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September 27, 2004

Ms. Constance C. Holland, Director
State Planning Coordination
540 S. DuPont Highway
Thomas Collins Bldg. Third Floor
Dover, Delaware 19901



RE: PLUS Review Response 2004-06-05, Paul Kase

Dear Ms. Holland:

Thank you for your July 15, 2004, response to our PLUS meeting. Please accept this letter as our response to those comments. Contemporaneously we are filing for this Conditional Use Application with the Sussex County Planning & Zoning Office.

A. *Office of State Planning* supports development. "Better Models" concepts are incorporated in the enclosed revised draft which includes landscaping between the project and roadside and parking in the rear.

B. *DelDot* did not require a TIS and prefers a Conditional Use. The application that is being filed with the County is for a **Conditional Use only** as recommended by DelDot and by the County. In addition, we have previously sent the revised plan to Mr. Brockenbrough in response to some of his suggestions and potential concerns. His response is enclosed. More room for right of way has been added as well as a sidewalk and bicycle path.

C. *DNREC* comments can be incorporated in the final site plan relating to BMP's and TMD's.

Page 2

September 27, 2004

D. *Water Supply* Applicant intends to contact Tidewater as suggested by the agency.

E. *County Comments* Applicant has added more landscaping as Mr. Kautz suggested and will meet all the sewer requirements anticipated by the County.

F. The remaining comments not specifically responded to herein may be addressed if the conditional use is approved and the project proceeds to final site plan.

Obviously, we welcome further comments before the County.

Very truly yours,

FUQUA AND YORI, P.A.

BY:



