



**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: Proposal to redevelop and rezone existing parcel: 1. Construct 222,664 sq.ft. of retail space 2. Construct 9,000 sq. ft. of restaurant. 3. Rezone (2) parcels from OR to CR.

11. Area of Project(Acres +/-): 31.395

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: OR - Office Regional

15. Proposed Zoning: CR - Commerical Regional

16. Present Use: Existing Bank/Vacant

17. Proposed Use: Retail/Restaurant

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:  
 Will a new public well be located on the site?  Yes  No What is the estimated water demand for this project?  
 30,000 GPD  
 How will this demand be met? Water is existing at site (Artesian)

21. Wastewater:  Central (Community system)  Individual On-Site  Public (Utility)  
 Service Provider Name:  
 Northern New Castle County Sewer

22. If a site plan please indicate gross floor area: 231,664 GFA (New) 3669 GFA (Existing Bank)

23. If a subdivision:  Commercial  Residential  Mixed Use

24. If residential, indicated the number of number of Lots/units: Gross Density of Project: 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:

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)

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26. Present Use: % of Impervious Surfaces: 3.16%      Proposed Use: % of Impervious Surfaces: 56.21%  
Square Feet: 44,023.83      Square Feet: 2,448,507.60

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27. What are the environmental impacts this project will have? 46.4% impervious within WRPAs

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

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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.

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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

If "Yes", have the wetlands been delineated?  Yes  No      N/A

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

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits?  Yes  No      If "Yes", N/A 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) N/A  
If "Yes", have the water bodies been identified?  Yes  No N/A  
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: (2) existing Stormwater Management Facilities and (1) existing Stormwater Management Facility to be relocated.  
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.): 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  
Non-Residential  
Open space proposed (not including stormwater management ponds and waste water disposal areas) 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)?  
Where is the open space located?  
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?

36. Are any environmental mitigation measures included or anticipated with this project?  Yes  No  
Infiltration/Recharge Facility for 100,000 sq. ft. of roof top runoff.  
Acres on-site that will be permanently protected 8.94 ACS  
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 Infiltration facility, filter strips, bio-swales and bio-retention  
Buffers from wetlands, streams, lakes, and other natural water bodies N/A

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 Proposed: AM Peak:178, PM Peak:608

Previously Approved: AM Peak:471, PM Peak: 461  
What percentage of those trips will be trucks, excluding vans and pick-up trucks? 1.0% (Deliveries only)

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.

2 locations, Songsmith Drive to SR7, Southern 2 - 22', Northern 2 - 24'

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. Ajoining proposed mixed use project.

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 Website indicated no historical resources

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

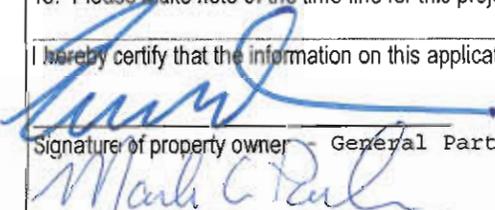
Would you be open to a site evaluation by the State Historic Preservation Office?  Yes  No

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: Begin construction fall 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 General Partner

March 25, 2010

Date

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

26 MARCH 2010

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](mailto: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.**

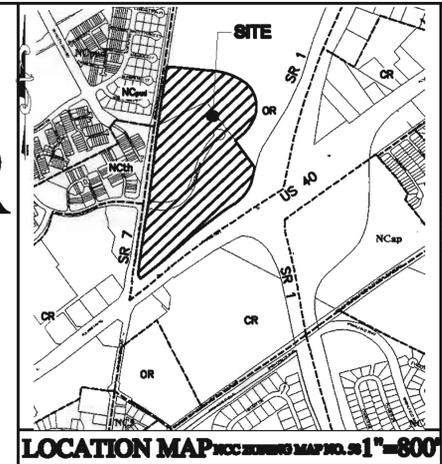
# APPLICATION NO. 2010-0028

## EXPLORATORY SKETCH MINOR REDEVELOPMENT AND REZONING PLAN

# GOVERNOR'S SQUARE COMMERCIAL CENTER

## NEW CASTLE HUNDRED - NEW CASTLE COUNTY DELAWARE

**OWNER/DEVELOPER**  
 GOVERNOR'S SQUARE ASSOCIATES, L.P.  
 C/O DELLE DONNE AND ASSOCIATES, INC.  
 ONE CORPORATE COMMONS  
 100 WEST COMMONS BOULEVARD  
 SUITE 100  
 NEW CASTLE, DE 19720  
 (302) 325-1111



**LOCATION MAP** SEE ZONING MAP NO. 11-800

**GENERAL DATA**

1. TAX PARCEL NUMBERS: 10-039.00-002 AND 10-039.00-050

2. SOURCE OF TITLE: DEED RECORD BOOK 778, PAGE 0008 AND INSTRUMENT NUMBER 20050804-0074634 (ACQUIRED FROM DELDOT IN EXCHANGE FOR RTE 7 FRONTAGE FOR HIGHWAY PROJECT)

GROSS ACREAGE: T.P. 10-039.00-002 = 27.400 ACRES  
 T.P. 10-039.00-050 = 4.835 ACRES  
 31.935 ACRES

3. EXISTING ZONING: OR (OFFICE REGIONAL)  
 PROPOSED ZONING: CR (COMMERCIAL REGIONAL)

**BULK AREA RESTRICTIONS**

STREET YARD SETBACK: 15'  
 SIDE YARD: 20'  
 REAR YARD: 20'  
 LOT AREA: 1 ACRE  
 LOT WIDTH: 100'  
 BUILDING HEIGHT: 50'  
 PAVING SETBACK (STREET/OTHER): 25'/5'  
 EXTERIOR STORAGE: 15% LOT AREA (MAX.)

4. TOPOGRAPHIC SURVEY:  
 A. AERIAL SURVEY FLOWN BY AERIAL DATA REDUCTION ASSOCIATES, INC. ON OCTOBER 2, 2006.

B. DATUM: NAVD 88  
 BENCHMARK: TOP OF CONCRETE MONUMENT FOUND AT THE SOUTHWEST MOST CORNER OF THE PROJECT.

ELEVATION: 63.11  
 C. CONCRETE MONUMENTS:

■ EXISTING CONCRETE MONUMENTS (4)  
 ■ EXISTING IRON PIPES (31)  
 □ PROPOSED (0)

6. WATER SUPPLY: ARTESIAN WATER  
 WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DEPARTMENT OF PUBLIC HEALTH.

ARTESIAN WATER COMPANY HAS ENTERED INTO A SERVICE AGREEMENT FOR THIS PROJECT.

