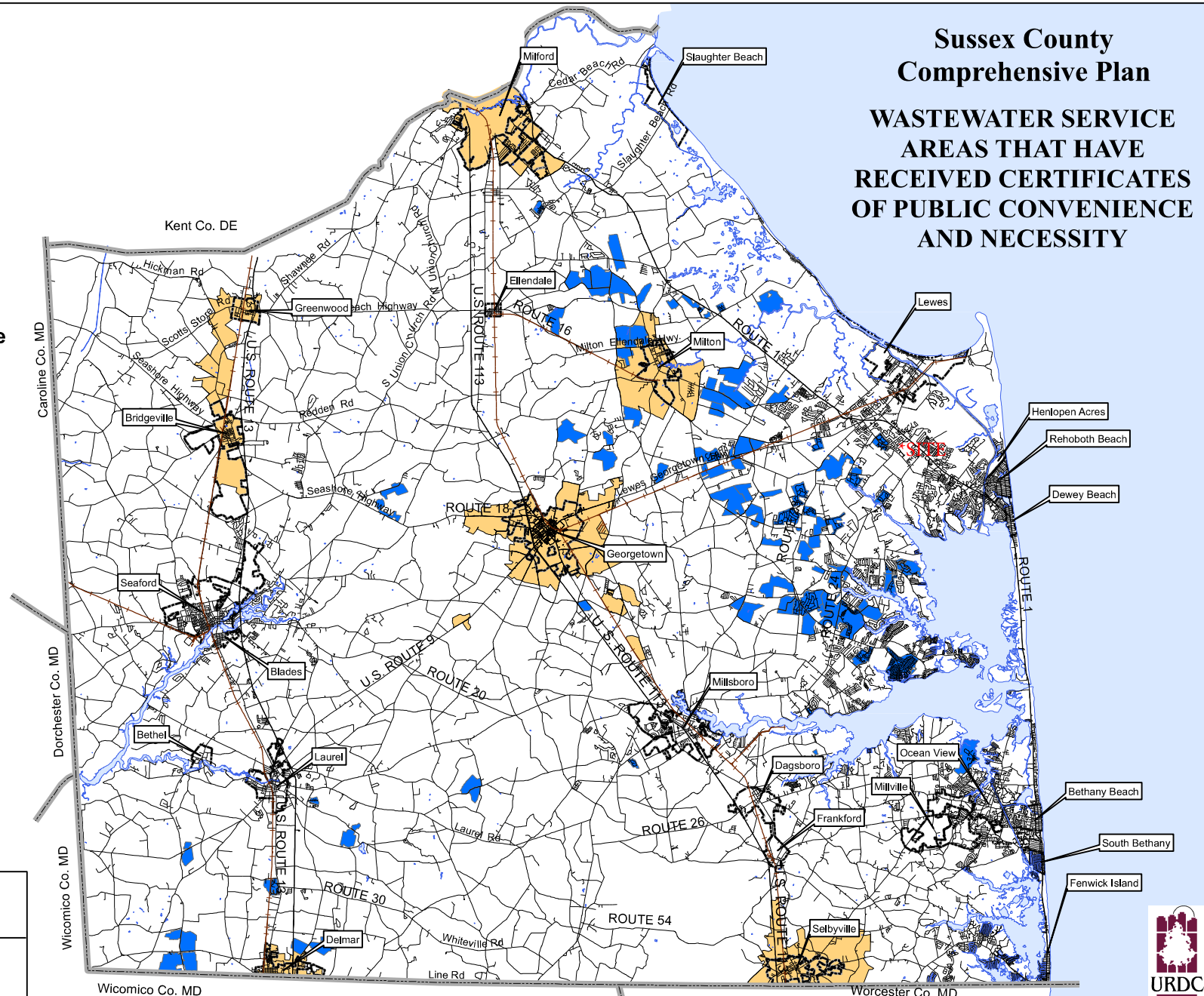
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

**WASTEWATER SERVICE
AREAS THAT HAVE
RECEIVED CERTIFICATES
OF PUBLIC CONVENIENCE
AND NECESSITY**

Private Wastewater Service Areas

1. This map shows areas that have been granted Certificates of Public Convenience and Necessity for Centralized Wastewater Systems by the Delaware Public Service Commission, as of December 2007.

2. Many of these areas are not currently served by central sewer systems, but are approved for service in the future.
3. Please also see County Wastewater Service Areas Map.



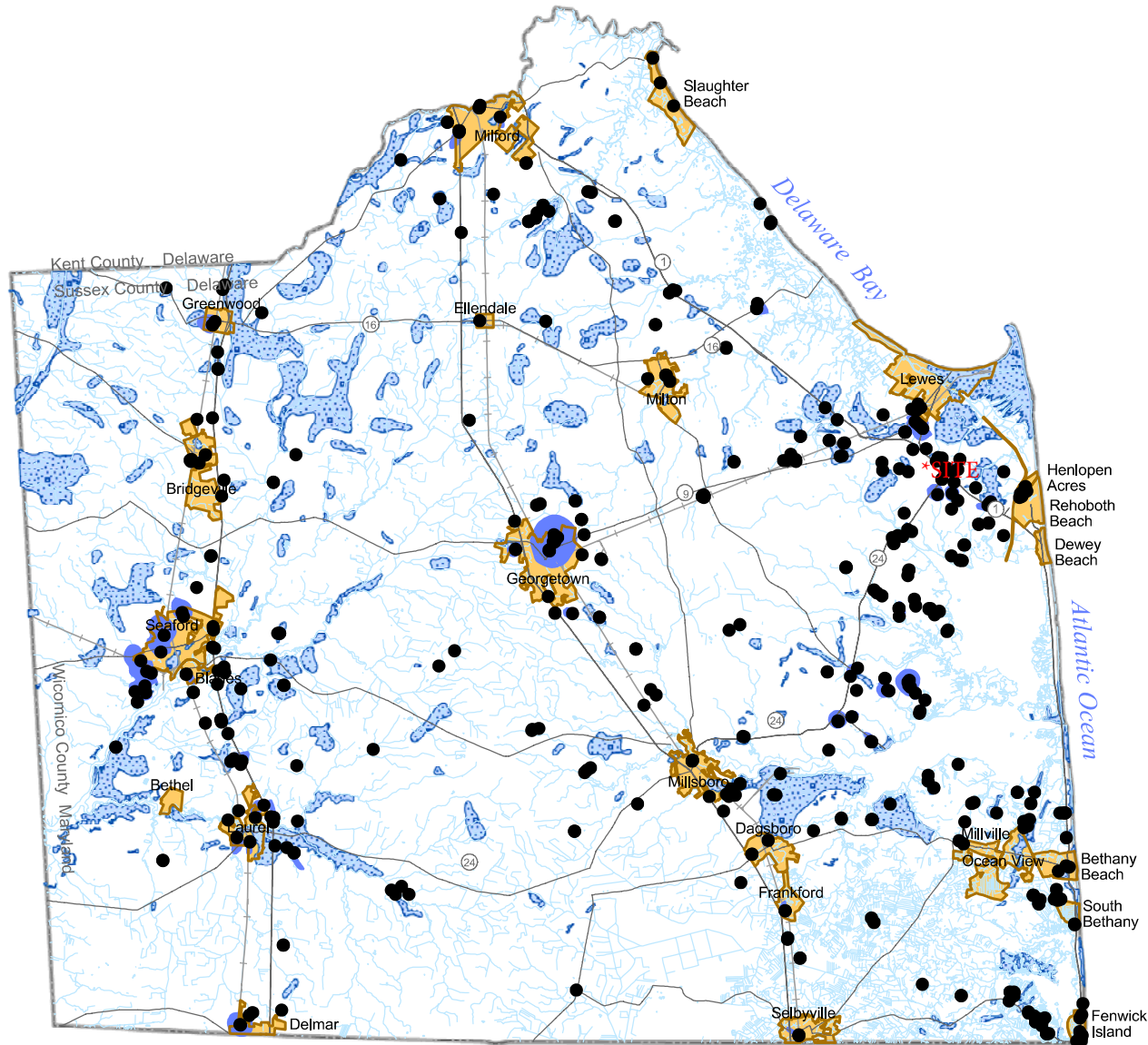
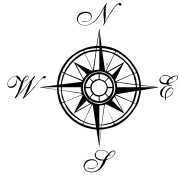
0 9,000 18,000 36,000
Feet
1 inch equals 18,000 feet



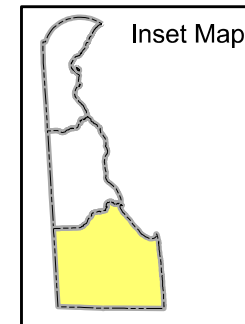
Base Map Provided By: Sussex County Mapping Department	Sources: DNREC Sussex County Mapping Department
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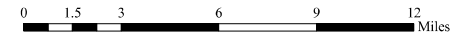
URDC



- Water Supply Wells
- Wellhead Areas
- Excellent Recharge Areas
- Municipalities
- Major Roads
- Hydrology
- Railroads



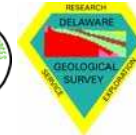
March 2004



Note: Water Supply Wells are not true to scale.

Source:
 Water Supply Wells and Wellhead Delineations - Delaware
 Department of Natural Resources and Environmental Control,
 Division of Water Resources, 2004.
 Excellent Recharge Areas - Delaware Geological Survey, 2003.
 Municipal Boundaries - Office of State Planning and Coordination,
 February 2004.
 Roads - Delaware Department of Transportation centerline file 2001.
 Created from Digital Orthophoto Quarter Quads 1997.
 Hydrology - USGS 7.5 Minute Series Topographic Maps. Created in
 cooperative agreement between the State of Delaware and the
 USGS (1991-1993).

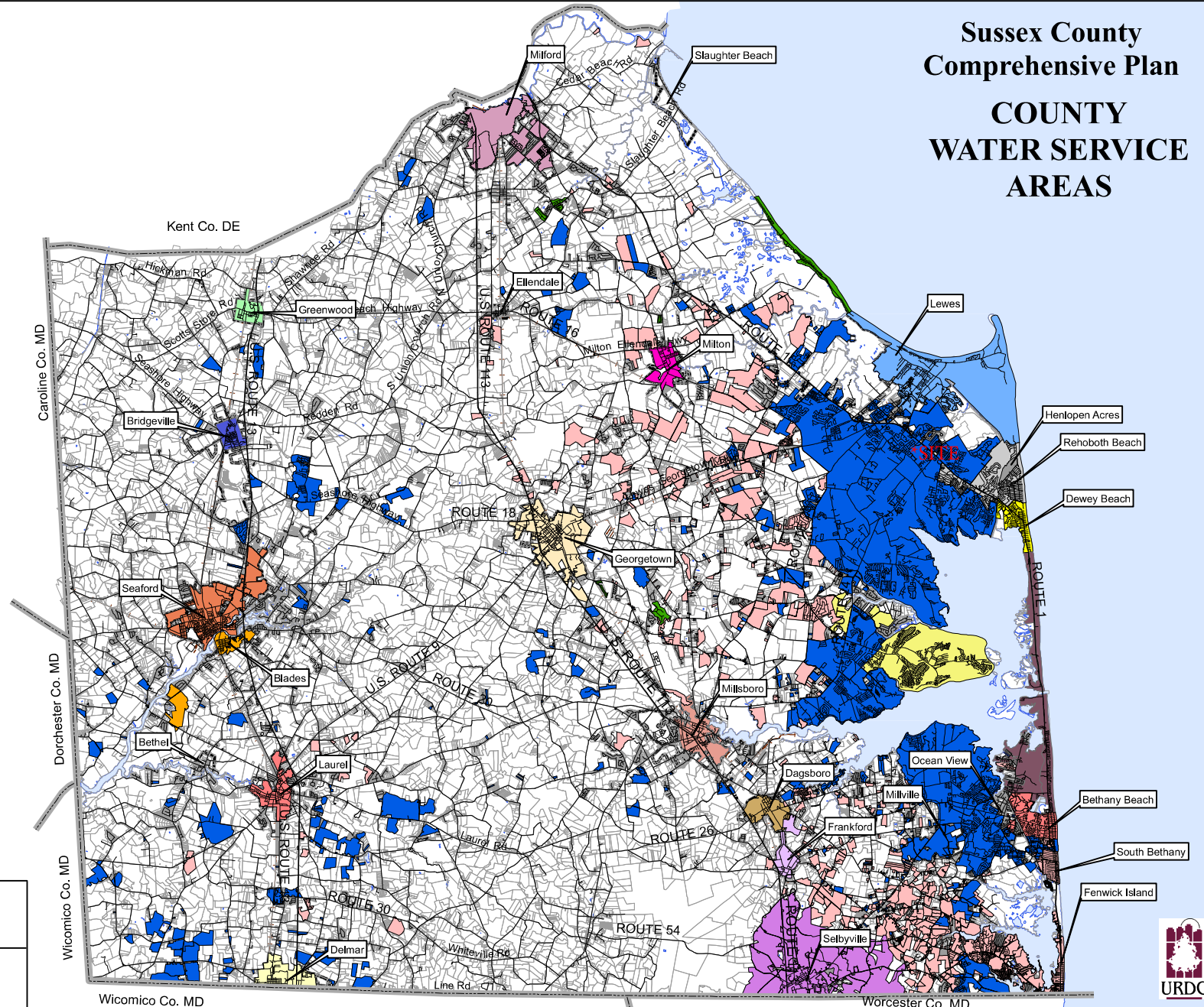
Note:
 This map is provided by the Water Resources Agency, University of
 Delaware solely for display and reference purposes and is subject to
 change without notice. No claims, either real or assumed, as to the
 absolute accuracy or precision of any data contained herein are
 made by the Water Resources Agency, University of Delaware nor
 will the Water Resources Agency, University of Delaware be held
 responsible for any use of this document for purposes other than
 which it was intended.



Sussex County Comprehensive Plan COUNTY WATER SERVICE AREAS

Water Providers

- Unknown
- Artesian Water Company
- Bethany Beach
- Blades
- Bridgeville
- Dagsboro
- Delmar
- Frankford
- Georgetown
- Greenwood
- J.H. Wilkerson & Son
- Laurel
- Lewes
- Long Neck Water Co.
- Milford
- Millsboro
- Milton
- Rehoboth
- Seaford
- Selbyville
- Sussex County Council
- Sussex Shores Water Co.
- Tidewater Utilities



0 9,000 18,000 36,000
Feet
1 inch equals 18,000 feet



Base Map Provided By:
Sussex County
Mapping Department

Sources:
DNREC
Sussex County Mapping Department

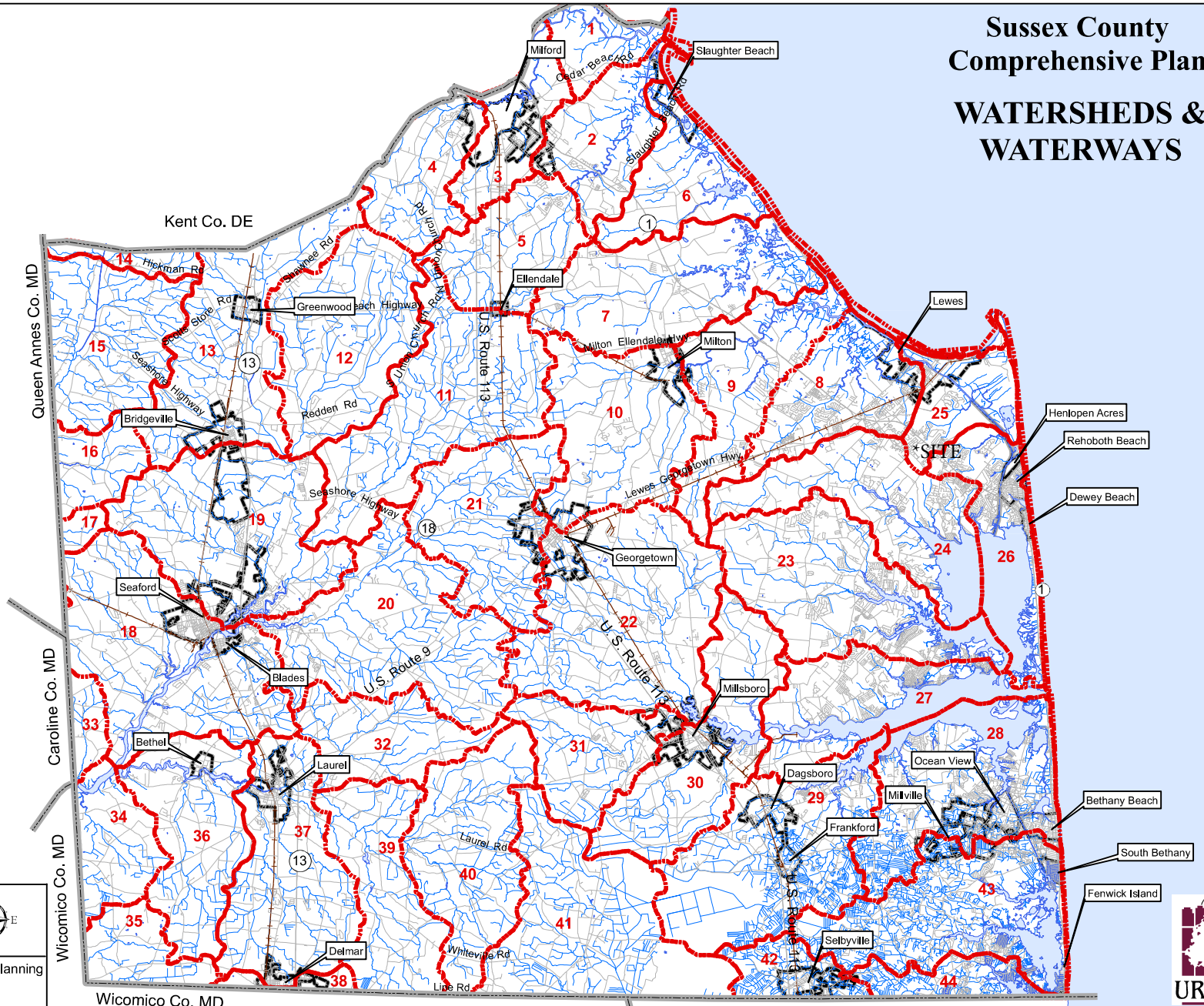


Sussex County Comprehensive Plan WATERSHEDS & WATERWAYS

— Rivers and Streams

— Watersheds

1. Lower Mispillion River
2. Cedar Creek below Ponds
3. Mispillion River below Ponds
4. Haven-Silver Lake
5. Cedar Creek above Swiggetts Pond
6. Slaughter Creek
7. Prime Hook Creek
8. Red Mill Creek
9. Round Pole Bridge
10. Wagamons Pond
11. Gravelly Branch
12. Gum Branch
13. Upper Nanticoke
14. Prospect Branch
15. Smithville Ditch
16. Houston Branch
17. Tanyard Branch
18. Lower Nanticoke
19. Hearn's Pond
20. Deep Creek-Fleetwood Pond
21. Deep Creek
22. Cowbridge-Millsboro Pond
23. Herring Creek
24. Love Creek
25. North Rehoboth Bay
26. S. Lewes-Reheboth Canal
27. Indian River to Bay
28. Whites Creek
29. Vines-Pepper Creek
30. Indian River below Ponds
31. Shoal Branch
32. Mirey Branch-Records Pond
33. Gales Creek
34. Nanticoke below Broad Creek
35. Mockingbird Creek
36. Tussocky
37. Broad Creek below Ponds
38. Wicomico River Head
39. James Branch
40. Trap Pond
41. Upper Pocomoke River
42. Isle of Wright Bay
43. Dirickson-Little
44. Assawoman Bay



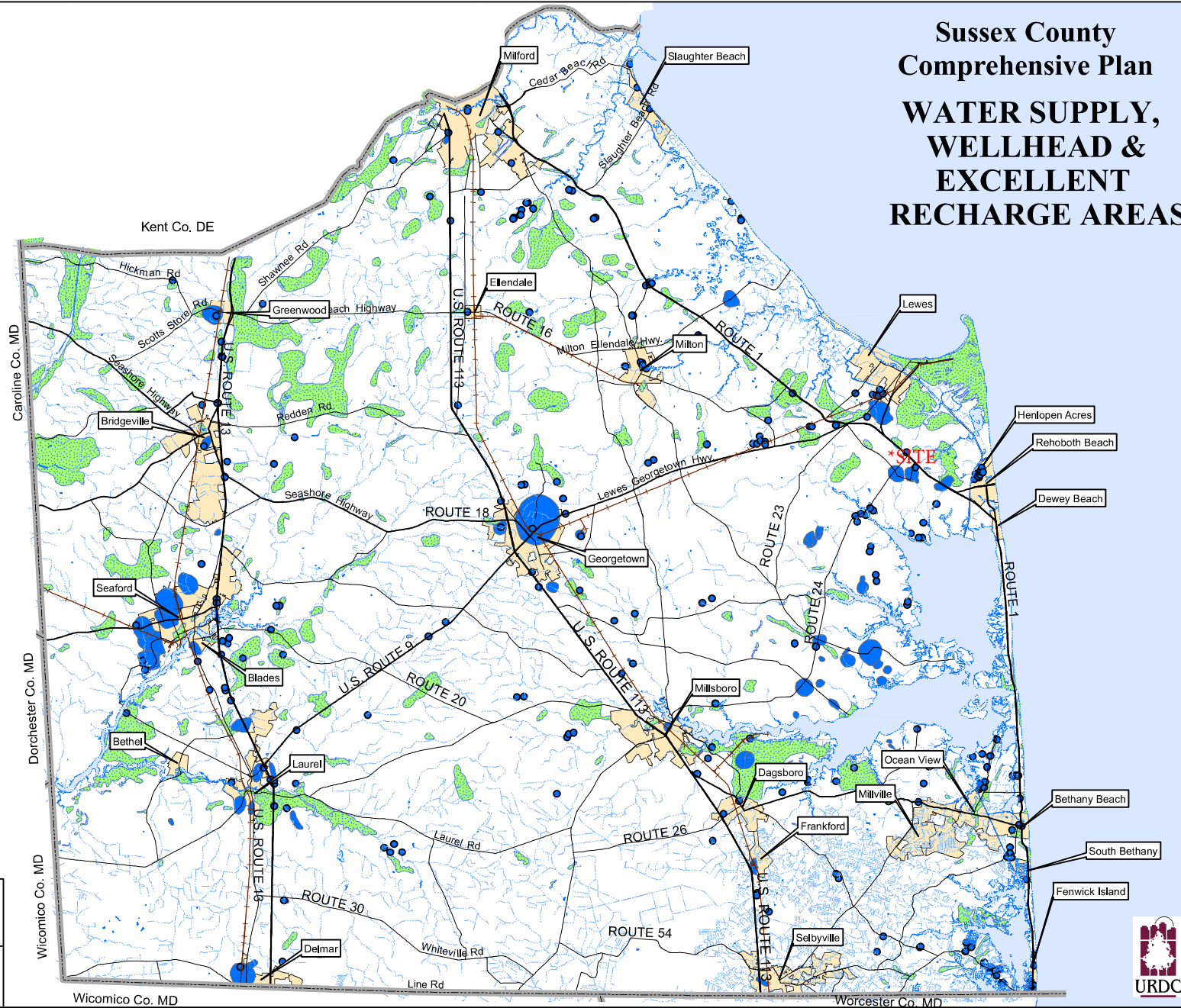
Base Map Provided By: **Source:**DNREC; DE Office of Planning
Sussex County Mapping Department
Sussex Co. Mapping Dept.



Sussex County Comprehensive Plan WATER SUPPLY, WELLHEAD & EXCELLENT RECHARGE AREAS

- Water Supply Wells
- Wellhead Areas
- Excellent Recharge Areas
- Municipalities
- Major Roads
- Hydrology
- Railroads

NOTE: Water Supply Wells are not true to scale.



Base Map Provided By:
Sussex County
Mapping Department

Sources:
DNREC
Sussex County Mapping Department



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
JANELLE CORNWELL, AICP
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date January 23, 2020.

Application: (CZ 1904) Dry Acres, LLC

Applicant: Jill A. Cicierski
16808 Gravel Hill Road
Milton, DE 19968

Owner: Dry Acres, LLC
16973 Island Farm Lane
Milton, DE 19968

Site Location: Located on the southwest corner of the intersection of U.S. Route 9 and Fisher Road (S.C.R. 262).

Current Zoning: Agricultural Residential (AR-1)

Proposed Zoning: Medium Commercial District (C-2)

Comprehensive Land
Use Plan Reference: Low Density Area

Councilmatic
District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Milton Fire District

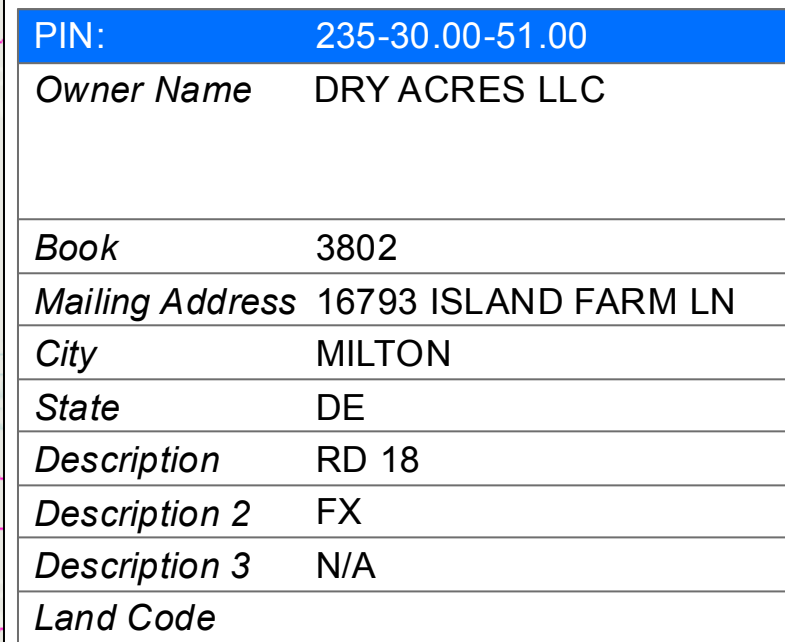
Sewer: Private, On-Site

Water: Private, On-Site

Site Area: 10.88 acres +/-

Tax Map ID.: 235-30.00-51.00





Override 1

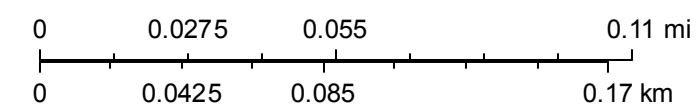
Override 1

911 Address

— Streets

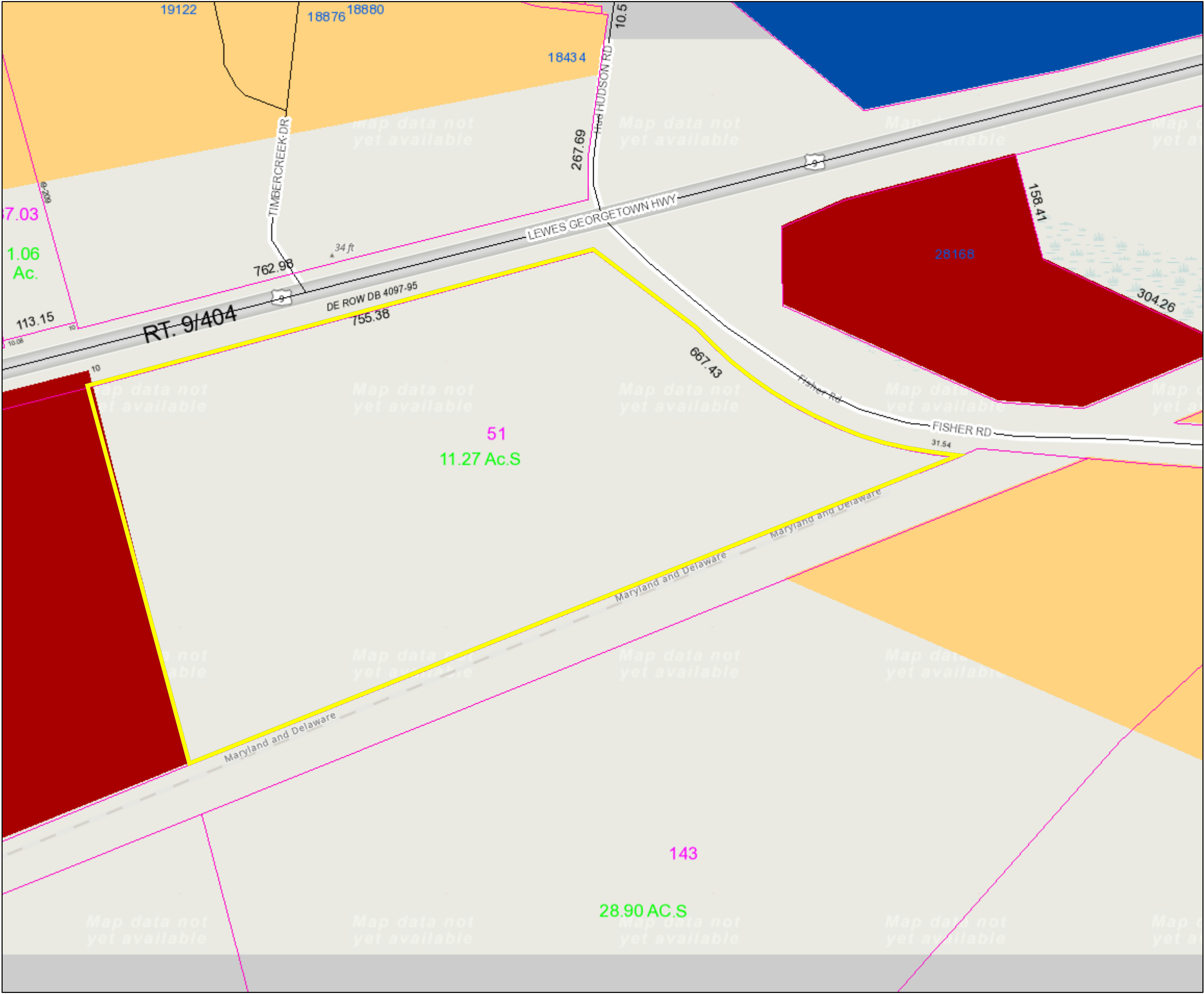
 County Boundaries

1:2,257





Sussex County

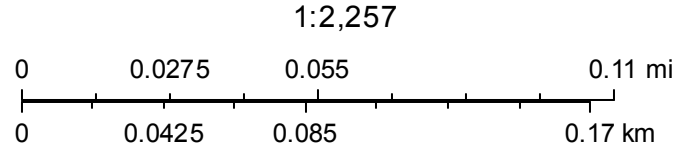


PIN:	235-30.00-51.00
Owner Name	DRY ACRES LLC
Book	3802
Mailing Address	16793 ISLAND FARM LN
City	MILTON
State	DE
Description	RD 18
Description 2	FX
Description 3	N/A
Land Code	

