

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
www.state.de.us/deptagri

1. Project Title/Name: Del Pointe-Phase 1
2. Location (please be specific): Off the east side of Route 113, approximately 3.5 miles south of the Town of Georgetown and contiguous to the Town of Millsboro on the northwest corner
3. Parcel Identification #: 133-11.00-5.00, 133-11.00-6.00 & 133-11.00-7.00
4. County or Local Jurisdiction Name: Sussex

5. Owner's Name: T.P. One, LLC

Address: 22855 DuPont Blvd

City: Georgetown

State: DE

Zip: 19947

Phone:

Fax:

Email:

6. Applicant's Name: Chesapeake Tract, LLC

Address: 55 Cascade Lane, Suite A

City: Rehoboth Beach

State: DE

Zip: 19971

Phone: 302-227-3573

Fax: 302-227-2326

Email:

7. Project Designer/Engineer: Davis, Bowen, & Friedel, Inc.

Address: 23 N. Walnut Street

City: Milford

State: DE

Zip: 19963

Phone: 302-424-1441

Fax: 302-424-0430

Email: wzc@dbfinc.com

8. Please Designate a Contact Person, including phone number, for this Project: **W. Zachary Crouch, P.E.**

Information Regarding Site:

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

10. Brief Explanation of Project being reviewed:
Proposed horse racing track with grandstand and a paddock/multi-use building

11. Area of Project(Acres +/-): **+/- 114 acres**

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.
No

14. Present Zoning: **AR**

15. Proposed Zoning: **PCD (Planned Commercial)**

16. Present Use: **Agricultural**

17. Proposed Use: **Commercial**

18. If known, please list the historical and former uses of the property, and any known use of chemicals or hazardous substances: **None**

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:

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? **Town of Millsboro**

21. Wastewater: Central (Community system) Individual On-Site Public (Utility)
Service Provider Name: **Town of Millsboro**

22. If a site plan please indicate gross floor area: **+/-120,240 Sq. Ft.**

23. If a subdivision: Commercial Residential Mixed Use

24. If residential, indicated the number of number of Lots/units: **N/A** 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: **N/A**

Number of owner-occupied units: **N/A**

Target Population (check all that apply): **N/A**

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 **N/A**

Move-up buyer – if checked, how many units **N/A**

Second home buyer – if checked, how many units **N/A**

Active Adult (Check only if entire project is restricted to persons over 55) **N/A**

26. Present Use: % of Impervious Surfaces: **0%**
Square Feet: **0.0**

Proposed Use: % of Impervious Surfaces: **25%**
Square Feet: **1,263,230**

27. What are the environmental impacts this project will have? **None**

How much forest land is presently on-site? **+/-1.19 acres** How much forest land will be removed? **0.04 acres**

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 **N/A**
 Non-tidal Acres **+/- 14.98Acres**

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: **N/A**

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: **N/A**

32. List the proposed method(s) of stormwater management for the site: **Stormwater Management Ponds**

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.): **See Site Plan**

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? **+/- 86.42 Acres +/-3,764,426 Square Feet**

Open space proposed (not including stormwater management ponds and waste water disposal areas) **+/-71.21 / 3,101,884 Ac/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)? **active recreation, passive recreation, stormwater management, racing track**

Where is the open space located? **See Site Plan**

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? **N/A**

35. Is any developer funding for infrastructure improvement anticipated? Yes No If "Yes," what are they? **N/A**

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

Acres on-site that will be permanently protected **N/A**

Acres on-site that will be restored **N/A**

Acres of required wetland mitigation **N/A**

Stormwater, erosion and sediment control, and construction best management practices (BMPs) that will be employed **sediment traps, silt fence, stormwater management ponds**

Buffers from wetlands, streams, lakes, and other natural water bodies **100' wetland buffer**

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 **1676 ADT**

What percentage of those trips will be trucks, excluding vans and pick-up trucks? **Less than 1%**

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. **The project will connect to Avenue of Honor on the north east side, Bethesda Road on the east side, Route 113 on the west side, and two connections to Rich Road on the west side. Avenue of Honor is 22' wide with no shoulders, Bethesda Road is 21' wide with no shoulders, Rich Road is 19' wide with no shoulders, and Route 113 is 48' wide with shoulders.**

