



December 28, 2009

Mark Parker
Landmark Engineering
100 W. Commons Blvd., Ste.
New Castle, DE 19720

RE: PLUS review – 2009-11-02; Seeds of Greatness Church

Dear Mr. Parker:

Thank you for meeting with State agency planners on November 25, 2009 to discuss the proposed plans for the Seeds of Greatness Church located on West Seventh Street in New Castle.

According to the information received, you are seeking approval through the City of New Castle to subdivide an existing parcel for a 53,000 sq. ft. church, 256 apartment units, 10,500 sq. ft. of commercial retail space and 30 condo units.

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 New Castle is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the City.

Strategies for State Policies and Spending

- This project is located within a Level 1 area according to the *Strategies for State Policies and Spending* and within the City of New Castle. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or

infill projects are expected and encouraged by State policy. We would encourage a design that is pedestrian friendly and interconnected with the rest of New Castle where appropriate.

Code Requirements/Agency permitting requirements

- 1) With an estimated weekday trip generation of 2,525 trips per day for the church, apartments and condominiums, per the PLUS application, the proposed development warrants a traffic impact study (TIS). This study will need to be completed and reviewed, and any recommended road improvements resulting from it will need to be shown on the site plan before DelDOT can issue a Letter of No Objection to the City. This process usually takes 6 to 12 months. Accordingly, DelDOT recommends that the developer have their traffic engineer meet with Mr. Troy Brestel to establish a scope of work for the study as soon as they are ready to do so. Mr. Brestel may be reached at (302) 760-2167.

At the PLUS meeting, there was discussion of the developer contributing toward a future area-wide study instead of doing a TIS. DelDOT's Standards and Regulations for Subdivision Streets and State Highway Access provide that if no other warrants are met, for developments generating less than 200 peak hour trips and 2,000 trips per day, the developer has the option of contributing toward a future area-wide study of \$5 per daily trip in lieu of doing a TIS. For developments with greater trip generation, or where other warrants are met, DelDOT has accepted contributions toward future area-wide studies in lieu of TIS, but only when we have determined that a TIS would not be useful. DelDOT has not made such a determination in this instance.

If the developer wishes to revise their trip generation estimates as they develop the plan further, or to further discuss the utility of a TIS in this instance, they may contact this office. Mr. Brestel can provide technical assistance in determining whether a specific development plan would warrant a TIS or would be eligible to pay the area-wide study fee based on trip generation. Other discussion in this regard should be directed to me.

- 2) Delaware Route 9 (7th Street) is classified as a Minor Arterial road. DelDOT's policy is to require dedication of sufficient land to provide a minimum right-of-way width of 40 feet from the centerline on Minor Arterial roads. Therefore we will require right-of-way dedication along the frontage to provide any additional width needed from this project.
- 3) DelDOT's standard typical section for a minor arterial road is 12-foot lanes and 8-foot shoulders. Ordinarily we would require improvement of the road within the limits of the site frontage to match that section. From aerial photography, however, the existing section of 7th Street appears to be 11-foot lanes and 8-foot shoulders. Depending on the obstacles to further widening, some compromise may be appropriate in this area.

It appears that there are no known historic or cultural resources of any kind, such as a listed National Registered property or archaeological site on this project site (parcel) however, it was reviewed for potential effects on historic properties as required under Section 106 of the National Historic Preservation Act of 1966, as amended. As the project will involve federal stimulus funds along with a Nationwide Permit 38, the entire project is subject to the Section 106 process. Therefore, the entire footprint of the development of Seeds of Greatness Church should be included in the Area of Potential Effect.

Positive Aspects of Application

The State appreciates that the developers brought a new site plan to the PLUS meeting that showed a mixed use community that seemed better designed as a “livable community” than what was submitted with the application. Livable communities have characteristics that include walkability; housing variety, including “aging in community” options; connectivity; and so forth. In this same regard, we appreciate that a trail system is proposed which, if appropriately designed would be a great amenity for the community and again would add to the livability of this community. It would be our expectation based on what was presented that the final design of this community would be a well designed “livable community”.

Recommendations/Additional Information

- The Delaware State Housing Authority firmly recommends the consideration of quality design practices in the construction and design of the apartment buildings. Due to their large size, design is crucial to the development’s ability to succeed and blend into the community.
- While it is unclear at this time what income level this rental community will be serving, it would be beneficial if some of the units were set aside for low- and moderate-income families.
- The nature of disturbance in the soils due to industrial activity negates the possibility of intact archaeological resources; hence, no archaeological survey is requested. However, the brick structures along Larkin Street appear to be over 100 years of age, and the proposed plans indicate they will be demolished. This Office requests an architectural survey and evaluation study be done of these properties to evaluate them for inclusion to the National Register of Historic Places. Given the nature of these properties, such a study should be performed by an industrial archaeologist or historian. If you have any questions or concerns, please contact Terence Burns at 302-736-7404.