- polygonLayer

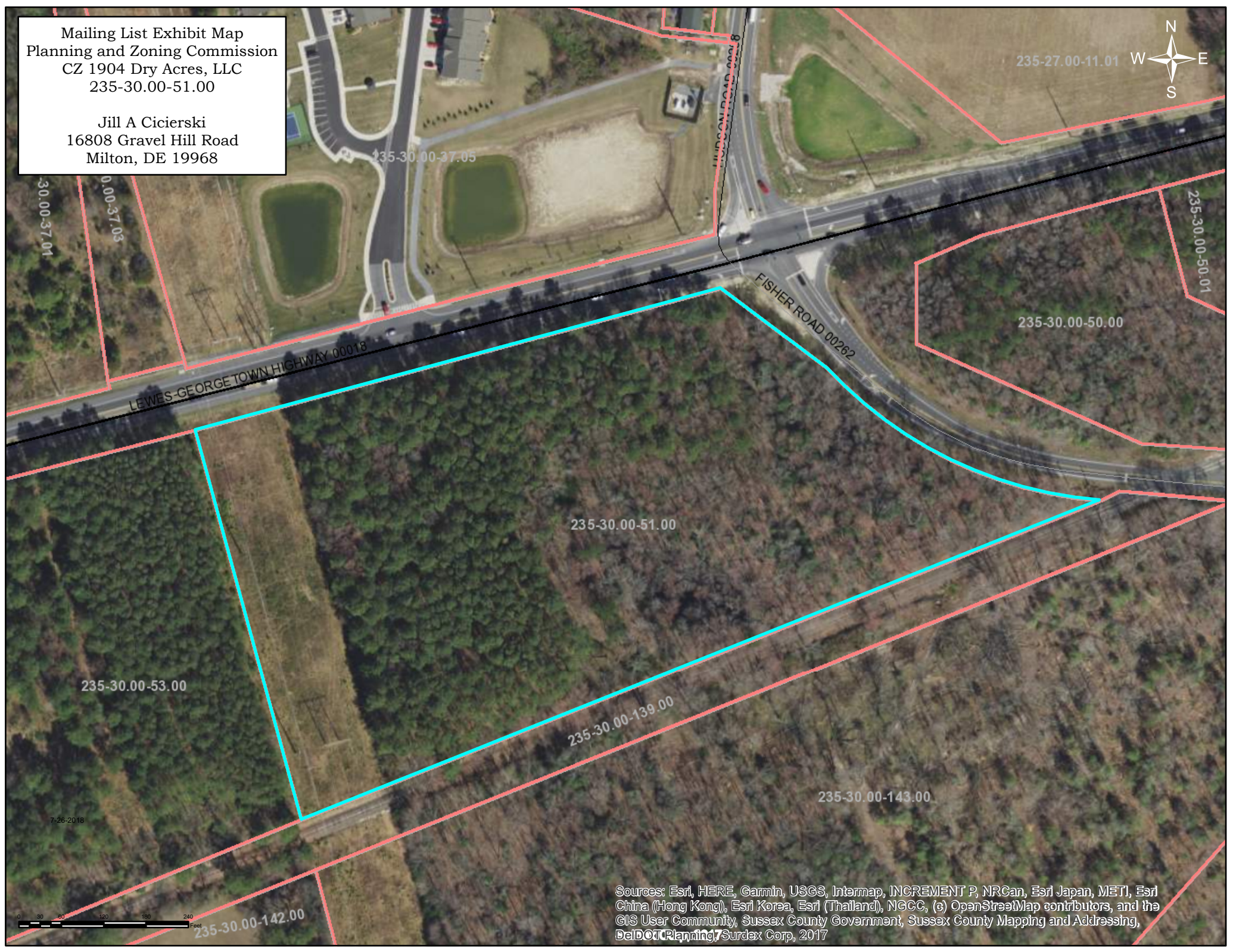
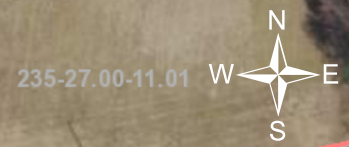
Override 1
- polygonLayer

Override 1
- Tax Parcels
- 911 Address
- Streets



Mailing List Exhibit Map
Planning and Zoning Commission
CZ 1904 Dry Acres, LLC
235-30.00-51.00

Jill A Cicierski
16808 Gravel Hill Road
Milton, DE 19968



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government, Sussex County Mapping and Addressing, DelDOT Planning, Sundex Corp, 2017



Memorandum

To: Sussex County Planning Commission Members
From: Christin Headley, Planning Technician
CC: Vince Robertson, Assistant County Attorney and applicant
Date: January 16, 2020
RE: Staff Analysis for CZ 1904 Dry Acres, LLC (Jill Cicierski)

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1904 Dry Acres, LLC (Jill Cicierski) to be reviewed during the January 23, 2020 Planning 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 Change of Zone for parcel 235-30.00-51.00 to facilitate a change from the Agricultural Residential Zoning District (AR-1) to a Medium Commercial Zoning District (C-2) and is located on the southwest corner of the intersection of Lewes-Georgetown Hwy. (Rt. 9) and Fisher Rd. The size of the property is 10.88 acres +/-.

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 property has the land use designation of "Low Density." This designation applies to the entire parcel.

The parcels to the north and south are designated on the Future Land Use Map as "Low Density Areas". The surrounding land use to the east and west is designated "Existing Development Area". Low Density Areas primarily recognize businesses that support agricultural activities and the development of single-family homes. The focus of retail and office uses in Low Density Areas should be for providing convenience goods and services to nearby residents. It also recognizes that commercial uses should be limited in location, size, and hours of operation and that intense uses should be avoided. The Existing Development Area recognizes that a range of housing types and uses in the neighborhood business and commercial districts are permitted.

Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" of the 2018 Sussex County Comprehensive Plan states that the Medium Commercial (C-2) Zoning District may be considered as appropriate in "Low Density" Areas.

The property is zoned AR-1 (Agricultural Residential District). The surrounding parcels are zoned both AR-1 (Agricultural Residential District) and CR-1 (Commercial Residential District).

Since 2011, there has been three (3) Change of Zone applications in the vicinity of the application site; including, Change of Zone No. 1773 which was approved for AR-1 to CR-1 by Sussex County Council on May 21, 2015, Change of Zone No. 1812 which was approved for AR-1 to CR-1 by Sussex County Council on February 23, 2017, and Change of Zone No. 1866 which was approved for AR-1 to I-1 by Sussex County Council on January 24, 2019.

Based on the analysis of the land use, surrounding zoning and uses, a change of zone to allow for a property zoned Medium Commercial (C-2), could be considered as being consistent with the land use, area zoning and surrounding uses.

File #: 021904
201911187

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

Southwest corner of the intersection of US Route 9 and Fisher Road (Sussex Road 262)

Type of Conditional Use Requested:

Tax Map #: 235-30.00-51.00 Size of Parcel(s): 10.88-11.27 acres

Current Zoning: AR-1 Proposed Zoning: C-2 Size of Building: Total 75,000sf

Land Use Classification: Low Density/Adjacent to Existing Developing Area/ level 3 (Adj to level 2)

Water Provider: Artesian Sewer Provider: Artesian

Applicant Information

Applicant Name: Jill A. Cicierski
Applicant Address: 16808 Gravel Hill Road
City: Milton State: DE Zip Code: 19968
Phone #: 302-841-2282 E-mail: allamericanbuildingconcepts@gmail.com

Owner Information

Owner Name: Dry Acres LLC
Owner Address: 16973 Island Farm Lane
City: Milton State: DE Zip Code: 19968
Phone #: 302-438-5366 E-mail: thom500@yahoo.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Mark H. Davidson
Agent/Attorney/Engineer Address: Pennoni - 18972 Davidson Drive
City: Milton State: DE Zip Code: 19968
Phone #: 302-684-8030 E-mail: mdavidson@pennoni.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- ☒ Completed Application
- ☒ Provide eight (8) copies 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 Fee \$500.00
- ☐ 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.

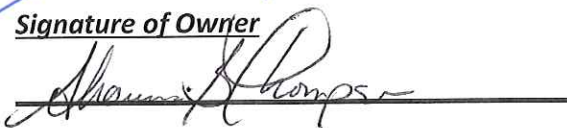
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future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

Signature of Applicant/Agent/Attorney



Date: 9-30-19

Signature of Owner



Date: 9/30/19

For office use only:

Date Submitted: 9/30/19

Staff accepting application: JN

Location of property: _____

Fee: \$500.00 Check #: 1148

Application & Case #: 22911187

Subdivision: _____

Date of PC Hearing: _____

Date of CC Hearing: _____

Recommendation of PC Commission: _____

Decision of CC: _____



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

JENNIFER COHAN
SECRETARY

April 5, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Jill Cicierski** rezoning application, which we received on March 11, 2019. This application is for an 11.27-acre parcel (Tax Parcel: 235-30.00-51.00). The subject land is located on the southwest corner of the intersection of US Route 9 and Fisher Road (Sussex Road 262). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to C-3 (Heavy Commercial) to develop approximately 90,000 square feet of commercial space to include a business office, a retail plaza, a bank, and a restaurant.

Per the 2017 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of US Route 9 where the subject land is located, which is from Delaware Route 5 and Delaware Route 1, are 14,696 and 18,914 vehicles per day, respectively. As the subject land also has frontage along Fisher Road, the annual average and summer average daily traffic volumes along that road segment, which is from Cool Spring Road (Sussex Road 290) to US Route 9, are 2,067 and 2,660 vehicles per day, respectively.

Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this rezoning application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.



Ms. Janelle M. Cornwell
Page 2 of 2
April 5, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Jill Cicierski, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance and Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

Agency Name: Dept. of Transportation Project Name: Plaza Nine
Division: Planning Contact Person: Bill Brockenbrough

Regulations/Code Requirements

- The proposed project is located or is adjacent to US Route 9/Lewes Georgetown Highway. This transportation corridor is part of the Federal Aid Primary Road System and is nominated as part of the Delaware Bayshore Byway Program. Accordingly, parts of the subject development are subject to outdoor advertising regulations found in CFR 23 §131 and 17 Del. C. §1101-1120. Accordingly, the applicant should expect the following requirements or needs:
 - No new billboards, variable message boards, or electronic changing message sign(s) anywhere within 660 feet of the closest right-of-way edge of Route 9.
 - No off-premises advertising on the property for others within 660 feet of Route 9 e.g., displaying on-site the bank/financial institution funding the project or the contractor building the project.
 - A standard Delaware Bayshore byway sign may be needed in public right ways as part of the entrance/development coordination review. Further needs would be determined during entrance plan submission and/or other applicable TIS studies.

For more information on the Byways program, please see <http://deldot.maps.arcgis.com/apps/webappviewer/index.html?id=03d5049bc49041658cfecad5fd6ba8b9>.

- The site access on US Route 9 and on Fisher Road must be designed in accordance with DelDOT's Development Coordination Manual. A copy of the Manual is available at <http://www.deldot.gov/information/business/subdivisions/changes/index.shtml>.
- 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. If the County approves this rezoning, DelDOT will revisit the need for a TIS when a site plan is presented.

Preliminarily, however, DelDOT anticipates requiring the developer to provide a TIS for DelDOT's review and approval before receiving plan approvals. The purpose of a TIS is to identify off-site transportation improvements that the developer would be required to build or contribute toward. Without prejudging the results of the TIS, DelDOT anticipates requiring that the developer make improvements on Fisher Road and limit their access on US Route 9 to right turns in and out.

- As necessary, 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 both US Route 9 and Fisher Road. By this regulation, the dedication is to provide a minimum of

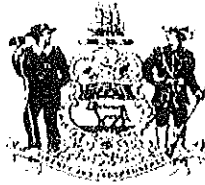
06/27/2019

50 feet from the physical centerline of US Route 9 and 30 feet of right-of-way from the physical centerline of Fisher 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 both roads. 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."**
- Section 3.5.4.2 of the Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, DelDOT may require developments in Level 3 and 4 Areas to install a sidewalk or Shared Use Path along their frontage. DelDOT anticipates requiring a Shared Use Path along US Route 9 and Fisher 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 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether turning lanes are warranted at the site entrance, if a new entrance is proposed and how long the lanes should be at the existing entrances. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>. Because of the proximity of the Route 9 entrance to the Fisher Road intersection and the limited space available to accommodate westbound left turns into the site, DelDOT anticipates requiring that that movement be served by the Fisher Road entrance.

Suggestions

- DelDOT is in the process of converting the Georgetown to Lewes rail line to a bicycle and pedestrian trail. Construction is complete from Lewes to Log Cabin Hill Road. A future phase of construction would route the trail along the south edge of the subject development. If the developer would like to have direct access to the trail, DelDOT is willing to include it in their construction plans and build the access at State expense as part of the trail construction. If trail access would be of interest, DelDOT asks that the developer work with DelDOT's Bicycle and Pedestrian Coordinator, Mr. Anthony Aglio, to determine a mutually agreeable location. Mr. Aglio can be reached at (302) 760-2509 or Anthony.Aglia@Delaware.gov.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new version and look for the revision date of March 21, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

July 23, 2019

Jill A. Cicierski
JC Reality, Inc.
16808 Gravel Hill Road
Milton, DE 19968

RE: PLUS review 2019-06-01; Plaza Nine

Dear Ms. Cicierski:

Thank you for meeting with State agency planners on June 26, 2019 to discuss the proposed plans for the Plaza Nine project. According to the information received you are seeking review of a site plan for a 90,000 square foot commercial center near the intersection of Route 9 and Fisher Road in Sussex County.

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 3 according to the Strategies for State Policies and Spending. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but may have priorities for the near future. Level 3 area means there may be environmental concerns on or near the parcel and we would encourage you to design the site with respect for the environmental features which are present.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The proposed project is located or is adjacent to US Route 9/Lewes Georgetown Highway. This transportation corridor is part of the Federal Aid Primary Road System and is nominated as part of the Delaware Bayshore Byway Program. Accordingly, parts of the subject development are subject to outdoor advertising regulations found in CFR 23 §131 and 17 Del. C. §1101-1120. Accordingly, the applicant should expect the following requirements or needs:
 - No new billboards, variable message boards, or electronic changing message sign(s) anywhere within 660 feet of the closest right-of-way edge of Route 9.
 - No off-premises advertising on the property for others within 660 feet of Route 9 e.g., displaying on-site the bank/financial institution funding the project or the contractor building the project.
 - A standard Delaware Bayshore byway sign may be needed in public right ways as part of the entrance/development coordination review. Further needs would be determined during entrance plan submission and/or other applicable TIS studies.

For more information on the Byways program, please see

<http://deldot.maps.arcgis.com/apps/webappviewer/index.html?id=03d5049bc49041658cfccad5fd6ba8b9>.

- The site access on US Route 9 and on Fisher Road must be designed in accordance with DelDOT's Development Coordination Manual. A copy of the Manual is available at <http://www.deldot.gov/information/business/subdivisions/changes/index.shtml>.
- 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. If the County approves this rezoning, DelDOT will revisit the need for a TIS when a site plan is presented.

Preliminarily, however, DelDOT anticipates requiring the developer to provide a TIS for DelDOT's review and approval before receiving plan approvals. The purpose of a TIS is to identify off-site transportation improvements that the developer would be required to build or contribute toward. Without prejudging the results of the TIS, DelDOT anticipates requiring that the developer make improvements on Fisher Road and limit their access on US Route 9 to right turns in and out.

- As necessary, 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 both US Route 9 and Fisher Road. By this regulation, the dedication is to provide a minimum of

50 feet from the physical centerline of US Route 9 and 30 feet of right-of-way from the physical centerline of Fisher 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 both roads. 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."**
- Section 3.5.4.2 of the Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, DelDOT may require developments in Level 3 and 4 Areas to install a sidewalk or Shared Use Path along their frontage. DelDOT anticipates requiring a Shared Use Path along US Route 9 and Fisher 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 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether turning lanes are warranted at the site entrance, if a new entrance is proposed and how long the lanes should be at the existing entrances. The worksheet can be found at <http://www.delDOT.gov/Business/subdivisions/index.shtml>. Because of the proximity of the Route 9 entrance to the Fisher Road intersection and the limited space available to accommodate westbound left turns into the site, DelDOT anticipates requiring that that movement be served by the Fisher Road entrance.

State Historic Preservation Office – Contact Carlton Hall 736-7404

- There are no known archaeological sites, or known National Register-listed or eligible properties on the parcel. However, the area has medium to high potential for prehistoric archaeological resources based on well drained soils adjacent to the wetlands on and near the project area. Therefore, the Delaware SHPO is recommending an archaeological survey of the project area.
- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).
- 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. For further information on the

Section 106 process please review the Advisory Council on Historic Preservation's website at: www.achp.gov

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

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 1500 gpm for 2-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 mercantile 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:

- 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

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 to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the 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

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

- DelDOT is in the process of converting the Georgetown to Lewes rail line to a bicycle and pedestrian trail. Construction is complete from Lewes to Log Cabin Hill Road. A future phase of construction would route the trail along the south edge of the subject development. If the developer would like to have direct access to the trail, DelDOT is willing to include it in their construction plans and build the access at State expense as part of the trail construction. If trail access would be of interest, DelDOT asks that the developer work with DelDOT's Bicycle and Pedestrian Coordinator, Mr. Anthony Aglio, to determine a mutually agreeable location. Mr. Aglio can be reached at (302) 760-2509 or Anthony.Aglia@Delaware.gov.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new version and look for the revision date of March 21, 2019. The notes can be found at <https://www.delDOT.gov/Business/subdivisions/>

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

Forest Preservation

- DNREC mapping indicates presence of forested wetlands which encompass a large portion of the subject parcel.

Recommendations:

- The site plan should be designed to allow for the preservation of as much of this wooded area as feasible, with special consideration for preservation given to large, mature trees. Leaving a forest intact is usually more beneficial to the existing wildlife and is preferred to clearing
- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, we recommend that clearing not occur April 1st to July 31st.
- Contact the Division of Fish and Wildlife for assistance in identifying, preserving, and managing the mature forest on-site. For technical assistance or to schedule a site visit please contact Katie Kadlubar, Kathryn.Kadlubar@delaware.gov.

Water Quality

- DNREC mapping indicates presence of wetlands and hydric soils (Hurlock) which encompass a large portion of the subject parcel.
- Increased impervious cover from development and removal of forest cover will increase the potential for future flooding concerns.

Recommendations:

- Consider using pervious pavement/pavers in parking areas to help minimize impervious cover.
- To protect the function and integrity of wetlands, a minimum 100 foot buffer should be left intact around the perimeter.
- Avoid disturbance and filling of wetlands.

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- 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.

Delaware Area Rapid Transit (DART) – Contact: Jared Kauffman 576-6062

- A shelter pad is needed. DART can specify a type as there is no sketch of the pedestrian pathway.
- Sidewalk is needed to the stop across the street (stop ID 3390) with pedestrian pathway to stop ID 3390. Stop ID 3390 should be upgraded to a Type 2 12'x8' shelter pad.

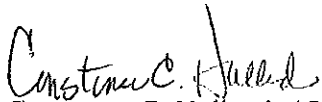
Sussex County – Contact Rob Davis 302-855-7820

- Sussex County does not expect to provide sanitary sewer service within the area proposed for commercial development. The Sussex County Engineering Department recommends the project receive wastewater service from a public utility as proposed.

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,

A handwritten signature in cursive script, appearing to read "Constance C. Holland".

Constance C. Holland, AICP

Director, Office of State Planning Coordination

CC: Sussex County

August 21, 2019

State of Delaware, Executive Department

Office of Planning Coordination

122 Martin Luther King Blvd, South - Haslet Armory, Third Floor

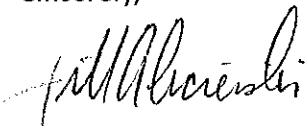
Dover, DE 19901

RE: PLUS Review 2019-06-01; Plaza Nine

Thank you for the detailed collection of agency contacts, requirement summarization, and recommendations. We have reviewed them thoroughly and will collaborate and comply as noted to all provided except for the State historic Preservation Office (SHPO).

We would like additional discussion and clarification as to why well drained soils near wetlands that were created from altered drainage patterns would constitute medium to high prehistoric archaeological resources. An archaeological study was done across Rt 9 from this site with no significant findings. Route 9, Fisher Road, and the railway and power line easements enclose this parcel. 1.5 acres of the remaining land will not be impacted due to being delineated as wetlands. We will contact SHPO directly as we proceed.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill A. Cicierski". The signature is fluid and cursive, with the first name "Jill" being more prominent.

Jill A. Cicierski

JC Realty Inc. And All America Building Concepts Inc.

16808 Gravel Hill Road,

Milton, DE 19968

CC: Sussex County

RECEIVED

JAN 23 2020

From Residences of The Reserves At Lewes Landing:

SUSSEX COUNTY
PLANNING & ZONING

We support the zoning change from agricultural zoning to C-2 for property on west corner of Fisher Road and Route 9. We would utilize services at this plaza area to avoid the heavy traffic on Route 1 and Lewes business district.

NAME

ADDRESS

PHONE

Larry Harris	18389 Dunes Way	302 313 4285
Steve Harris	18389 Dunes Way Lewes	857 386 3999
Steve Brown	18393 Dunes Way Lewes	443-280-3009
Michael Brooks	18393 Dunes Way Lewes	302-703-2376
Joanne Schuman	18401 Dunes Way Lewes	302-703-6173
David Sil	18401 Dunes Way Lewes	302-703-6173
Richard Pallack	18400 Dunes Way Lewes	302-827-4389
Jandra Brown	18356 Dunes Way Lewes DE	443 822 6826
Muriel	3288 Lakeview Blvd Lewes DE	302 216 3206
Thomas M. Bynon	31300 LAKEVIEW BLVD, LEWES, DE	302-645-7450
Dale Bynon	31300 Lakeview Blvd, Lewes, DE	302-645-7450
Eric Schuchert	18399 DUNES WAY LEWES DE	479-366-3415
Doug Schuchert	18399 DUNES WAY LEWES, DE	952-200-6456

RECEIVED

JAN 23 2020

SUSSEX COUNTY
PLANNING & ZONING

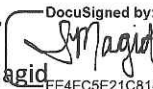
Dear Sussex County Planning and Zoning Council,

I recently built a home on Rt.9 between Rt.5 and Rd.30. I absolutely love the Georgetown/Harbeson/Milton area. I would like to support and grow this area by spending more of my time and money shopping and enjoying the amenities of this area.

I am aware of the proposed Plaza Nine Shopping Center and would like to give my support to the zoning change request from AR-1 to C-2.

Respectfully,

Stephanie Magid

DocuSigned by:

FE4FC5E21C814D7...

1/20/2020

18326 Emerson Way

Georgetown, DE 19947

Stephaniemagid1@gmail.com

RECEIVED

JAN 23 2020

SUSSEX COUNTY
PLANNING & ZONING

January 20, 2020

To Whom It May Concern,

Regarding C/Z 1904-DRY ACRES, LLC (JILL CICIERSKI)

We Purchased our home 25394 Smithway , Milton Delaware 12 years ago as a summer home and could not have been happier.

We retired five years ago and are permanent residents of Milton , we are aware of proposed zoning changes for Plaza Nine Development (Closer shopping would be a great convenience) .

Shopping on route 1 and going to Kent county is a traffic nightmare and very time consuming.

We could not attend zoning hearing in person and hope this note will suffice .

Thank You



MICHAEL R. and ANGELA HAVENS

25394 SMITHWAY, MILTON DE.19968

MHAVENS901@AOL.COM

FALLSPROP@AOL.COM

267-240-9963

RECEIVED

JAN 23 2020

SUSSEX COUNTY
PLANNING & ZONING

Dear Sussex County Planning and Zoning and County Council,

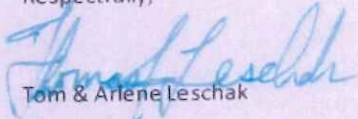
My wife and I relocated to Milton from Philadelphia after closing our Epicure Cafe and butcher shop of 35 years.

We are pleased with our home and community in Milton, but would love to see more services, restaurants, and different grocery/marketplaces come to the area.

We are aware of the location proposed for Plaza Nine and know that if it is permitted through a change of zoning, it will attract fresh opportunities. We still drive to Kent and New Castle Counties for special products. We'd love to just shop Milton and Plaza Nine for our needs.

We support the zoning change request from AR-1 to C-2.

Respectfully,



Tom & Arlene Leschak

120 Red Cedar Drive

Milton, DE 19968

Epicurecafe@yahoo.com

(267) 474-2719

RECEIVED

JAN 23 2020

SUSSEX COUNTY
PLANNING & ZONING

Dear Sussex County Planning and Zoning And County Council

I grew up in Milton and have married and raised my family here. I am aware of the location proposed for Plaza Nine and know that if it is permitted through a change of zoning, it will attract more opportunities which Milton needs.

I have to leave Milton to do most of my shopping, and in the summer it is impossible to get anywhere. I would love to just stay in Milton and support my home town, and Plaza Nine for my needs.
I support the zoning change request from AR-1 to C-2.

Respectfully,

Darlene Cronic

13097 Reynolds Road

Milton, De. 19968

1/21/2020

Dear Sussex County Planning and Zoning and County Council,

I am a lifelong resident and have lived in the Georgetown/Milton area for the past 20 years. There is a great need for more amenities in this area. We are very limited on restaurants, grocery stores, gas stations, and shopping without driving miles away to Lewes, Rehoboth, and Millsboro areas.

I am very much in support of the zoning change request from AR-1 to C-2

RECEIVED

JAN 23 2020

SUSSEX COUNTY
PLANNING & ZONING

Respectfully,

DocuSigned by:

FCCEB36EBEB5437...

Suzanne Cannon

20525 Gravel Hill Rd

Georgetown, De 19947

Suzanne.cannon69@yahoo.com

(302) 430-8631

RECEIVED

JAN 23 2020

Sussex County Planning and Zoning Commission:

SUSSEX COUNTY
PLANNING & ZONING

I am a retiree living in the Reserves At Lewes Landing. This development is located West of 5 points - Rt 1 along Rt 9/404. I relocated to the "beaches" from PA after retirement to enjoy the quiet coastal life and benefits that Delaware offers.

Since moving here in 2010, the population growth has increased beyond my imagination as well as traffic increase. It would be of great benefit to have access of more choice shopping selections closer to home for us living West of Rt. 1 and the Milton area to avoid the busy traffic patterns on Rt. 1.

I sincerely hope the suggested re-zoning of property located between the new Dollar General and Self-Storage on the corner of Rt 9/404 and Fisher Road will be changed to commercial to allow for more shopping services.

Sincerely,

A handwritten signature in cursive script that reads "June Cicierski".

June Cicierski

To whom it may concern in Sussex County,

1-23-20

My husband and I live in a rural section of Milton and it is our dream rural community here.

We are aware of the location proposed for Plaza Nine which sets between the new Dollar General and self-storage facility. We think a modest, modern plaza with a mix of professional office, retail, and restaurant services would be an excellent asset to the region.

We have known Jill Cicierski for nearly five year. She has conceptualized and designed the idea of this plaza since day one. She is a successful planning and executor of good ideas. She is one of our neighbors and has planned your property and home construction very well. We know she and her business partner will do a fantastic, tasteful job at the plaza and populate it with great tenants.

As owners of the Chic-fil-A of Rehoboth Beach, we are advocates for new businesses and restaurants particularly in the Rt 1 to Rt 113 region as this area continues to grow annually! We support the zoning change request from agricultural to C-2 for this parcel.

Sincerely,



Zach & Leslie Hayes
23208 Neptune Road
Milton, DE 19968
Zachhayes@icloud.com
(302) 542-3111
Lesliehayescfa@gmail.com
(302) 858-7253

RECEIVED

JAN 23 2020

SUSSEX COUNTY
PLANNING & ZONING



April Black / Cydnee Martin
20221 Gravel Hill Road
Georgetown, DE 19947
Lirpablack321@gmail.com

January 22, 2020

Dear Sussex County Planning and Zoning Board,

We enjoy everything that living in Georgetown Delaware has to offer. The wonderful beaches, shopping, and restaurants have given us so much enjoyment in the past years since we moved to Delaware. We completely support the zoning change for the parcel between the new Dollar General and the new Self Storage on Rt.9 / Fisher Rd intersection. It would be wonderful to see this area offer more than just a quick trip to the convenience store. We think what Plaza Nine has planned will make this stretch of road a destination with lots of interest for residents and people visiting the area.

Sincerely,

April Black
Cydnee Martin

RECEIVED

JAN 23 2020

SUSSEX COUNTY
PLANNING & ZONING

To whom it may concern:

My husband and I have owned a vacation house in Delaware for the past fifteen years. We enjoy all the communities and what they have to offer.

Being a small business owner, we especially appreciate what they can offer and like to support them.

We support growth in a community like this and change in zoning.

Offering small business growth offers so much to a community and to those who enjoy visiting.

We, therefore, support the zoning change to commercial for the parcel between the new Dollar General and mini storage units on the corner of Route 9 and Fisher Road.

Respectfully,
Scott and Celesta Funk
18387 Dunes Way
Lewes, Delaware

RECEIVED
JAN 23 2020
SUSSEX COUNTY
PLANNING & ZONING



P.O. BOX 247
HARBESON, DE 19851
PH. 302-684-2924



BOUNDARY SURVEY PLAN:
Lands n/f Dry Acres LLC
Broadkill Hundred, Sussex County, Delaware
Deed Ref: 3802/102, TM 235-30.00-51.00

Project:

Revisions

Surveyed By: V. Walch, PLS
Prepared By: P.E.L.
Checked By: M.J.
Project #: A181103
Client: Dry Acres, LLC

No recorded or non-recorded rights-of-way, easements, or other interests are shown on this map. These items have been provided as a courtesy and are not a warranty of the accuracy of the information shown. No warranty is made by the Client. No warranty is made by the Surveyor. No warranty is made by the Surveyor's firm or any other person.