7. SANITARY SEWER: GRAVITY - NEW CASTLE COUNTY  
 SEWERAGE IS SUBJECT TO THE APPROVAL OF THE NEW CASTLE COUNTY DEPARTMENT OF SPECIAL SERVICES. AT THE TIME OF APPROVAL OF THIS PLAN, SEWER CAPACITY EXISTED TO ACCOMMODATE THE ANTICIPATED FLOWS GENERATED BY THIS ADDITIONAL DEVELOPMENT. NEW CASTLE COUNTY HAS COMMITTED TO PROVIDE SEWER IN ACCORDANCE WITH THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT FOR THIS DEVELOPMENT. THE OWNER OF THIS PROPERTY, HIS SUCCESSOR OR ASSIGNS, SHALL BE RESPONSIBLE FOR EXTENDING SEWER SERVICE TO EACH LOT SHOWN ON OR CREATED BY THIS PLAN. A SEWER AGREEMENT BETWEEN THE DEVELOPER AND THE DEPARTMENT OF SPECIAL SERVICES HAS BEEN EXECUTED. ESTIMATED SEWAGE FLOW GENERATION FOR THIS PROJECT, BASED ON 218,995 S.F. RETAIL X 0.1 GPD/S.F. IS 21,890 GPD AND 9,000 S.F. X 0.03 SEATS/SF X 25 GPD/SEAT IS 6,750 GPD AND 3,669 SF X 0.1 GPD/SF IS 367 GPD, FOR A TOTAL OF 29,017 GPD, IS LESS THAN THE TOTAL OF 30,000 GPD APPROVED BY THE ORIGINAL AGREEMENT.

8. DEBRIS DISPOSAL: NO DEBRIS WILL BE BURIED OR DISPOSED OF ON THIS SITE.

9. WATER RESOURCE PROTECTION: A PORTION OF THIS PROPERTY IS LOCATED WITHIN A CLASS B WELLSHEAD WATER RESOURCE PROTECTION AREA (WRPA). SEE WRPA MAP FOR NEW CASTLE COUNTY, DE, SHEET 2 OF 3, DATED 1987, REVISED 1993, MAY 2001 AND FEB 2006.

10. NO 100-YEAR FLOOD PLAIN EXISTS ON THIS PARCEL, IN ACCORDANCE WITH FLOOD INSURANCE RATE MAP, 10003C0145J, PANEL 145 OF 475, DATED JANUARY 17, 2007.

11. CRITICAL NATURAL AREAS: THE STATE INVENTORY OF CRITICAL NATURAL AREAS HAS BEEN EXAMINED AND NONE WERE FOUND TO EXIST ON THE SITE.

12. WETLANDS: THIS SITE WAS EVALUATED IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN THE 1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL REPORT 7-87-1), AND SUBSEQUENT PUBLIC NOTICES, TO IDENTIFY THE PRESENCE OF JURISDICTIONAL WETLANDS, AND NO WETLANDS WERE FOUND TO EXIST ON THE SITE. SEE WETLAND REPORT PREPARED BY JCM ENVIRONMENTAL, DATED JUNE 2007.

13. TREE PRESERVATION: THE DEVELOPER SHALL PRESERVE ALL TREES ON THIS SITE EXCEPT WHERE NECESSARY TO CONSTRUCT BUILDINGS, ACCESSWAYS, AND UTILITIES, AND WHERE SELECTIVE THINNING OF EXISTING VEGETATION IS APPROVED. EXISTING PLANT MATERIALS DESIGNATED TO REMAIN ON THIS PLAN, OR THE LANDSCAPE PLAN, SHALL BE PRESERVED AND PROPERLY PROTECTED DURING CONSTRUCTION, IN THE CASE OF UTILITY RIGHTS-OF-WAY AND EASEMENTS, ANY DISTURBED AREAS SHALL BE REPLANTED SO AS TO ACHIEVE A RECURRENCE OF NATURAL VEGETATIVE COVER.

14. LOT COVERAGE CHART:

BUILDING AREA:	5,318 ACRES = 16.65%
PARKING AND ACCESSWAYS:	12,634 ACRES = 39.56%
OPEN AREA:	9,485 ACRES = 29.70%
SWM AREA (INFILTRATION FACILITY)	4,498 ACRES = 14.08%
<b>TOTAL</b>	<b>31.935 ACRES = 100.0%</b>

15. PARKING CALCULATIONS:  
 USE: RATIONALE  
 BANK: 3,669 S.F. x 4.0 / 1000 = 19 SPACES  
 RETAIL, BLDG #1: 121,745 SF x 4.0/1000 = 487 SPACES  
 RETAIL, BLDG #2: 97,250 SF x 4.0/1000 = 389 SPACES  
 RESTAURANT, BLDG #3: 9,000 SF x 9.0/1000 = 81 SPACES

	REQUIRED PARKING		PROPOSED PARKING		TOTAL
	STANDARD	HANDICAP	STANDARD	HANDICAP	
RETAIL, BLDG #1:	478	9	479	12	491
RETAIL, BLDG #2:	381	8	389	8	389
RESTAURANT, BLDG #3:	77	4	81	4	81
BANK, BLDG #4	18	1	19	2	39

16. PER SECTION 40.10.110, UDC - RESOURCE PROTECTION STANDARDS  
 TABLE 40.10.010 - RESOURCE PROTECTION LEVELS

A. WELLSHEAD - WRPA CLASS B&C FOR CR ZONING DISTRICT  
 MINIMUM RESOURCE PROTECTION LEVELS = 50%

TOTAL LOT AREA WITHIN WRPA (EXCLUDES SONGSMITH ROW) 16.682 ACRES  
 TOTAL IMPERVIOUS AREA WITHIN WRPA 7.741 ACRES  
 RESOURCE PROTECTION LEVELS 53.60% PERVIOUS

17. CONSERVATION EASEMENT: ANY AREA DESIGNATED FOR PROTECTION AS A NATURAL RESOURCE PURSUANT TO CHAPTER 40, ARTICLE 10 OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE IS HEREBY PROTECTED BY A CONSERVATION EASEMENT THAT SHALL RUN IN PERPETUITY FOR THE BENEFIT OF NEW CASTLE COUNTY. ANY AREA ON THIS PLAN DELINEATED AS A CONSERVATION EASEMENT SHALL REMAIN IN ITS NATURAL STATE.

18. FIRE PROTECTION: ALL FIRE LANES, FIRE HYDRANTS, SPRINKLERS, STANDPIPE CONNECTIONS AND FIRE EXITS SHALL BE MARKED AND PROTECTED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS. A FIRE MARSHALL RECORD-TYPE PLAN, LAST DATED \_\_\_\_\_ OR AS LATER AMENDED AND APPROVED IN WRITING BY THE STATE FIRE MARSHAL, IS HEREBY CONSIDERED PART OF THIS PLAN.

FIRE HYDRANTS  
 FH (5) EXISTING (THREE TO BE REMOVED)  
 FH (3) PROPOSED

19. ENTRANCE/EXIT FACILITIES SHALL CONFORM TO STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION AND SHALL BE SUBJECT TO THEIR APPROVAL. THE DEVELOPER IS REQUIRED TO OBTAIN AN ENTRANCE PERMIT FROM THE DELDOT DISTRICT PERMIT OFFICE.