- The Delaware Department of Agriculture Forest Service encourages the developer to use the “Right Tree for the Right Place” for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

Due to the high risk of mortality from insects and disease, the Delaware Forest Service does not recommend planting any of the following species:

Callery Pear
Leyland Cypress
Red Oak (except for Willow Oak)
Ash Trees

- DOE records indicate that the Colonial School Districts' *elementary schools are at or beyond 100% of current capacity* based on September 30, 2009 elementary enrollment. DOE records indicate that the Colonial School Districts' *secondary schools are at or beyond 100% of current capacity* based on September 30, 2009 secondary enrollment.

This development will create additional elementary and secondary student population growth which will further compound the existing shortage of space within the district. This development will be subject to the Voluntary School Assessment provisions of 14 Del. C. § 103 (c) and 22 Del. C. Chapter 8, § 842.

- If a playground is to be incorporated into the design of the development, it is recommended that the playground be constructed and maintained in accordance with ASTM Designation F-1487 and CPSC Pub 325 in order to reduce the developer's risk of liability.
- The DOE strongly recommends that the developer coordinate bus stop ROW and shelters within the project design with the Colonial School District Transportation Department.
- As a way to promote physical activity and access to healthy foods, we recommend that the following amenities be included in the Seeds of Greatness Church:

Amenities to encourage active transportation

- The proposed walking trail is to be commended. Ensure there are sidewalks, crosswalks and walking/bicycling paths connecting the neighboring residential subdivisions, as appropriate.

- Ensure safe connectivity with sidewalks, crosswalks and walking/bicycling paths within the site. This includes connectivity between the apartments, church and retail sites.
- Designate bike paths to supplement the sidewalks already so that residents can travel by foot or by bicycle to the site. In addition, install bike racks throughout the development in convenient and safe locations within the site, especially around the amenities for recreation.

Amenities to encourage recreation

- To support active and passive recreation for all ages designate open space for recreation. This may include tennis/basketball courts, horseshoe pit, park benches and tables, playgrounds, etc. These recreational amenities may have joint use with local residents and with the church. When including these amenities, ensure there is connectivity via crosswalks, walking trails, sidewalks, etc.

Increase opportunities for healthy eating

- Designate an area for a community garden. Community gardens not only provide residents access to healthy nutrition, but they also provide opportunities for physical activity and community cohesiveness.
- For the proposed retail site, if there are plans to include a food establishment, consider recruiting vendors that offer healthy food choices.

Per DelDOT:

Without prejudging the results of the TIS, they have offered the following comments:

- a) The proposed site entrance may require a traffic signal. Given the relatively close spacing of the intersections along Route 9, DelDOT would like to avoid adding a signal in this area, but they anticipate requiring an agreement to fund a future signal at the site entrance.
- b) Entrance improvements will be required on Route 9 including right turn lanes, bike lanes and, probably, left turn lanes. The plan presented shows a bypass lane for eastbound Route 9 traffic. Generally, where a bypass lane would run in front of an existing or planned entrance, such as the proposed condominium entrance, we require that left turn lanes be built instead.
- c) DelDOT is presently designing a project (Contract No. 22-011-04) to improve Washington Street and a portion of 7th Street. Depending on the results of the TIS, the developer may be required to build or partially fund

intersection improvements at 7th and Washington Streets, and possibly elsewhere. Any such improvements would need to be coordinated with the DelDOT project. Mr. Joseph Hofstee, a project engineer in our Project Development North Section, may be contacted for more information on the DelDOT project. Mr. Hofstee may be reached at (302) 760-2358.

Because this development is in the City of New Castle, Larkin Street is, and the proposed public street would be, under their jurisdiction, not ours. However, DelDOT offers the following advisory comments for consideration by the City and the developer:

- a) There is a gap in the proposed sidewalks along Larkin Street, from Route 9 up to the first parking lot entrance. It appears that it could be addressed by adding a sidewalk along the east side of the 3,896 square foot retail building.
- b) DelDOT recommends that the plan be modified to provide emergency access to the Conrail tracks, possibly by extending the proposed public street north to the railroad right-of-way.
- 4) Two of the proposed apartment buildings would be quite close to the Conrail tracks. For that reason, we recommend that the developer include some form of noise abatement, e.g. sealed windows and air conditioning, in their plans.
- 5) The subject development is located within walking distance of DART Bus Route 27, which provides weekday service between the industrial parks in New Castle and Christiana Mall. DelDOT recommends that the developer contact Ms. Semia Hackett, a Service Development Planner with DART First State, for more information on this service and any improvements that might be need to support the development residents' use of it. Ms. Hackett may be reached at (302) 576-6019.
- 6) While DelDOT has not seen sufficient detail to support a specific design, they appreciate the proposed trail system discussed at the PLUS meeting as a useful amenity for development residents and a valuable addition to the City's pedestrian network.
- 7) It is recommended that the developer have their engineer contact the DelDOT Subdivision Manager for the east part of northern New Castle County, Mr. Richard Woodhall, for more detailed comments on the site plan as they develop it further. Mr. Woodhall may be reached at (302) 760-2262.

Per DNREC

- The 20-foot riparian buffer being proposed is likely to be inadequate for the protection of water quality on-site as well as downstream. This project will result

in more than 66% impervious surface. DNREC requests that you consider buffer widths of 100 feet are needed to effectively protect water quality in most cases.

- Wet ponds created for stormwater management purposes may attract resident Canada geese and mute swans that will create a nuisance for community residents. Short manicured lawns around ponds provide an attractive habitat for these species. DNREC recommends Delaware native plants, including tall grasses, wildflowers, shrubs, and trees be planted at the edge and within an adequate buffer (15-30 ft in width) around the ponds, to be planted in accordance with the Sediment and Stormwater Plan approval agency requirements. When the view of the surrounding area from the pond is blocked, geese can't scan for predators and are less likely to reside and nest in the area of the pond.
- Because there are multiple issues with this site, a pre-application meeting with the State Sediment and Stormwater program is strongly recommended.
- A large portion of this property currently is located within the Federal Emergency Management Agency (FEMA) floodplain. DNREC recommends submitting the proposed cap and fill and wetland plan to FEMA for a Conditional Letter of Map Revision as soon as possible. It is their understanding that the large impervious surface is to cap the site. This will more than likely elevate the structures one foot above the base flood elevation that the City requires. DNREC asks that you minimize the effect this would have on runoff to adjoining properties.
- DNREC is concerned with the elevation of State Route 9/7th Street. This road is currently a few feet below the base flood elevation. DNREC respectfully reminds the City that an evacuations plan for the residents be addressed should the road be under water.
- The applicant shall comply with all applicable Delaware air quality regulations. These regulations include:

<p>Regulation 6 - Particulate Emissions from Construction and Materials Handling</p>	<ul style="list-style-type: none"> • Using dust suppressants and measures to prevent transport of dust off-site from material stockpile, material movement and use of unpaved roads. • Using covers on trucks that transport material to and from site to prevent visible emissions.
<p>Regulation</p>	<ul style="list-style-type: none"> • Prohibiting open burns statewide

<p>1113 – Open Burning</p>	<p>during the Ozone Season from May 1-Sept. 30 each year.</p> <ul style="list-style-type: none"> • Prohibiting the burning of land clearing debris. • Prohibiting the burning of trash or building materials/debris.
<p>Regulation 1145 – Excessive Idling of Heavy Duty Vehicles</p>	<ul style="list-style-type: none"> • Restricting idling time for trucks and buses having a gross vehicle weight of over 8,500 pounds to no more than three minutes.

Additional measures may be taken to substantially reduce the air emissions identified above. These measures include:

- **Constructing only energy efficient units.** Energy Star qualified units are up to 30% more energy efficient than typical homes. These savings come from building envelope upgrades, high performance windows, controlled air infiltration, upgraded heating and air conditioning systems, tight duct systems and upgraded water-heating equipment. Every percentage of increased energy efficiency translates into a percent reduction in pollution. The Energy Star Program is excellent way to save on energy costs and reduce air pollution.
- **Providing tie-ins to the nearest bike paths and links to any nearby mass transport system.** These measures can significantly reduce mobile source emissions.

Additionally, the following measures will reduce emissions associated with the actual construction phase of the development:

- **Using retrofitted diesel engines during construction.** This includes equipment that are on-site as well as equipment used to transport materials to and from site.
- **Using pre-painted/pre-coated flooring, cabinets, fencing, etc.** These measures can significantly reduce the emission of VOCs from typical architectural coating operations.
- **Planting trees at residential units and in vegetative buffer areas.** Trees reduce emissions by trapping dust particles and by replenishing oxygen. Trees also reduce energy emissions by cooling during the summer and by providing wind

breaks in the winter, whereby reducing air conditioning needs by up to 30 percent and saving 20 to 50 percent on fuel costs.

- The proposed project site is located on and encompasses the Abex Corp Landfill site. A new Phase I Environmental Site Assessment was conducted on the entire property in July of 2008. The site is currently being addressed in the Brownfields program for redevelopment.
- A Phase I Environmental Site Assessment has been performed and the proposed project property is in the Brownfields program for investigation and redevelopment. Should a release or imminent threat of a release of hazardous substances be discovered during the course of redevelopment (e.g., contaminated water or soil), construction activities should be discontinued immediately and DNREC should be notified at the 24-hour emergency number (800-662-8802). SIRB should also be contacted as soon as possible at 302-395-2600 for further instructions. *Krystal Stanley - (302) 395-2644*, Krystal.Stanley@state.de.us

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

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

Sincerely,



Constance C. Holland, AICP
Director

CC: City of New Castle