Timothy G. Willard

TGW/jel

Enclosure

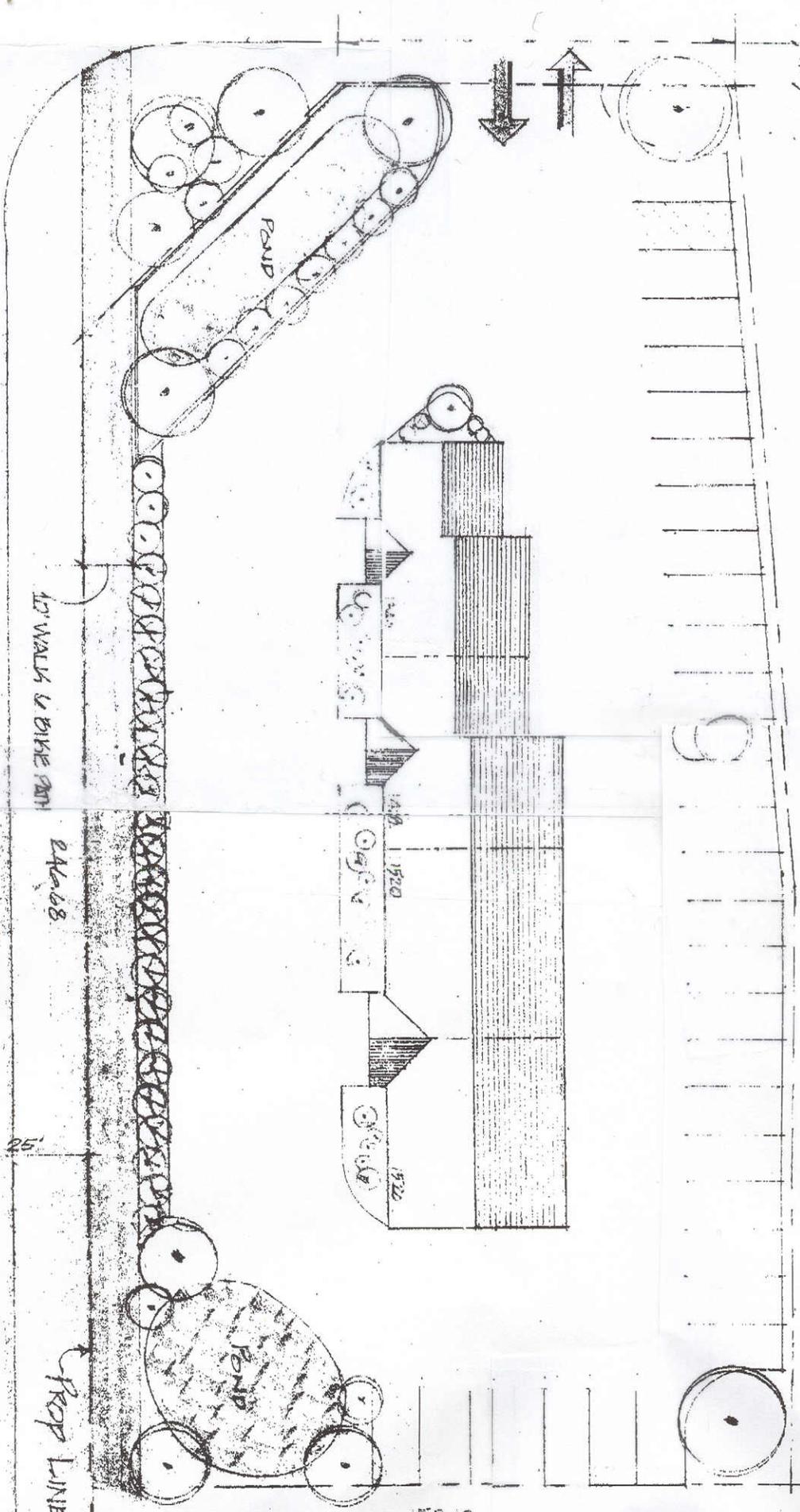
pc: Mr. Paul Kase

Mr. John Lester

Mr. Lawrence Lank

ROAD 276

D. R. 1 →



PROPOSED SITE PLAN DESIGN

CORNER OF SHADY LAKE & PLANTATIONS ROAD

(THIS IS NOT AN ENGINEERED PLAN - TO BE USED ONLY FOR PRELIMINARY PLANNING)

PREPARED FOR: PAUL & PATTY WAGNER, LEWES, DE.

BY DESIGN IDEAS INC. JML. FEB 04 10:20'

30-35 PARKING SPACES

5,848 SQ. FT. TOTAL SPACE

(DIMENSIONS TAKEN FROM SURVEY AND WORKBOOK - 4/12/79)

ROAD 275

PROP LINE



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

November 16, 2004

Mr. Timothy Willard
Fuqua & Yori, P.A.
P.O. Box 250
Georgetown, De 19947

RE: PLUS 2004-06-05; Paul Kase, a/k/a Delaware Realty

Dear Mr. Willard:

Thank you for your letter dated September 27, 2004 outlining your response to the State agency comments that resulted from the June 30, 2004 PLUS meeting.

It is clear from your letter and updated site plan that you and your client are working to address the issues brought forward in the PLUS meeting, especially decision to seek a conditional use instead of a rezoning of this property. The State appreciates your cooperation in this matter.

As noted in your letter, many of our concerns will need to be addressed if the conditional use is approved and proceeds to final site plan. We look forward to continuing to work with you on this project to address the State agency issues and concerns.

If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP
Director

Cc: Mr. Paul Kase
Mr. Lawrence Lank



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

November 16, 2004

Mr. Richard Kautz
Sussex County
P.O. Box 417
Georgetown, DE 19947

RE: PLUS 2004-06-05; Paul Kase, a/k/a Delaware Realty

Dear Mr. Kautz:

The Office of State Planning has received a letter from Mr. Timothy Willard regarding the Paul Kase property. The owner of this property is seeking a conditional use for a professional office building to be located on Plantation and Shady Road in Sussex County. (Copy attached) This letter is in response to our July 15, 2004 PLUS response letter. (Copy attached)

The letter received gives specific information regarding changes made to the site plan as a result of the State agency comments including moving the parking to the rear of the parcel and providing extra landscaping along Plantation Road.

This project is in an Investment Level 2 according to the Strategies for State Policies and Spending, where the State support orderly and well managed growth. At the time of the PLUS meeting, our largest concern was regarding the rezoning of the property. It was suggested by DelDOT that the owners seek a conditional use instead of a rezoning. Mr. Willard stated that the owner has decided to apply to the County for a conditional use to complete his project. The State appreciates the developer considering our comments regarding this matter.

The State has responded directly to the developer thanking them for their efforts in addressing our concerns and urging them to continue to work the State agencies as this application moves forward.

PLUS 2004-06-05

Paul Kase

Page 2 of 2

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 Holland, AICP

Director

CC: Mr. Lawrence Lank
Timothy Willard