20. DRAINAGE, EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH THE NEW CASTLE COUNTY DRAINAGE CODE AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL'S DELAWARE SEDIMENT AND STORMWATER REGULATIONS AND THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK.

21. A LANDSCAPE PLAN PREPARED BY (DESIGNS, ETC.), LAST DATED 9-16-05, OR AS LATER AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, IS HEREBY CONSIDERED TO BE A PART OF THIS PLAN. THIS PLAN CONFORMS TO THE CONCEPT LANDSCAPE PLAN FOR GOVERNOR'S SQUARE APPROVED ON DECEMBER 7, 1988.

22. IMPACT FEES: THIS PLAN IS EXEMPT FROM THE IMPACT FEE PROVISION OF CHAPTER 40, ARTICLE 14 OF THE NEW CASTLE COUNTY CODE, AS MAY BE AMENDED BY N.C.C. COUNCIL AS ESTABLISHED BY CORRESPONDENCE FROM N.C.C. DATED APRIL 1, 1999 DUE TO VESTED RIGHTS STATUS.

23. PERFORMANCE SURETY: ALL IMPROVEMENTS REQUIRED BY THIS PLAN AND THE NEW CASTLE COUNTY CODE SHALL BE SUBJECT TO THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT (LDA), AND THE PERFORMANCE GUARANTEE INCORPORATED THEREIN. THE LDA WAS RECORDED ON \_\_\_\_\_ (DATE) \_\_\_\_\_ IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY AT INSTRUMENT NO. \_\_\_\_\_

24. SIDEWALKS: UNLESS OTHERWISE SPECIFIED ON THE PLAN, SIDEWALKS SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THIS PLAN PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING (OR GROUP OF BUILDINGS) IN FRONT OF WHICH THEY ARE SHOWN. SIDEWALKS SHALL BE FIVE (5) FEET MINIMUM IN WIDTH AND CONSTRUCTED OF PORTLAND CEMENT CONCRETE.

25. POSTAL ADDRESS: \_\_\_\_\_  
 A. ADDRESSES ARE AS ASSIGNED BY THE NEW CASTLE COUNTY DEPARTMENT OF LAND USE.  
 B. COMMUNITY POSTAL BOXES: POSTAL BOXES SHALL BE INSTALLED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE UNITED STATES POSTAL SERVICE.  
 C. EXISTING BANK (BUILDING #4) POSTAL ADDRESS-1001 EAST SONGSMITH DRIVE.

26. COMMON FACILITIES: ALL COMMON FACILITIES INCLUDING, BUT NOT LIMITED TO, PAVED AREAS, SIDEWALK, CURBING, LANDSCAPING, OPEN SPACE, DRAINAGE AND STORMWATER MANAGEMENT FACILITIES SHALL BE KEPT IN GOOD REPAIR AND MAINTAINED IN A SAFE AND SANITARY CONDITION IN ACCORDANCE WITH THE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE.

27. A 10' STORMWATER MANAGEMENT MAINTENANCE EASEMENT AROUND EACH STORMWATER MANAGEMENT AREA SHOWN ON THIS PLAN IS HEREBY CREATED TO ALLOW PEDESTRIAN, VEHICLE AND EQUIPMENT ACCESS TO THE STORMWATER MANAGEMENT AREAS FOR THE PURPOSES OF INSPECTION, EVALUATION AND MAINTENANCE. AN ACCESS EASEMENT IS ALSO CREATED TO ALLOW PEDESTRIAN, VEHICLE AND EQUIPMENT ACCESS FROM A PUBLIC RIGHT-OF-WAY TO EACH STORMWATER MANAGEMENT AREA WHERE POSSIBLE. SUCH ACCESS SHALL BE TAKEN ACROSS A PRIVATE RIGHT-OF-WAY AND THROUGH DESIGNATED OPEN SPACE. IN SUCH CASES, THE EASEMENT SHALL ENCLUMBER THE ENTIRE PRIVATE RIGHT-OF-WAY AND ALL OPEN SPACE AREAS, WHERE ACCESS TO A STORMWATER MANAGEMENT AREA THROUGH OPEN SPACE IS IMPRACTICAL. A 10' STORMWATER ACCESS EASEMENT IS CREATED ALONG ALL SIDE YARDS AND REAR YARDS. THE EASEMENTS PROVIDED HEREIN SHALL BE RUN IN FAVOR OF NEW CASTLE COUNTY, ITS AGENTS AND ASSIGNS.

28. THIS PLAN SUPERSEDES, IN PART, THE PLAN OF GOVERNOR'S SQUARE OFFICES DATED AUGUST 26, 1991 AND RECORDED ON DECEMBER 18, 1991, IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, MICROFILM NO. 11083.

THIS PLAN SUPERSEDES, IN PART, THE PLAN OF GOVERNOR'S SQUARE OFFICES DATED DECEMBER 2, 1998 AND RECORDED ON FEBRUARY 11, 1999, IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, MICROFILM NO. 13773.

THIS PLAN SUPERSEDES, IN PART, THE PLAN OF GOVERNOR'S SQUARE OFFICES DATED FEBRUARY 18, 2000 AND RECORDED ON AUGUST 16, 2000, IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, MICROFILM NO. 14266.

THIS PLAN SUPERSEDES, IN PART, THE PLAN OF GOVERNOR'S SQUARE OFFICES DATED AUGUST 30, 2000 AND RECORDED ON NOVEMBER 21, 2000, IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, MICROFILM NO. 14365.

THIS PLAN SUPERSEDES, IN PART, THE PLAN OF GOVERNOR'S SQUARE OFFICES DATED 07 JUNE 2006, AND RECORDED ON 26 JUNE 2006, IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO. 2006 0607-0054648.

29. PRIOR PLAN APPROVALS:  
 EXPLORATORY SKETCH PLAN APPROVAL \_\_\_\_\_

30. THE LIMITS OF CONSTRUCTION AS SHOWN ON THE GENERAL DEVELOPMENT PLAN WILL BE FENCED WITH ORANGE SAFETY FENCE PRIOR TO ANY LAND DISTURBING ACTIVITY.

31. NEW CASTLE COUNTY SPECIAL SERVICES HAS THE RIGHT OF ACCESS TO THE SITE FOR THE PURPOSES OF OPERATING, MAINTAINING AND REPAIRING THE SANITARY SEWER LINES CONTAINED WITHIN THE SEWER EASEMENTS SHOWN ON THIS PLAN.

32. THE STORMWATER MANAGEMENT AND GROUNDWATER RECHARGE PLANS SHALL CONFORM TO THE RECOMMENDATIONS IN THE REPORT "DESIGN EVALUATION GROUNDWATER RECHARGE SYSTEM OFFICE AND PROFESSIONAL CAMPUS AT GOVERNOR'S SQUARE", DATED DECEMBER 10, 1997, ADDENDUM DATED 16 FEBRUARY 2006.