Date:

12/14/2018

Scale:

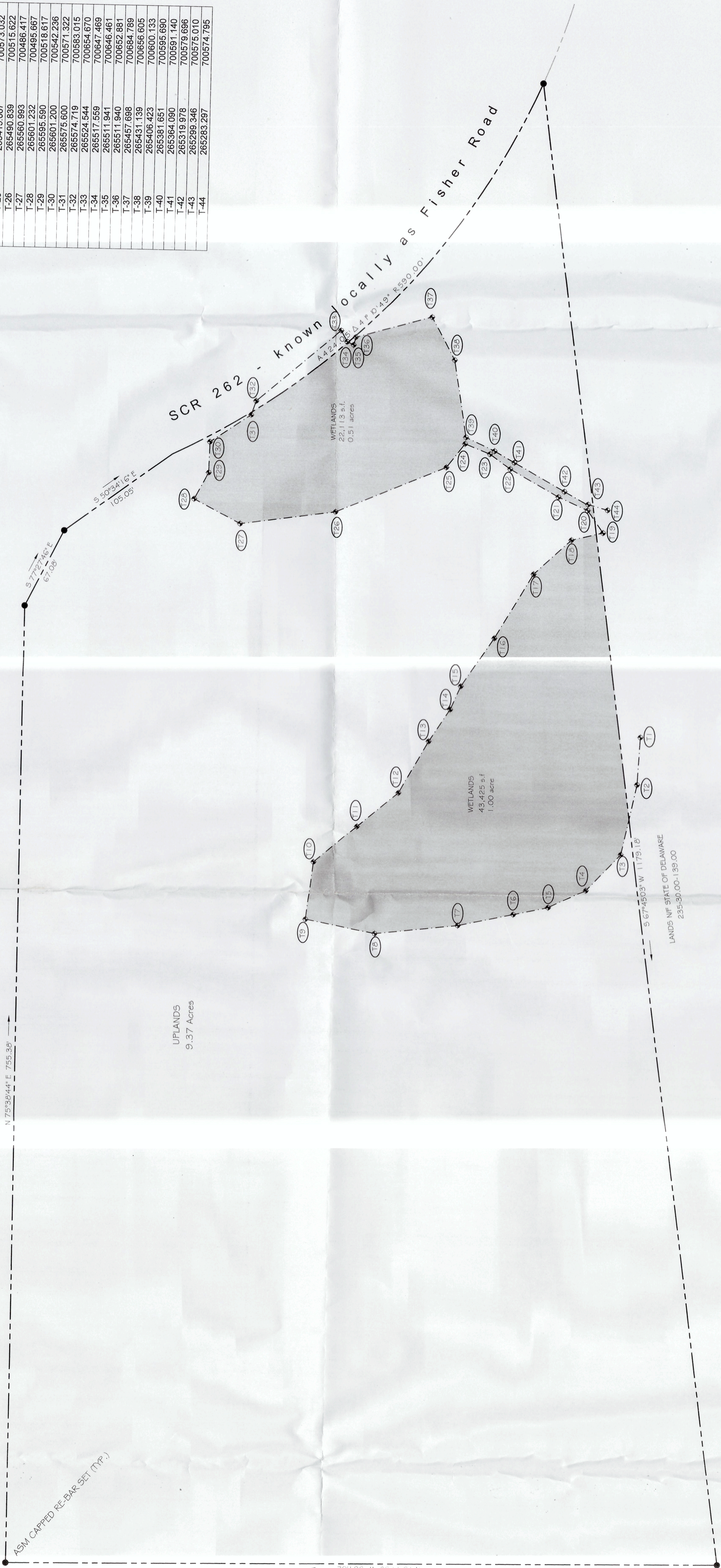
As Shown

Sheet 1 of 1

WETLANDS COORDINATE POINTS		
Point	Northing	Easting
T-1	265208.749	700409.528
T-2	265202.251	700372.842
T-3	265199.803	700316.115
T-4	265218.730	700281.462
T-5	265243.378	700259.745
T-6	265258.532	700247.174
T-7	265268.714	700227.004
T-8	265370.714	700198.298
T-9	265427.261	700182.308
T-10	265433.360	700245.308
T-11	265407.431	700281.471
T-12	265382.538	700315.959
T-13	265370.457	700361.546
T-14	265360.722	700390.278
T-15	265357.536	700410.165
T-16	265352.064	700453.531
T-17	265326.506	700510.482
T-18	265304.306	700524.485
T-19	265281.924	700555.505
T-20	265298.368	700570.377
T-21	265323.358	700574.369
T-22	265365.859	700585.330
T-23	265384.559	700592.418
T-24	265405.700	700595.025
T-25	265415.087	700573.032
T-26	265400.839	700486.417
T-27	265361.322	700485.667
T-28	265555.580	700518.177
T-29	265601.200	700542.236
T-30	265575.600	700571.322
T-31	265574.719	700583.015
T-32	265524.544	700654.670
T-33	265517.559	700647.469
T-34	265511.941	700646.461
T-35	265511.940	700652.881
T-36	265457.698	700684.789
T-37	265415.115	700685.605
T-38	265408.423	700680.133
T-39	265381.651	700680.133
T-40	265384.080	700581.680
T-41	265319.978	700579.698
T-42	265319.978	700579.698
T-43	265299.346	700575.010
T-44	265283.297	700574.785



SR 9 - known locally as Lewes-Georgetown Highway



WETLAND DELINEATION CERTIFICATION

I, Theodore L. Mercer, Jr., Wetlands Delineator, do hereby state to the best of my professional judgment that the information contained within this report has been prepared with acceptable environmental research methods, is true and correct, and has been prepared in accordance with the U.S. ARMY CORPS OF ENGINEERS WETLANDS MANUAL (1987), the DNREC WETLANDS ACT OF 1973, and the regulations governing the use of subaqueous lands in accordance with the provisions of 7 DEL.7212.

Theodore L. Mercer, Jr., Wetlands Delineator

Date

Lands n/f
Ernest & Donna DeAngelis
30260056
235-30.00-53.00

PLAZA NINE JILL A. CICIERSKI | DRY ACRES, LLC

CASE NO. CZ 1904

ZONING MAP AMENDMENT FROM AR-1 TO C-2

OWNER:

Dry Acres, LLC
16973 Island Farm Lane
Milton, DE 19968

DEVELOPER:

Jill A. Cicierski
16808 Gravel Hill Road
Milton, DE 19968

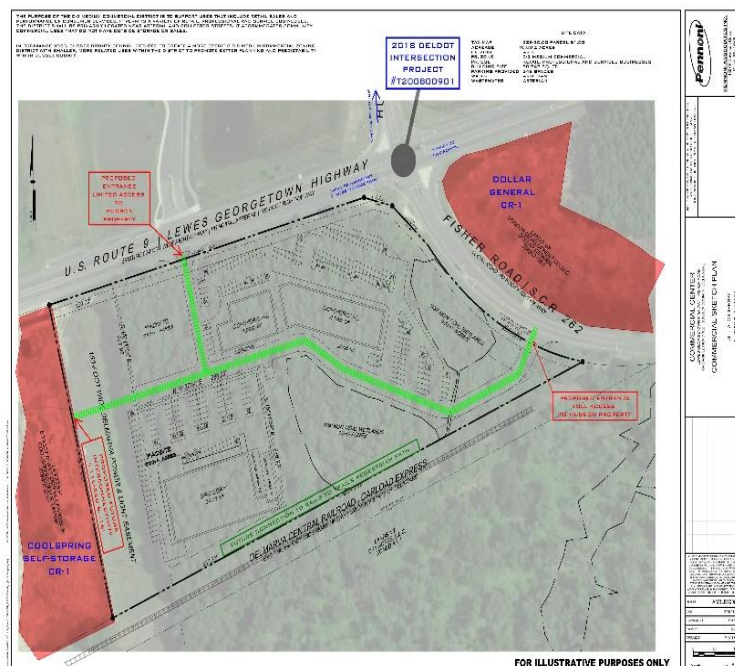
PLANNER/ENGINEER/SURVEYOR:

PENNONI
18072 DAVIDSON DRIVE
MILTON, DE 19968
MARK H. DAVIDSON, PRINCIPAL LAND PLANNER
ALAN DECKTOR, PE., ENV SP
JOHN W. HAUPT, PLS

ENVIRONMENTAL:

PENNONI & ACCENT ENVIRONMENTAL
WILLIAM J. GANGLOFF, PhD. PROFESSIONAL SOIL SCIENTIST

THEODORE L MERCER, JR.,
WETLANDS DELINEATOR



FOR ILLUSTRATIVE PURPOSES ONLY

TABLE OF CONTENTS:

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- BOUNDARY SURVEY
- LEGAL DESCRIPTION
- PURCHASE AGREEMENT
- SLER

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- STATE COMMENTS & PENNONI RESPONSE

TAB 3 EXHIBITS

- SC TAX MAP
- SC ZONING MAP
- SC 2019 FUTURE LAND USE MAP UPDATED
- COMMERCIAL SKETCH PLAN 2020-01-03

TAB 4 MAPS

- 2019 AERIAL, 2017, 2012, 2007, 2002, 1997, 1992, 1968, 1961, 1954, AND 1937 ORTHO - 2015 STATE STRATEGIES, COUNTY ZONING, 2012 LAND USE, NRCS SOILS, STATE WETLANDS, FEMA FLOODPLAIN, GROUNDWATER RECHARGE, USGS TOPOGRAPHIC AND AREA COMMERCIAL USES MAP

TAB 5 FINDINGS

- FINDINGS OF FACT.



Figure 1 of 20.	2019 Aerial Image	Pennoni	Subject Parcel
20	Dry Acres, LLC AMBLD19001		Other Tax Parcels

Date: 5/12/2020 Document Path: C:\Users\AMH\Documents\GIS Projects\AMBLD19001\02_2019 Aerial Image.mxd

Mark H. Davidson / Vice President

Principal Land Planner/Office Director

EDUCATION

University of Delaware; Civil Engineering,
(1986-1990)

Land Surveying, Delaware Technical &
Community College (1984-1986) and
Wastewater Microbiology Diploma
(1997)

Land Planning, Institute for Public
Administration (2006)

CERTIFICATIONS

DNREC Class A Percolation Tester & Class
B Septic Designer, (DE #2418)

Sediment & Stormwater Management,
Responsible Personnel, DE (#8760) and
MD (#4914)

DNREC Certified Construction Reviewer:
DE (#1270)

Delaware Notary

TRAININGS

Hydrology, Delaware TR-20 (1993)

Reducing Flood Hazard in Coastal
Development (1996)

Law for Managers/Supervisors (1999)

State and Federal Laws (2000)

Advanced Real Estate Law in Delaware
(2002)

Land Conservation and Historic
Preservation (2003)

Land Surveying Business Diploma (1998)

Project Manager Training I, Pennoni
(2015)

PROFESSIONAL AFFILIATIONS

National Onsite Wastewater Recycling
Association

Delaware Onsite Wastewater Recycling
Association

American Planning Association

American Institute of Certified Planners

HONORS/AWARDS

Association of Professionals
Philanthropy, Brandywine Chapter
Fundraising Nominee (2014)

Notable Networker Award, BNI (2013)

EXPERIENCE SUMMARY

Mark H. Davidson serves as Vice President of Pennoni and Office Director for our Southern Delaware, Milton Office. Mark also serves as the Principal Land Planner for Pennoni. He has over 33-years of past experience in Surveying, Engineering, Consulting, Construction and Land Planning. For 12-years he owned a professional engineering, surveying, land planning, environmental and consulting firm that provided professional consulting and design in land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware and Maryland. Mr. Davidson's project experience includes land development planning, surveying, engineering, environmental design and permitting; construction and project consulting, management and inspection; water resource consulting, management and inspection and municipal consulting, planning and inspection for residential, industrial, institutional, municipal and commercial applications.

Mark is a past director of the Delaware Onsite Wastewater Recycling Association as well as a member of the American Planning Association, American Institute of Certified Planners and has served in the past as a committee member of Delaware Low Impact Development Roundtable Committee, Delaware Pollution Control Strategy Committee, Delaware Sediment & Stormwater Regulatory Advisory Committee, and the Delaware Technical & Community College A/E Curriculum Committee. He was also nominated for the Brandywine Chapter Association of Fundraising Professionals Philanthropy Award and has won the BNI Notable Networker Award.

Along with all the experience and education stated and with many years of combined experience in Surveying, Engineering, Consulting and Land Planning, he has been responsible for providing consulting, layout and design in surveying, engineering and land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware, Maryland, Virginia and West Virginia. He has project managed, studied, planned, surveyed, designed and engineered sustainable, master-planned communities, commercial and urban redevelopment projects, and the public infrastructure that supports them.

Mark has provided nationwide land planning consulting services to a variety of clientele to help coordinate project startups as well as final construction consulting services when it came to commercial, residential, industrial, municipal, educational and community land planning. Provided additional consulting in civil/site engineering, stormwater management, erosion and sediment control, wastewater collection and disposal, transportation, and environmental. Market areas practiced; Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, North Dakota, Puerto Rico, Canada and Panama.

Additional Project experience includes cutting edge design and technology as well as value engineering to help clients through the ever-changing market including but not limited to solar voltaic and wind generation projects.

He was currently appointed by the Secretary of DNREC to serve 3-years on the On Site Septic Advisory Board for the State of Delaware.

File #: C21904
201911187

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

Southwest corner of the intersection of US Route 9 and Fisher Road (Sussex Road 262)

Type of Conditional Use Requested:

Tax Map #: 235-30.00-51.00 Size of Parcel(s): 10.88-11.27 acres

Current Zoning: AR-1 Proposed Zoning: C-2 Size of Building: Total 75,000sf

Land Use Classification: Low Density/Adjacent to Existing Developing Area/level 3 (Adj to level 2)

Water Provider: Artesian Sewer Provider: Artesian

Applicant Information

Applicant Name: Jill A. Cicierski
Applicant Address: 16808 Gravel Hill Road
City: Milton State: DE Zip Code: 19968
Phone #: 302-841-2282 E-mail: allamericanbuildingconcepts@gmail.com

Owner Information

Owner Name: Dry Acres LLC
Owner Address: 16973 Island Farm Lane
City: Milton State: DE Zip Code: 19968
Phone #: 302-438-5366 E-mail: thom500@yahoo.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Mark H. Davidson
Agent/Attorney/Engineer Address: Pennoni - 18972 Davidson Drive
City: Milton State: DE Zip Code: 19968
Phone #: 302-684-8030 E-mail: mdavidson@pennoni.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

☒ Completed Application

☒ Provide eight (8) copies 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 Fee \$500.00

☐ 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.

☒ DelDOT 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

Date: 9-30-19

Signature of Owner

Date: 9/30/19

For office use only:

Date Submitted: 9/30/19

Fee: \$500.00 Check #: 1148

Staff accepting application: JN

Application & Case #: 201911187

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

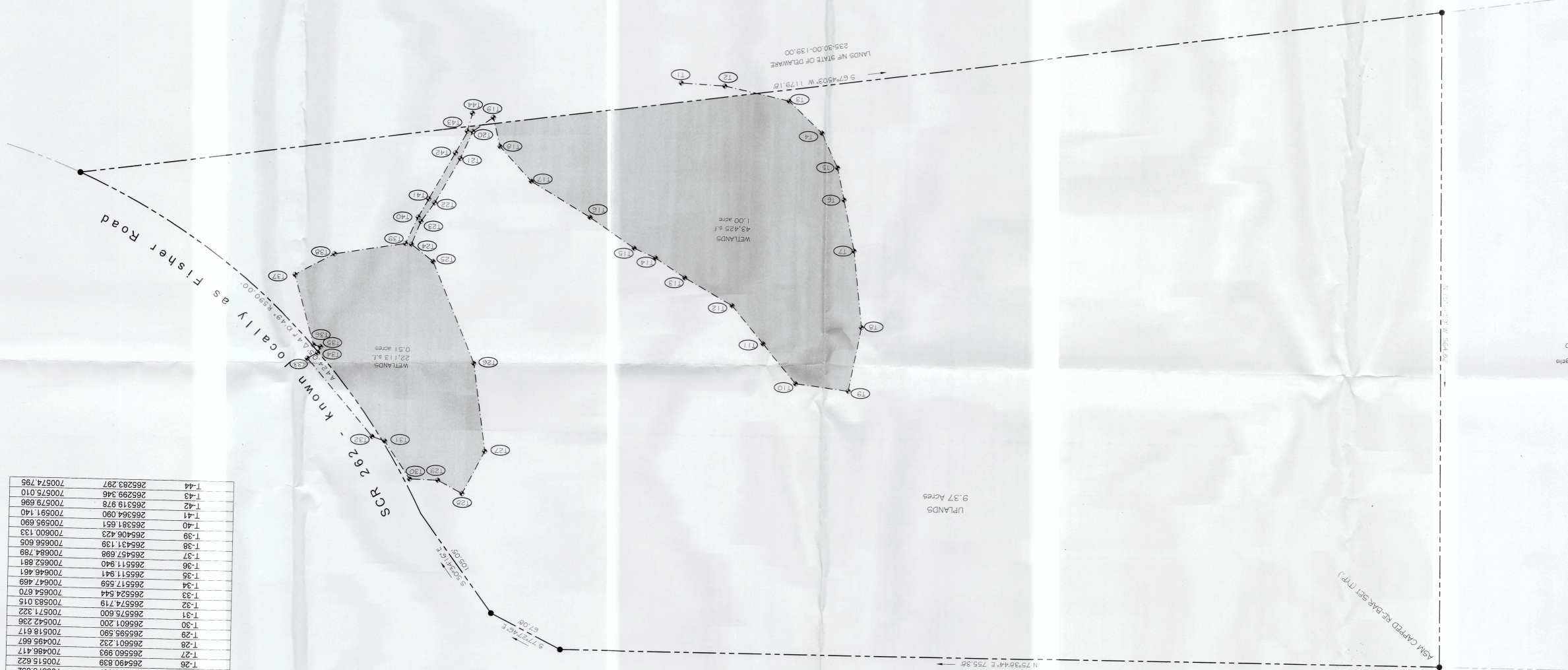
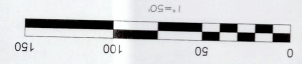
Decision of CC: _____

I, Theodore L. Mercer, Jr., Wetlands Delineator, do hereby state to the best of my professional judgement that the information contained within this report has been prepared with acceptable environmental research methods, is true and correct, and has been prepared in accordance with the U.S. ARMY CORPS OF ENGINEERS WETLANDS MANUAL (1987), the DNREC WETLANDS ACT OF 1973, and the regulations governing the use of subaqueous lands in accordance with the provisions of 7 DEL.2212.

Theodore L. Mercer, Jr., Wetlands Delineator

Date

WETLAND DELINEATION CERTIFICATION



Point	Nothing	Easting
T-1	265209.749	700409.528
T-2	265202.251	700372.842
T-3	265199.803	700316.115
T-4	265218.730	700281.462
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T-7	265305.452	700227.004
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T-30	265601.200	700571.322
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T-38	265331.139	700600.133
T-39	265381.651	700595.690
T-40	265364.090	700579.696
T-41	265319.978	700575.010
T-42	265299.346	700574.795
T-44	265283.297	

Bearings refer to Delaware State Plane Coordinate System

Lands of
Ernest & Berna Delangis
3026056
235-30.00-53.00

ASM CAPPED RELEASE SET (MP)
N 10° 1' 10" W 554.00'

UPLANDS
9.37 Acres

WETLANDS
43.425 ± ±
1.00 Acre

WETLANDS
22.113 ± ±
0.51 Acres

known locally as Fisher Road
known locally as Fisher Road

Revisions
Scale: As Shown
Date: 12/14/2018
No recorded or non-recorded right-of-way easements or other encumbrances affecting these lands have been provided to compare Point Associates by the Client. No warranty is made as to any lands depicted herein is explicitly or implicitly provided.

Surveyed By: V. Wach, PLS
Checked By: M.J.
Project #: A181103
Client: Dry Acres, LLC

Project:
BOUNDARY SURVEY PLAN:
Lands of Dry Acres LLC
Broadkill Hundred, Sussex County, Delaware
Deed Ref: 3802/102, TM 235-30.00-51.00

Professional seal of Theodore L. Mercer, Jr., Wetlands Delineator.

ATLANTIC SURVEYING & MAPPING, L.L.C.
P.O. BOX 247
HARRINGTON, DE 19951
PH: 302-684-2924

DESCRIPTION

The following is a Description of lands now or formerly of Dry Acres LLC, said lands being situate in Broadkill Hundred, Sussex County, Delaware and being bounded on the north by State Route 9 – known locally as, and hereafter referred to as Lewes-Georgetown Highway, on the east by Sussex County Route 262 – known locally as, and hereafter referred to as Fisher Road, on the south by lands now or formerly of the State of Delaware, and on the west by lands now or formerly of Ernest and Donna DeAngelis, said Dry Acres LLC and said lands being more particularly described as follows, to wit:

BEGINNING, for the purpose of this Description, at the common boundary corner of these lands and lands of Ernest and Donna DeAngelis, abovementioned, said Beginning point being on the southerly right of way line of the Lewes-Georgetown Highway, abovementioned; thence by and with the said southerly right of way line of the Lewes-Georgetown Highway North 75 degrees 38 minutes 44 seconds East 755.38 feet to a corner cut connecting the said southerly right of way line of the Lewes-Georgetown Highway with the westerly right of way line of Fisher Road, abovementioned; thence by and with said corner cut South 77 degrees 27 minutes 46 seconds East 67.08 feet; thence by and with said westerly right of way line of Fisher Road South 50 degrees 34 minutes 16 seconds East 105.05 feet; thence continuing with the said westerly right of way line of Fisher Road 424.05 feet by and with the arc of a curve to the left whose radius is 590.00 feet and whose central angle is 41 degrees 10 minutes 49 seconds, to lands now or formerly the State of Delaware, abovementioned; thence by and with said lands now or formerly of the State of Delaware South 67 degrees 45 minutes 03 seconds West 1179.18 feet to the common boundary corner of these lands and lands now or formerly of Ernest and Donna DeAngelis, abovementioned; thence by and with the common boundary line of these lands and said lands or formerly of Ernest and Donna DeAngelis North 51 degrees 11 minutes 59 seconds West 564.82 feet to the Beginning and containing 10.88 acres, more or less.

Project No.	T200800901
Tax Parcel No.	2-35-30.00-51.00
Project Parcel No.	10-R

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
REAL ESTATE SECTION

COPY

PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT (hereinafter "Agreement") is made as of this 4th day of June, 2012 by and between Dry Acres, LLC (hereinafter "Owner") and the Department of Transportation of the State of Delaware (hereinafter "DelDOT").

WHEREAS, DelDOT has a transportation public use project with a State Project No. of T200800901 and an F.A.P. Project No. of ESTP-S999(88) (hereinafter "Project"); and

WHEREAS, the Owner is vested with the fee simple title to the property required for the Project, said property is identified as Project Parcel No. 10-R on the Project's Plan Sheet No(s). 15, 16, 17, 18 and 34 and further as County Tax Parcel No. 2-35-30.00-51.00, with a street address of on the southwest corner of Lewes Georgetown Highway and Fisher Road (hereinafter "Property"); and

WHEREAS, DelDOT is an agency of the State of Delaware with the authority to acquire real property for use in transportation projects or programs through eminent domain proceedings; and

WHEREAS, DelDOT wishes to acquire a portion of the Parcel and, if unsuccessful in acquiring such portion by purchase, will institute condemnation proceedings to acquire such portion.

NOW THEREFORE, in consideration of the promises and mutual covenants herein contained, the Owner, his/her/its heirs, executors, administrators, successors or assigns, and DelDOT do agree as follows:

1. Owner hereby agrees to sell, and DelDOT agrees to purchase in fee simple, the Property consisting of the following: A Fee Acquisition 1 consisting of approximately 7,455.9515 square feet (0.1712 acres), Fee Acquisition 2 consisting of approximately 4,033.8566 square feet (0.0926 acres) and the underlying Fee of Existing Daylight Easement consisting of approximately 1,008.4857 square feet (0.0232 acres) and all damages incident thereto. This sale includes all rights, title and interest, if any, of the Owner in and to any land lying in the bed of any street, road or avenue opened or proposed to the centerline thereof.
2. DelDOT will pay to the Owner the sum of Ten Thousand Nine Hundred Dollars (\$10,900.00) as the full purchase price of the Property.

[Handwritten signature]

3. Final settlement for the purchase of the Property shall be held within ninety (90) days from the date of this Agreement. However, DelDOT reserves the right to extend the settlement date if additional time is needed, through no fault of DelDOT in order to obtain clear title to the Property under Paragraph 7 of this Agreement. The Owner shall receive notice of the time and place of settlement.
4. Any written notice shall be directed to the Owner at

16793 Island Farm Lane
Milton, DE 19968
Attn.: Shauna Thompson;
Telephone: 302-684-3901

Any notice to be given to DelDOT will be mailed to:
State of Delaware
Department of Transportation
Attention: Ida J. Parrett
Real Estate Section
P.O. Box 778
Dover, Delaware 19903

All written notices shall be given by first class mail and shall be effective upon posting.

5. Municipal, county and school taxes will be prorated and paid at settlement when such proration equals \$20.00 or more. Water rent, sewer service and heating fuel will be prorated and paid only in cases where acquisition includes the structures serviced by such utilities and such proration equals \$20.00 or more.
6. In the event that the Property to be acquired is subject to a lease from the Owner to a third party, the Owner shall at the date of settlement deliver said Property free and clear of any leasehold interest, unless otherwise agreed in writing.
7. Good fee simple, marketable title shall be conveyed to the State of Delaware at DelDOT's expense. Title shall be free and clear of all liens or encumbrances of every description at or prior to settlement, unless otherwise agreed in writing. Owner represents and warrants to DelDOT that the Owner is the only fee simple title owner of the Property.
8. ~~If this Agreement is for the acquisition of land only, DelDOT shall have the right of immediate entry upon said land for the purpose of construction of a State highway. The Owner hereby waives the right to receive full payment prior to surrendering possession.~~
9. Possession of the Property shall be delivered by the Owner to DelDOT not later than the date of final settlement. All keys in the Owner's possession or under the Owner's control shall be delivered to DelDOT at settlement.
10. The Owner agrees to maintain the Property to be purchased hereunder in its condition as of the date of this Agreement, ordinary wear and tear excepted. DelDOT shall have the right to inspect the Property, including all improvements, fixtures, systems,

initial

machinery and equipment within 48 hours prior to settlement to determine that the Property is in the same condition as of the date of this Agreement. If there is a material change in the condition of any property being acquired, other than ordinary wear and tear, DelDOT reserves the right to renegotiate the purchase price to reflect the change in condition, or to extend the settlement date for a reasonable period of time until the Owner has returned the property being acquired to its condition on the date of this Agreement.

11. Any loss or damage to the Property by fire, windstorm or other casualty prior to settlement shall be borne by the Owner. Risk of loss or damage to the Property shall pass to DelDOT from the Owner at the time of final settlement or date of possession, whichever is earlier.
12. Owner shall not, during the terms of this Agreement, grant, convey, encumber or option the Property or any part thereof to any person, firm or association without the prior written consent of DelDOT.
13. This Agreement shall constitute the entire contract between DelDOT and the Owner, and no modification shall be binding on either party unless reduced to writing and signed by and on behalf of the Owner and by and on behalf of DelDOT.
14. As used herein, the singular terms shall include the plural, and the plural terms shall include the singular; male shall include female.
15. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their heirs, executors, administrators, successors or assigns.

[Signature Page Follows.]

IN WITNESS WHEREOF, the parties hereunto have set his/her/its hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Dry Acres, LLC

Shawn Thompson
Witness

Mark Bonk
Mark Bonk, President

(SEAL)

Witness

(SEAL)

Witness

(SEAL)

Witness

(SEAL)

FOR DEPARTMENT OF TRANSPORTATION USE ONLY
DO NOT WRITE BELOW THIS LINE

DEPARTMENT OF TRANSPORTATION

Approved this _____ day of _____, 20____, A.D.

Lana Parrett
Witness

BY:

Ida J. Parrett

(SEAL)

TITLE: Real Estate Representative

**HSIP SUSSEX COUNTY
US 9 PROJECTS**

CONTRACT

1200800901

SUSSEX

BRIDGE NO.

DESIGNED BY: J.L.R.

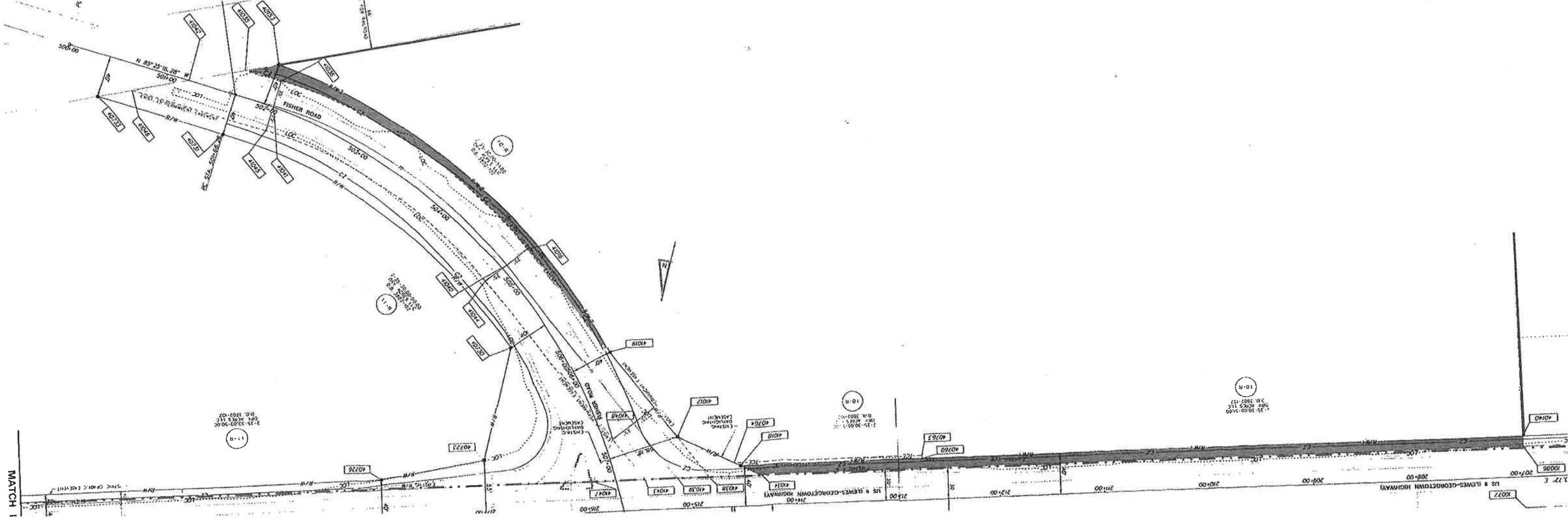
CHECKED BY: C.L.G.

RIGHT OF WAY PLAN

SHEET NO.

51

41



ASSESSMENT NUMBER	OWNERSHIP OF RECORD	TITLE SOURCE	TYPE OF ACQUISITION	FEE 1	ALIGNMENT NUMBER & DESCRIPTION	PL. NO.	ALERT NO.	STATION	OFFSET *	NORTH	EAST	BEARING	DISTANCE	CHORD BEARING	CHORD LENGTH	ARC LENGTH	RADIUS **
2-35-30-00-51-00	(10-81 DBM ACRES LLC	J002-102			2 - US 9 (LINES-GEORGETOWN HIGHWAY)	401+00	2	206+36.19	40.00	265327.1766	699646.7439	N 15°14'08.28" E	15.00012				
						1006+60	2	206+36.03	30.00	265330.2622	699644.1157	N 75°38'43.72" E	735.8130				
						1013+65	2	214+33.56	30.00	265331.2497	700356.9366	N 75°27'45.90" E	22.1069				
						1018+80	2	214+33.56	40.00	265308.4505	700336.5385	S 75°38'43.72" E	755.3773				
						401+00	2	206+36.19	40.00	265327.1766	699646.7439						

[illegible]

EXHIBIT 1

CONTRACT	200800901	COUNTY	SUSSEX
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מ.ר.	מ.ר.
מ.ר.	מ.ר.

CHECKED BY: C.L.G.

CHECKED BY: C.L.G.

CHECKED BY: C.L.G.

41	TOTAL SHTS.
15	SHEET NO.

101A SHS.	
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41

41

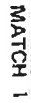


FIGURE 176 AREA = 1008.4857 SQ. FT. (0.0232 ACRES)

EXHIBIT 2



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

JENNIFER COHAN
SECRETARY

April 5, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Jill Cicierski** rezoning application, which we received on March 11, 2019. This application is for an 11.27-acre parcel (Tax Parcel: 235-30.00-51.00). The subject land is located on the southwest corner of the intersection of US Route 9 and Fisher Road (Sussex Road 262). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to C-3 (Heavy Commercial) to develop approximately 90,000 square feet of commercial space to include a business office, a retail plaza, a bank, and a restaurant.

