

2006-11-12

Preliminary land Use Service (PLUS)

Delaware State Planning Coordination

122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Please complete this "PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090. Possible resources for completing the required information are as follows:

- www.state.de.us/planning
- www.dnrec.state.de.us/dnrec2000
- www.dnrec.state.de.us/DNRECeis
- [datamil.delaware.gov](mailto:datamil@delaware.gov)
- www.state.de.us/deptagri

1. Project Title/Name: Big Oak Commons

2. Location (please be specific): Corner of Brenford Rd. & Rt. 13

3. Parcel Identification #: 1-00-028.00-01-23.00-000, -21.00-000, -04.001-000

4. County or Local Jurisdiction Name: Kent

5. Owner's Name: Mr. Jeffrey B. Stover

Address: 5621 N. DuPont Highway

City: Smyrna

State: Delaware

Zip: 19977

Phone: 302-653-6195

Fax: 302-653-6140

Email: jeff@stoverbuilders.com

6. Applicant's Name: Stover Construction, LLC

Address: 5621 N. DuPont Highway

City: Smyrna

State: DE

Zip: 19977

Phone: 302-653-6195

Fax: 302-653-6140

Email: jeff@stoverbuilders.com

7. Project Designer/Engineer: Becker Morgan Group, Inc. (Attn: Brian G. Turner)

Address: 309 S. Governors Avenue

City: Dover

State: DE

Zip: 19904

Phone: 302-734-7950

Fax: 302-734-7965

Email:

bturner@beckermorgan.com

8. Please Designate a Contact Person, including phone number, for this Project: 302-734-7950

Information Regarding Site:

9. Type of Review: Rezoning Comp. Plan Amendment (Kent County Only) Site
 Subdivision

10. Brief Explanation of Project being reviewed:
Project will entail the construction of a 55,810 s.f., grocery store and 10 supporting retail stores that will have a total square footage of 24,142 s.f. There will also be 3 out parcel sites that will have a building footprint area of approximately 6,000 to 8,000 s.f. The total area of the shopping center complex and three out parcels will be 15.70 acres with a total square footage of 103,952 s.f.

11. Area of Project(Acres +/-): 15

12. According to the State Strategies Map, in what Investment Strategy Level is the project located? Investment Level 1 Investment Level 2 Investment Level 3 Investment Level 4 Environmentally Sensitive Developing (Sussex Only)

13. If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications. N/A

14. Present Zoning: Main Parcel: BN; Outparcels: BG

15. Proposed Zoning: Main Parcel: BN; Outparcels: BG

16. Present Use: BN

17. Proposed Use: Shopping Center

18. If known, please list the historical and former uses of the property, and any known use of chemicals or hazardous substances: N/A

19. Comprehensive Plan recommendation:

If in the County, which area, according to their comprehensive plan, is the project located in:

New Castle

Kent

Sussex

Suburban

Inside growth zone

Town Center

Low Density

Suburban reserve

Outside growth zone

Developing

Other

Environ. Sensitive Dev.

District

20. Water: Central (Community system) Individual On-Site Public (Utility)
Service Provider Name: Tidewater

Will a new public well be located on the site? Yes No What is the estimated water demand for this project?

How will this demand be met?

21. Wastewater: Central (Community system) Individual On-Site Public (Utility)
Service Provider Name: Kent County

22. If a site plan please indicate gross floor area: 103952

23. If a subdivision: Commercial Residential Mixed Use

24. If residential, indicated the number of number of Lots/units: 0 Gross Density of Project: N/A Net Density N/A
Gross density should include wetlands and net density should exclude wetlands, roads, easements, etc..