33. THE STORMWATER MANAGEMENT AND GROUNDWATER RECHARGE PLANS SHALL CONFORM TO THE RECOMMENDATIONS IN THE REPORT "DESIGN EVALUATION GROUNDWATER RECHARGE SYSTEM OFFICE AND PROFESSIONAL CAMPUS AT GOVERNOR'S SQUARE", DATED DECEMBER 10, 1997, ADDENDUM DATED 16 FEBRUARY 2006.

34. SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY DEDICATED TO PUBLIC USE SHOWN ON THIS PLAN ARE TO BE MAINTAINED BY THE DEVELOPER UNTIL THE DEVELOPER HAS COMPLETED THE STREET CONSTRUCTION TO THE SATISFACTION OF THE STATE. THE STATE ASSUMES NO MAINTENANCE RESPONSIBILITIES WITHIN THE DEDICATED STREET R.O.W. UNTIL THE STREETS HAVE BEEN ACCEPTED BY THE STATE.

35. THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT GRANTED AN AREA VARIANCE FROM THE REQUIRED 25-FOOT STREET PAVING SETBACK TO PERMIT PAVING 12 FEET FROM THE ROUTE 7 RIGHT-OF-WAY. THE VARIANCE WAS FILED ON AUGUST 12, 2005 UNDER APPLICATION NO. 05-0636-A.

36. THE MAINTENANCE OF THE GROUNDWATER RECHARGE AREA SHALL BE PROVIDED FOR IN THE WATER MANAGEMENT AGREEMENT. THIS AGREEMENT, DATED JUNE 8 2006, IS FILED WITH THE NEW CASTLE COUNTY RECORDER OF DEEDS UNDER INSTR#200606070054647.

37. UPON SATISFACTORY COMPLETION OF THE GROUNDWATER RECHARGE FACILITY AND INSPECTION AND ACCEPTANCE BY THE FIELD ENGINEER, OWNER SHALL ACCEPT FULL OWNERSHIP AND RESPONSIBILITY PURSUANT TO THE WATER MANAGEMENT AGREEMENT.

38. THE APPLICANT SHALL VERIFY THAT ALL REQUIRED BUILDING ROOF DRAIN LEADERS CONNECT TO THE GROUNDWATER RECHARGE SYSTEM PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE PROPOSED BUILDINGS.

39. ALL EXISTING SANITARY SEWERS AND MANHOLES ARE PUBLIC.

40. A 40' WIDE PERMANENT EASEMENT, 20' ON EACH SIDE OF THE CENTERLINE OF THE PIPE, SHALL BE CREATED WHERE A SANITARY SEWER OR STORM SEWER IS DESIGNATED FOR PUBLIC USE IN UNPAVED AREAS AND IS OUTSIDE OF A DEDICATED PUBLIC ROW. A 20' WIDE PERMANENT EASEMENT, 10' ON EACH SIDE OF THE CENTERLINE OF THE PIPE, SHALL BE CREATED WHERE A SANITARY SEWER OR STORM SEWER PIPE IS DESIGNATED FOR PUBLIC USE IN PRIVATELY MAINTAINED PAVED AREAS, SUCH AS PARKING LOTS, PRIVATE STREETS OR DRIVEWAYS. IF THE CONSTRUCTED HORIZONTAL SEWER MAIN LOCATION DEVIATES BY MORE THAN 2.5' FROM THE DESIGN LOCATION, THE PROJECT MAY BE SUBJECT TO A RESUBDIVISION PLAN OR PIPE LOCATION AS DETERMINED BY THE DEPARTMENT OF SPECIAL SERVICES.

41. NO CERTIFICATE OF USE WILL BE SOUGHT, NOR WILL THE DEPARTMENT OF LAND USE ISSUE A CERTIFICATE OF USE, WHERE THE PROPOSED STORAGE, USE OR MAINTENANCE OF A SUBSTANCE OR SUBSTANCES LISTED IN 40 CFR. 116 IN QUANTITY EQUAL OR GREATER THAN A "REPORTABLE QUANTITY" DEFINED BY CFR 117, DATED SEPT. 26, 1986 OR AS AMENDED.

42. SONGSMITH DRIVE WILL BE CONSTRUCTED IN ACCORDANCE WITH THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION REGULATIONS FOR INDUSTRIAL PARK STREETS.

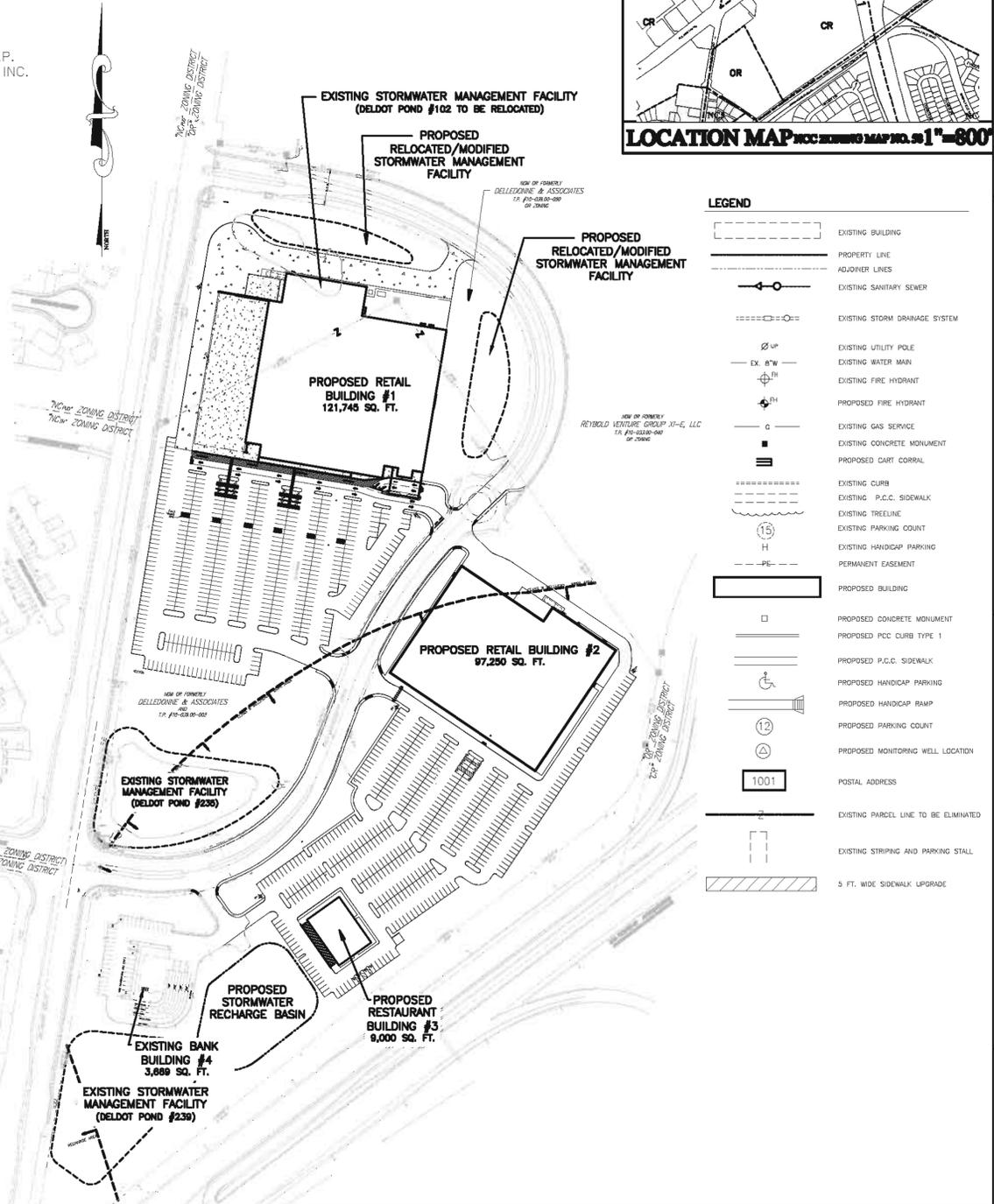
43. THE DELAWARE DEPARTMENT OF TRANSPORTATION WILL PROPORTIONALLY SHARE IN MAINTENANCE RESPONSIBILITIES FOR THE STORMWATER MANAGEMENT FACILITIES SHOWN ON THIS PLAN AS PER DELDOT CONTRACT NO. 20-126-01 AND THE DOCUMENT "MAINTENANCE AGREEMENT" EXECUTED ON 3-29-05.