Per the 2017 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of US Route 9 where the subject land is located, which is from Delaware Route 5 and Delaware Route 1, are 14,696 and 18,914 vehicles per day, respectively. As the subject land also has frontage along Fisher Road, the annual average and summer average daily traffic volumes along that road segment, which is from Cool Spring Road (Sussex Road 290) to US Route 9, are 2,067 and 2,660 vehicles per day, respectively.

Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this rezoning application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.



Ms. Janelle M. Cornwell
Page 2 of 2
April 5, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,

A handwritten signature in dark ink, appearing to read "T. William Brockenbrough, Jr.", followed by a small mark that looks like "for".

T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Jill Cicierski, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance and Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION**

July 23, 2019

January 6, 2020

Ms. Constance C. Holland, AICP
Director, Office of State Planning Coordination
122 Martin Luther King, Jr. Blvd. South – Haslet Armory
Dover, Delaware 19901

Jill A. Cicierski
JC Reality, Inc.
16808 Gravel Hill Road
Milton, DE 19968

RE: PLUS review 2019-06-01; Plaza Nine

ADDITIONAL PLUS REVIEW RESPONSE FOR PLAZA NINE (CICIERSKI) LANDS

Dear Ms. Cicierski:

Dear Ms. Holland:

Thank you for meeting with State agency planners on June 26, 2019 to discuss the proposed plans for the Plaza Nine project. According to the information received you are seeking review of a site plan for a 90,000 square foot commercial center near the intersection of Route 9 and Fisher Road in Sussex County.

Pennoni is in receipt of your July 23, 2019 letter outlining the PLUS meeting that took place on June 26, 2019 with your office and several of the state agencies. We appreciate you accepting the application into the PLUS process and submit our response as an addition to the August 21, 2019 response provided to your office by the applicant, Ms. Jill Cicierski. The application you reviewed was for a rezoning to C-3 Heavy Commercial which is contrary at this time to how the 2019 Future Land Use Map has designated the use for this property. The Comprehensive Plan states that each land use proposal the County receives should be reviewed on its own merit to determine if the proposal is consistent and does not have a negative impact on the surrounding area or the County in general. The application submitted to the County is to rezone the property to C-2 Medium Commercial, which is an applicable zoning district per Table 4.5-2. Since the comprehensive plan is a guide for the future use of land, the County's official zoning map must be consistent with the uses and intensities of uses provided for in the Future Land Use Plan.

In Ordinance 2550, Sussex County Council desired to create a more specific C-2 Medium Commercial zoning district with smaller, more related uses within the District to promote better planning and predictability within Sussex County. The purpose of the C-2 Medium Commercial District is to support uses that include retail sales and performance of consumer services. It permits

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

a variety of retail, professional and service businesses. The district shall be primarily located near arterial and collector streets. It accommodates community commercial uses that do not have outside storage or sales.

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.**

Understood.

Strategies for State Policies and Spending

This project is located in Investment Level 3 according to the Strategies for State Policies and Spending. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer term future, or areas that may have environmental or other constraints to development. State investments may support future growth in these areas, but may have priorities for the near future. Level 3 area means there may be environmental concerns on or near the parcel and we would encourage you to design the site with respect for the environmental features which are present.

The 2015 Strategies for State Policies and Spending Map identifies the area as Investment Level 3. This area is intermingled within a fast-growing area within the county and is adjacent (just north of the property) to Level 2 areas. The priorities in the Level 3 Areas are for DelDOT to focus on regional movements between towns and other population centers. Developers and property owners will make local roadway improvements as development occurs. All infrastructure needs will be funded by the Developer. Additional public infrastructure that will benefit the community, such as, road improvements, utilities and access improvements will be paid for by the Developer. Consistent with the 2019 Comprehensive Plan's Future Land Use Chapter the County has considered the development along US 9 as a business corridor with a mix of residential and commercial uses that provide local residents with access to services they need. Local services would reduce travel to SR 1 for basic needs. The rezoning request is between US RT 9 and the Existing Railroad Tracks.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The proposed project is located or is adjacent to US Route 9/Lewes Georgetown Highway. This transportation corridor is part of the Federal Aid Primary Road System and is nominated as part of the Delaware Bayshore Byway Program. Accordingly, parts

of the subject development are subject to outdoor advertising regulations found in CFR 23 §131 and 17 Del. C. §1101-1120. Accordingly, the applicant should expect the following requirements or needs:

- No new billboards, variable message boards, or electronic changing message sign(s) anywhere within 660 feet of the closest right-of-way edge of Route 9.
- No off-premises advertising on the property for others within 660 feet of Route 9 e.g., displaying on-site the bank/financial institution funding the project or the contractor building the project.
- A standard Delaware Bayshore byway sign may be needed in public right ways as part of the entrance/development coordination review. Further needs would be determined during entrance plan submission and/or other applicable TIS studies.

For more information on the Byways program, please see

<http://deldot.maps.arcgis.com/apps/webappviewer/index.html?id=03d5049bc49041658cfecad5fd6ba8b9>.

The Property owner will work with DelDOT and the Bayshore Byway Program Committee in the development of the property.

- The site access on US Route 9 and on Fisher Road must be designed in accordance with DelDOT's Development Coordination Manual. A copy of the Manual is available at <http://www.deldot.gov/information/business/subdivisions/changes/index.shtml>. .

Understood

- 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. If the County approves this rezoning, DelDOT will revisit the need for a TIS when a site plan is presented.

Understood

Preliminarily, however, DelDOT anticipates requiring the developer to provide a TIS for DelDOT's review and approval before receiving plan approvals. The purpose of a TIS is to identify off-site transportation improvements that the developer would be required to build or contribute toward. Without prejudging the results of the TIS, DelDOT anticipates requiring that the developer make improvements on Fisher Road and limit their access on US Route 9 to right turns in and out.

Will comply if requested during the design of the project.

- As necessary, 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 both US Route 9 and Fisher Road. By this regulation, the dedication is to provide a minimum of 50 feet from the physical centerline of US Route 9 and 30 feet of right-of-way from the physical centerline of Fisher 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."**

Additional right-of-way along both roadways was dedicated to DelDOT back in 2012. An additional dedication along US Route 9 is anticipated as part of the planning of the property.

- 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 both roads. 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."**

Understood

- Section 3.5.4.2 of the Manual addresses requirements for shared-use paths and sidewalks. Referring to Section 3.5.4.2.A of the Manual, DelDOT may require developments in Level 3 and 4 Areas to install a sidewalk or Shared Use Path along their frontage. DelDOT anticipates requiring a Shared Use Path along US Route 9 and Fisher Road.

Understood

- 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.

Understood

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether turning lanes are warranted at the site entrance, if a new entrance is proposed and how long the lanes should be at the existing entrances. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>. Because of the proximity of the Route 9 entrance to the Fisher Road intersection and the limited space available to accommodate westbound left turns into the site, DelDOT anticipates requiring that that movement be served by the Fisher Road entrance.

Will Comply

State Historic Preservation Office – Contact Carlton Hall 736-7404

- **There are no known archaeological sites, or known National Register-listed or eligible properties on the parcel.** However, the area has medium to high potential for prehistoric archaeological resources based on well drained soils adjacent to the wetlands on and near the project area. Therefore, the Delaware SHPO is recommending an archaeological survey of the project area.

Archeological Surveys were completed on several properties adjacent to this subject property as a part of the intersection improvements and additional property acquired for the intersection improvements. Nothing was found as a part of these surveys. This project is private, and no public investment is anticipated for the project. Rest assured that if any prehistoric archaeological resources are discovered during the planning, design and construction of the project, the developer will contact State Historic Preservation Office.

- If any project or development proceeds, the developer should be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del. C. Title 7, Ch. 54).

Understood

- 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. For further information on the Section 106 process please review the Advisory Council on Historic Preservation's website at: www.achp.gov

Understood

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

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 1500 gpm for 2-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 mercantile sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

The project will connect to Artesian Water distribution system that is currently located along the frontage of this property.

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

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 to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the 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

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

- DelDOT is in the process of converting the Georgetown to Lewes rail line to a bicycle and pedestrian trail. Construction is complete from Lewes to Log Cabin Hill Road. A future phase of construction would route the trail along the south edge of the subject development. If the developer would like to have direct access to the trail, DelDOT is willing to include it in their construction plans and build the access at State expense as part of the trail construction. If trail access would be of interest, DelDOT asks that the developer work with DelDOT's Bicycle and Pedestrian Coordinator, Mr. Anthony Aglio, to determine a mutually agreeable location. Mr. Aglio can be reached at (302) 760-2509 or Anthony.Aglia@Delaware.gov.

The applicant is working with DelDOT's Bicycle and Pedestrian Coordinator to have direct access to the trail.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new version and look for the revision date of March 21, 2019. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>

Noted

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

Forest Preservation

- DNREC mapping indicates presence of forested wetlands which encompass a large portion of the subject parcel.

A wetland delineation has been completed for the property and no disturbance to the wetlands will occur.

Recommendations:

- The site plan should be designed to allow for the preservation of as much of this wooded area as feasible, with special consideration for preservation given to large, mature trees.

Leaving a forest intact is usually more beneficial to the existing wildlife and is preferred to clearing

Noted

- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, we recommend that clearing not occur April 1st to July 31st.
- Contact the Division of Fish and Wildlife for assistance in identifying, preserving, and managing the mature forest on-site. For technical assistance or to schedule a site visit please contact Katie Kadlubar, Kathryn.Kadlubar@delaware.gov.

Water Quality

- DNREC mapping indicates presence of wetlands and hydric soils (Hurlock) which encompass a large portion of the subject parcel.
- Increased impervious cover from development and removal of forest cover will increase the potential for future flooding concerns.

Recommendations:

- Consider using pervious pavement/pavers in parking areas to help minimize impervious cover.
- To protect the function and integrity of wetlands, a minimum 100 foot buffer should be left intact around the perimeter.
- Avoid disturbance and filling of wetlands.

Recommendations will be taken under advisement.

Delaware State Fire Marshall's Office – Contact Duane Fox 259-7037

- 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.

Will comply

Delaware Area Rapid Transit (DART) – Contact: Jared Kauffman 576-6062

- A shelter pad is needed. DART can specify a type as there is no sketch of the pedestrian pathway.

A shelter pad is being planned for the project.

- Sidewalk is needed to the stop across the street (stop ID 3390) with pedestrian pathway to stop ID 3390. Stop ID 3390 should be upgraded to a Type 2 12'x8' shelter pad.

Sussex County – Contact Rob Davis 302-855-7820

- Sussex County does not expect to provide sanitary sewer service within the area proposed for commercial development. The Sussex County Engineering Department recommends the project receive wastewater service from a public utility as proposed.

Artesian has both water and sewer in front of the property that serves adjacent commercial properties as well extends to area residential communities. Private utility companies are considered a viable option for water and wastewater treatment in areas where County or municipal services are non-existent or unplanned. Artesian Wastewater Management, Inc. mainly provide water and sewer services for developments that are along Route 9 east of Georgetown CPCN's will be executed for both water and sewer for the property.

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,

PENNONI

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

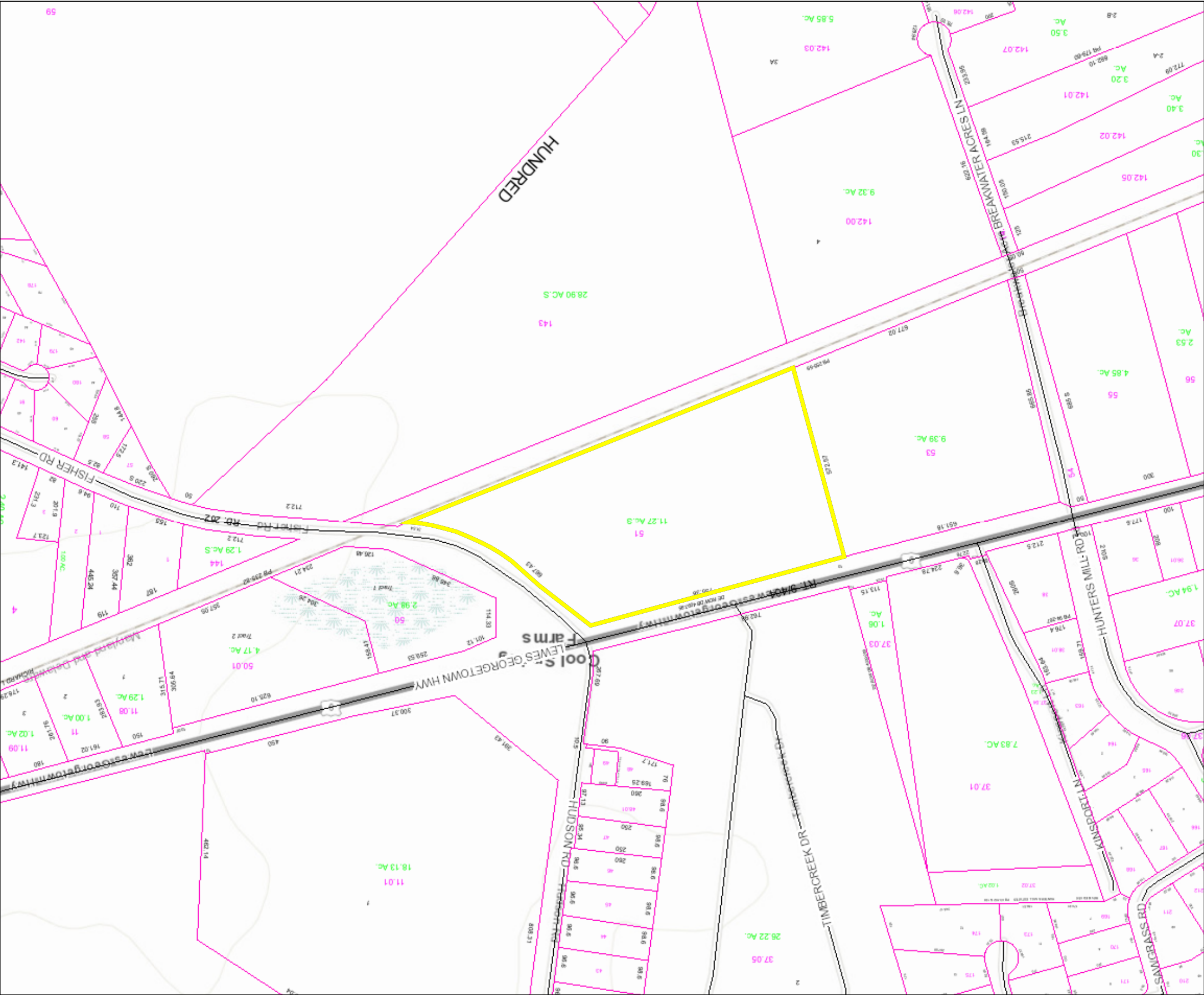
**Mark H. Davidson, VP
Principal Land Planner**

CC: Sussex County

**Sussex County P&Z
Commission & Council**

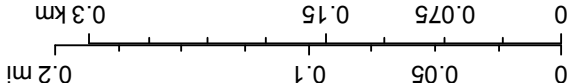


Sussex County



- County Boundaries
- Streets
- Tax Parcels
- Override 1
- polygonLayer
- Override 1
- polygonLayer

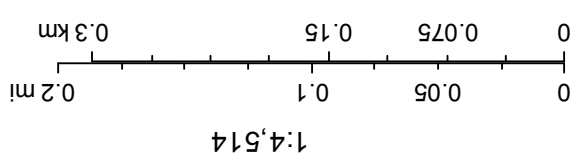
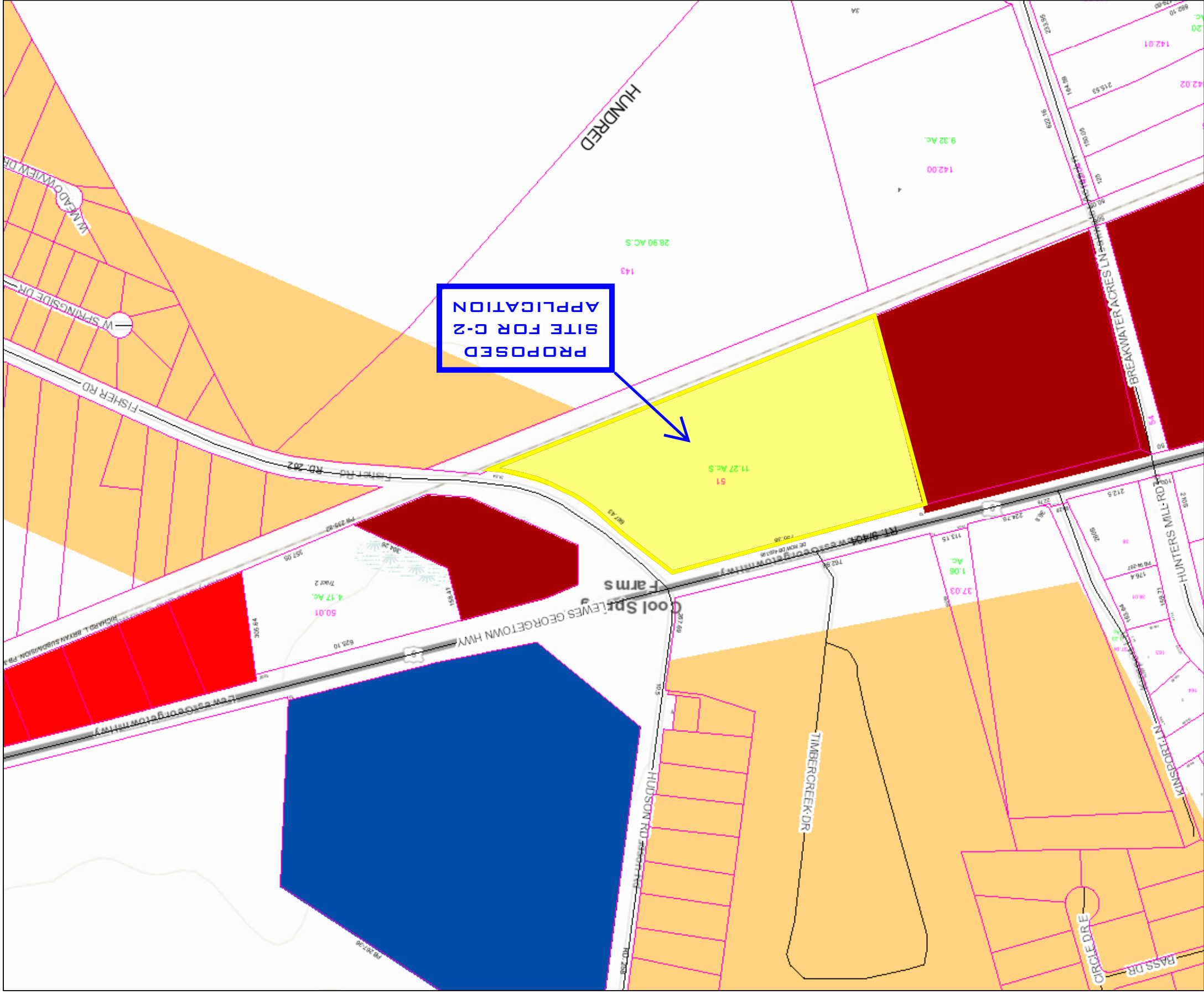
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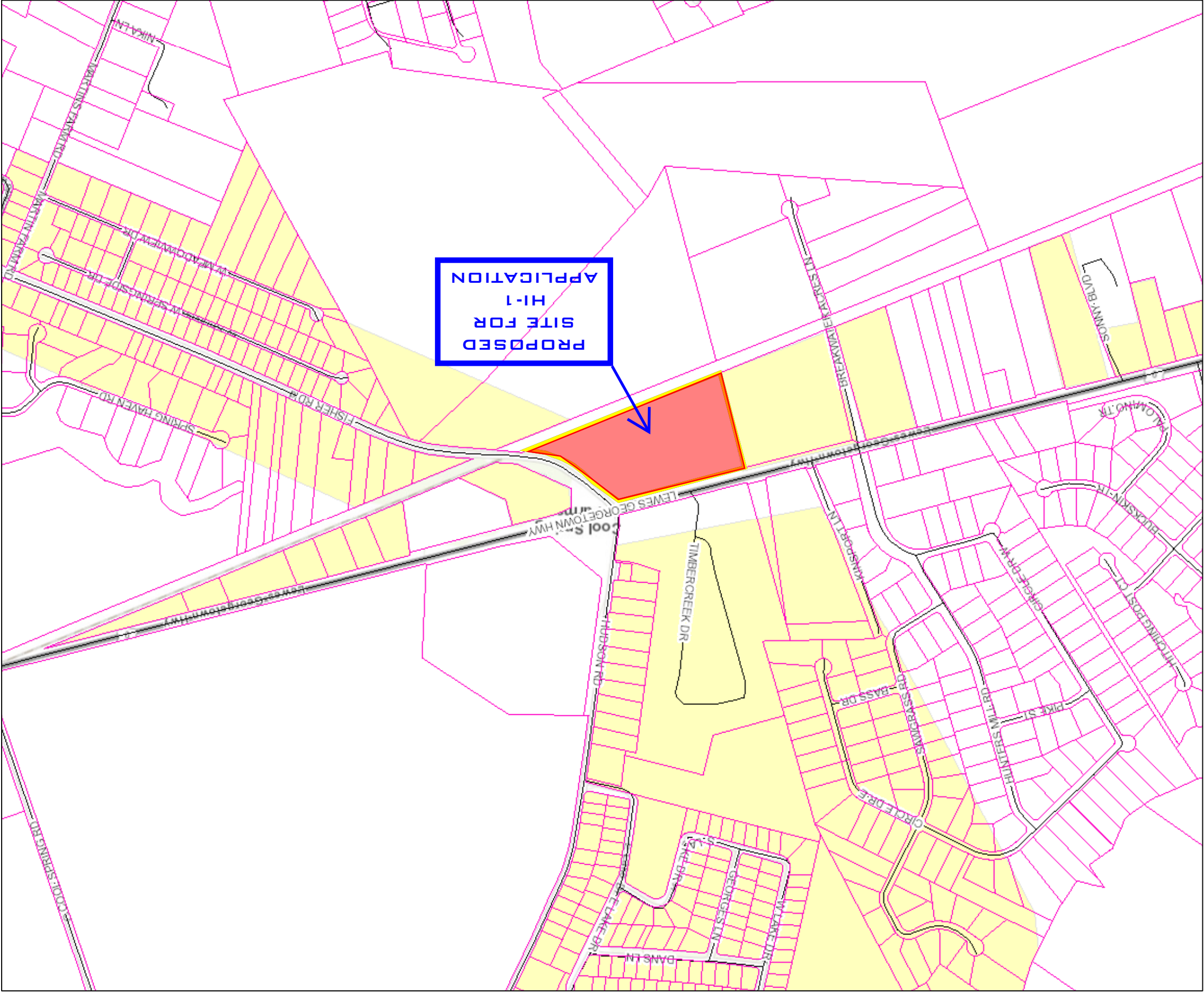


PIN: 235-30.00-51.00		Owner Name DRY ACRES LLC	
Book	3802	Mailing Address	16793 ISLAND FARM LN
City	MILTON		
State	DE		
Description	RD 18	Description 2	FX
Description 3			
Land Code			

PIN:	235-30.00-51.00
Owner Name	DRY ACRES LLC
Book	3802
Mailing Address	16793 ISLAND FARM LN
City	MILTON
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Description	RD 18
Description 2	FX
Description 3	
Land Code	

— Streets
Tax Parcels
Override 1
polygonLayer
Override 1
polygonLayer





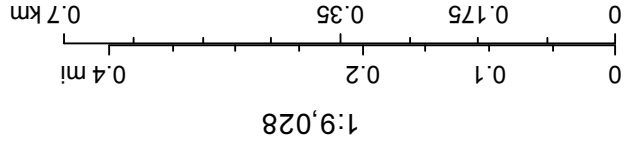
Sussex County



PIN: 235-30.00-51.00
Owner Name DRY ACRES LLC

Book	Mailing Address	City	State	Description	Description 2	Description 3	Land Code
3802	16793 ISLAND FARM LN	MILTON	DE	RD 18	FX		

- polygonsLayer Override 1
- polygonsLayer Override 1
- Tax Parcels
- Streets
- County Boundaries
- 2019 Future Land Use
- Low Density
- Coastal Area
- Commercial
- Developing Area
- Existing Development Area
- Industrial
- Municipalities
- Town Center



THE PURPOSE OF THE C-2 MEDIUM COMMERCIAL DISTRICT IS TO SUPPORT USES THAT INCLUDE RETAIL SALES AND PERFORMANCE OF CONSUMER SERVICES. IT PERMITS A VARIETY OF RETAIL, PROFESSIONAL AND SERVICE BUSINESSES. THE DISTRICT SHALL BE PRIMARILY LOCATED NEAR ARTERIAL AND COLLECTOR STREETS. IT ACCOMMODATES COMMUNITY COMMERCIAL USES THAT DO NOT HAVE OUTSIDE STORAGE OR SALES.

2018 DELDOT
INTERSECTION
PROJECT
#T200800901

SITE DATA

TAX MAP	235-30.00 PARCEL 51.00
ACREAGE	AR-1 10.88 ± ACRES
EX- ZONE	AR-1
FR. ZONE	C-2 MEDIUM COMMERCIAL
FR. USE	RETAIL, PROFESSIONAL AND SERVICES BUSINESSES
BUILDING SIZE	50,747 SQ. FT.
PARKING PROVIDED	248 SPACES
WATER	ARTESIAN
WASTEWATER	ARTESIAN

Pennoni

PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

**ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR
AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORK**

COMMERCIAL CENTER

LEWES GEORGETOWN HIGHWAY | FISHER ROAD
BROADKILL HUNDRED | SUSSEX COUNTY | DELAWARE

COMMERCIAL SKETCH PLAN

JILL A. CICIERSKI
16808 GRAVEL HILL ROAD
MILTON, DELAWARE 19968

DATE	NO.	REVISIONS
------	-----	-----------

1

ALL DOCUMENTS PREPARED BY PENNON ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNON ASSOCIATES FOR THE SPECIFIC PURPOSES INTENDED WILL BE AT OWNERS' SOLE AND WHOLLY LIABILITY TO LEND TO EXPOSURE TO PENNON ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNON ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	AMBLD19001
DATE	2020-01-03
DRAWING SCALE	1" = 50'
DRAWN BY	MHD
APPROVED BY	MHD AD

OF SHEETS

Color	Number of Sheets
Yellow	10
Red	10
Green	10
Blue	10
Purple	10
Orange	10
Black	10

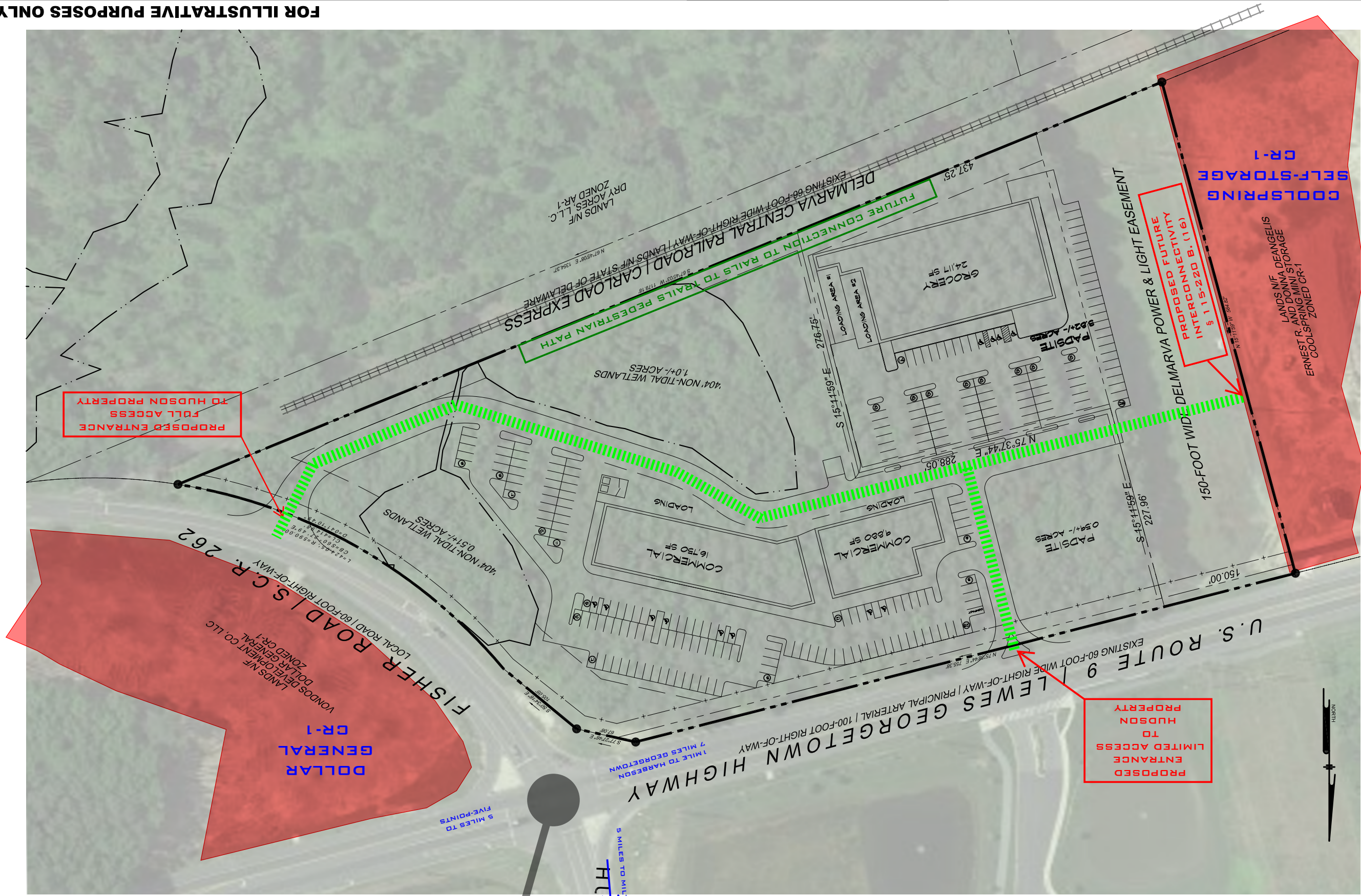




Figure 1 of 20. 20	2019 Aerial Image		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Dry Acres, LLC		
	AMBLD19001		



Figure 2 of 20. 20	2017 Orthophoto		<div><div></div> Subject Parcel</div> <div><div></div> Other Tax Parcels</div>
	Dry Acres, LLC		
	AMBLD19001		



Digital Aerial Solutions, LLC


Figure 3 of 20.	<div data-bbox="399 1408 682 1453" data-label="Text"> <p>2012 Orthophoto</p> </div> <div data-bbox="451 1461 632 1498" data-label="Text"> <p>Dry Acres, LLC</p> </div> <div data-bbox="470 1500 615 1531" data-label="Text"> <p>AMBLD19001</p> </div>		<div data-bbox="1455 1408 1751 1523" data-label="Complex-Block"> <div data-bbox="1465 1414 1556 1458" data-label="Image"> </div> <div data-bbox="1549 1421 1713 1453" data-label="Text"> <p>Subject Parcel</p> </div> <div data-bbox="1465 1463 1556 1507" data-label="Image"> </div> <div data-bbox="1549 1472 1745 1507" data-label="Text"> <p>Other Tax Parcels</p> </div> </div>
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Figure 4 of 20.