25. If residential, please indicate the following:

Number of renter-occupied units:

Number of owner-occupied units:

Target Population (check all that apply):

Renter-occupied units

Family

Active Adult (check only if entire project is restricted to persons over 55)

Owner-occupied units

First-time homebuyer – if checked, how many units

Move-up buyer – if checked, how many units

Second home buyer – if checked, how many units

Active Adult (Check only if entire project is restricted to persons over 55)

26. Present Use: % of Impervious Surfaces: 5% Proposed Use: % of Impervious Surfaces: 71%
Square Feet: 37766 Square Feet: 486038

27. What are the environmental impacts this project will have? Erosion and Sediment Control Permit will be required.

How much forest land is presently on-site? 0 How much forest land will be removed? 0

Are there known rare, threatened, or endangered species on-site? Yes No

Is the site in a sourcewater (for example, an excellent groundwater recharge) protection area? Yes No

Recharge potential maps are available at

Kent County

<http://www.udel.edu/dgs/Publications/pubsonline/hydromap11.pdf>

Sussex County

<http://www.udel.edu/dgs/Publications/pubsonline/hydromap12.pdf>

New Castle County has a map viewer that shows the Wellhead protection areas and excellent recharge areas under Natural Features – Water Resources.

<http://dmz-arcims02.co.new-castle.de.us/website/nccparcelmap2/viewer.htm>

Does it have the potential to impact a sourcewater protection area? Yes No

28. Is any portion of construction located in a Special Flood Hazard Area as defined by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM)? Yes No

Will this project contribute more rainwater runoff to flood hazard areas than prior to development?
 Yes No If "Yes," please include this information on the site map.

29. Are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? Yes No

Are the wetlands: Tidal Acres
 Non-tidal Acres

If "Yes", have the wetlands been delineated? Yes No

Has the Army Corp of Engineers signed off on the delineation? Yes No

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? Yes No If "Yes", describe the impacts:

Will there be ground disturbance within 100 feet of wetlands Yes No

30. Are there streams, lakes, or other natural water bodies on the site? Yes No

If the water body is a stream, is it: Perennial (permanent) Intermittent Ephemeral (Seasonal)

If "Yes", have the water bodies been identified? Yes No

Will there be ground disturbance within 100 feet of the water bodies Yes No If "Yes", please describe :

31. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)?

Yes No

If yes, please list name:

32. List the proposed method(s) of stormwater management for the site: Wet Stormwater Pond

Define the anticipated outlet location(s) for stormwater generated by the site (for example, perennial stream, tax ditch, roadside swale, storm drain system, infiltration, etc.): Stormdrain system that will tie into DeIDOT's existing storm drain system.

Will development of the proposed site create or worsen flooding upstream or downstream of the site? Yes No

33. Is open space proposed? Yes No If "Yes," how much? Acres Square Feet

Open space proposed (not including stormwater management ponds and waste water disposal areas) N/A acres/Sq ft.

What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? N/A

Where is the open space located? N/A

Are you considering dedicating any land for community use (e.g., police, fire, school)? Yes No

34. Does it border existing natural habitat or preserved (for example, an agricultural preservation district or protected State Resource Area) land? Yes No If "Yes," what are they?

35. Is any developer funding for infrastructure improvement anticipated? Yes No If "Yes," what are they? We anticipate that the developer will assist in funding offsite road improvements at the corner of Brenford Road and Rt. 13.

36. Are any environmental mitigation measures included or anticipated with this project? Yes No

Acres on-site that will be permanently protected

Acres on-site that will be restored

Acres of required wetland mitigation

Stormwater, erosion and sediment control, and construction best management practices (BMPs) that will be employed The tentative plan is to construct a wet stormwater management pond on the south end of the site. A bio-swale is planned for the north end of the site.

Buffers from wetlands, streams, lakes, and other natural water bodies

37. Has any consideration been given to nuisance species (for example, mosquitoes or Canada geese)? Yes No

38. Will this project generate additional traffic? Yes No

How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume the peak season 4463

What percentage of those trips will be trucks, excluding vans and pick-up trucks? 223

39. If the project will connect to public roads, please specify the number and location of those connections. Please describe those roads in terms of number of lanes, width (in feet) of the lanes and any shoulders. There will be a rights in/rights out entrance along Rt. 13 and a full entrance along Brenford Road. A 12' wide deceleration lane will be constructed at the Rt. 13 entrance and a 12' wide acceleration lane and deceleration lane will be constructed at the Brenford Road entrance.