44. A PORTION OF THE PROPERTY SHOWN ON THIS PLAN (TP#10-039.00-002) IS COVERED BY AND COMPLES WITH RESTRICTIONS OR AGREEMENTS RECORDED IN DEED BOOK 685, PAGE 192 AS AMENDED BY DEED BOOK 1930 PAGE 0160.

45. THE IMPROVEMENTS REQUIRED BY THE RESTRICTIONS IN NOTE 44 HAVE BEEN COMPLETED BY THE DEVELOPER.

46. THE OWNER RESERVES THE RIGHT TO DEVELOP THE FULL 300,000 S.F. APPROVED FOR T.P. 10-039.00-002 UNDER DEED RESTRICTION RECORDED IN DEED BOOK 685 PAGE 192 AS AMENDED BY DEED BOOK 1930 PAGE 0160 SUBJECT TO APPROVAL OF SUBSEQUENT PLAN SUBMISSIONS BY NEW CASTLE COUNTY.

47. ACREAGE OF DISTURBED AREA: 23.87 ACS. LIMITS OF DISTURBANCE MUST BE DELINEATED IN THE FIELD.



**LEGEND**

[Symbol]	EXISTING BUILDING
[Symbol]	PROPERTY LINE
[Symbol]	ADJACENT LINES
[Symbol]	EXISTING SANITARY SEWER
[Symbol]	EXISTING STORM DRAINAGE SYSTEM
[Symbol]	EXISTING UTILITY POLE
[Symbol]	EXISTING WATER MAIN
[Symbol]	EXISTING FIRE HYDRANT
[Symbol]	PROPOSED FIRE HYDRANT
[Symbol]	EXISTING GAS SERVICE
[Symbol]	EXISTING CONCRETE MONUMENT
[Symbol]	PROPOSED CURB CORRAL
[Symbol]	EXISTING CURB
[Symbol]	EXISTING P.C.C. SIDEWALK
[Symbol]	EXISTING TREELINE
[Symbol]	EXISTING PARKING COUNT
[Symbol]	EXISTING HANDICAP PARKING
[Symbol]	PERMANENT EASEMENT
[Symbol]	PROPOSED BUILDING
[Symbol]	PROPOSED CONCRETE MONUMENT
[Symbol]	PROPOSED PCC CURB TYPE 1
[Symbol]	PROPOSED P.C.C. SIDEWALK
[Symbol]	PROPOSED HANDICAP PARKING
[Symbol]	PROPOSED HANDICAP RAMP
[Symbol]	PROPOSED PARKING COUNT
[Symbol]	PROPOSED MONITORING WELL LOCATION
[Symbol]	POSTAL ADDRESS
[Symbol]	EXISTING PARCEL LINE TO BE ELIMINATED
[Symbol]	EXISTING STRIPING AND PARKING STALL
[Symbol]	5 FT. WIDE SIDEWALK UPGRADE

THE PURPOSE OF THIS PLAN IS TO REDEVELOP THIS SITE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 40.08.130, B.6 (REDEVELOPMENT) AND SECTION 40.31.110 (REZONING) OF THE UDC. THIS REDEVELOPMENT AND REZONING PLAN PROPOSES TO:

1. EXTINGUISH ALL INTERIOR PARCEL LINES (TWO (2) EXISTING PARCELS BECOME ONE (1) PROPOSED PARCEL)
2. CONSTRUCT 218,995 SQUARE FEET OF RETAIL SPACE
3. CONSTRUCT 9,000 SQUARE FEET OF RESTAURANT
4. REZONE THE TWO PARCELS FROM OFFICE REGIONAL (OR) TO COMMERCIAL REGIONAL (CR).

**CERTIFICATION OF OWNERSHIP**

I, ERNEST F. DELLE DONNE, HEREBY CERTIFY THAT I AM THE OWNER OF THE OWNER OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT MY DIRECTION AND THAT I AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

GOVERNOR'S SQUARE ASSOCIATES, L.P.  
 ERNEST F. DELLE DONNE  
 GENERAL PARTNER  
 DATE \_\_\_\_\_

**CERTIFICATION OF PLAN ACCURACY**

I, MARK C. PARKER, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING IN THE STATE OF DELAWARE AND THAT ALL OF THE INFORMATION ON THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED SURVEYING STANDARDS AND PRACTICES AND BY THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

MARK C. PARKER  
 PE# 11992  
 DATE \_\_\_\_\_

**CERTIFICATION OF PLAN APPROVAL**

APPROVED: \_\_\_\_\_ DATE \_\_\_\_\_ BY: \_\_\_\_\_ GENERAL MANAGER  
 FOR DEPARTMENT OF LAND USE OF NEW CASTLE COUNTY.

APPROVED: \_\_\_\_\_ DATE \_\_\_\_\_ BY: \_\_\_\_\_ GENERAL MANAGER  
 FOR COUNTY COUNCIL OF NEW CASTLE COUNTY.



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OWNER/DEVELOPER	DELLE DONNE AND ASSOCIATES, INC.	100 WEST COMMONS BOULEVARD, SUITE 100 NEW CASTLE, DE 19720 (302) 325-1111

**EXPLORATORY SKETCH**  
**MINOR REDEVELOPMENT AND REZONING PLAN**  
**FOR**  
**GOVERNOR'S SQUARE COMMERCIAL CENTER**  
**NEW CASTLE HUNDRED - NEW CASTLE COUNTY**  
**DELAWARE**

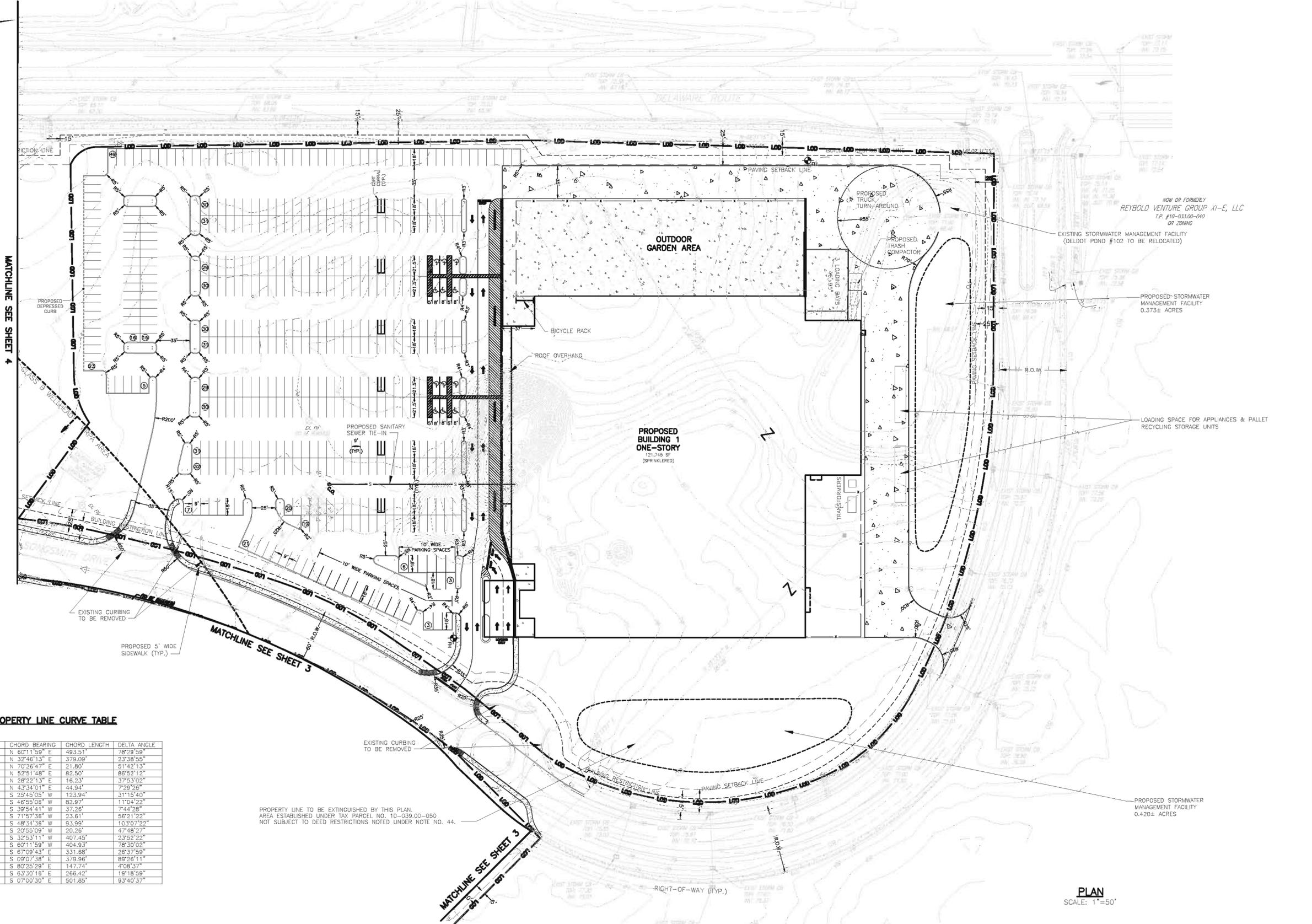
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 Merging Science and Engineering  
 ONE CORPORATE COMMONS • SUITE 301 • NEW CASTLE, DELAWARE  
 PHONE: (302) 323-9877 • FAX: (302) 323-9461  
 INFO @ LANDMARKENGINEERING.COM • WWW.LANDMARKENGINEERING.COM

DOVER, DE  
 (302) 323-9877

WAYNE, PA  
 (610) 865-1976

GEORGETOWN, DE  
 (410) 854-9238

DRAWN BY: MMR	SCALE: 1" = 150'	SHEET NO. CX-01 of 4
DESIGNED BY: MMR	DATE: 03-12-10	
CHECKED BY: MCP	LAST MODIFIED: 3/22/10	
DATE: 03-18-10	FILE: 001	
DRAWING NAME: EXPLORE.DWG		



RIGHT-OF-WAY/PROPERTY LINE CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	390.00'	534.33'	N 60°11'59" E	493.51'	78°29'59"
C2	925.00'	381.79'	N 32°46'13" E	379.09'	23°38'55"
C3	25.00'	22.56'	N 70°26'47" E	21.80'	61°42'13"
C4	60.00'	90.97'	N 52°51'48" E	82.50'	86°52'12"
C5	25.00'	16.53'	N 28°22'13" E	16.23'	37°53'02"
C6	344.00'	44.97'	N 43°34'01" E	44.94'	7°29'28"
C7	230.00'	125.49'	S 25°45'05" W	123.94'	31°15'40"
C8	430.00'	83.10'	S 46°55'06" W	82.97'	11°04'22"
C9	276.00'	37.29'	S 39°54'41" W	37.26'	7°44'28"
C10	25.00'	24.59'	S 71°57'36" W	23.61'	56°21'22"
C11	60.00'	107.99'	S 48°34'36" W	93.99'	103°07'29"
C12	25.00'	20.86'	S 20°53'09" W	20.26'	47°48'27"
C13	985.00'	410.41'	S 32°53'11" W	407.45'	23°52'22"
C14	320.00'	438.43'	S 60°11'59" W	404.93'	76°30'02"
C15	720.00'	334.68'	S 67°09'43" E	331.68'	26°37'59"
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C17	2043.36'	147.77'	S 80°25'29" E	147.74'	4°08'37"
C18	793.99'	267.68'	S 63°30'18" E	266.42'	19°18'59"
C19	344.00'	562.43'	S 07°00'30" E	501.85'	93°40'37"

PROPERTY LINE TO BE EXTINGUISHED BY THIS PLAN.  
AREA ESTABLISHED UNDER TAX PARCEL NO. 10-039.00-050  
NOT SUBJECT TO DEED RESTRICTIONS NOTED UNDER NOTE NO. 44.

DATE:	
SCALE:	
PROJECT:	
CLIENT:	
REVISIONS:	

EXPLORATORY SKETCH  
MINOR REDEVELOPMENT AND REZONING PLAN  
FOR  
**GOVERNOR'S SQUARE COMMERCIAL CENTER**  
NEW CASTLE HUNDRED - NEW CASTLE COUNTY  
DELAWARE

OWNER/DEVELOPER  
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100 WEST CASTLE, DE 19720  
(302) 325-1111

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WAYNE, PA HAVRE DE GRACE, MD  
(302) 667-1976 (410) 599-2144

GRAPHIC SCALE  
0 25 50 100  
THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY.  
CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE SAFETY AND HEALTH ACTS OF FEDERAL, STATE AND LOCAL JURISDICTIONS AND ALL APPLICABLE REGULATIONS.

DRAWN BY:	MNR	SCALE:	1" = 50'
DESIGNED BY:	MNR	DATE:	03-12-10
CHECKED BY:	MCP	LAST MODIFIED:	3/22/10
DATE:	03-12-10	FILE NO.:	002
PROJECT:	C1823-1	DRAWING NAME:	EXPLORE.DWG
SHEET NO.:	CX-02	OF:	4

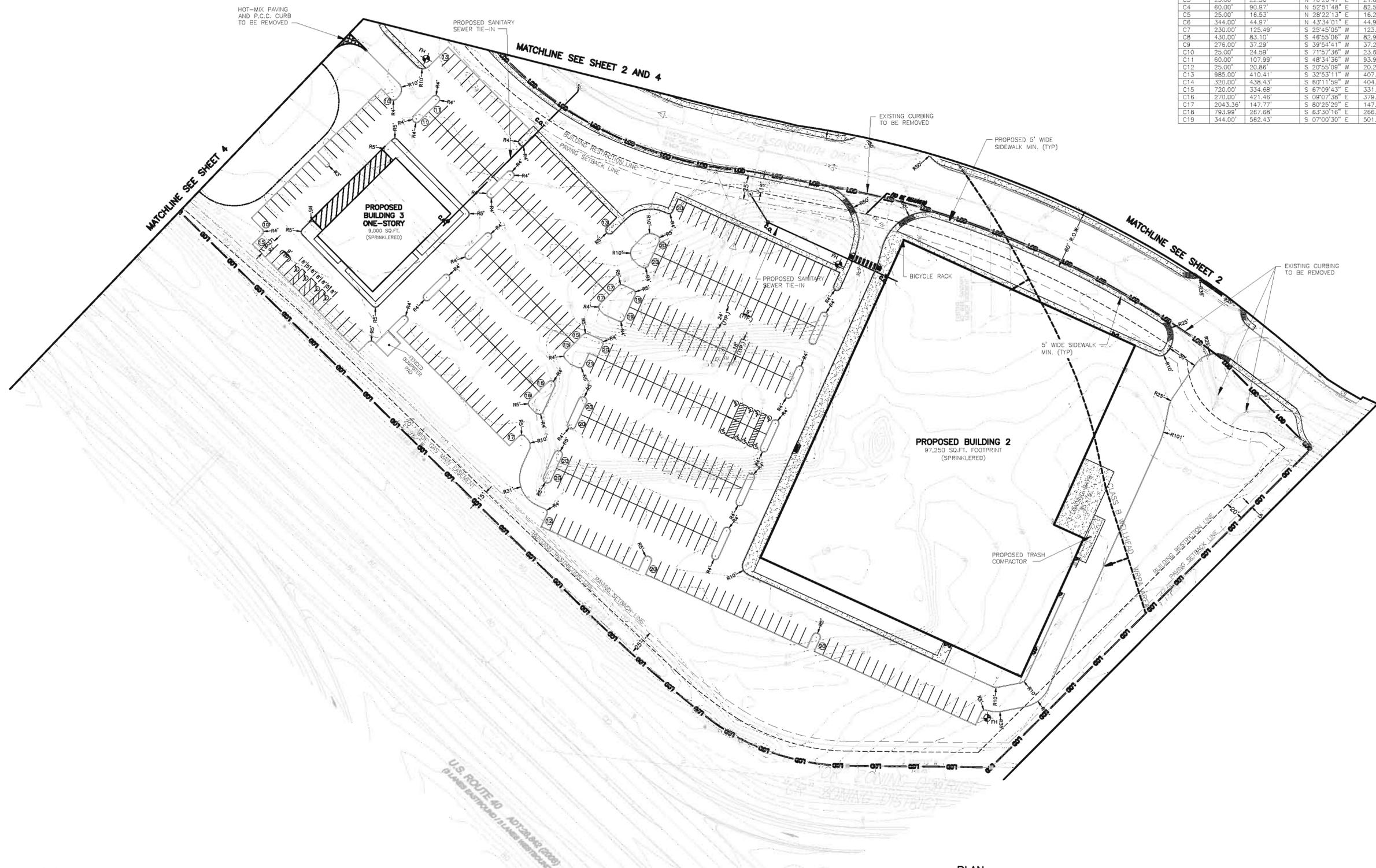
NOTE: SEE SHEET 1 OF 4 FOR NOTES, LEGEND AND LOCATION MAP

**811**  
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**PLAN**  
 SCALE: 1"=50'

NOTE: SEE SHEET 1 OF 4 FOR NOTES, LEGEND AND LOCATION MAP

CHECKED BY:

REVISIONS:

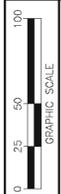
**EXPLORATORY SKETCH  
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 NEW CASTLE HUNDRED - NEW CASTLE COUNTY  
 DELAWARE**

OWNER/DEVELOPER:  
 DELLE D'ORIE AND ASSOCIATES, INC.  
 ONE CORPORATE COMMONS SUITE 100  
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THIS DRAWING AND THE DESIGN, DESIGNER, ENGINEER, ARCHITECT, SURVEYOR, AND ALL OTHERS WHOSE NAMES ARE WRITTEN HEREON, SHALL BE BOUND BY THE WRITTEN PERMISSION.

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY.

ALL CONSTRUCTION MUST BE DONE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DELAWARE DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE.

DRAWN BY: MMR	SCALE: 1" = 50'	SHEET NO. CX-03 of 4
DESIGNED BY: MMR	DATE: 03-12-10	
CHECKED BY: MCP	LAST MODIFIED: 3/22/10	
COM. NO. C1823-1	FILE NO. 603	
DRAWING NAME: EXPLORE.DWG		