4

2007 Orthophoto

Dry Acres, LLC

AMBLD19001

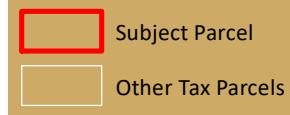




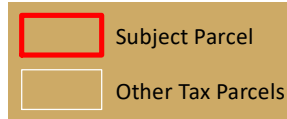
Figure 5 of 20.

5

2002 Orthophoto

Dry Acres, LLC

AMBLD19001





State of Delaware Department of Transportation and EarthData

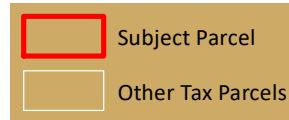
Figure 6 of 20.

6

1997 Orthophoto

Dry Acres, LLC

AMBLD19001





EarthData/PhotoScience Inc.

Figure 7 of 20.	<div data-bbox="399 1406 684 1453">1992 Orthophoto</div> <div data-bbox="451 1461 632 1497">Dry Acres, LLC</div> <div data-bbox="470 1500 615 1531">AMBLD19001</div>		<div data-bbox="1457 1406 1751 1516"> <div data-bbox="1457 1406 1556 1453">Subject Parcel</div> <div data-bbox="1457 1453 1751 1516">Other Tax Parcels</div> </div>
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Figure 8 of 20. 8	<div>1968 Orthophoto</div> <div>Dry Acres, LLC</div> <div>AMBLD19001</div>		<div>  Subject Parcel </div> <div>  Other Tax Parcels </div>
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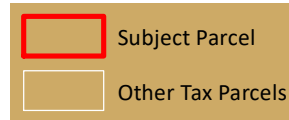
Figure 9 of 20.

9

1961 Orthophoto

Dry Acres, LLC

AMBLD19001





USDA Agricultural Stabilization and Conservation Service

Figure 10 of 20. 10	1954 Orthophoto		<div data-bbox="1465 1409 1751 1523"> <div data-bbox="1472 1414 1556 1458" style="border: 2px solid red; width: 40px; height: 27px; display: inline-block;"></div> Subject Parcel <div data-bbox="1472 1463 1556 1507" style="border: 1px solid black; width: 40px; height: 27px; display: inline-block; background-color: #d2b48c;"></div> Other Tax Parcels </div>
	Dry Acres, LLC		
	AMBLD19001		



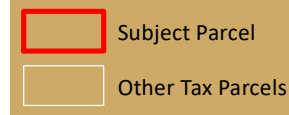
Figure 11 of 20.

11

1937 Orthophoto

Dry Acres, LLC

AMBLD19001



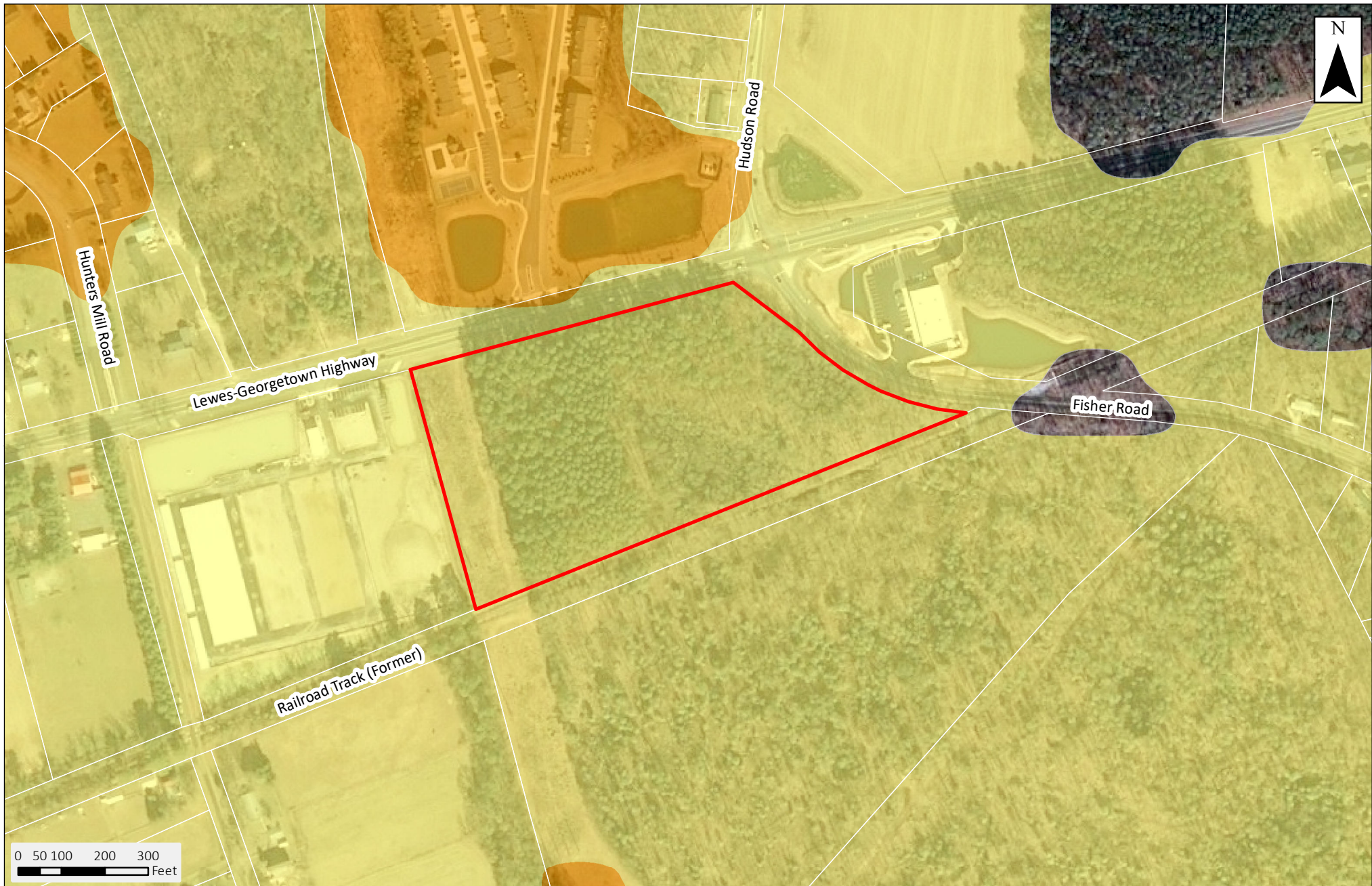


Figure 12 of 20.

12

2015 State Strategies & Investment Levels

Dry Acres, LLC

AMBLD19001



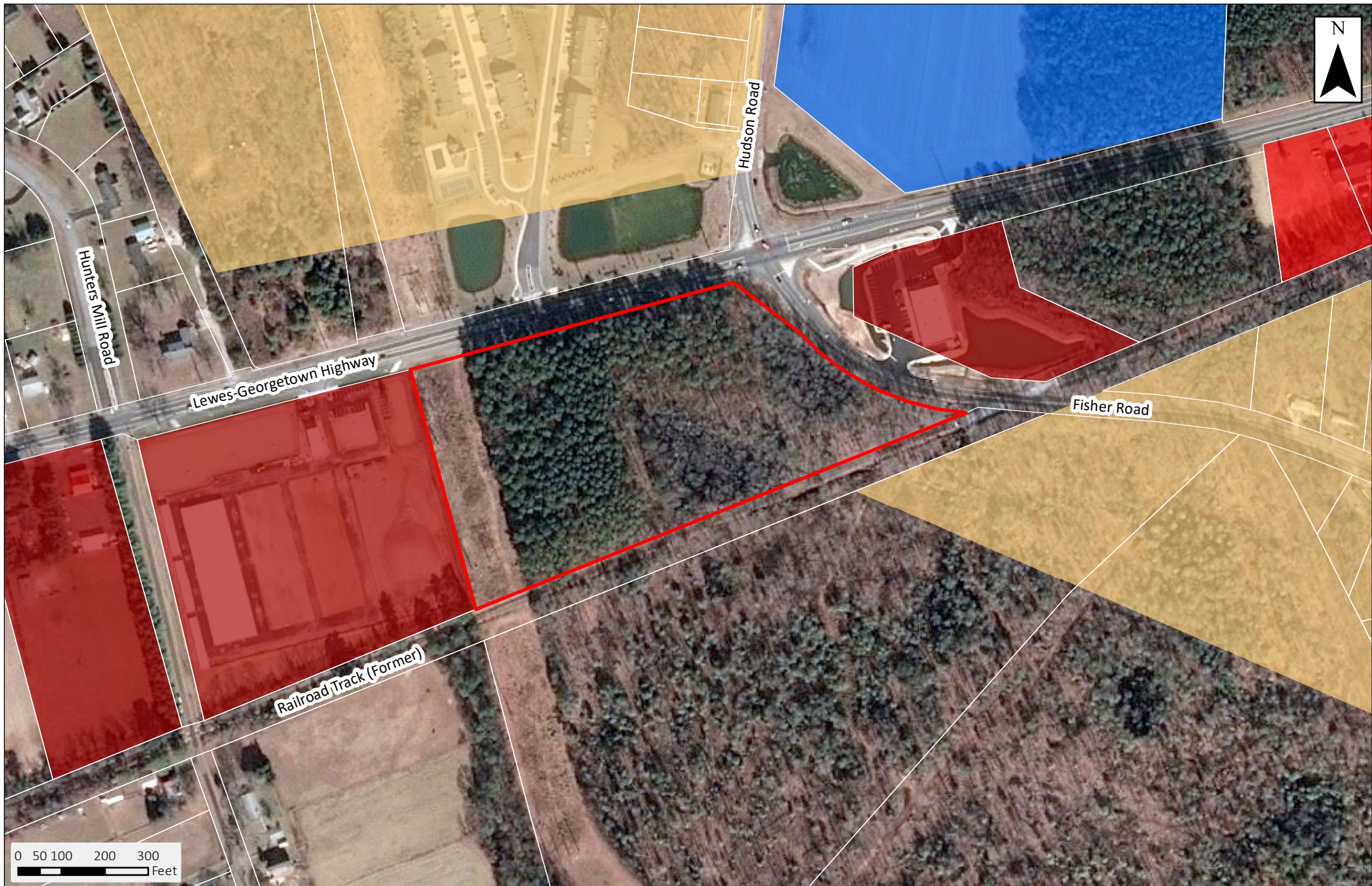


Figure 13 of 20.






13

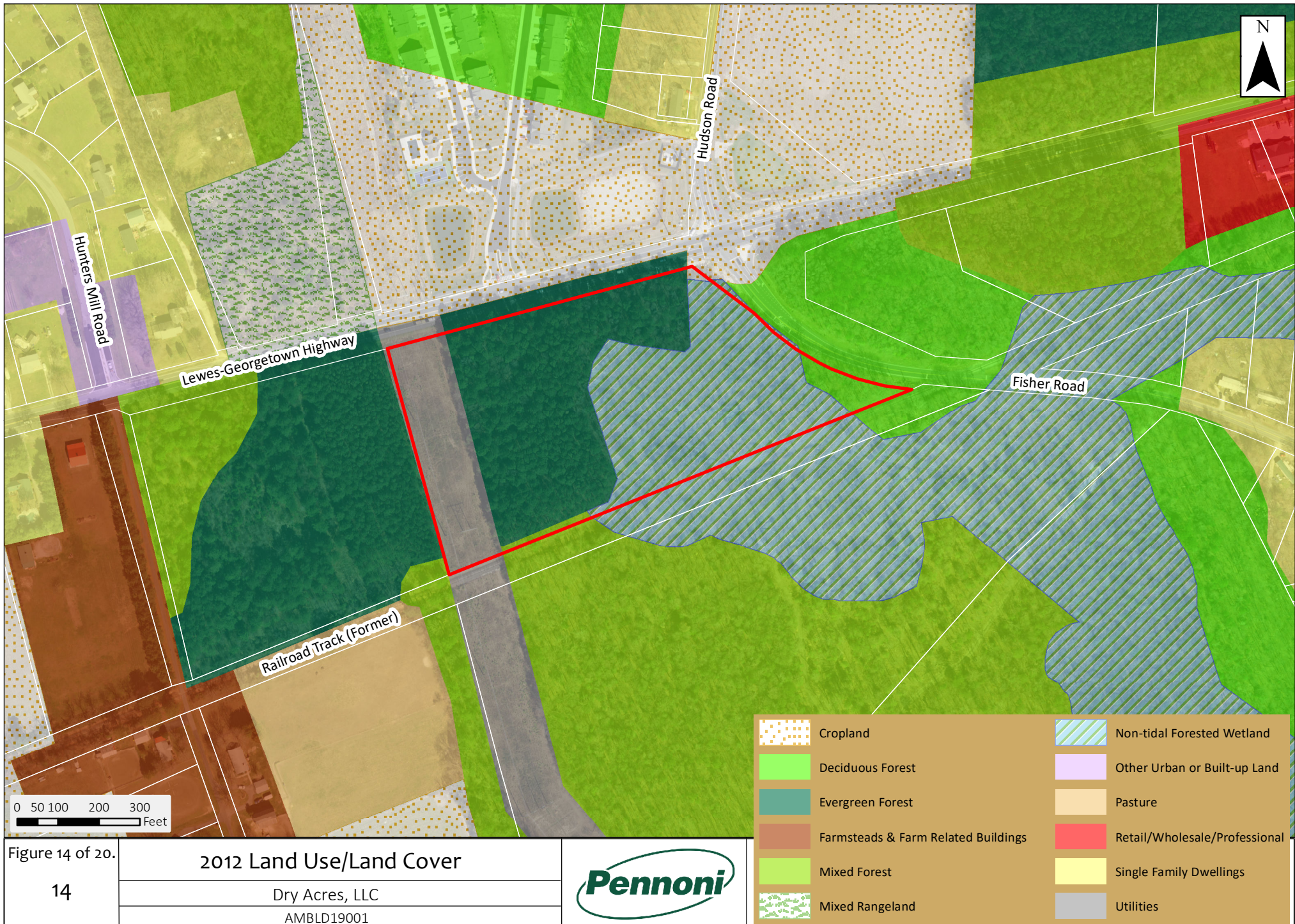
County Zoning Map

Dry Acres, LLC

AMBLD19001



	AR-1		C-1		I-1
	CR-1		GR		



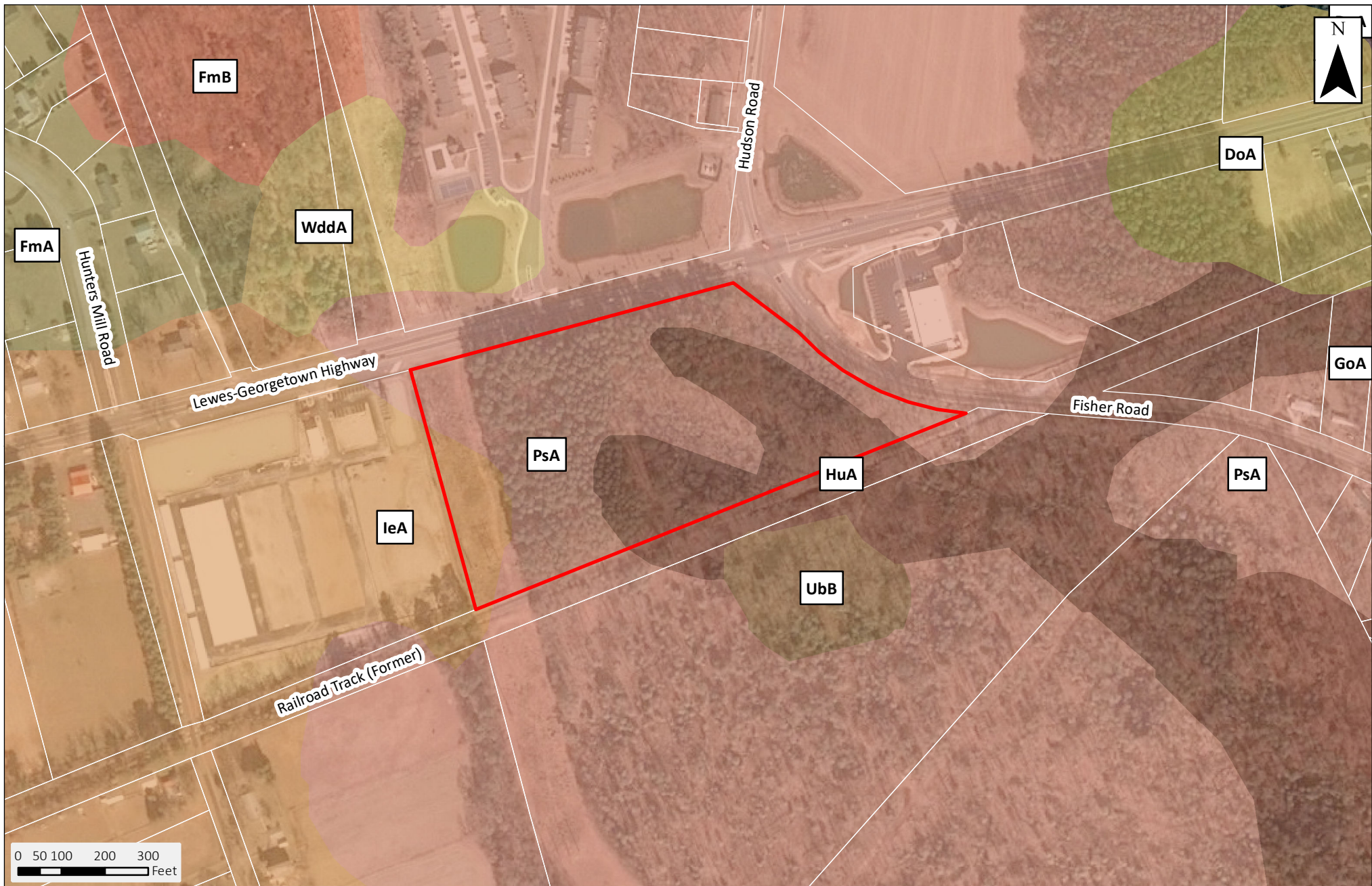



Figure 15 of 20. 15	NRCS Soils Mapping			Soil Types:
	Dry Acres, LLC			HuA - Hurlock loamy sand, Group A/D
	AMBLD19001			leA - Ingleside loamy sand, Group A PsA - Pepperbox-Rosedale complex, Group A



Figure 16 of 20.

16

State Wetlands Mapping

Dry Acres, LLC

AMBLD19001



DNREC Wetlands



Figure 17 of 20. 17	FEMA Floodplain Mapping		<div data-bbox="1522 1425 1686 1466">  Zone X </div> <div data-bbox="1205 1490 1602 1531"> Flood Map #10005C0310L (6/20/18) </div>
	Dry Acres, LLC		
	AMBLD19001		



Figure 18 of 20.

18

Groundwater Recharge Potential

Dry Acres, LLC

AMBLD19001



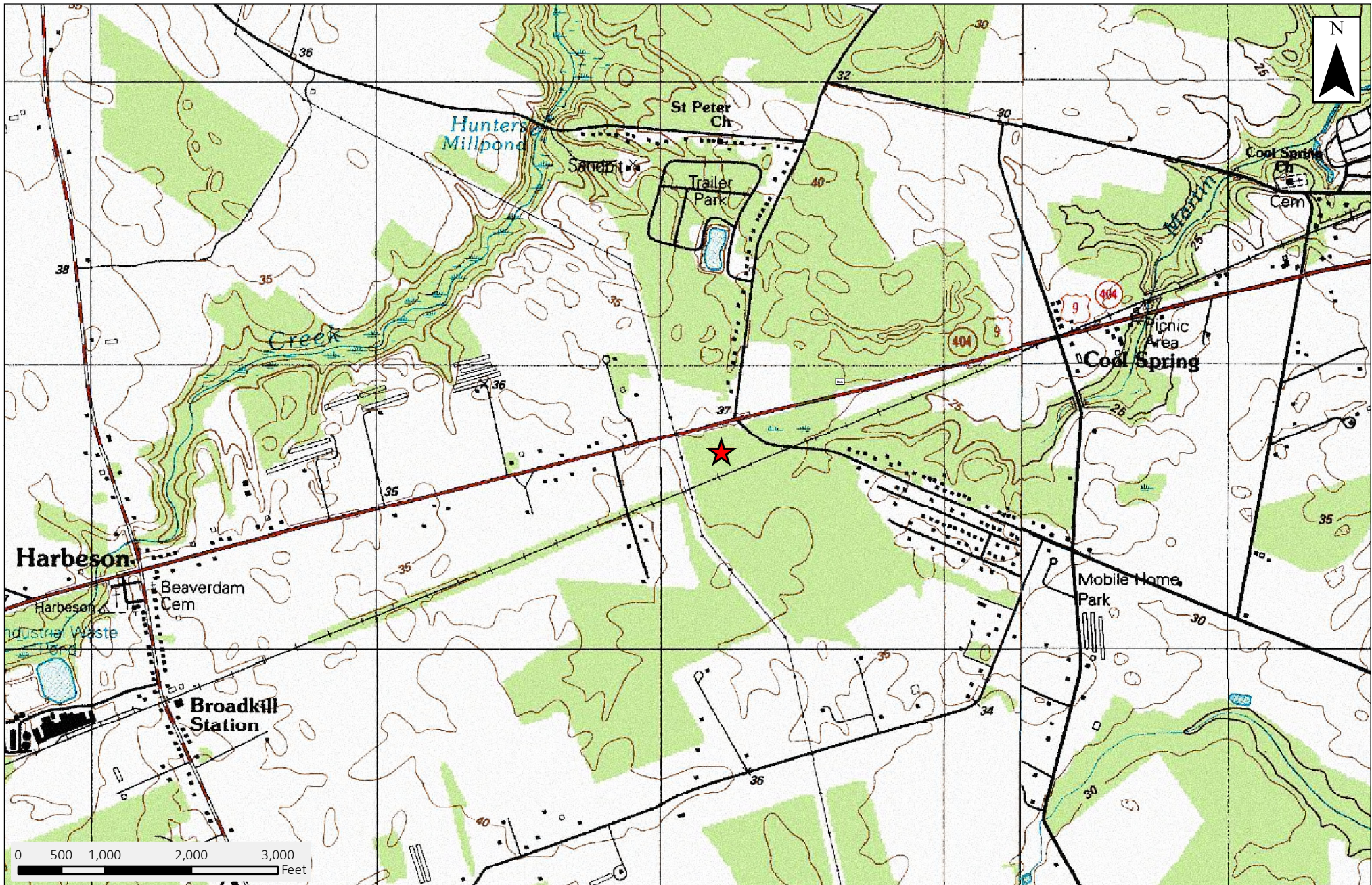


Figure 19 of 20.

19

USGS Topographic Map

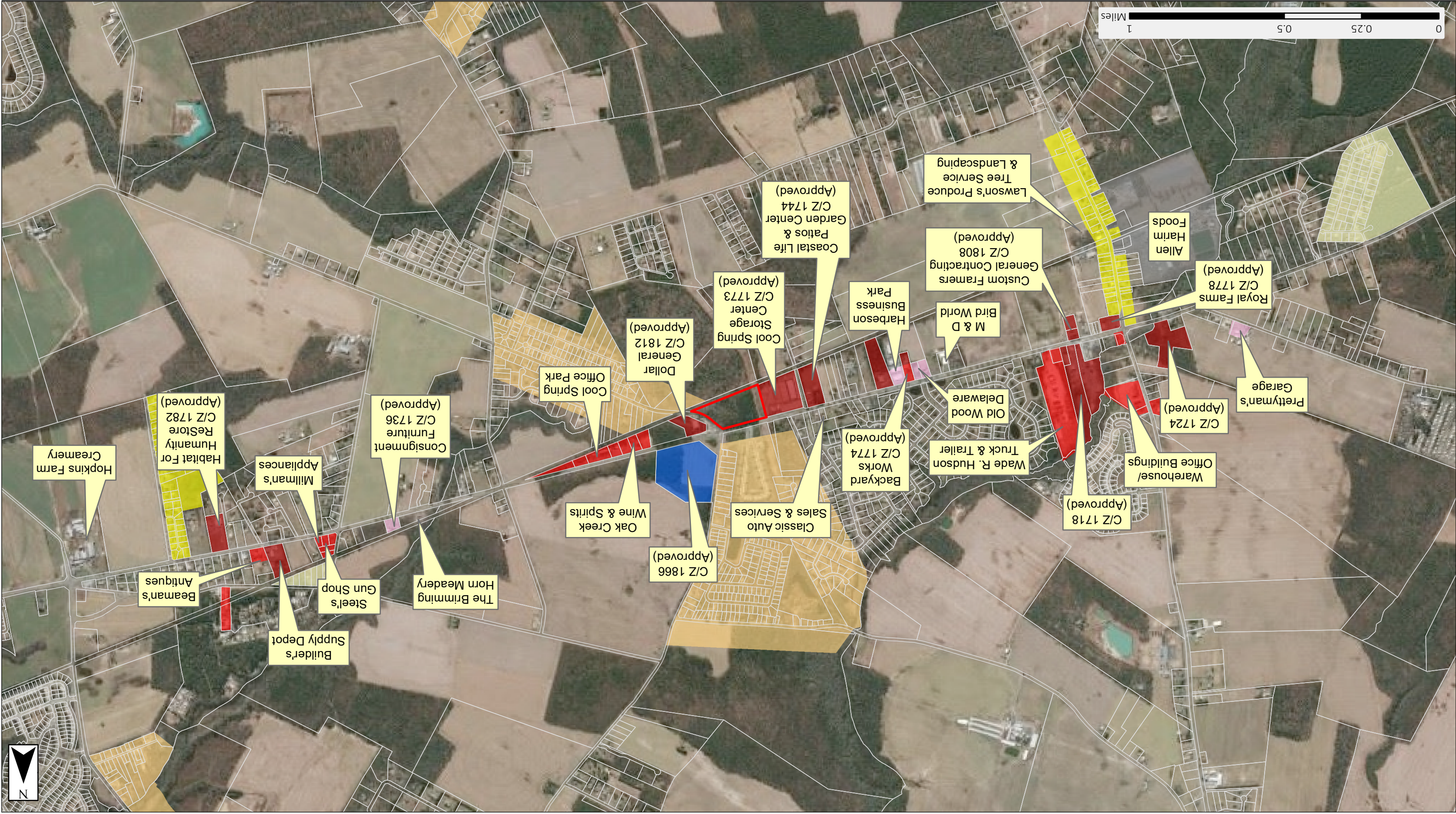
Dry Acres, LLC

AMBLD19001



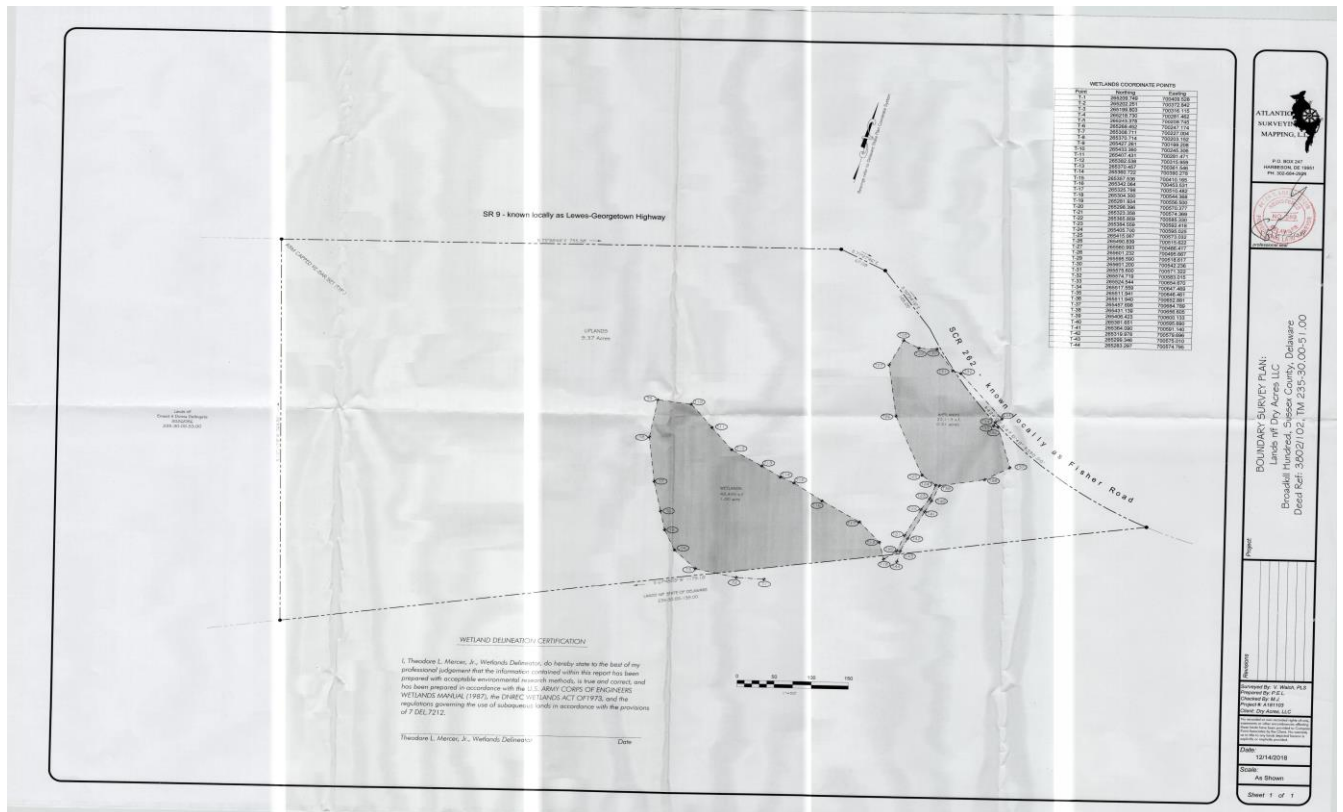
County
Zoning

74911



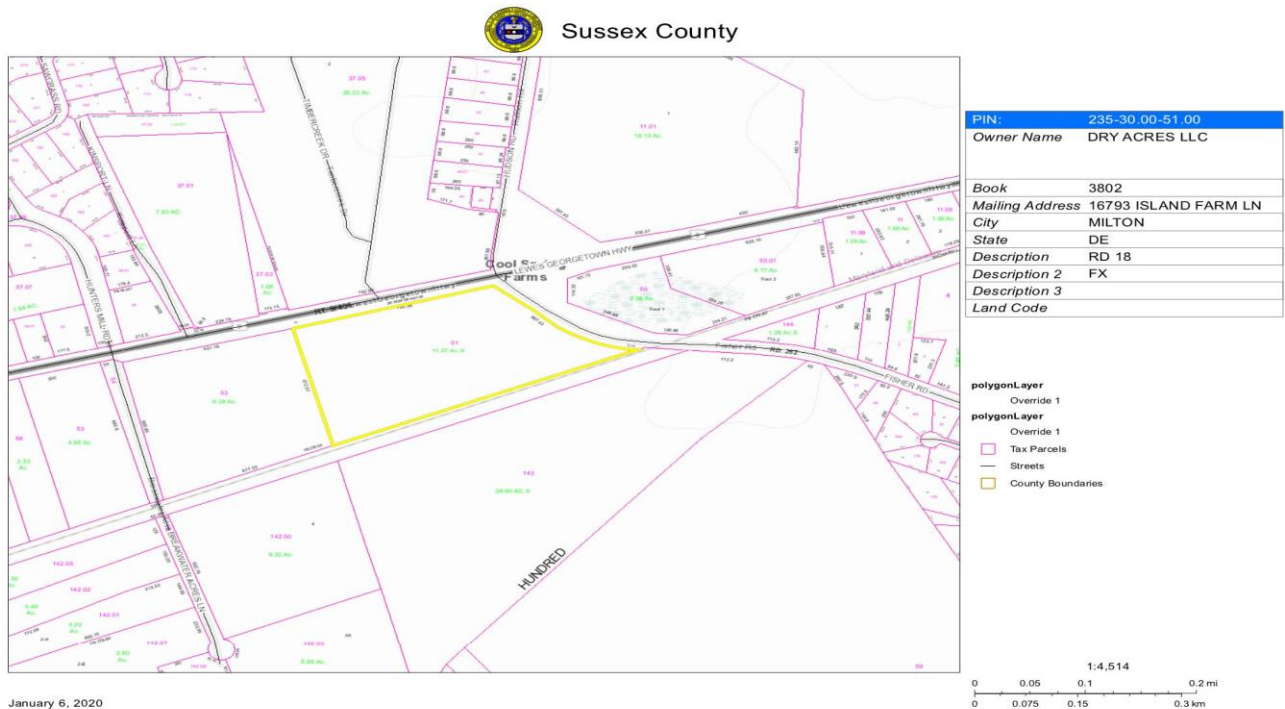
JILL A. CICIERSKI | PLAZA NINE
DRY ACRES, LLC
CHANGE OF ZONE #1904
PROPOSED FINDINGS OF FACT

1. This is an application to grant a rezoning of a portion of lands in a AR-1 Agricultural Residential District located on 10.88 acres, more or less in the Broadkill Hundred located on the south side of Lewes Georgetown Highway | U.S. Route 9 and west side of Fisher Road | Sussex County Route 262 to C-2, Medium Commercial District.