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

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. **None**

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

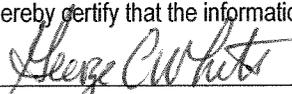
Would you be open to a site evaluation by the State Historic Preservation Office? Yes No

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

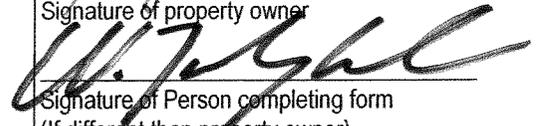
43. Will this project generate any solid waste or require any special permits within State agencies to the best of your knowledge?
 Yes No If yes, please List them: **N/A**

45. Please make note of the time-line for this project: **construction to start June 2009 with completion July 2010**

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


Signature of property owner

4/30/09
Date


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

5.1.09
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.

DATA COLUMN

TAX MAP NUMBERS: 133-11.00-5.00, 133-11.00-6.00
133-11.00-7.00

EX. ZONING: AGRICULTURAL/RESIDENTIAL (SUSSEX COUNTY)
PROPOSED ZONING: PCD (PLANNED COMMERCIAL)

PERMITTED USE: GRANDSTAND (85' HEIGHT)
PADDOCK/MULTI-USE BUILDING
CONDITIONAL USE: HORSE RACING TRACK

PHASE 1 TOTAL AREA: 114.00 AC.± (PHASE 1 BOUNDARY)

AREAS:
PROPOSED RIGHT-OF-WAY: 6.09 AC.±
PROPOSED PARKING: 19.36 AC.±
PROPOSED BUILDINGS: 2.18 AC.±
GRANDSTAND: 0.89 AC.±
MULTI-USE PADDOCK: 1.24 AC.±
MAINTENANCE: 0.05 AC.±
TOTAL OPEN SPACE: 86.37 AC.±
STORMWATER AREAS: 15.21 AC.±
ACTIVE OPEN SPACE: 22.60 AC.±
TRACK: 12.70 AC.±
PASSIVE OPEN SPACE: 48.56 AC.±

PROPOSED CONSTRUCTION:
BUILDING HEIGHT: 85' MAXIMUM
IMPERVIOUS COVERAGE: 25% FOR PHASE 1

SEWER: PUBLIC (TOWN OF MILLSBORO)
WATER: PUBLIC
SCHOOL DISTRICT: MILLSBORO VOLUNTEER FIRE COMPANY
SCHOOL DISTRICT: INDIAN RIVER SCHOOL DISTRICT

WETLANDS: WETLANDS EXIST ON SITE FOR PHASE 1
(NO PERMITS REQUIRED)
FEDERAL WETLANDS AND STREAM ORDINARY
HIGH WATER LINES WERE DELINEATED BY
ENVIROTECH ENVIRONMENTAL CONSULTING, INC.
OF MILTON, DELAWARE.

CURRENT OWNER: T.P. ONE LLC
22855 DUPONT BLVD
GEORGETOWN, DE 19947

DEVELOPER: CHESAPEAKE TRACT, LLC
55 CASCADE LANE
REHOBOTH BEACH, DE 19971

PREPARED BY: DAVIS, BOWEN, AND FRIEDEL, INC.
23 NORTH WALNUT STREET
MILFORD, DE 19963
(302) 424-1441

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS



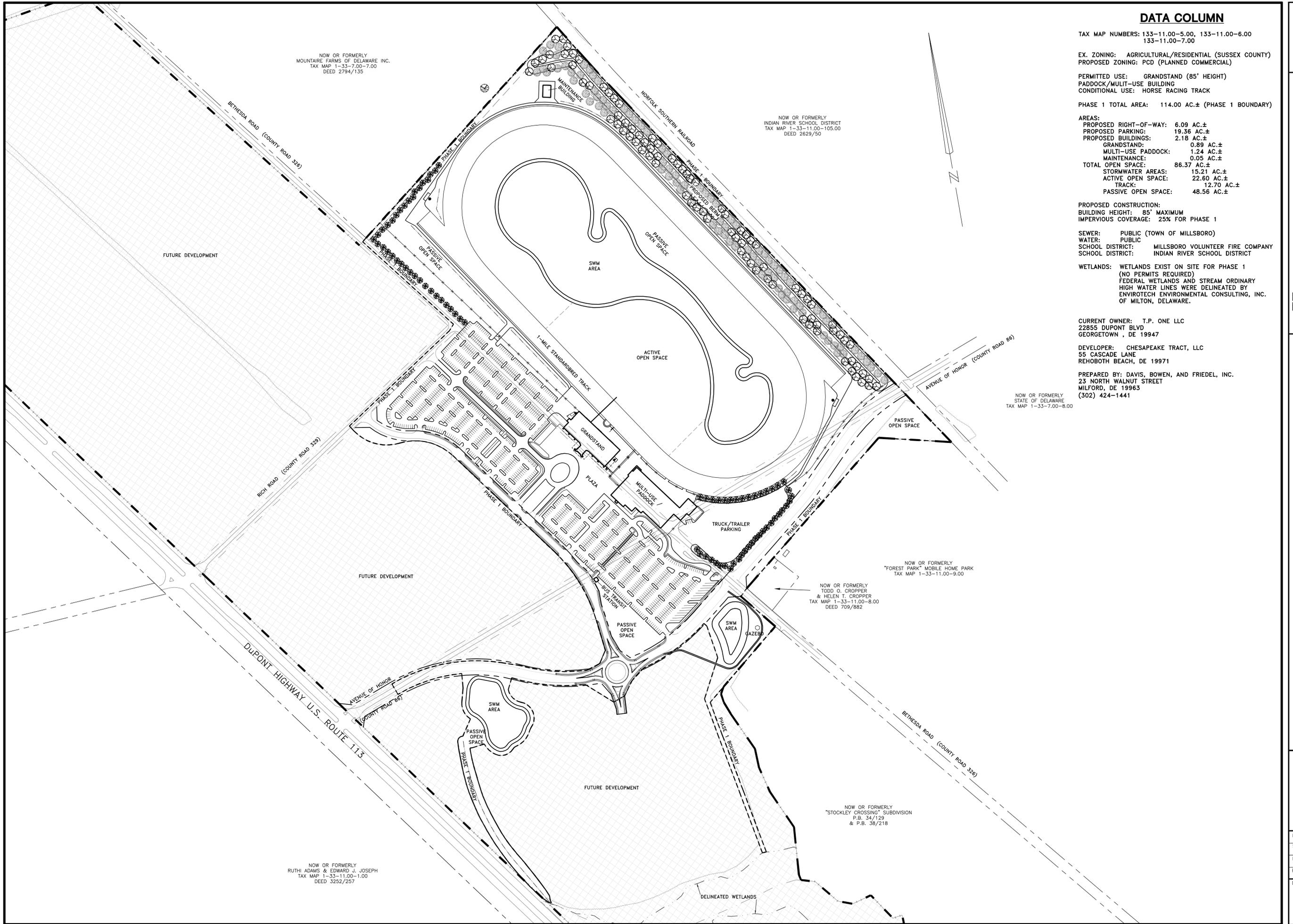
PLUS SITE PLAN

DEL POINTE - PHASE 1

DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE

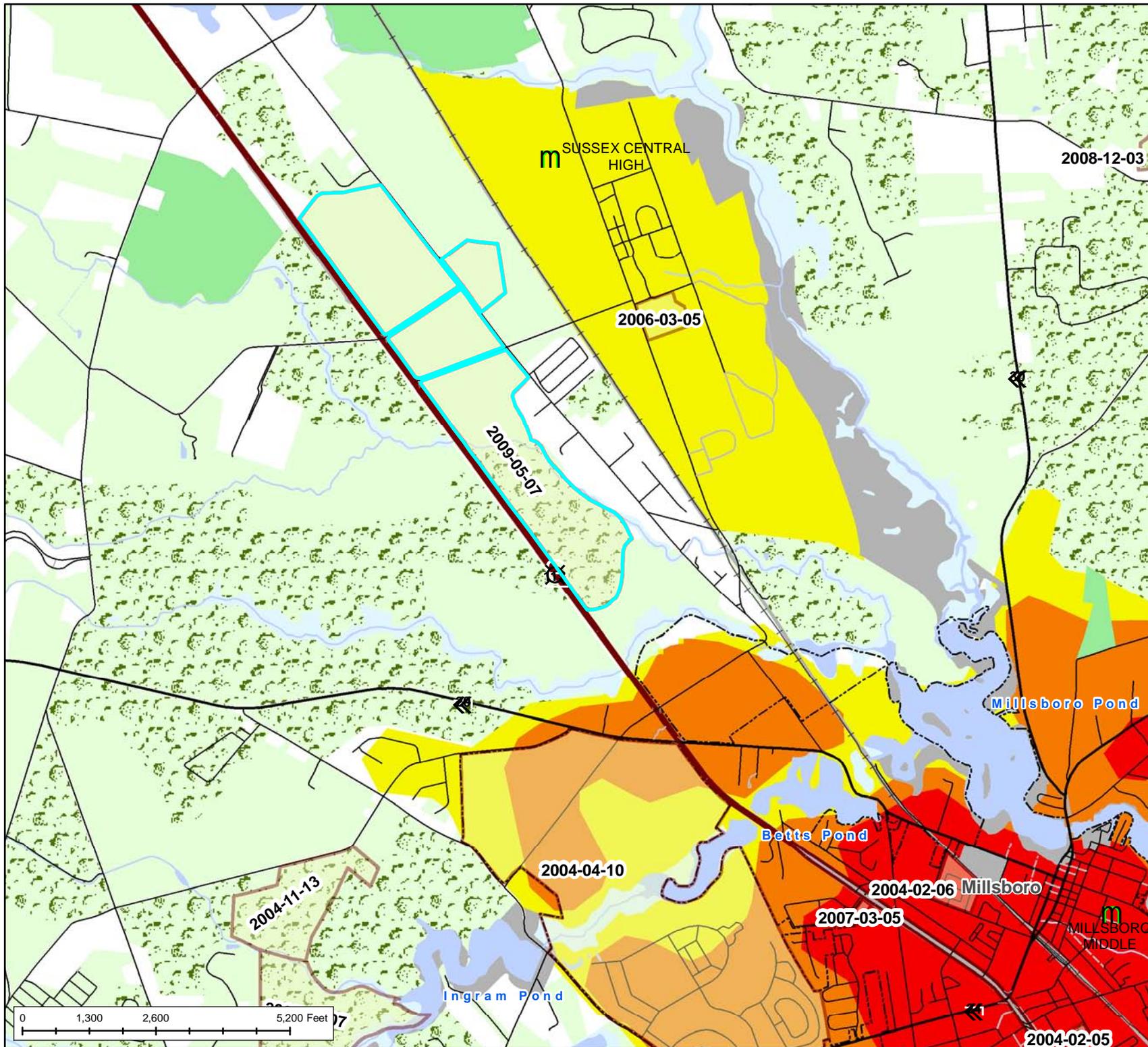
Date: APRIL 24, 2009
Scale: 1" = 200'
Dwn.By: TFS/DJS
Proj.No.: 818C007D
Dwg.No.:

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Preliminary Land Use Service (PLUS)

Del Pointe
PLUS 2009-05-07

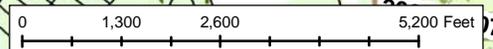


- Project Areas
 - Municipalities
 - Purchased Dev. Rights
 - Ag District
 - Public Owned/Protected
 - Forestry Easements
 - Delaware State Forests
 - Working Forests
 - Highest Value Agriculture
- ### State Strategies
- Level 1
 - Level 2
 - Level 3
 - Level 4
 - Nat. Res. & Rec. Priorities
 - Out of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

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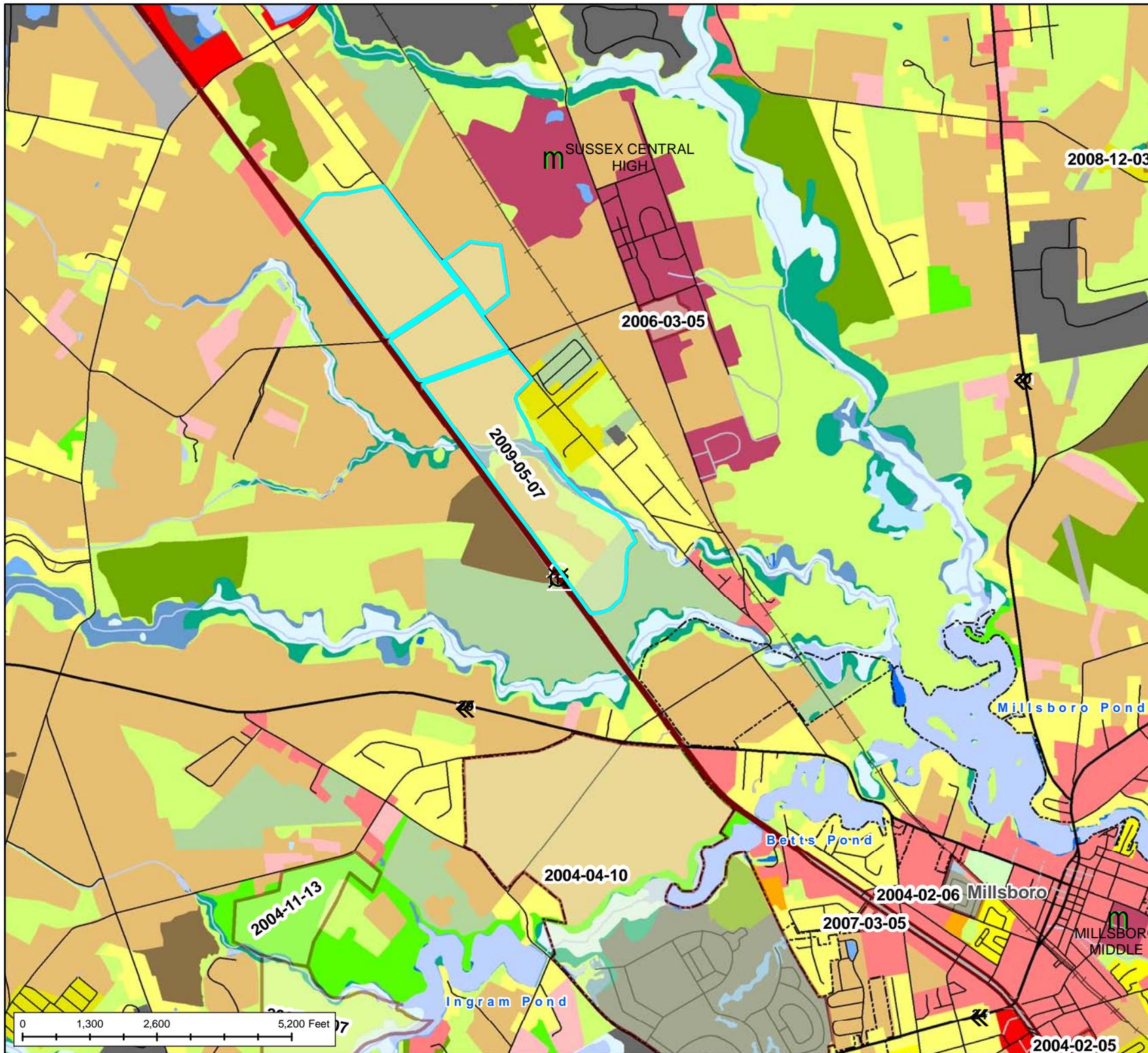


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Preliminary Land Use Service (PLUS)

Del Pointe
PLUS 2009-05-07

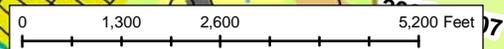


- Project Areas
- Municipalities
- Land Use/Land Cover**
- Single Family Dwellings
- Multi-Family Dwellings
- Mobile Home Parks/Courts
- Commercial
- Industrial
- Trans./Comm./Utilities
- Mixed Urban/Built-up
- Institutional/Governmental
- Recreational
- Farms, Pasture, Cropland
- CAFO
- Rangeland
- Orchards/Nurseries
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Brush Rangeland
- Clear-cut
- Reservoirs and Impoundments
- Marinas/Ports/Docks
- Open Water
- Emergent Wetlands
- Forested Wetlands
- Scrub/Shrub Wetlands
- Sandy Areas
- Extraction/Transition

1:30,000



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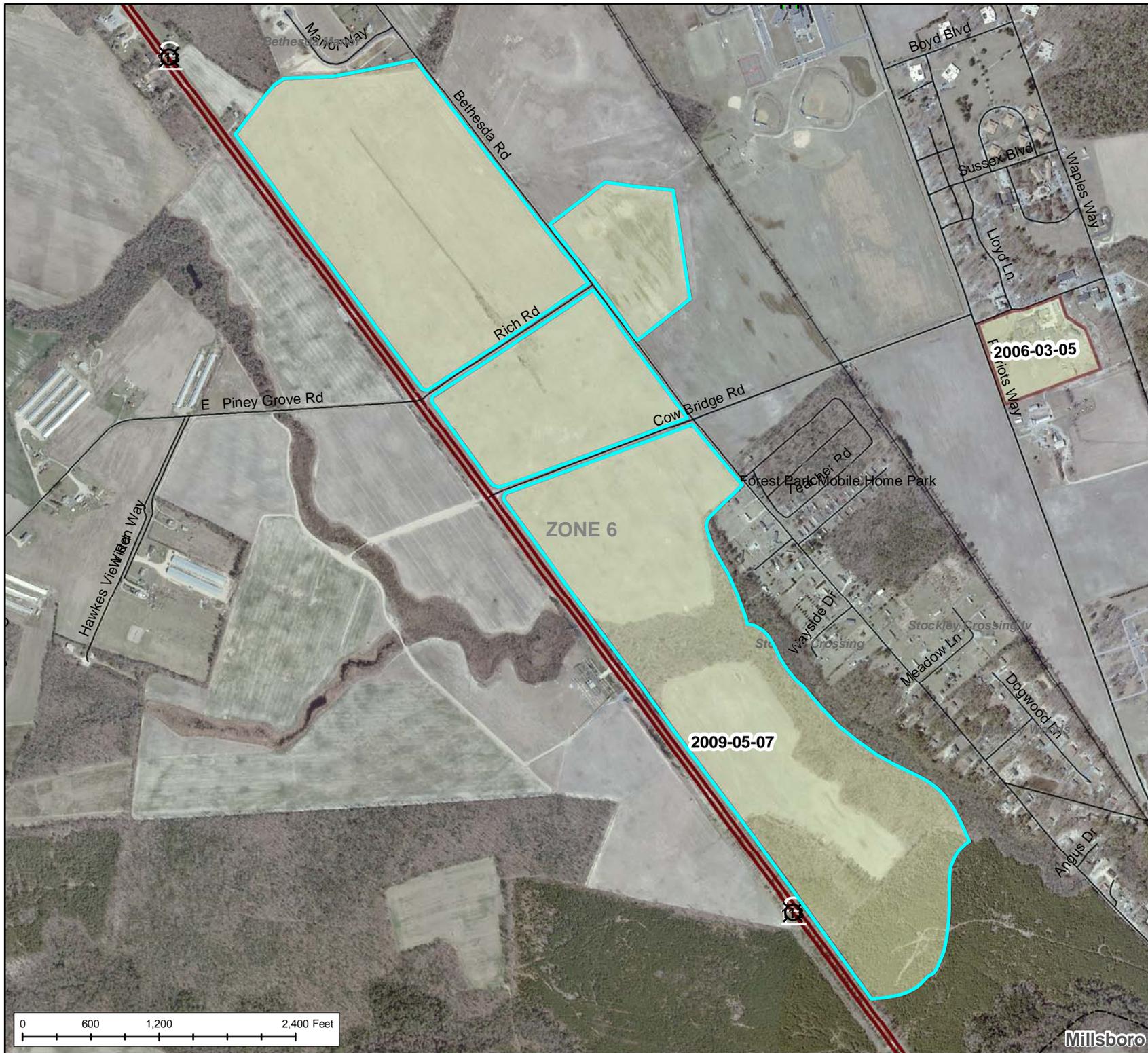


Preliminary Land Use Service (PLUS)

Del Pointe
PLUS 2009-05-07

-  Project Areas
-  Municipalities

2007 Aerial Photography:
Provided by Delaware
Office of Management
and Budget



2006-03-05

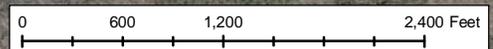
ZONE 6

2009-05-07

1:13,650



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Millsboro