STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

March 27, 2024

Vincent Thomas
GIR Properties, LLC
1000 North King Street
Wilmington, DE 19801

RE: PLUS review – 2024-02-04; Sea Esta Rezoning

Dear Mr. Thomas:

Thank you for meeting with State agency planners on February 28, 2024 to discuss the rezoning of the property at 24 Houston Street known as the Sea Esta Motel. According to the information received, you are seeking review of a proposed rezoning to change the zone of this 0.34-acre parcel from RB2 to RR. It is our understanding that the owner intends to replace the existing structure with 3 residential units. If the future development of this property changes, please notify this office to determine if an additional review is required.

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 Town of Dewey Beach is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the Town.**

Strategies for State Policies and Spending

This project is located in a Level 2 investment area, which is consistent with the 2020 Strategies for State Policies and Spending.

Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Because development in Level 2 is consistent with the 2020 Strategies for State Policies and Spending, the Office of State Planning Coordination supports this rezoning provided the Town of Dewey Beach Comprehensive Plan is amended to support this rezoning and it meets the relevant codes and ordinances of the town.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- DelDOT has no comments on the proposed rezoning. DelDOT notes that should the property be developed in the future all relevant reviews and approvals will still be necessary.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments does not indicate that there are not additional constraints, nor does it indicate DNREC support of a project or proposed rezoning.

- DNREC reviewers have no comments or concerns at this time.

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

- DEMA has no comments or objections for the rezoning as this is not our area of expertise.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- The area appears to have been heavily modified/disturbed. Our office has no archaeological concerns.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office.

- This Agency has no objection to the re-zoning request.

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site

design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- Although not a requirement of the Delaware State Fire Prevention Regulations, the Office of the State Fire Marshal encourages home builders to install residential fire sprinkler systems in all residential dwellings.

- The Office of the State Fire Marshal reminds home builders that they are obligated to comply with requirements of Subchapter III of Chapter 36 of Title 6 of the Delaware Code, which can be found at the following website: http://delcode.delaware.gov/title6/c036/sc03/index.shtml

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

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,

David L. Edgell, AICP
Director, Office of State Planning Coordination

Attachments:
Sussex County Engineering Department Comments

PLUS

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Preliminary Land Use Service (PLUS) Meeting
Meeting will be conducted on-line and in person
Room 133, Haslet Armory
122 Martin Luther King Jr. Blvd., South
Please see https://publicmeetings.delaware.gov/ for link to on-line access
February 28, 2024

Applicants should arrive at least 15 minutes before their appointed time. Times are approximate and are subject to change.

Public comment will be heard at the end of each PLUS application after the State Agencies have shared their comments with the applicants. Each person wishing to comment on the application under review will have up to 3 minutes.

I. 8:30 AM **Pre-Meeting Discussion – PLUS Reviewers**

II. 9:00 AM **Review and Discussion: Sunset Lake Properties & Christiana Excavating Company (2024-02-02)**
County: New Castle **Municipality:** Unincorporated
Location: 2016 Sunset Lake Road, Newark, DE
Project: Review of a proposed Rezoning and Site Plan for the combining of two parcels for the construction of 2 warehouse buildings on 1.62 acres zoned ST (Suburban Transition) with proposed zoning of I (Industrial).

III. 9:30 AM **Review and Discussion: New Castle County Ordinance – Impact Fees (2024-02-08)**
County: New Castle **Municipality:** Unincorporated
Location: All of New Castle County
Project: Review of a proposed Ordinance3 to amend the New Castle County Code, Section 40.14.230 to provide for review and necessary adjustments to impact fees at least every 5 years.

IV. 9:45 AM **Review and Discussion: DevDevelopment – Harrington Subdivision (2024-02-06)**
County: Kent **Municipality:** Harrington
Location: 6132 Milford Harrington Highway, Harrington, DE
Project: Review of a proposed Subdivision Plan for the creating of a 492-unit subdivision with a mix of single-family lots and duplex or townhome units on 117.82 acres zoned R3 (Townhouse Residential Zone). A portion of this property is in the process of being annexed into the Town of Harrington.

V. 10:15 AM **Review and Discussion: Bay Village (2024-02-03)**
County: Kent **Municipality:** Dover
Location: South side of White Oak Road, East of Route 1

Project: Review of a proposed Subdivision Plan for a mixed residential type community consisting of 210 Multi-family units and 265 Duplex or Townhouse units on 79.2 acres zoned RM2 (Medium Density Residence Zone).

VI. 10:45 AM **Review and Discussion: Kings Highway – Warrington Rezoning (2024-02-01)**
County: Sussex **Municipality:** Unincorporated
Location: West side of Kings Highway, 1,800 feet north of Gills Neck Road.
Project: Review of a proposed Rezoning of 1.529 acres from AR-1 (Agricultural Residential) to C-2 (Medium Commercial).

The proposed project is located within the City/Town/Growth and Annexation Area of the City of Lewes. The Sussex County Engineering Department does not have comments for this project.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

VII. 11:00 AM **Review and Discussion: Dewey Beach Comprehensive Plan Amendment to Future Land Use Map (2024-02-05)**
County: Sussex **Municipality:** Dewey Beach
Location: 24 Houston Street, Dewey Beach, DE
Project: Review of a proposed Comprehensive Plan Amendment to amend Map 7: Future Land Use, of the Comprehensive Plan for 24 Houston Street from Commercial to Resort Residential.

The proposed project is a Comprehensive Land Use Plan/Update/Amendment for the City/Town/Growth and Annexation Area of the Town of Dewey Beach. The Sussex County Engineering Department does not have comments for this project.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

VIII. 11:15 AM **Review and Discussion: Sea Esta Dewey Beach Rezoning (2024-02-04)**
County: Sussex **Municipality:** Dewey Beach
Location: 24 Houston Street, Dewey Beach, DE
Project: Review of a proposed Rezoning of 0.34 acres from RB2 (Resort Business District – 2) to RR (Resort Residential).

The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.

A "Use of Existing Infrastructure Agreement" is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a $1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

IX. 11:30 AM **Review and Discussion: Rehoboth Beach Comprehensive Plan Amendment to the Future Land Use Map (2024-02-07)**
County: Sussex **Municipality:** Rehoboth Beach
Location: 60 Sussex Street, Rehoboth Beach, DE
Project: Review of a proposed Comprehensive Plan Amendment to amend the Future Land Use Map of the Comprehensive Plan for 60 Sussex Street from Residential to Commercial.

The proposed project is a Comprehensive Land Use Plan/Update/Amendment for the City/Town/Growth and Annexation Area of the City of Rehoboth Beach. The Sussex County Engineering Department does not have comments for this project.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-7370

The agenda items times are approximate and subject to change. This agenda is subject to change to include additional items or the deletion of items, which arise at the time of the meeting.