2. The property is under contract to be purchased by Jill C. Cicierski and will be assigned the name Plaza Nine.

3. The property is identified on the tax maps of the Sussex County Department of Finance as Tax Map No. 235-30.00 Parcel 51.00.



4. The properties are bordered on:
 - a. North US Route 9 a Principal Arterial; Shoreview Woods Development (96-Multi-Family Units);
 - b. South by Maryland Delaware Railroad (Future Rails to Trails Path) and other lands owned by Dry Acres, LLC – Zoned AR-1 and GR;
 - c. West with existing commercial uses such Coolspring Mini-Storage;
 - d. East with existing commercial uses such as Dollar General.



5. In Ordinance 2550, Sussex County Council desired to create a more specific C-2 Medium Commercial zoning district with smaller, more related uses within the District to promote better planning and predictability within Sussex County.
6. The purpose of the C-2 Medium Commercial District is to support uses that include retail sales and performance of consumer services. It permits a variety of retail, professional and service businesses. The district shall be primarily located near arterial and collector streets. It accommodates community commercial uses that do not have outside storage or sales.

- THE PURPOSE OF THE C-2 MEDIUM COMMERCIAL DISTRICT IS TO SUPPORT USES THAT INCLUDE RETAIL SALES AND PERFORMANCE OF SERVICE BUSINESSES. IT PROVIDES A VARIETY OF RETAIL, PROFESSIONAL AND SERVICE BUSINESSES. THE DISTRICT SHALL BE PROBABLY LOCATED NEAR SEVERAL AND COLLECTOR STREETS. IT ACCOMMODATES COMMUNITY COMMERCIAL USES THAT DO NOT HAVE OUTSIDE STORAGE OR SALES.**

IN ORDINANCE 1830, SUBSEX COUNTY COUNCIL DEEMED TO CREATE A MORE SPECIFIC C-2 MEDIUM COMMERCIAL ZONING DISTRICT WITH SMALLER, MORE RELATED USES WITHIN THE DISTRICT TO PROMOTE BETTER PLANNING AND PREDICTABILITY WITHIN SUBSEX COUNTY.

2018 DELDOT INTERSECTION PROJECT #T200800901

TAX MAP ACREAGE
 EX. ZONE 10.000 S. ACRES
 SUB. ZONE 2.000 S. ACRES
 PL. USE 10.000 S. ACRES
 BUILDINGS RIDE 10.000 S. ACRES
 WATER PROVIDED 10.000 S. ACRES
 WATERWATER 10.000 S. ACRES

SITE DATA
 235-30.00 PARCEL \$1.00
 10.000 S. ACRES
 2.000 MEDIUM COMMERCIAL
 RETAIL, PROFESSIONAL AND SERVICE BUSINESSES
 10.000 S. ACRES
 2.000 MEDIUM COMMERCIAL
 RETAIL, PROFESSIONAL AND SERVICE BUSINESSES

PROPOSED ENTRANCE LIMITED ACCESS TO HUDSON PROPERTY

U.S. ROUTE 9
 EXISTING 60-FOOT WIDE RIGHT-OF-WAY | PRINCIPAL ARTERIAL | 100-FOOT RIGHT-OF-WAY

LEWES GEORGETOWN HIGHWAY
 HOLE TO HARVARD 1/2 MILE S. OF ROUTE 9

FISHER ROAD / I.C.R. 262
 LOCAL ROAD 100-FOOT RIGHT-OF-WAY

DOLLAR GENERAL CR-1

PROPOSED ENTRANCE FULL ACCESS TO HUDSON PROPERTY

DEL MARVA CENTRAL RAILROAD / CARLOAD EXPRESS
 FUTURE CONNECTION TO RAILS TO MAINTAIN PEDESTRIAN PATH

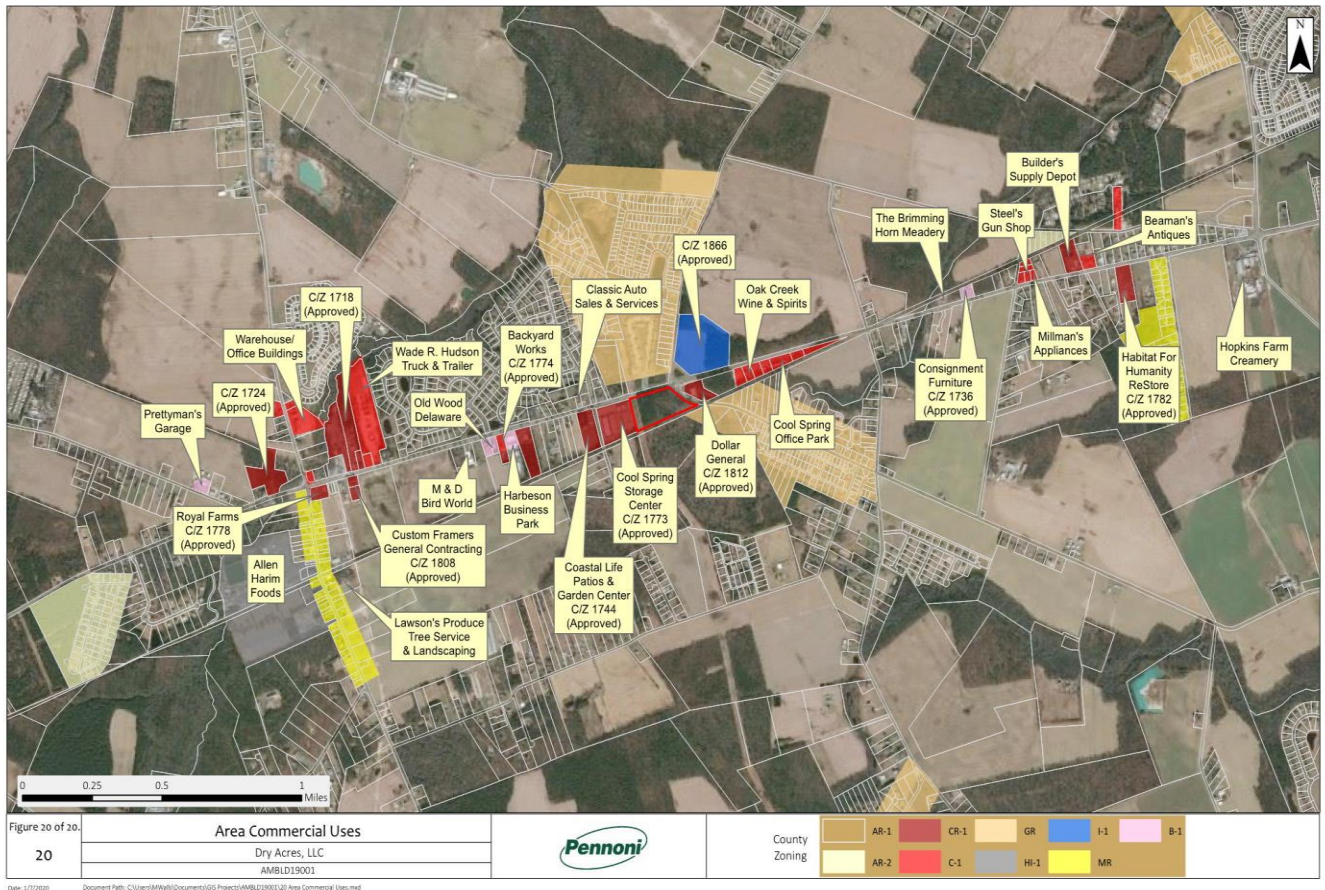
COOLSPRING SELF-STORAGE CR-1

PROPOSED ENTRANCE LIMITED ACCESS TO HUDSON PROPERTY

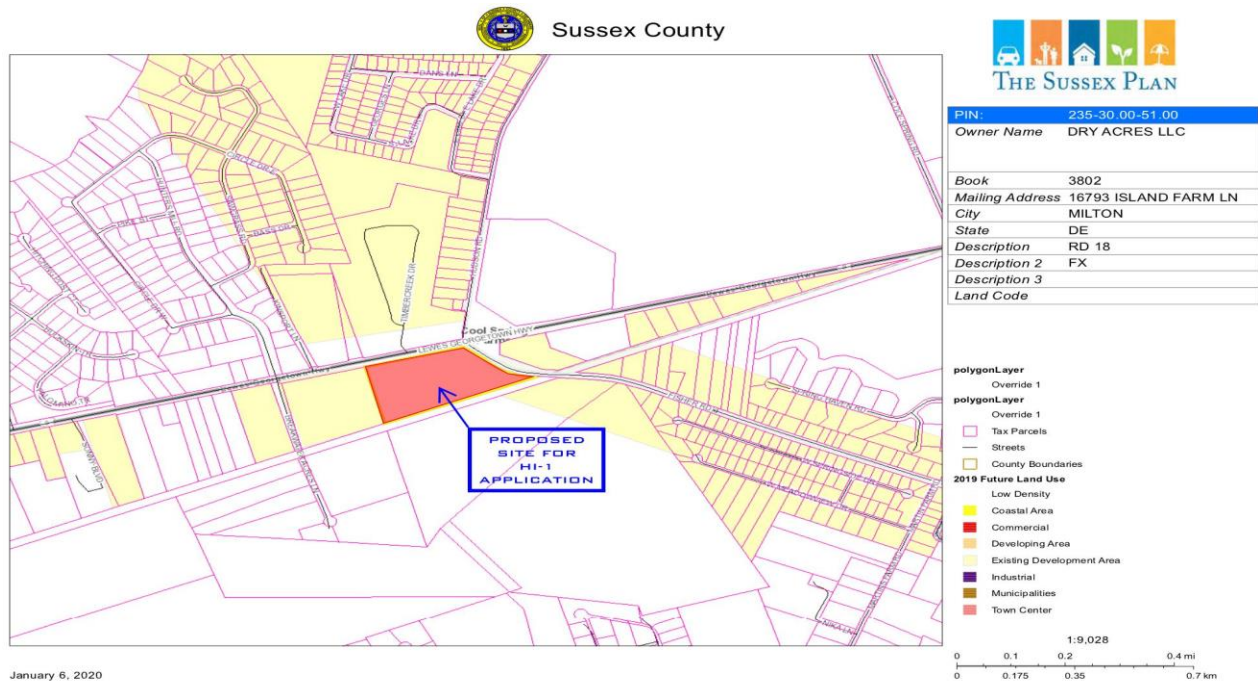
PROPOSED ENTRANCE FULL ACCESS TO HUDSON PROPERTY

FOR ILLUSTRATIVE PURPOSES ONLY

8. The proposed rezoning to C-2 for this property is in the vicinity of other commercial zoned property and uses and will not diminish or impair property values within the neighborhood; will not create a public nuisance; or result in an increase in public expenditures.



9. In the 2019 Sussex County Comprehensive Plan – the area for the proposed rezoning for this property is identified to be in a Low-Density and is currently surrounded by Existing Developing Areas.



The Sussex Plan suggests that each application should be reviewed on its own merit and does not have a negative impact on the surrounding area or the county in general. Some of the stated goals within the plan for new commercial zoning is to:

- a. Promote growth and development in areas where capital facilities and infrastructure are already available and adequate to support the growth - [Artesian has both water and sewer in front of the property that serves adjacent commercial properties as well extends to area residential communities];
- b. Promote commercial development in designated commercial, office, and industrial areas in a scale/intensity/distance appropriate to adjacent residential neighborhoods – [Previously stated, Ms. Cicierski wants to provide a commercial development that is part of the community and provides for goods

and services that are part of the community in scale. Additionally, the nearest residential development (Shoreview Woods Development) which is across the road as well as the Coolspring Developments further east on Fisher Road will benefit in that the subject property is not adjacent to their development but close enough to serve the residences with future services without them having to travel farther distances];

- c. Engage in planning that considers the efficient location of public services and infrastructure while establishing future public sewer service areas that will help preserve open space by promoting orderly growth rather than unplanned sprawl – [this property is located along US Route 9 with access to both Artesian water and sanitary sewer as well as access to a major roadway systems that's east and west to Lewes and Georgetown. This property in this location with a commercial zoning, will prohibit any unplanned sprawl that the Comprehensive Plan is discouraging];
- d. Coordinate with DelDOT on road improvements and other transportation projects – [the property owners have already worked with DelDOT in the dedication of additional right-of-way along US RT 9 and Fisher Road that was part of the intersection improvements that was constructed back in 2018. The Developers will work with DelDOT to allow for a shared cross access easement within the property that will promote interconnection to adjacent properties. Although a TIS was not required as a part of this application, the Developers will have to provide future Transportation Improvements to the adjacent roadways during the future planning of the commercial development. In addition, future connection to the rails to trails pedestrian path along the existing railroad tracks along the rear of the property will be coordinated with DelDOT. DART Bus Shelter will be required for this project. Since US 9 is a principal arterial and an important freight corridor, setbacks will be increased to allow for future capacity in the form of additional right-of-way dedication; permanent easements and additional stormwater management setbacks. Intersections and commercial entrances will be consolidated to reduce access

points. Service roads through the properties will link local residents to commercial parking lots at the rear of the buildings. This would increase the aesthetic benefits to the community].

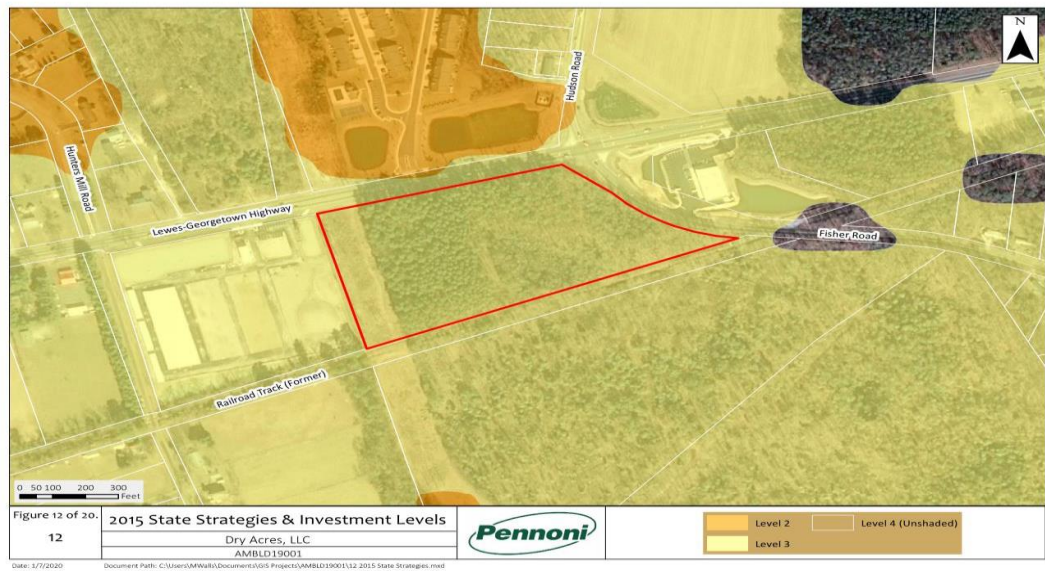
The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents which is what is being proposed for these properties. Commercial uses may be appropriate depending on surrounding uses. The surrounding uses are primarily commercial on the south side of US Route 9 with residential homes on the north side.

Consistent with the Comprehensive Plan's Future Land Use Chapter the County has considered the development along US 9 as a business corridor with a mix of residential and commercial uses that provide local residents with access to services they need. Local services would reduce travel to SR 1 for basic needs. Furthermore, the Sussex Plan promotes the US 9 vision to be tied to efforts to make the corridor multi-modal. Currently, the Georgetown to Lewes Rail Trail is being constructed by DelDOT in phases. Once completed, the trail will provide a pedestrian and bicycle path that is separated from car traffic. The trail will serve as both a recreational asset and a transportation option for commuters. Neighborhoods and businesses along the trail could see economic benefits from connecting to it. The plan presented provides for multi-modal access to RT 9 and Fisher Road as well as the existing railway at the rear of the property where the rail trail is being proposed.

Since the comprehensive plan is a guide for the future use of land, the County’s official zoning map must be consistent with the uses and intensities of uses provided for in the Future Land Use Plan. Table 4.5-2 is provided below to provide a tool for assisting with determining which zoning districts are applicable to each future land use category.

Table 4.5-2 Zoning Districts Applicable to Future Land Use Categories	
FUTURE LAND USE PLAN CATEGORY	APPLICABLE ZONING DISTRICT
RURAL AREAS	
Low Density	Agricultural Residential District (AR-1) Business Community District (B-2) Medium Commercial District (C-2) Marine District (M) Institutional District (I-1) New Zoning Districts

10. The 2015 Strategies for State Policies and Spending Map identifies the area as Investment Level 3. This area is intermingled within a fast-growing area within the county and is adjacent to Level 2 areas. The priorities in the Level 3 Areas are for DelDOT to focus on regional movements between towns and other population centers. Developers and property owners will make local roadway improvements as development occurs. All infrastructure needs will be funded by the Developer. Additional public infrastructure that will benefit the community, such as, road improvements and access improvements will be paid for by the Developer. When discussing the application with the Office of State Planning Coordination (OSPC) – The OSPC works to improve the coordination and effectiveness of land-use decisions made by state, county, and municipal governments. Though state policies can support growth in these areas, the state views these areas more in a long-term basis. It is here that the State will encourage the likes of master planning for the purpose of anticipating growth. The resources needed for applications such as this for rezoning to commercial are in place and available to the project.



11. Wetlands on the property have been delineated and will not be disturbed; the property is located in a Flood Zone X Unshaded; there are no historical or natural features on the property ; stormwater will be onsite and use Best Management Practices for handling stormwater runoff; the properties are not in any Groundwater Protection Zones;

Private utility companies are considered a viable option for water and wastewater treatment in areas where County or municipal services are non-existent or unplanned. Artesian Wastewater Management, Inc. mainly provide water and sewer services for developments that are along Route 9 east of Georgetown CPCN's will be executed for both water and sewer for the property.

Delmarva Power & Light Company has a 150-foot wide utility easement through the subject project that connects to major sub-station to the north of this property. These electric services will provide sufficient energy to this property, the area and beyond.

These properties are fortunate to have a natural gas transmission pipeline located along the property. It is owned and operated by Eastern Shore Natural Gas Company, a subsidiary of Chesapeake Utilities (Chesapeake).

Verizon and Comcast are the main telecommunication providers operating in this service area.

All of these utilities ensure quality growth of development by the planning and developing of infrastructure and services in the County to complement State and local planning efforts with adequate water, sewer, electricity, natural gas, and fiber optic infrastructure to the property.

12. The proposed rezoning meets the general purpose of the Zoning Ordinance being located in an appropriate location meeting the purpose of this district and the future land use plans, strategies and objectives of the comprehensive plan that promotes growth and development through community design, mobility, utilities, transportation and economic development in an area where a general mixture of commercial and service activity now exists, which is essential and desirable for the general convenience, orderly growth, prosperity and welfare of the County.



Memorandum

To: Sussex County Planning Commission Members

From: Jamie Whitehouse, Director, Department of Planning & Zoning; Lauren DeVore, Planner III; Jenny Norwood, Planner I; Christin Headley, Planner I; Nicholas Torrance, Planner I and Chase Philips, Planner I

CC: Vince Robertson, Assistant County Attorney

Date: March 19, 2020

RE: Other Business for March 26, 2020 Planning Commission Meeting

This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the March 26, 2020 Planning Commission meeting.

WMF Powersports LLC (S-20-07)

BM

Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for the proposed 2,200 square foot pole building for boat repairs and other site improvements on a 0.471 acre +/- parcel. The applicant is seeking relief from the off-street parking requirements and from interconnectivity for commercial uses. The site is located at 32665 Oak Orchard Rd. The Revised Preliminary Site Plan otherwise complies with the Sussex County Zoning Code. Tax Parcel: 234-34.08-54.00. Zoning: C-1 (General Commercial Zoning District) and GR (General Residential Zoning District). Staff is awaiting agency approvals.

Generations Welding (S-20-08)

KH

Preliminary Site Plan

This is a Preliminary Site Plan for the proposed 2,800 square foot commercial welding fabrication shop and other site improvements for Generations Welding & Contracting, LLC on a 1.605 acre +/- parcel located at 14716 Laurel Rd. Conditional Use 2178 was approved by the Planning and Zoning Commission at their June 27, 2019 and approved by the Sussex County Council on July 16, 2019. The Preliminary Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 232-19.00-30.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff is awaiting agency approvals.

Baker Petroleum – Lewes Exxon

KS

Preliminary Site Plan

This is a Preliminary Site Plan for site improvements at the existing Lewes Exxon location. Site improvements include a proposed 3,748 square foot retail store, 29 new parking spaces, changes to ingress and egress to the site, and the demolition of an existing building. The site is located at the corner of Coastal Highway (State Route 1) and Wescoats Road with entrances from both streets. The Preliminary Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 334-6.00-35.00. Zoning District: C-1 (General Commercial). Staff are awaiting agency approvals.

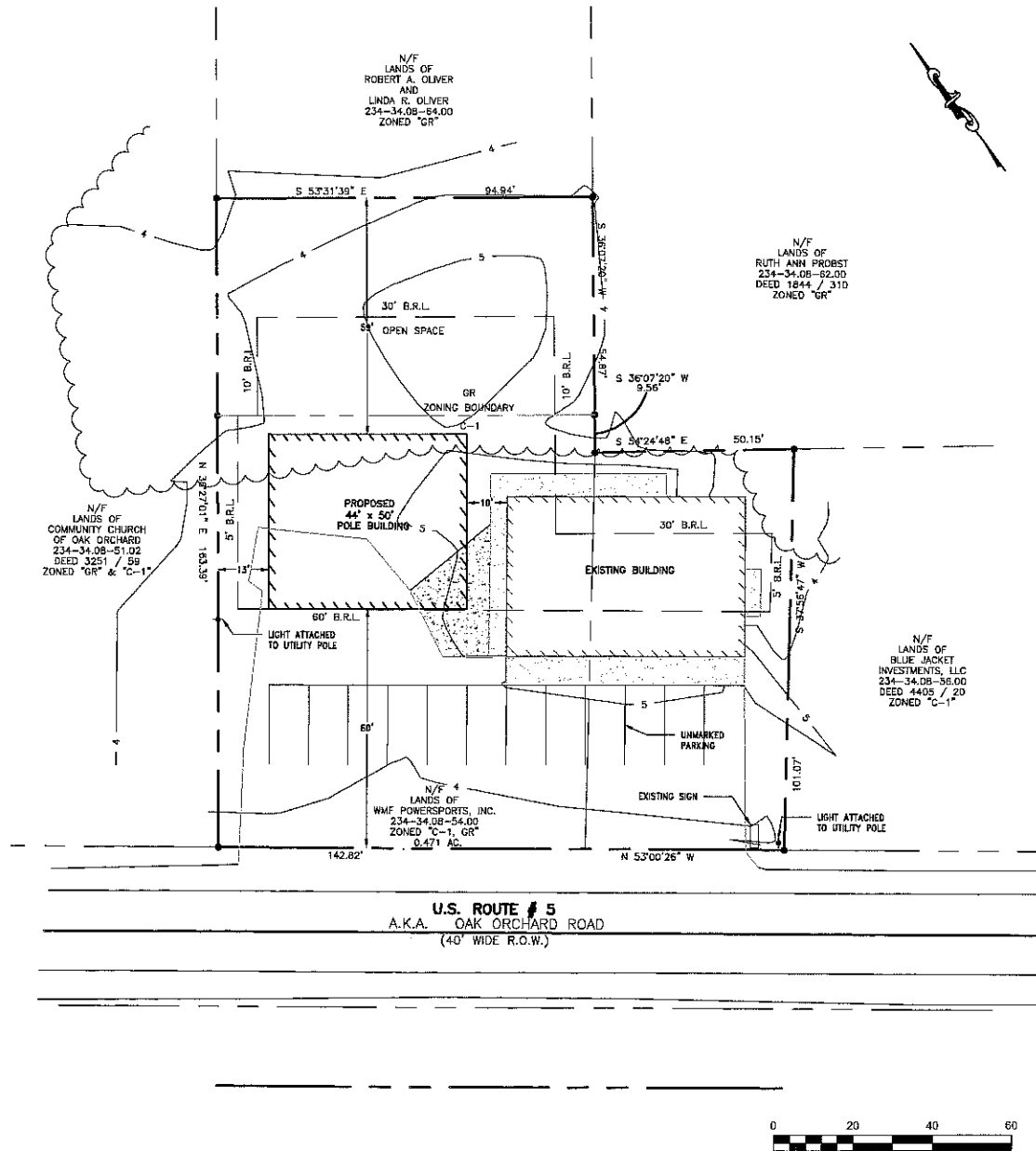
Lands of The Dale Farm, LLC

KH

Minor Subdivision off existing easement



This is a concept plan for a proposed minor subdivision off an existing easement. The proposed plan is to create one (1) parcel measuring approximately 1.8 +/- acres. A Preliminary Minor Subdivision plan will be reviewed by staff for compliance with the Sussex County Subdivision Code prior to the approval of any Final Subdivision Plan. The subdivision is located off of Adams Rd. (S.C.R. 583) in Bridgeville, Delaware. Tax Parcel: 530-16.00-13.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff is awaiting agency approvals.



DATA COLUMN

TAX MAP ID: 234-34.08-54.00

DATUM: NAVD 88
VERTICAL: NAD 83 (DE STATE PLANE)
HORIZONTAL:

SITE ADDRESS: 32685 OAK ORCHARD ROAD, MILLSBORO, DE 19966

LAND USE: WATERCRAFT MAINTENANCE SERVICES

ZONING: C-1 (GENERAL COMMERCIAL DISTRICT)
EXISTING: OR (GENERAL RESIDENTIAL DISTRICT)

MINIMUM REQUIREMENTS: E-1 OR

FRONT SETBACK: 50 FT. 40 FT.
SIDE SETBACK: 5 FT. 10 FT.
REAR SETBACK: 5 FT. 10 FT.

MAXIMUM REQUIREMENTS: BUILDING HEIGHT: 42 FT.

DISTURBED AREA: 3,240 SQ.FT.

OPEN SPACE: 5,657 SQ.FT.

UTILITIES: SEWER PROVIDER: SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
WATER PROVIDER: TIDEWATER UTILITIES, INC.

PARKING CALCULATION: 1 PER 500 SQ.FT. OF FLOOR AREA PLUS 1 PER EMPLOYEE DURING PEAK PERIOD
2,200 SQ.FT. / 500 = 4 SPACES
12 EMPLOYEES = 12 SPACES
16 TOTAL REQUIRED SPACES

EXISTING PARKING: 9 UNMARKED SPACES

PROPOSED PARKING: 12 UNMARKED SPACES

WETLANDS - THIS PROPERTY IS NOT IMPACTED BY WETLANDS.

FLOODPLAIN - THE PROPERTY IS LOCATED IN FLOOD ZONE AE AS DETERMINED BY FEMA PANEL 1000SC0481K, EFFECTIVE MARCH 16, 2015.

THE PROPERTY IS NOT LOCATED IN A SOURCE WATER PROTECTION AREA.

STATE STRATEGIES MAP: INVESTMENT LEVEL 3

THIS PROPERTY IS LOCATED 9.653+/- TO THE SOUTH OF THE INTERSECTION OF OAK ORCHARD ROAD AND JOHN J. WILLIAMS HIGHWAY.

OAK ORCHARD ROAD POSTED SPEED LIMIT: 40 M.P.H.

OWNER/DEVELOPER: WMF POWERSPORTS, INC.
WILLIAM FORENSKI
27037 JOHN J. WILLIAMS HWY.
MILLSBORO, DE 19966

ENGINEER: DAVIS, BOWEN & FRIEDEL, INC.
RING W. LARDNER, P.E.
1 PARK AVE.
MILFORD, DE 19963
PHONE: 302-424-1441
FAX: 302-424-0430

LEGEND

BOUNDARY
SETBACK
PROPERTY LINE TO BE ABANDONED
EXISTING RIGHT-OF-WAY
BOUNDARY POINT

NOTES

1. ALL FIRE LINES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS (DSFPA 705, CHAPTER 5).

OWNER'S STATEMENT

I, THE UNDERSIGNED, HEREBY STATE THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.

WMF POWERSPORTS, INC.
WILLIAM FORENSKI
27037 JOHN J. WILLIAMS HWY.
MILLSBORO, DE 19966

DATE

ENGINEER'S STATEMENT

I, RING W. LARDNER, P.E., HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE. THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DAVIS, BOWEN & FRIEDEL, INC.
by RING W. LARDNER, P.E.

DATE

WMF WATERCRAFT AND MARINE
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

Revisions:

Date: FEBRUARY, 2020

Scale: 1" = 20'

Dwn.By: BJM

Proj.No.: 2491A003

Dwg.No.:

1

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS ENGINEERS SURVEYORS
1 PARK AVE.
MILFORD, DE 19963
(302) 424-1441
(302) 424-0430

POLE BUILDING EXHIBIT

March 12, 2020

*Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.*

Sussex County Planning and Zoning
2 The Circle
Georgetown, DE 19947

Attn: Chairman Wheatley and Members of the Commission

RE: WMF Powersports
Interconnectivity Relief
DBF # 2491A003.B01

Dear Chairman Wheatley and Members of the Commission:

On behalf of our client, WMF Powersports, Inc., we are respectfully requesting relief from interconnectivity with Tax Parcel 234-34.08-51.02 and 234-34.08-56.00 as required per §115-220 B(16) for the following reasons:

1. Tax Parcel 2-34-34.08-51.02 is a narrow width (20' wide) parcel.
2. Tax Parcel 2-34-34.08-56.00 is a lot used for residential purposes with the primary structure located approximately the same distance is the existing building on the applicant's parcel.
3. The location of the existing and proposed building on the applicant's parcel is approximately 50' from the right-of-way.
4. A cross access easement for interconnectivity would either need to be located adjacent to the existing building or located almost directly adjacent to the right-of-way line.
5. DelDOT may require additional right-of-way which would further preclude land available for interconnection.
6. The parcel size is less than half an acre.

For the reasons listed above we believe an interconnection is an exceptional practical difficulty for the applicant to provide.

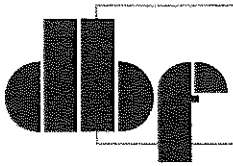
Should you have any questions or need additional information, please do not hesitate to contact me at (302) 424-1441, or via email at rwl@dbfinc.com.

Respectfully Submitted,
Davis, Bowen & Friedel, INC.



Ring W. Lardner, P.E.
Principal

P:\WMF Watercraft\Pole Building - Parcel 2-34-34.08-54.00\Documents\P&Z\2020-03-12 Comment Response\Interconnectivity Waiver.docx



March 12, 2020

Sussex County Planning and Zoning
2 The Circle
Georgetown, DE 19947

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.

Attn: Chairman Wheatley and Members of the Commission

RE: WMF Powersports
Parking Relief
DBF # 2491A003.B01

Dear Chairman Wheatley and Members of the Commission:


On behalf of our client, WMF Powersports, Inc., we are respectfully requesting relief from off street parking as required per§115-162 and allowed under §115-164 to reduce the required parking from 16 spaces to 12 spaces for the following reasons:

1. The parcel is used for Marine Vessel Repair and Maintenance. The Code is silent on this type of use and we used the parking rationale for Automobile service and repair garages.
2. The Applicant employs an average of six employees at this site.
3. Customers do not deliver or pick up their marine vessels or other items for repair and maintenance.
4. Should additional parking be required, the Applicant also owns the property of land across the street for employees to park.

For the reasons listed above we believe a reduction in parking would not negatively impact the business or community.

Should you have any questions or need additional information, please do not hesitate to contact me at (302) 424-1441, or via email at rw1@dbfinc.com.

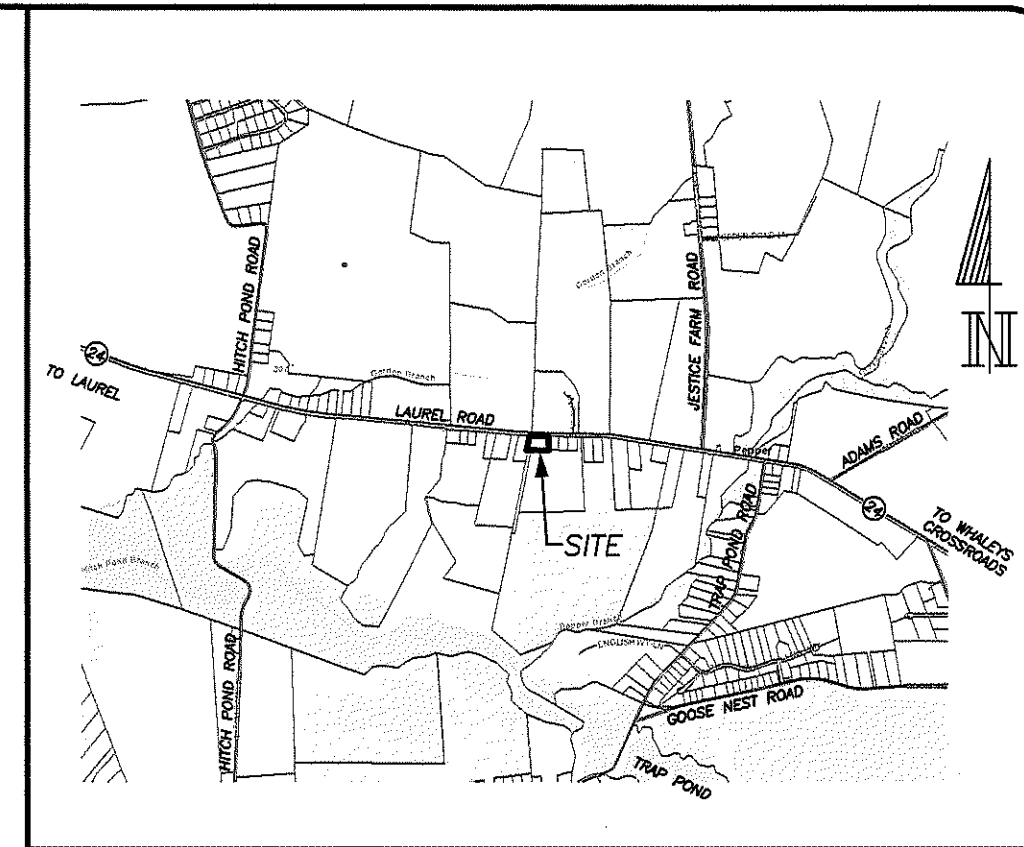
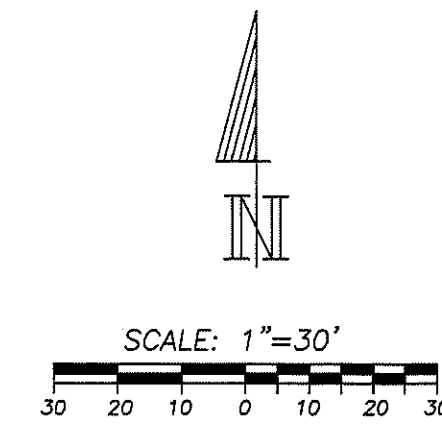
Respectfully Submitted,
Davis, Bowen & Friedel, INC.


Ring W. Lardner, P.E.
Principal

P:\WMF Watercraft\Pole Building - Parcel 2-34-34.08-54.00\Documents\P&Z\2020-03-12 Comment Response\Parking Reduction Request.docx

CONDITIONAL USE # 2178:

- A. No outside repair work shall be performed on site.
- B. All used, junked parts, equipment, etc. shall be screened from view of neighboring properties and roadways and shall be appropriately discarded or recycled.
- C. The property shall have security lighting that is downward screened so that it does not project onto neighboring properties or roadways.
- D. If desired by the Applicant, one lighted sign not to exceed 32 square feet per side shall be permitted.
- E. The Applicant shall comply with all DelDOT requirements concerning access and roadway improvements.
- F. All dumpsters or trash disposal containers shall be screened from view from neighboring properties, adjacent properties and roadways.
- G. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.



LOCATION MAP
SCALE: 1"=3000'

DATA COLUMN:

OWNER/DEVELOPER:
STEVEN W. & CARRIE M. COLEMAN
14716 LAUREL RD
LAUREL, DE 19856
(302) 430-4099
Email: steve@generationswelding.com

DESIGN ENGINEER:
STEPHEN R. LEHR, P.E.
P.O. BOX 165
LINCOLN, DE 19960
(302) 930-0920
(302) 422-9562 FAX
Email: S.Lehr.PE@gmail.com
CONTACT: STEPHEN R. LEHR

EXISTING USE:

RESIDENTIAL LOT

PROPOSED USE:

NEW COMMERCIAL WELDING FABRICATION SHOP
BUILDING AREA - 2,800 SF
BUILDING HEIGHT - LESS THAN 25'
(70' MAX ALLOWED)
CONSTRUCTION - WOOD FRAMING
ON CONCRETE SLAB
BUILDING NOT PROTECTED WITH SPRINKLERS

LOCATION:

14716 LAUREL RD (LOT 1)
1/2 MILE W OF JUSTICE FARM RD
TAX MAP PARCEL: 2-32-19.00-30.00

STATE PLANE COORDINATES:

LAT. 38.5422
LONG. -75.4864

OFF-STREET PARKING:

6 REQUIRED SPACES
(@ 1 SPACE PER 500 SQ FT GROSS FLOOR AREA) +
(@ 1 SPACE PER EMPLOYEE)
8 PROPOSED SPACES (9' x 18' SPACES)
(ADDITIONAL UNLINED PARKING FOR ACCESSIBLE SPACES
AVAILABLE IN FRONT OF EXISTING BARN)

ZONING:

AR-1 CONDITIONAL USE # 2178

SETBACKS:

i. FRONT YARD: 40 FT
ii. SIDE YARD: 15 FT
iii. REAR YARD: 20 FT

CENTRAL SEWER:

EXISTING ON-SITE SEPTIC
(NO CONNECTION TO PROPOSED BUILDING)

WATER SUPPLY:

EXISTING ON-SITE WELL
(NO CONNECTION TO PROPOSED BUILDING)

PARCEL SIZE:

1.605 Acres (69,911 SF)

AREAS:

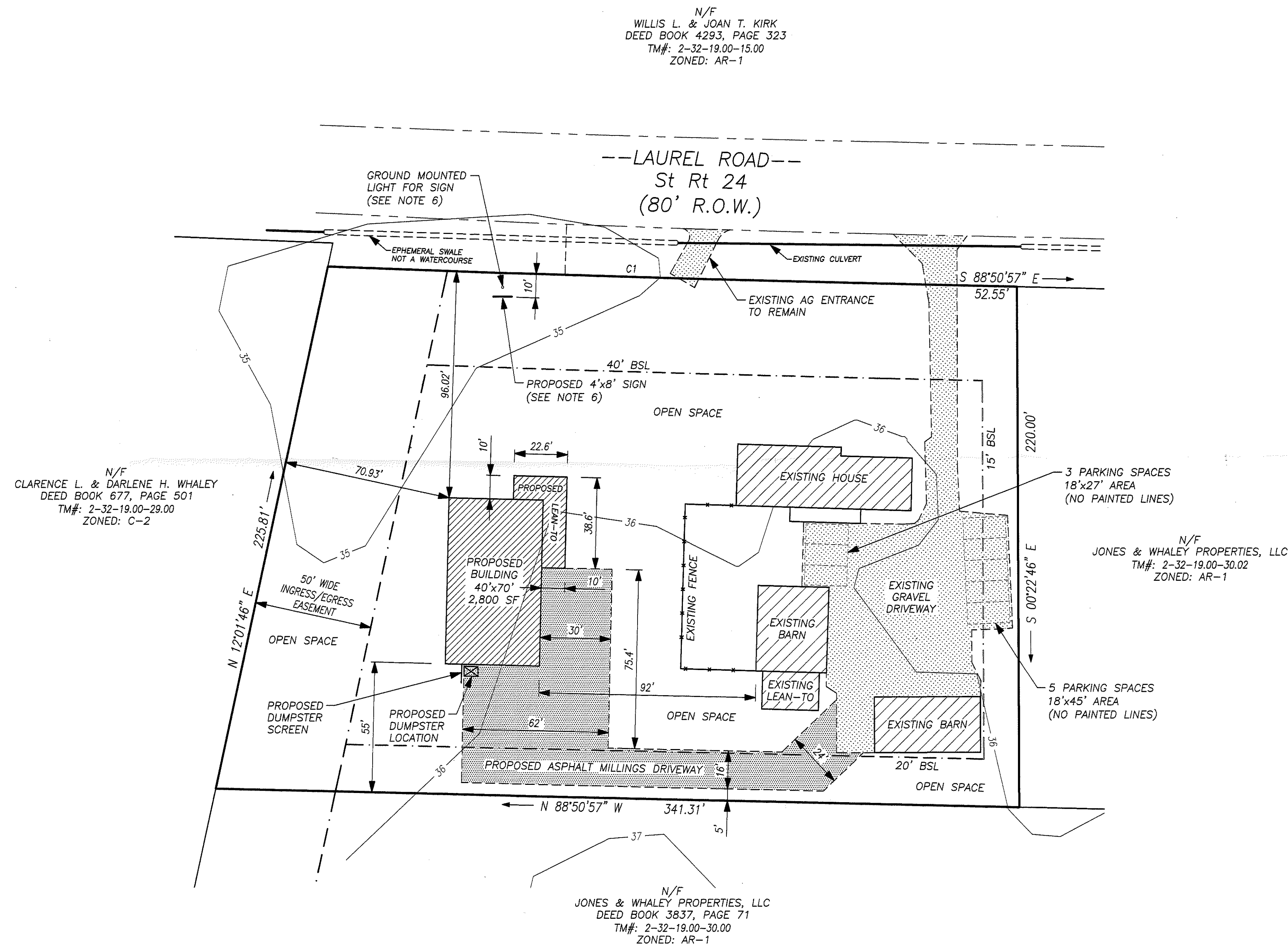
(EXISTING)
4,141 SQ FT EXISTING BUILDINGS
384 SQ FT EXISTING COVERED AREA (LEAN-TO)
7,274 SQ FT EXISTING GRAVEL DRIVEWAY
2,810 SQ FT FENCED YARD
(PROPOSED)
2,800 SQ FT PROPOSED BUILDING
512 SQ FT PROPOSED COVERED PORCH
6,206 SQ FT PROPOSED PAVED DRIVEWAY
(REMAINING OPEN SPACE)
45,784 SQ FT OPEN SPACE (65.5%)
(INCLUDING 11,272 SQ FT IN 50' EASEMENT)

FLOOD ZONE:

OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN
AS SHOWN ON FIRM 10005C0440 K
REVISION DATE 3/5/2015

VERTICAL BENCHMARK:

NAVD 88



- NOTES
1. LOT IS SERVED BY EXISTING PRIVATE WELL.
2. LOT SURVEY INFORMATION FROM SITE PLAN BY DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS, ENGINEERS & SURVEYORS DATED MAY 21, 2019 TOPOGRAPHIC INFORMATION FROM SUSSEX COUNTY MAPPING (NO SURVEY PERFORMED BY STEPHEN R. LEHR)
3. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS
4. THIS SITE IS MAPPED OUTSIDE OF SOURCE WATER PROTECTION AREAS.
5. THIS SITE IS MAPPED OUTSIDE OF ANY WETLANDS.
6. PROPOSED SIGN AND GROUND MOUNTED LIGHT FOR SIGN TO BE AS APPROVED UNDER SEPARATE SIGN PERMIT. SIGN PERMIT IS REQUIRED PRIOR TO PLACING ANY SIGNAGE.

SITE PLAN
SCALE 1"=30'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	15804.23'	0°52'16"	240.28'	S 88°24'49" W	240.28'



REVISIONS	BY
3-16-20	SRL

SITE PLAN

GENERATIONS WELDING & CONTRACTING, LLC

STEPHEN R. LEHR
ENGINEERING

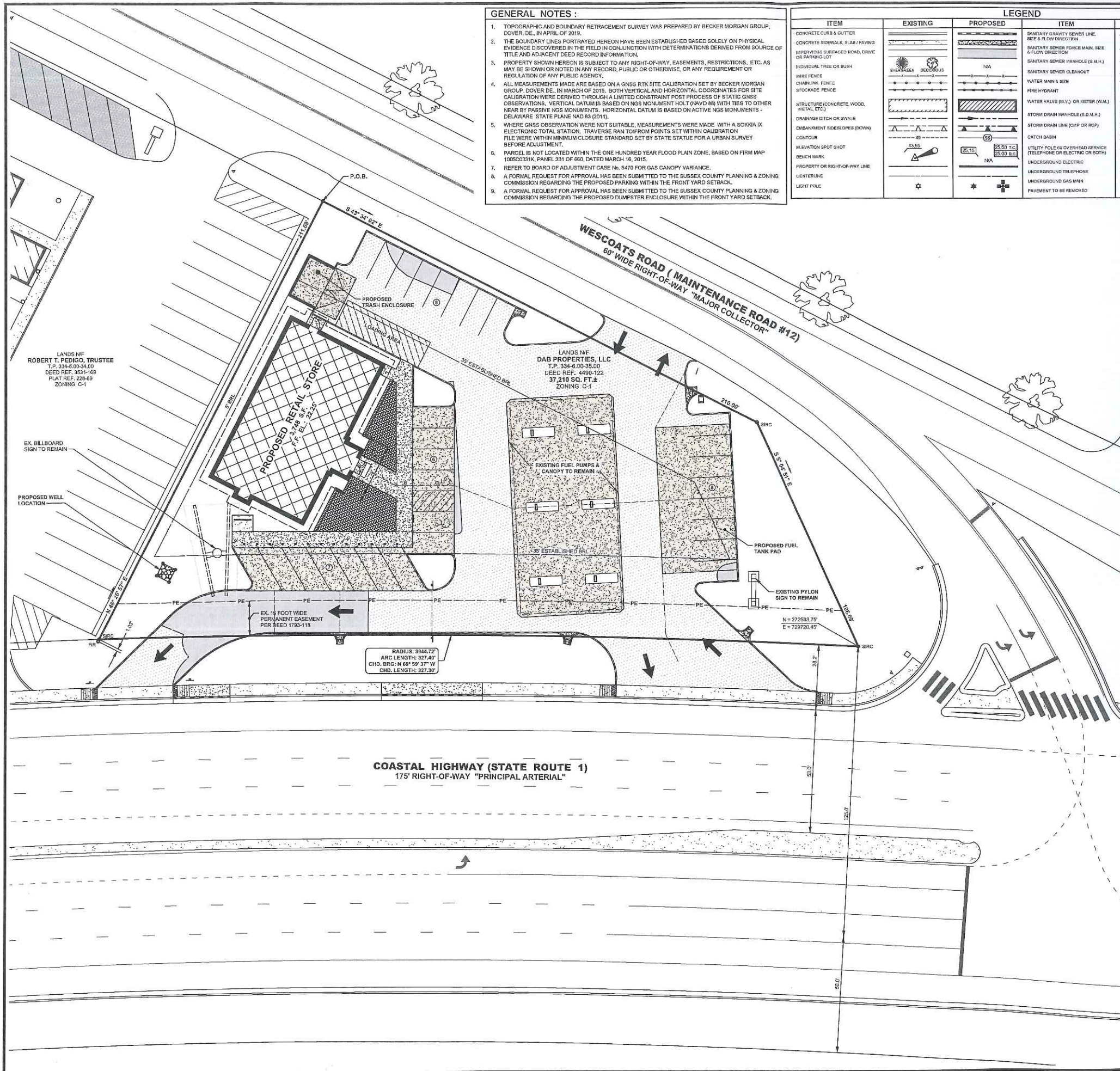
DRAWN
SRL

DATE
2-11-20
SCALE
1"=30'
JOB NO.
L-19051
SHEET

SP-1

LAUREL
SUSSEX COUNTY, DELAWARE

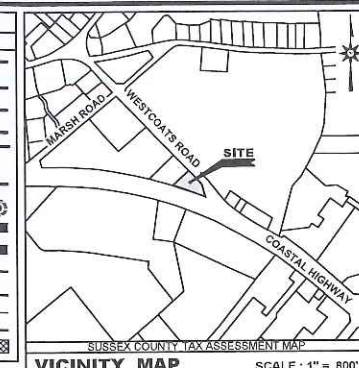
14716 LAUREL ROAD
TAX MAP # 2-32-19.00-30.00



GENERAL NOTES :

1. TOPOGRAPHIC AND BOUNDARY RETRACEMENT SURVEY WAS PREPARED BY BECKER MORGAN GROUP, DOVER, DE., IN APRIL OF 2019.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
4. ALL MEASUREMENTS MADE ARE BASED ON A GNSS RTK SITE CALIBRATION SET BY BECKER MORGAN GROUP, DOVER, DE., IN MARCH OF 2015. BOTH VERTICAL AND HORIZONTAL COORDINATES FOR SITE CALIBRATION WERE DERIVED THROUGH A LIMITED CONSTRAINT POST PROCESS OF STATIC GNSS OBSERVATIONS. VERTICAL DATUM IS BASED ON NGS MONUMENT HOLT (NAVD 83) WITH TIES TO OTHER NEAR BY PASSIVE NGS MONUMENTS. HORIZONTAL DATUM IS BASED ON ACTIVE NGS MONUMENTS - DELAWARE STATE PLANE NAD 83 (2011).
5. WHERE GNSS OBSERVATION WERE NOT SUITABLE, MEASUREMENTS WERE MADE WITH A SOKKIA IX ELECTRONIC TOTAL STATION. TRAVERSE RAN TOP/POINT POINTS SET WITHIN CALIBRATION FILE WERE WITHIN MINIMUM CLOSURE STANDARD SET BY STATE STATUTE FOR AN URBAN SURVEY BEFORE ADJUSTMENT.
6. PARCEL IS NOT LOCATED WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN ZONE, BASED ON FIRM MAP 10050331K, PANEL 331 OF 660, DATED MARCH 16, 2015.
7. REFER TO BOARD OF ADJUSTMENT CASE NO. 5470 FOR GAS CANOPY VARIANCE.
8. A FORMAL REQUEST FOR APPROVAL HAS BEEN SUBMITTED TO THE SUSSEX COUNTY PLANNING & ZONING COMMISSION REGARDING THE PROPOSED PARKING WITHIN THE FRONT YARD SETBACK.
9. A FORMAL REQUEST FOR APPROVAL HAS BEEN SUBMITTED TO THE SUSSEX COUNTY PLANNING & ZONING COMMISSION REGARDING THE PROPOSED DUMPSTER ENCLOSURE WITHIN THE FRONT YARD SETBACK.

LEGEND	
ITEM	EXISTING
CONCRETE CURB & GUTTER	
CONCRETE SIDEWALK, SLAB / PAVING	
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT	
INDIVIDUAL TREE OR BUSH	
WIRE FENCE	
CHAINLINK FENCE	
STOCKADE FENCE	
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)	
DRAINAGE DITCH OR SWALE	
EMBANKMENT / SLOPE (DOWN)	
CONTOUR	
ELEVATION SPOT SHOT	
BENCH MARK	
PROPERTY OR RIGHT-OF-WAY LINE	
CENTERLINE	
LIGHT POLE	
ITEM	PROPOSED
SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	
SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	
SANITARY SEWER MANHOLE (S.D.M.H.)	
SANITARY SEWER CLEANOUT	
WATER MAIN & SIZE	
FIRE HYDRANT	
WATER VALVE (W.V.) OR METER (W.M.)	
STORM DRAIN MANHOLE (S.D.M.H.)	
STORM DRAIN LINE (CMP OR RCP)	
CATCH BASIN	
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)	
UNDERGROUND ELECTRIC	
UNDERGROUND TELEPHONE	
UNDERGROUND GAS MAIN	
PAVEMENT TO BE REMOVED	



SITE DATA

1. OWNER OF RECORD: DAB PROPERTIES, LLC
405 WALTER STREET
GEORGETOWN, DE 19947
2. PROPERTY ADDRESS: 17921 COASTAL HIGHWAY
LEWES, DE 19958
3. ENGINEER / SURVEYOR: BECKER MORGAN GROUP INC.
309 SOUTH GOVERNORS AVE.
DOVER, DELAWARE 19904
302-734-7950
4. PROPERTY LOCATION: LATITUDE N38° 44' 53.83" GR80 - NAD83 (2011)
LONGITUDE W75° 09' 33.19" GR80 - NAD83 (2011)
5. PROPERTY MAP NUMBER: 334-08-00-35.00
6. DEED REFERENCE: 4490-122
7. DELDOT CONTRACT: 1152, 85-063-07
8. SITE AREA SUMMARY: 37,210 SQ. FT. ±
9. ZONING CLASSIFICATION: EXISTING:
C-1 - GENERAL COMMERCIAL
CHCZ - COMBINED HIGHWAY CORRIDOR OVERLAY ZONE
PROPOSED:
C-1 - GENERAL COMMERCIAL
CHCZ - COMBINED HIGHWAY CORRIDOR OVERLAY ZONE
10. SETBACKS: C-1 - GENERAL COMMERCIAL
FRONT YARD: 80 FEET
SIDE YARD: 5 FEET
REAR YARD: 5 FEET
CHCZ - COMBINED HIGHWAY CORRIDOR OVERLAY ZONE
SETBACK: 60 FEET
BUFFER: 60 FEET
ESTABLISHED SETBACKS (PER 115-182-C):
FRONT YARD: 35 FEET
SIDE YARD: 5 FEET
REAR YARD: 5 FEET
NOTE: STAFF HAS AGREED TO REDUCED FRONT SETBACK OF 60' PER SECTION 115-182-C. THE ESTABLISHED FRONT YARD SETBACK FOR THIS PARCEL SHALL BE 35'.
11. BULK REQUIREMENTS: C-1 - GENERAL COMMERCIAL
MAX BUILDING HEIGHT: 42 FEET
MINIMUM LOT AREA: 10,000 SQ. FT.
MINIMUM LOT DEPTH: 100 FEET
MINIMUM LOT WIDTH: 75 FEET
12. PRESENT USE: GAS STATION & CONVENIENCE STORE
13. PROPOSED USE: RETAIL STORE: 1 SPACE PER 200 S.F. OF FLOOR AREA PLUS 1 SPACE FOR EACH 2 EMPLOYEES ON LARGEST SHIFT.
REQUIRED: 3,748 S.F. / 200 S.F. = 18.74 = 19 SPACES
REQUIRED: 19 SPACES + 5 SPACES = 24 SPACES
REQUIRED: 24 SPACES x 120" = 2,880" = 24 SPACES
PROPOSED: 28 SPACES (INCLUDES 2 HANDICAP)
14. PARKING CALCULATIONS: PERMITTED: 4 STORIES, 42 FT.
PROPOSED: 2 STORIES, 21 FT.
ON SITE EXISTING: 25,884 SF ±
ON SITE PROPOSED: 28,208 SF ± (NET DEVELOPMENT AREA)
NOTE: IMPERVIOUS AREA OF ENTRIES TO BE REMOVED OUTSIDE OF PROPERTY LINE: 1,760 SF ±
NET INCREASE OF 572 SF ±
15. BUILDING HEIGHT: PRIVATE WELL (ONSITE)
16. IMPERVIOUS COVERAGE: PROPANE (BAKER PETROLEUM)
SUSSEX COUNTY
DELMARVA POWER
17. SOURCE OF WATER: PRINCIPAL ARTERIAL - STATE ROUTE 1 (45 M.P.H.)
MAJOR COLLECTOR - WESCOATS (40 M.P.H.)
18. SOURCE OF GAS: NGS MONUMENTS
VERTICAL: NAVD 88 - HOLT
HORIZONTAL: NAD 83 (2011) DSP - CORS
19. SOURCE OF SEWER: SUSSEX COUNTY
20. SOURCE OF ELECTRIC: DELMARVA POWER
21. ROAD CLASSIFICATION: NGS MONUMENTS
VERTICAL: NAVD 88 - HOLT
HORIZONTAL: NAD 83 (2011) DSP - CORS
22. SURVEY DATUM: 2 FOUND
2 SET
URBAN SURVEY
23. MONUMENTATION: LINEAR: US SURVEY FOOT
ANGULAR: DEGREES MINUTES SECONDS (DMS)
COORDINATE: GROUND
24. SURVEY CLASSIFICATION: 2 FOUND
2 SET
URBAN SURVEY
25. SURVEY UNIT: LINEAR: US SURVEY FOOT
ANGULAR: DEGREES MINUTES SECONDS (DMS)
COORDINATE: GROUND

OWNERS CERTIFICATION

WE, DAB PROPERTIES, LLC, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE _____ DATE _____

ENGINEERS CERTIFICATION

I, J. MICHAEL RIEMANN, HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

J. MICHAEL RIEMANN P.E. NO. 13772 DATE _____

SHEET INDEX

- | |
|---|
| PRELIMINARY SITE PLANS |
| C-001 COVER SHEET |
| C-101 EXISTING CONDITIONS & DEMOLITION PLAN |
| C-201 SITE PLAN |
| C-301 UTILITY PLAN |
| C-401 GRADING PLAN |
| CONSTRUCTION DETAILS |
| C-901 CONSTRUCTION DETAILS |

BECKER
MORGAN
GROUP

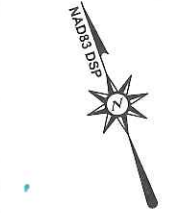
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Fax 302.734.7965

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312 West Main St. Suite 300
Salisbury, MD 21801
Ph. 410.546.9100
Fax 410.546.5824

Wilmington, NC
3353 Jaecle Drive, Suite 120
Wilmington, North Carolina 28403
Ph. 910.341.7600
Fax 910.341.7506

www.beckermorgan.com



PROJECT TITLE

BAKER
PETROLEUM -
LEWES EXXON

17921 COASTAL HIGHWAY
CITY OF LEWES
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE
PLANS
COVER SHEET

0 10 20 40
SCALE: 1" = 20'

ISSUE BLOCK

NO.	DATE	DESCRIPTION
3.	3/17/20	REVISED PER SUSSEX COUNTY PLANNING & ZONING DEPT. COMMENTS
2.	3/11/20	SUBMIT TO SUSSEX COUNTY PLANNING & ZONING DEPARTMENT
1.	3/4/20	SUBMIT TO SUSSEX COUNTY PLANNING & ZONING DEPARTMENT

PROJECT NO.: 2019098.01

DATE: 2/14/2020

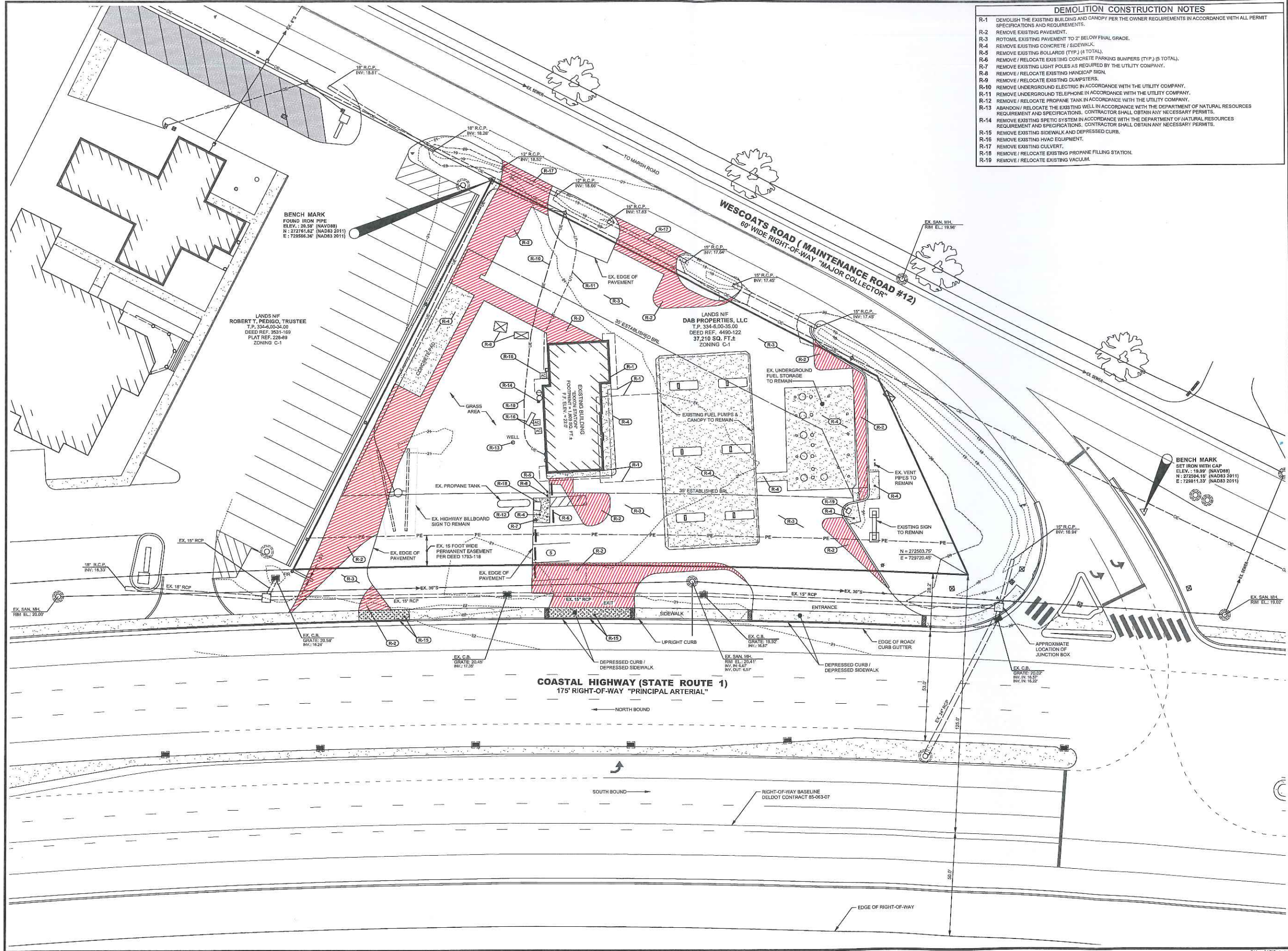
SCALE: 1" = 20'

DRAWN BY: J.M.P. PROJ. MGR.: J.M.R.

SHEET

C-001

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- DEMOLITION CONSTRUCTION NOTES**
- R-1 DEMOLISH THE EXISTING BUILDING AND CANOPY PER THE OWNER REQUIREMENTS IN ACCORDANCE WITH ALL PERMIT SPECIFICATIONS AND REQUIREMENTS.
 - R-2 REMOVE EXISTING PAVEMENT.
 - R-3 ROTOMIL EXISTING PAVEMENT TO 2" BELOW FINAL GRADE.
 - R-4 REMOVE EXISTING CONCRETE / SIDEWALK.
 - R-5 REMOVE EXISTING BOLLARDS (TYP.) (4 TOTAL).
 - R-6 REMOVE / RELOCATE EXISTING CONCRETE PARKING BUMPERS (TYP.) (5 TOTAL).
 - R-7 REMOVE EXISTING LIGHT POLES AS REQUIRED BY THE UTILITY COMPANY.
 - R-8 REMOVE / RELOCATE EXISTING HANDICAP SIGN.
 - R-9 REMOVE / RELOCATE EXISTING DUMPSTERS.
 - R-10 REMOVE UNDERGROUND ELECTRIC IN ACCORDANCE WITH THE UTILITY COMPANY.
 - R-11 REMOVE UNDERGROUND TELEPHONE IN ACCORDANCE WITH THE UTILITY COMPANY.
 - R-12 REMOVE / RELOCATE PROPANE TANK IN ACCORDANCE WITH THE UTILITY COMPANY.
 - R-13 ABANDON / RELOCATE THE EXISTING WELL IN ACCORDANCE WITH THE DEPARTMENT OF NATURAL RESOURCES REQUIREMENT AND SPECIFICATIONS. CONTRACTOR SHALL OBTAIN ANY NECESSARY PERMITS.
 - R-14 REMOVE EXISTING SPETIC SYSTEM IN ACCORDANCE WITH THE DEPARTMENT OF NATURAL RESOURCES REQUIREMENT AND SPECIFICATIONS. CONTRACTOR SHALL OBTAIN ANY NECESSARY PERMITS.
 - R-15 REMOVE EXISTING SIDEWALK AND DEPRESSED CURB.
 - R-16 REMOVE EXISTING HVAC EQUIPMENT.
 - R-17 REMOVE EXISTING CULVERT.
 - R-18 REMOVE / RELOCATE EXISTING PROPANE FILLING STATION.
 - R-19 REMOVE / RELOCATE EXISTING VACUUM.



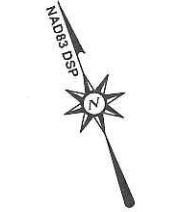
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Fax 410.546.5824

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Ph. 910.341.7600
Fax 910.341.7506

www.beckermorgan.com



PROJECT TITLE

**BAKER
PETROLEUM -
LEWES EXXON**

17921 COASTAL HIGHWAY
CITY OF LEWES
SUSSEX COUNTY, DE

SHEET TITLE

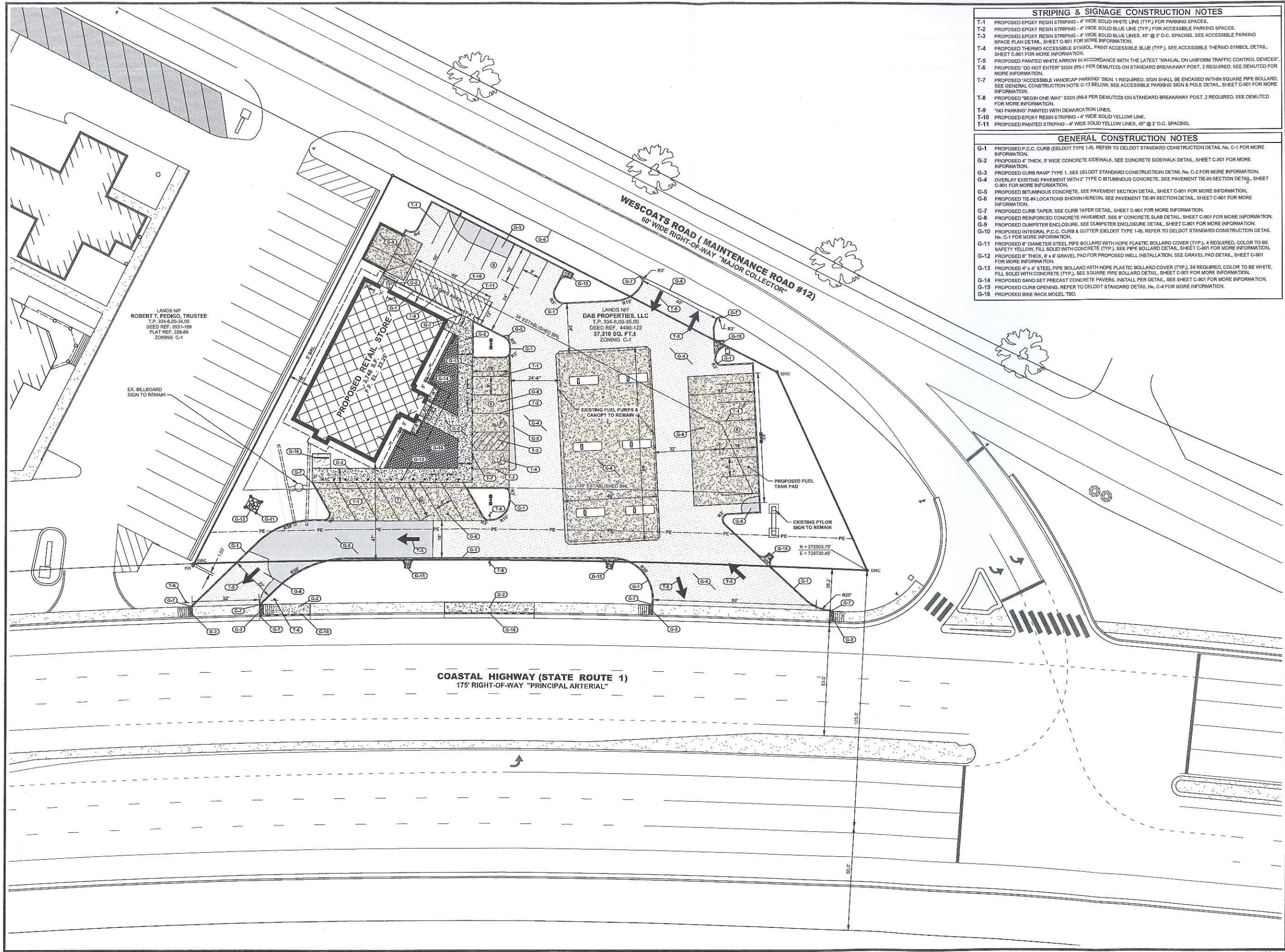
**PRELIMINARY SITE
PLANS
EXISTING CONDITIONS
& DEMOLITION PLAN**

0 10 20 40
SCALE: 1" = 20'

ISSUE BLOCK	
3.	3/17/20
2.	3/11/20
1.	3/4/20
MARK	DATE
DESCRIPTION	

PROJECT NO.: 2019098.01
DATE: 2/14/2020
SCALE: 1" = 20'
DRAWN BY: J.M.P. PROJ. MGR.: J.M.R.

SHEET
C-101
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- STRIPING & SIGNAGE CONSTRUCTION NOTES**
- T-1 PROPOSED EPOXY RESIN STRIPING - 4" WIDE SOLID WHITE LINE (TYP.) FOR PARKING SPACES.
 - T-2 PROPOSED EPOXY RESIN STRIPING - 4" WIDE SOLID BLUE LINE (TYP.) FOR ACCESSIBLE PARKING SPACES.
 - T-3 PROPOSED EPOXY RESIN STRIPING - 4" WIDE SOLID BLUE LINES, 45" @ 2' O.C. SPACING. SEE ACCESSIBLE PARKING SPACE PLAN DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - T-4 PROPOSED THERMO ACCESSIBLE SYMBOL, PAINT ACCESSIBLE BLUE (TYP.), SEE ACCESSIBLE THERMO SYMBOL DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - T-5 PROPOSED PAINTED WHITE ARROW IN ACCORDANCE WITH THE LATEST "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
 - T-6 PROPOSED "DO NOT ENTER" SIGN (RS-1 PER DEMUTCO) ON STANDARD BREAKAWAY POST, 2 REQUIRED. SEE DEMUTCO FOR MORE INFORMATION.
 - T-7 PROPOSED "ACCESSIBLE HANDICAP PARKING" SIGN, 1 REQUIRED. SIGN SHALL BE ENCASED WITHIN SQUARE PIPE BOLLARD, SEE GENERAL CONSTRUCTION NOTE G-13 BELOW, SEE ACCESSIBLE PARKING SIGN & POLE DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - T-8 PROPOSED "BEGIN ONE WAY" SIGN (RS-6 PER DEMUTCO) ON STANDARD BREAKAWAY POST, 2 REQUIRED. SEE DEMUTCO FOR MORE INFORMATION.
 - T-9 "NO PARKING" PAINTED WITH DEMARCATION LINES.
 - T-10 PROPOSED EPOXY RESIN STRIPING - 4" WIDE SOLID YELLOW LINES.
 - T-11 PROPOSED PAINTED STRIPING - 4" WIDE SOLID YELLOW LINES, 45" @ 2' O.C. SPACING.
- GENERAL CONSTRUCTION NOTES**
- G-1 PROPOSED P.C.C. CURB (DELTOT TYPE 1-8). REFER TO DELDOT STANDARD CONSTRUCTION DETAIL No. C-1 FOR MORE INFORMATION.
 - G-2 PROPOSED 4" THICK, 5' WIDE CONCRETE SIDEWALK. SEE CONCRETE SIDEWALK DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-3 PROPOSED CURB RAMP TYPE 1. SEE DELDOT STANDARD CONSTRUCTION DETAIL No. C-2 FOR MORE INFORMATION.
 - G-4 OVERLAY EXISTING PAVEMENT WITH 2" TYPE C BITUMINOUS CONCRETE. SEE PAVEMENT TIE-IN SECTION DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-5 PROPOSED BITUMINOUS CONCRETE. SEE PAVEMENT SECTION DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-6 PROPOSED TIE-IN LOCATIONS SHOWN HEREON. SEE PAVEMENT TIE-IN SECTION DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-7 PROPOSED CURB TAPER. SEE CURB TAPER DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-8 PROPOSED REINFORCED CONCRETE PAVEMENT. SEE 6" CONCRETE SLAB DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-9 PROPOSED DUMPSTER ENCLOSURE. SEE DUMPSTER ENCLOSURE DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-10 PROPOSED INTEGRAL P.C.C. CURB & GUTTER (DELTOT TYPE 1-8). REFER TO DELDOT STANDARD CONSTRUCTION DETAIL No. C-1 FOR MORE INFORMATION.
 - G-11 PROPOSED 6" DIAMETER STEEL PIPE BOLLARD WITH HOPE PLASTIC BOLLARD COVER (TYP.), 4 REQUIRED. COLOR TO BE SAFETY YELLOW, FILL SOLID WITH CONCRETE (TYP.). SEE PIPE BOLLARD DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-12 PROPOSED 6" THICK, 6' x 6' GRAVEL PAD FOR PROPOSED WELL INSTALLATION. SEE GRAVEL PAD DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-13 PROPOSED 4" x 4" STEEL PIPE BOLLARD WITH HOPE PLASTIC BOLLARD COVER (TYP.), 24 REQUIRED. COLOR TO BE WHITE, FILL SOLID WITH CONCRETE (TYP.). SEE SQUARE PIPE BOLLARD DETAIL, SHEET C-901 FOR MORE INFORMATION.
 - G-14 PROPOSED SAND SET PRECAST CONCRETE PAVERS. INSTALL PER DETAIL, SEE SHEET C-901 FOR MORE INFORMATION.
 - G-15 PROPOSED CURB OPENING. REFER TO DELDOT STANDARD DETAIL No. C-4 FOR MORE INFORMATION.
 - G-16 PROPOSED BIKE RACK MODEL TBD.

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PROJECT TITLE

BAKER PETROLEUM - LEWES EXXON

17921 COASTAL HIGHWAY
CITY OF LEWES
SUSSEX COUNTY, DE

SHEET TITLE

**PRELIMINARY SITE PLANS
SITE PLAN**

0 10 20 40
SCALE : 1" = 20'

ISSUE	DATE	DESCRIPTION
3.	3/17/20	REVISED PER SUSSEX COUNTY PLANNING & ZONING DEPT. COMMENTS
2.	3/11/20	SUBMIT TO SUSSEX COUNTY PLANNING & ZONING DEPARTMENT
1.	3/4/20	SUBMIT TO SUSSEX COUNTY PLANNING & ZONING DEPARTMENT

MARK DATE DESCRIPTION

PROJECT NO.: 2019098.01
DATE: 2/14/2020
SCALE: 1" = 20'
DRAWN BY: J.M.P. | PROJ. MGR.: J.M.R.
SHEET
C-201
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- ELECTRIC SERVICE CONSTRUCTION NOTES**
- E-1 PROPOSED LOCATION OF PARKING LOT LIGHT POLE. REFER TO ELECTRICAL PLAN SET FOR ADDITIONAL NOTES, DETAILS AND SPECIFICATIONS.
- E-2 PROPOSED PRIMARY ELECTRIC SERVICE AND TRANSFORMERS (BY OTHERS - N.J.C.). CONTRACTOR SHALL COORDINATE WITH DELAWARE ELECTRIC CO-OP ON EXACT LOCATION AND INSTALLATION.
- DOMESTIC WATER SYSTEM CONSTRUCTION NOTES**
- W-1 PROPOSED 3" PE, AWWA C900, PRESSURE CLASS 160, SDR 11 WATER SERVICE AS SHOWN HEREON (36" MIN. COVER). MAINTAIN 18" OF VERTICAL SEPARATION AND 10' HORIZONTAL SEPARATION FROM ALL SANITARY SEWER LINES.
- W-2 PROPOSED WELL FOR DOMESTIC WATER SUPPLY (APPROXIMATE LOCATION SHOWN). SEE SPECIFICATIONS FOR DRILLING, TESTING AND INSTALLATION.
- W-3 PROPOSED 3" GATE VALVE AND VALVE BOX. SEE WATER VALVE DETAIL, SHEET C-801.
- SANITARY SEWER CONSTRUCTION NOTES**
- S-1 PROPOSED SANITARY SEWER SERVICE CONNECTION.
- S-2 PROPOSED 8" SANITARY SEWER LATERAL (1.00% MINIMUM SLOPE). SEE SANITARY SEWER PIPE SCHEDULE, THIS SHEET FOR MORE INFORMATION.
- S-3 PROPOSED WET TAP EXISTING 30" SANITARY SEWER AT INVERT AND LOCATION SHOWN HEREON.
- S-4 PROPOSED 8" SANITARY SEWER CLEANOUT. SEE THIS SHEET FOR RIM AND INVERT ELEVATIONS.

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PROJECT TITLE

**BAKER
PETROLEUM -
LEWES EXXON**

17921 COASTAL HIGHWAY
CITY OF LEWES
SUSSEX COUNTY, DE

SHEET TITLE

**PRELIMINARY SITE
PLANS
UTILITY PLAN**

0 10 20 40
SCALE : 1" = 20'

ISSUE BLOCK

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PROJECT NO.: 2019098.01

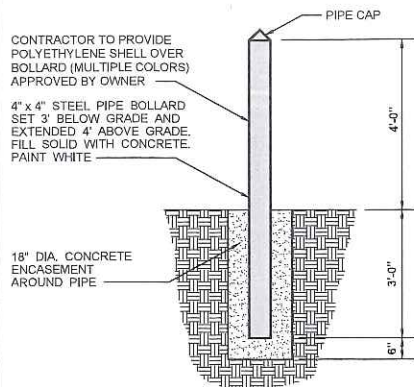
DATE: 2/14/2020

SCALE: 1" = 20'

DRAWN BY: J.M.P. | PROJ. MGR.: J.M.R.

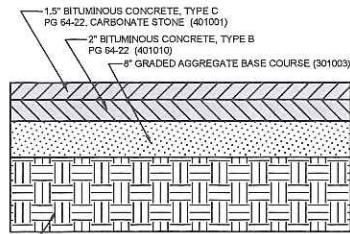
SHEET

C-301



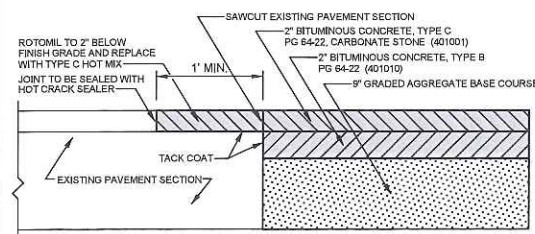
SQUARE PIPE BOLLARD DETAIL

NO SCALE BMG NO.: SW-9A



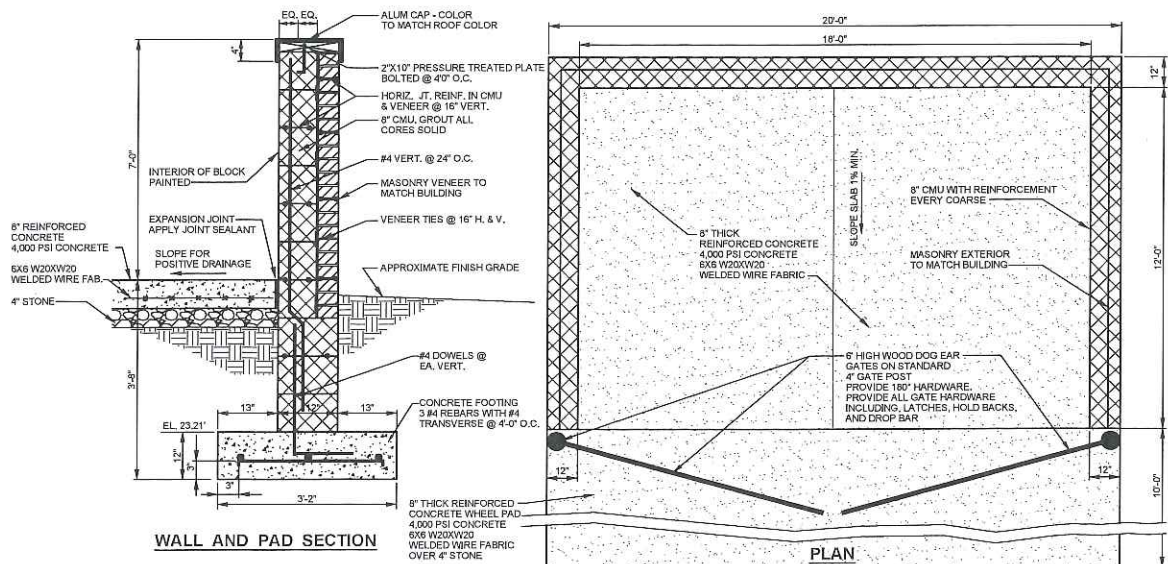
PAVEMENT SECTION DETAIL

NO SCALE



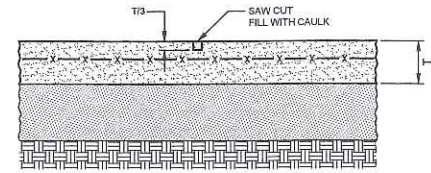
PAVEMENT TIE-IN SECTION DETAIL

NO SCALE BMG NO.: SW-2D



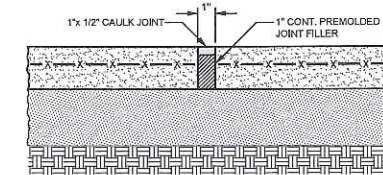
DUMPSTER ENCLOSURE DETAIL

NO SCALE



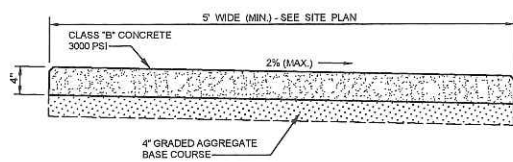
CONTROL JOINT DETAIL

NO SCALE BMG NO.: SW-6E



CONSTRUCTION / EXPANSION JOINT DETAIL

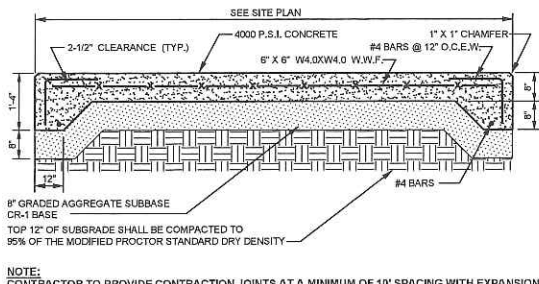
NO SCALE BMG NO.: SW-6F



- NOTES:
1. MARK IN 5' SQUARES, USE PREMOLED EXPANSION JOINTS AT INTERVALS NOT GREATER THAN 20'.
 2. CONCRETE SIDEWALKS SHALL BE CONSTRUCTED AS PER SPECIFICATIONS.

CONCRETE SIDEWALK DETAIL

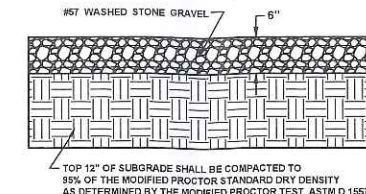
NO SCALE BMG NO.: SW-3C



- NOTE:
1. CONTRACTOR TO PROVIDE CONTRACTION JOINTS AT A MINIMUM OF 10' SPACING WITH EXPANSION JOINTS AT A MINIMUM SPACING OF 20' AND WHEN ADJACENT TO FIXED OBJECTS SUCH AS CURBS, WALLS, ETC.

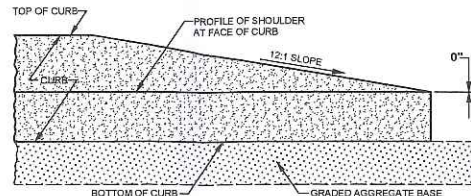
8" CONCRETE SLAB DETAIL

NO SCALE BMG NO.: SW-4B



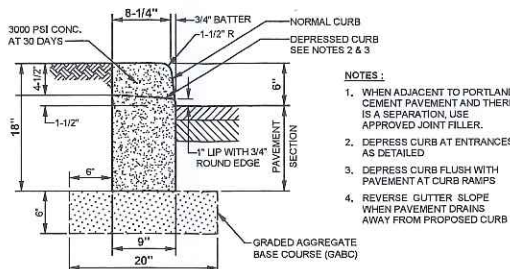
GRAVEL PAD DETAIL

NO SCALE



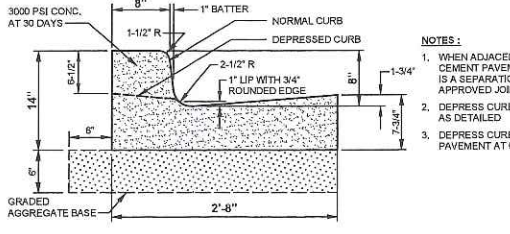
CURB TAPER DETAIL

NO SCALE BMG NO.: SW-1C



P.C.C. CURB - TYPE 1 - 6 DETAIL

NO SCALE SHOWN FOR REFERENCE ONLY - SEE DELDOT STANDARDS BMG NO.: SW-01A



INTEGRAL P.C.C. CURB & GUTTER TYPE 1 - 8

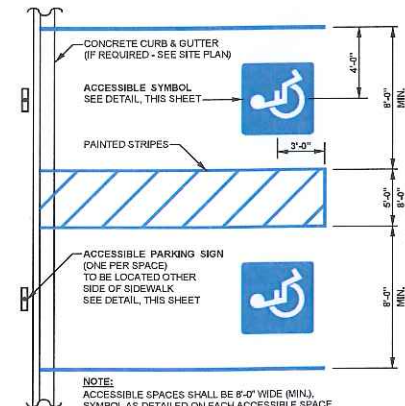
NO SCALE SHOWN FOR REFERENCE ONLY - SEE DELDOT STANDARDS BMG NO.: SW-1A



- NOTES:
1. THE BOTTOM EDGE OF SIGN SHALL BE A MINIMUM OF 5.0' AND A MAXIMUM OF 7.0' ABOVE FINISHED GRADE. CONTRACTOR SHALL INSTALL ONE SIGN PER ACCESSIBLE PARKING SPACE. SIGNS ARE TO BE CENTERED ON STALL WIDTH, FACING PARKING.
 2. THE SIGN BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS AS DERIVED BY THE CURRENT AMERICANS WITH DISABILITIES ACT (ADA) REGULATIONS.

VAN ACCESSIBLE PARKING SIGN

NO SCALE BMG NO.: SW-4CB-VAN



ACCESSIBLE PARKING SPACE PLAN

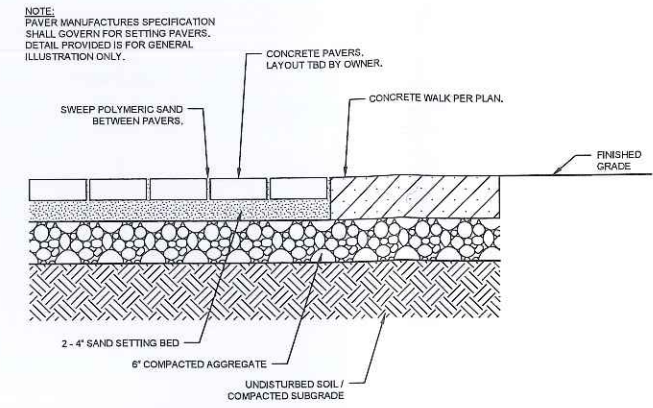
NO SCALE BMG NO.: SW-4B1



- NOTE:
1. PROVIDE PREFORMED THERMOPLASTIC (90 MIL) ACCESSIBLE SYMBOL. COLOR: WHITE SYMBOL ON BLUE BACKGROUND. SIZE: 48" X 48".

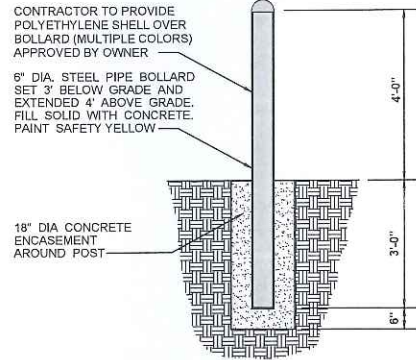
ACCESSIBLE THERMO SYMBOL

NO SCALE BMG NO.: SW-4E-2



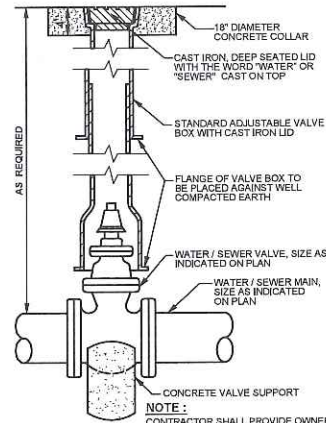
SAND SET PAVER DETAIL

NO SCALE



PIPE BOLLARD DETAIL

NO SCALE BMG NO.: SW-9A



WATER VALVE DETAIL

NO SCALE BMG NO.: W-03A

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**PRELIMINARY SITE PLANS
CONSTRUCTION DETAILS**

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PROJECT NO.:	2019098.01	
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SCALE:	N/A	
DRAWN BY:	J.M.P.	PROJ. MGR.: J.M.R.
SHEET		
C-901		
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THE DALE FARM, LLC
Post Office Box 277
8434 Dale Farm Road
BRIDGEVILLE, DE 19933

February 7, 2020

Planning & Zoning
Sussex County
Georgetown, DE 19947

RECEIVED

FEB 14 2020

SUSSEX COUNTY
PLANNING & ZONING

Gentlemen,

I hereby respectfully request that you approve the attached application for a subdivision on my farm outside of Bridgeville (Tax Map #5-30-16.00-13.00 Site #4). The lot will be used to construct a retirement home for my nephew and his wife. The lot will remain titled in the name of the farm (Dale Farm LLC) and will not be sold or transferred to any outside non-family party.

Thank you for your consideration in this matter.

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Maurice L. Cannon", with a stylized flourish at the end.

Maurice L. Cannon

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	50.00'	180°00'00"	157.08'	100.00'	S 82°28'45" E

LANDS N.O.F.
THE DALE FARM, LLC
DEED BOOK 2564, PAGE 171

LANDS N.O.F.
THE DALE FARM, LLC
DEED BOOK 2564, PAGE 171

LANDS N.O.F.
THE DALE FARM, LLC
DEED BOOK 2564, PAGE 171

LANDS N.O.F.
THE DALE FARM, LLC
DEED BOOK 2564, PAGE 171

Prepared By
ADAMS-KEMP ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
AND PLANNERS
217 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6699
WWW.ADAMSKEMP.COM

CONCEPT PLAN

PREPARED FOR
THE DALE FARM, LLC
SITUATED IN
NORTHWEST FORK HUNDRED, SUSSEX COUNTY
STATE OF DELAWARE
SCALE: 1" = 100'
DATE: FEBRUARY 5, 2019
REVISED: MARCH 19, 2020

BEARING REFERENCE
DEED BOOK 2564, PAGE 171

COUNTY ROAD 583
(A.K.A. ADAMS ROAD)
(50' WIDE)

LANDS N.O.F.
THE DALE FARM, LLC
DEED BOOK 2564, PAGE 171
PLOT BOOK 135, PAGE 10
TAX MAP NO. 5-30-16.00-13.01

PROPOSED LOT
1.8± ACRES

PROPOSED 50' WIDE EASEMENT
FOR INGRESS AND EGRESS

EXISTING 50' WIDE EASEMENT
FOR INGRESS AND EGRESS

EXISTING STONE ROAD - THE DALE FARM ROAD

EXISTING STONE ROAD