40. Will the street rights of way be public, private, or town? Private

41. Is any of the project's road frontage subject to the Corridor Capacity Preservation Program? Yes
 No

42. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections. A cross access easement will be provided to access the residential subdivision located directly in back of the proposed shopping center.

43. Are there existing or proposed sidewalks? Yes No; bike paths Yes No

Is there an opportunity to connect to a larger bike/pedestrian network? Yes No

44. Is this site in the vicinity of any known historic/cultural resources or sites Yes No

Has this site been evaluated for historic and/or cultural resources? Yes No

Will this project affect, physically or visually, any historic or cultural resources? Yes No
If "Yes," please indicate what will be affected (Check all that apply)

- Buildings/Structures (house, barn, bridge, etc.)
- Sites (archaeological)
- Cemetery

Would you be open to a site evaluation by the State Historic Preservation Office? Yes No

42. Are any federal permits, licensing, or funding anticipated? Yes No

43. Will this project generate any solid waste or require any special permits within State agencies to the best of your knowledge?

Yes No If yes, please List them:

45. Please make note of the time-line for this project: Obtain final approvals by 09/01/07 and begin construction by 10/01/07.

I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.

Signature of property owner

Date

Signature of Person completing form
(If different than property owner)

Date

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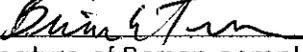
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Signature of property owner

10/31/06
Date



Signature of Person completing form
(If different than property owner)

11/1/06
Date

Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning **electronically** at Dorothy.morris@state.de.us **along with an electronic copy of any site plans and development plans for this site.** Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. If electronic copy of the plan is not available, contact Dorothy at (302) 739-3090 for further instructions. A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Suite 302, Haslet Building, Third Floor, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.

