



PLANNING & DEVELOPMENT
CITY OF NEWARK

220 South Main Street · Newark, Delaware 19711
302.366.7000 · Fax 302.366.7160 · www.cityofnewarkde.us

January 17, 2019

Mr. George Danneman
The Danneman Firm, LLC
3411 Silverside Road
Webster Building, Suite 108
Wilmington, DE 19810

Dear Mr. Danneman:

The City of Newark's Subdivision Advisory Committee has reviewed the sketch plan for 132-138 East Main Street submitted on October 8, 2018. We have the following comments:

Electric Department

1. Electric Service is available from Center Street.
2. An open utility easement is required and must be listed on the prints.
3. A suitable location approved by the Electric Department will be required for a padmounted transformers.
4. Someone must contact the Electric Department with information on transformer location and electric service needs before any costs can be calculated. Developer must pay all costs for electric service infrastructure. The price is subject to a yearly CPI escalation from the date of council approval.
5. Existing aerial and underground services will need to be relocated and costs to be determined once electric service locations are finalized.
6. The ground level must have enough clearances for line trucks to drive-through to go to East side of the parking lot.
7. No trees growing over 18 feet at maturity can be planted near the electric service pole.
8. Individual electric meters will be required for each commercial unit. The developer will

be responsible for the cost of the electric meters.

9. Developer must pay any costs needed to ensure the new smart meters will talk to the existing system.

Parks and Recreation Department

1. We will require the Developer to pay \$700 per apartment unit for cash in lieu of land prior to final approval of the construction improvement plan. This is in accordance with Chapter 27, Appendix VI of the Code of the City of Newark, Delaware.

Police Department

2. At this point the Police Department has no issues or comment.

Planning and Development Department

Code Enforcement Division

1. Comments are based on 2012 ICC Codes. The proposed building must meet all applicable Building and Fire Code requirements. Complete architectural, structural, plumbing, HVAC, electrical and fire protection drawings required for review prior to permits. Building Height and Area will be determined by type of construction;
2. The architectural plans will need to match the architectural rendering/elevations submitted for the project. Confirmation that the elevations will match the rendering will need to be done at the time of architectural plan review. Code recommends that draft floor plans be presented to avoid issues during site plan review;
3. A Demolition Permit will be required. Proper abatement and disposal of any hazardous materials identified in the Environmental Survey to be done by registered abatement contractor. Site must be enclosed with proper barrier during demolition to ensure public safety. Demolition plan and sequence of events to be prepared and submitted by a licensed professional engineer. Pre- Demolition and Pre-Construction meetings are required;
4. All building, uses and parking shall comply with the 2009 ANSI 117.1; Accessibility Standards;
5. Compliance with LEED requirements as adopted by the City will be required;
6. Additional information will be needed to ensure the parking area in the building meets

the requirements for parking spaces. In addition, the size of the parking spaces may not be reduced because of any potential building columns;

7. The minimum separation distance for the open parking garage and the property line is ten feet, three feet is shown (IBC tables 602 and 705.8).
8. Exterior wall openings shall be in compliance with IBC table 705.8, 0% for less than three feet and 15% for three to five feet.
9. Corridors shall comply with IBC section 1018. Dead end corridors shall not exceed 50' in length, apartment corridors are shown to have 60' dead end at the front of the building.
10. Exit discharge shall comply with IBC section 1027. Proposed exit discharge locations do not comply with section 1027.1.
11. Accessible parking shall be provided in accordance with IBC section 1106.
12. Fire Marshal plan required for review.
 - a. Fire Lane, Fire Hydrants and Emergency Planning
 - b. Building Construction Type and Building Height, Proper Use Groups
12. Fire Sprinklers, Standpipes, Fire Pump to be required for the building. Complete fire protection plans must be submitted with application for review.
 - a. Flow Test to be conducted
13. Fire Lanes, Fire Dept Turning Radius shall be applied to plan as in part of the Delaware State Fire Prevention Regulations 2015.
 - a. Mid Rise or High-Rise requirements to be met
 - b. