



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

May 10, 2004

Mr. Jeffrey Harman, P.E.
Becker Morgan Group, Inc.
738 S. Governors Avenue
Dover, De 19904

RE: PLUS review – PLUS 2004-04-08; Creekstone Development

Dear Mr. Harman:

Thank you for meeting with State agency planners on April 21, 2004 to discuss the proposed plans for the Creekstone Development project to be located on the west side of South Governors Avenue south of Puncheon Run.

According to the information received, you are seeking site plan approval to develop 119,680 square foot of office space, 16,500 square feet of retail space and 4 residential duplex units on 9.3 acres. The land is currently zoned C-2A and RM-1.

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 the City of Dover is the governing authority over this land, therefore, you will need to comply with any and all regulations/restrictions set forth by the City.

This office has received the following comments from State agencies:

Office of State Planning Coordination - Contact: David Edgell 739-3090

This is an infill/redevelopment project located on an enclave of land that was recently annexed by the City of Dover. It is in a "community" area under the 1999 Strategies and is in Investment level 1 under the draft strategies. Both of these levels are highly supportive of redevelopment and infill projects, and indicate that State resources and

efforts will support such projects. In addition, it is a mixed use project providing both office and residential uses. **Our office supports infill and redevelopment projects as essential to the Livable Delaware strategy of concentrating growth in and around existing communities and infrastructure.** This is the type of project that is highly desirable to allow us to meet our goals of revitalizing our towns and cities while protecting agricultural lands and natural resource areas from encroachment by sprawling suburban and rural development.

State Historic Preservation Office (SHPO) – Contact: Anne McCleave 739-5685

There was a farmhouse and outbuildings located on the northern part of the proposed development plan; however those have recently been demolished. SHPO recommends the applicant and developers provide sufficient landscape buffers along the northern edges, which are adjacent to existing, older houses. In addition, there is a high probability for prehistoric and historic archaeological sites within the project area.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

DelDOT has met with the developer and this project is being coordinated with DelDOT's project for Governor's Avenue, Webb's Lane to Water Street, Contract No. 20-045-02.

The Delaware Transit Corporation (DTC) requests the installation of a bus stop waiting pad measuring 8' x 8' along the Governors Avenue frontage. The pad width should be incorporated into the width of the proposed sidewalk. This pad would likely be installed as a part of the Governor's Avenue project just mentioned and DTC will coordinate with DelDOT Transportation Solutions in that regard.

In the response to item 37 on the PLUS form, the proposed entrance is described as having a 19-foot wide ingress lane. The maximum width that we will permit is 16 feet.

The developer's engineer should continue to coordinate with the DelDOT Subdivision Manager, Mr. Richard Woodhall, to determine what will be required regarding the proposed site entrance. Mr. Woodhall may be reached at (302) 760-2262.

The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-3091

Soils

According to the soil survey update, Sassafras was mapped in the immediate vicinity of the proposed project. Sassafras is a well-drained upland soil that has few limitations for development.

TMDLs and BMPs

Although Total Maximum Daily Loads (TMDLs) as a “pollution runoff mitigation strategy” to reduce nutrient loading have not yet been developed for most of the tributaries or subwatersheds of the Delaware Bay watershed to date, work is continuing on their development. TMDLs for the St. Jones River subwatershed, of which this parcel is part, are scheduled for completion in December 2005.

Therefore, until the specified TMDL reductions and pollution control strategies are adopted, it shall be incumbent upon the developer to employ best available technologies (BATs) and/or best management practices (BMPs) as “methodological mitigative strategies” to reduce degradative impacts associated with development.

Stormwater Management

The Drainage Section does not have a clear understanding where the on site storm water will be released off site. The Drainage Section is aware of a drainage concern along Puncheon Run upstream of Governors Avenue. The Drainage Section does ask that all precautions be taken to ensure the project does not hinder any off site drainage upstream of the project or create any off site drainage problems downstream by the release of on site storm water.

There was some mention at the meeting of a stormwater strategy that was agreed to with Kent Conservation District (KCD). That process needs to be finalized with the KCD and the possibility of using some infiltration and recharge needs to be explored. Contact KCD at (302) 697-2600, and the DNREC Drainage Section at (302) 739-4411 to arrange a meeting to discuss the above.

State Fire Marshal’s Office – Contact: Kevin McSweeney 739-3696

This project falls within the City of Dover’s Fire Marshal’s Office jurisdiction

Public Service Commission - Contact: Kevin Neilson 739-4247

This area is within an existing City of Dover CPCN.

Delaware Economic Development Office – Contact: Dorrie Moore 739-4271

The Delaware Economic Development Office (DEDO) supports this office/mixed commercial project. The property is appropriately zoned, has infrastructure in place, is in a targeted growth area, and provided an attractive functional park with all the amenities in a great location.

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-

PLUS – Creekstone

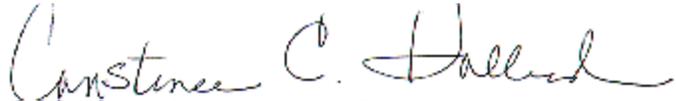
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application process, noting whether comments were incorporated into the project design or not and the reason therefore.

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 that reads "Constance C. Holland". The signature is written in black ink and is positioned above the printed name and title.

Constance C. Holland, AICP

Director

CC: Creekstone Development, LLC
City of Dover