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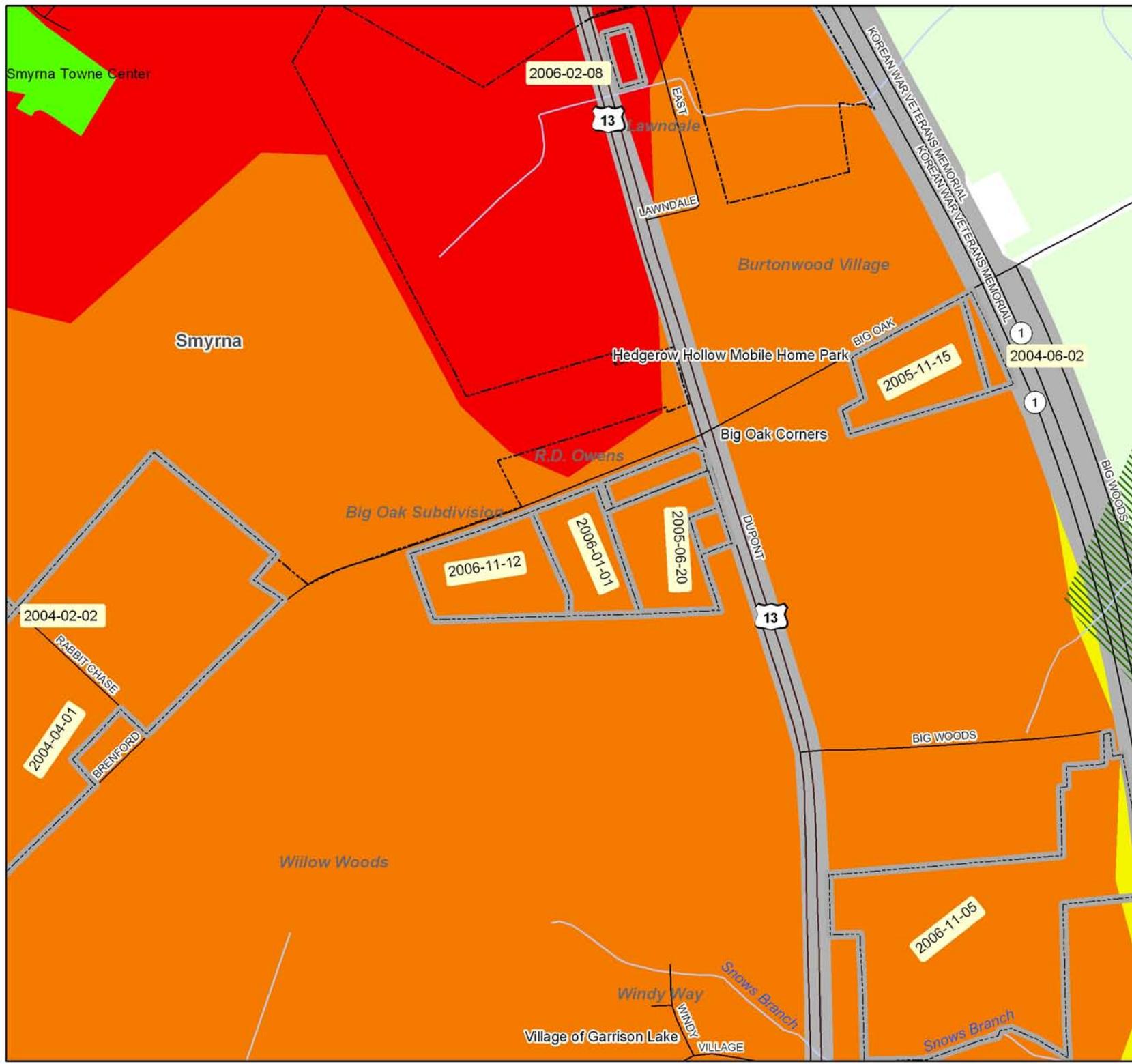
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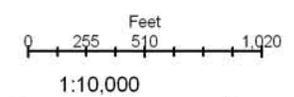
BIG OAK COMMONS
SMYRNA, DE

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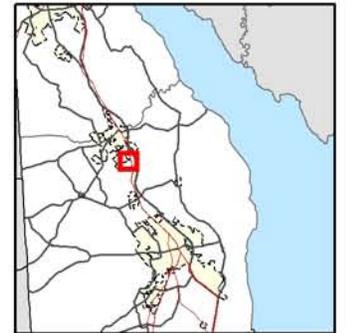
Big Oak Commercial
2006-11-12



- Project Area
 - Public-Owned
 - Ag District
 - Purchased Dev. Rights
 - Municipalities
- Strategies**
- Level 1
 - Level 2
 - Level 3
 - Level 4
 - Nat. Res. & Rec. Priorities
 - Working Forests
 - Highest Value Agriculture
 - Out of Play
 - Area of Dispute
 - Area of Study
 - Env. Sens. Dev. (Sussex)

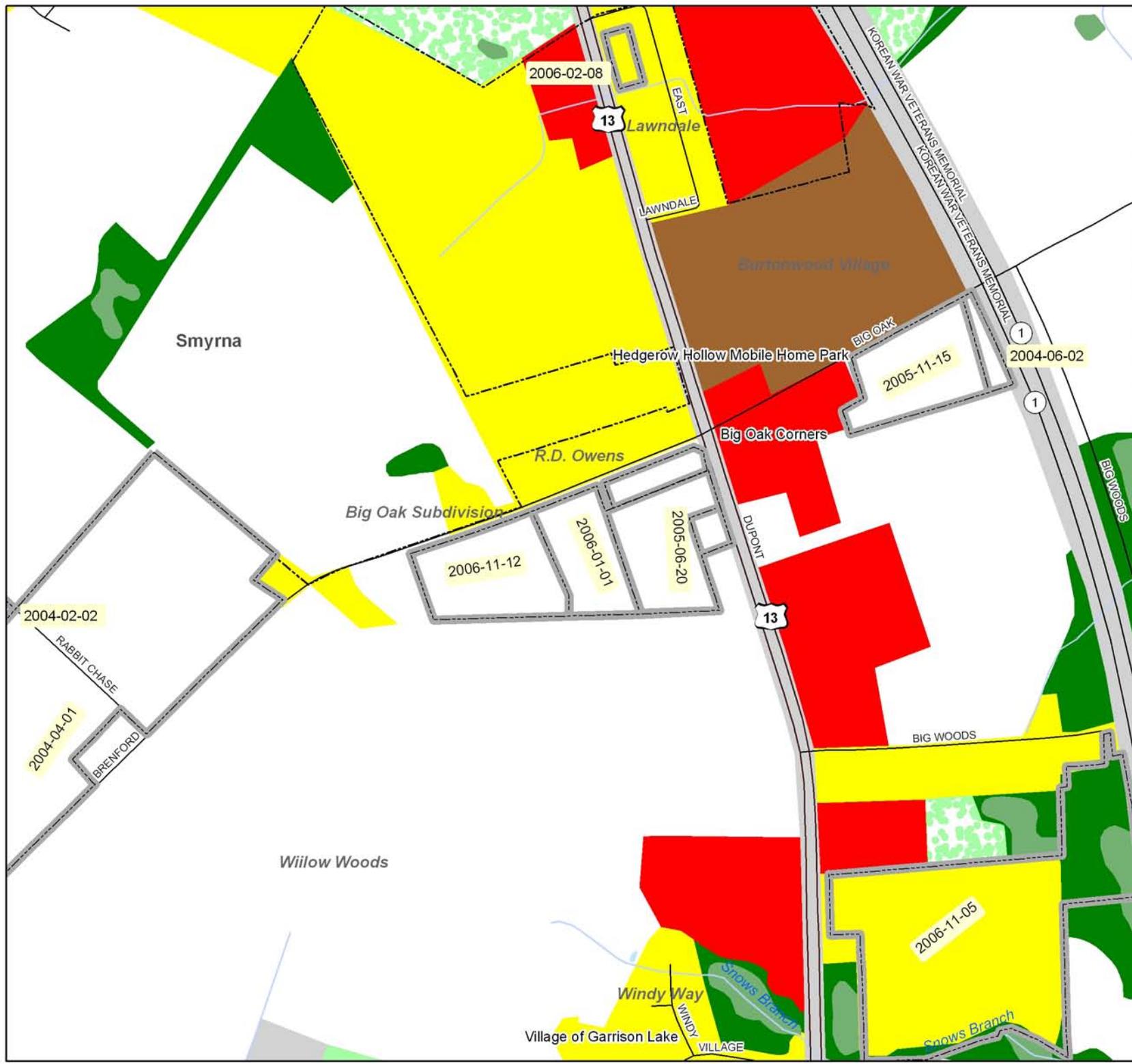


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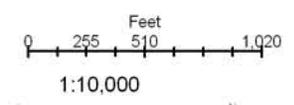


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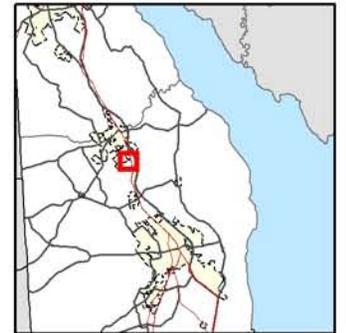
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- Project Area
- Municipalities
- 2002 Land Use/Land Cover**
- Residential
- Commercial/Urban
- Industrial
- Trans./Comm./Utilities
- Institutional/Governmental
- Recreational
- Agriculture
- Scrub/Clear Cut
- Forest
- Water
- Wetlands/Wet Woods
- Beach/Sandy Area
- Extraction/Transition



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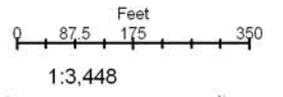


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-  Project Area
-  Municipalities



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