**CX-03**



# Preliminary Land Use Service (PLUS)

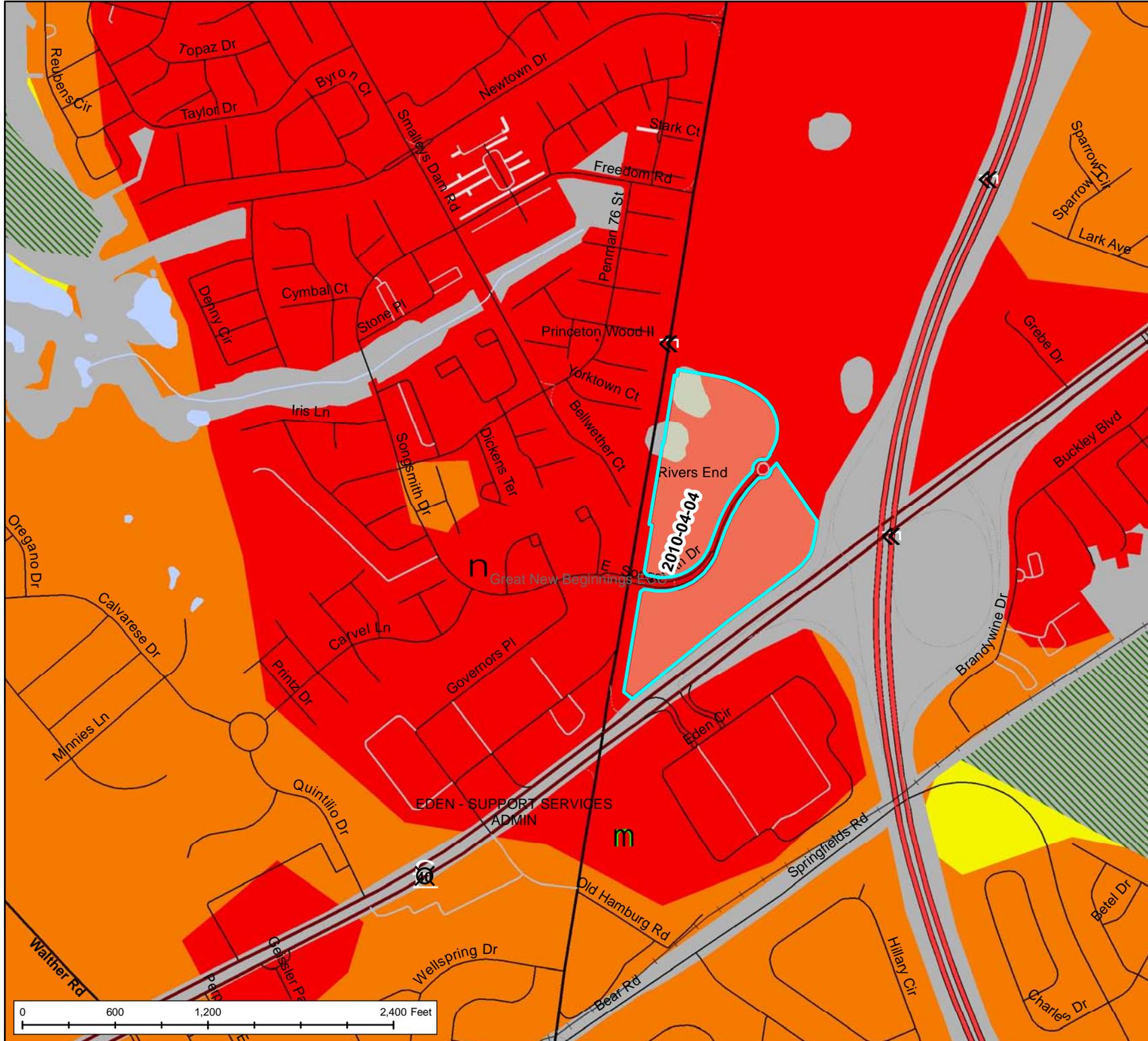
**Governor's Square**  
2010-04-04

-  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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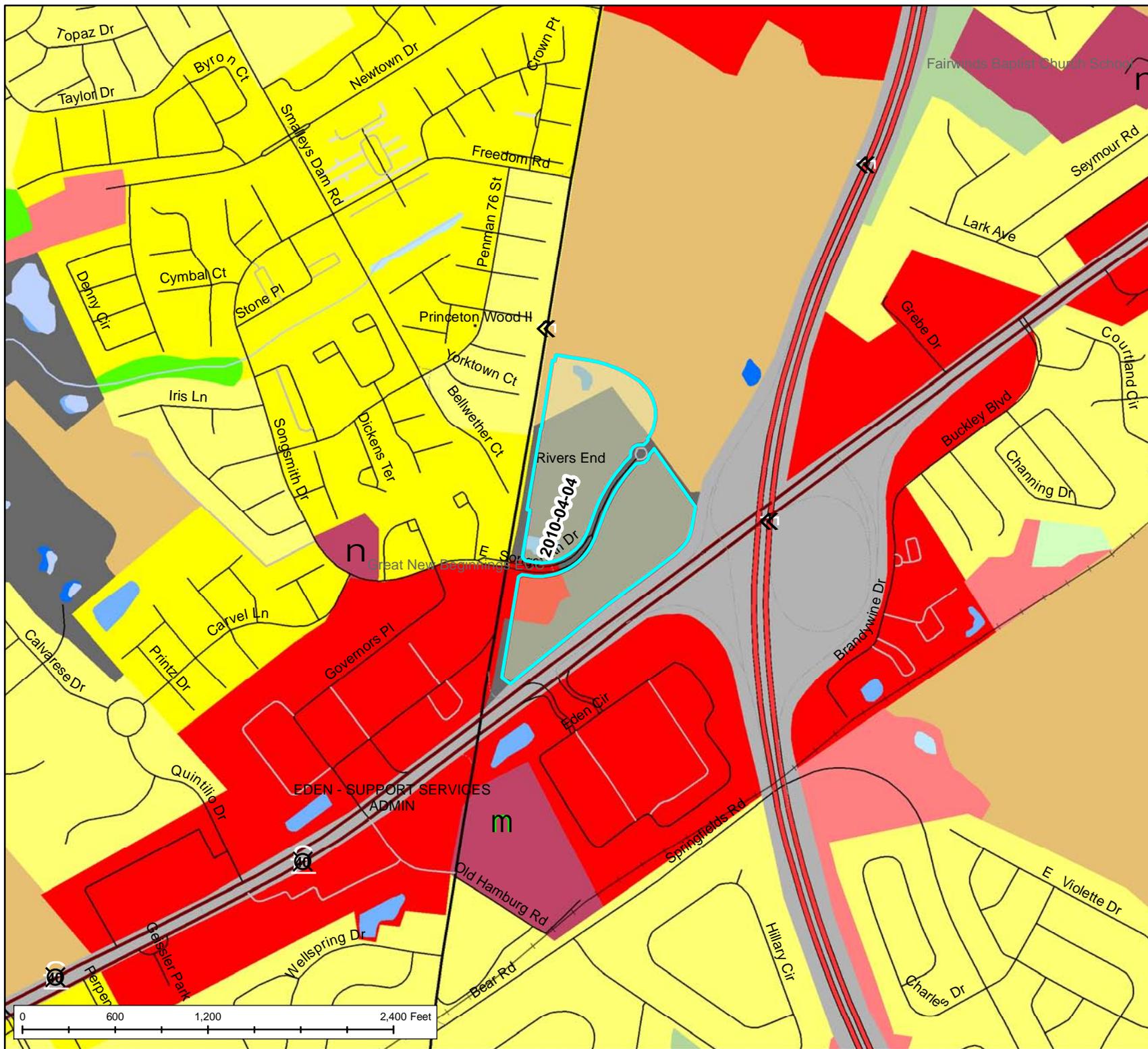


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# Preliminary Land Use Service (PLUS)

Governor's Square  
2010-04-04



- 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

1:10,000



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# Preliminary Land Use Service (PLUS)

Governor's Square  
2010-04-04

-  Project Areas
-  Municipalities

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

1:3,460



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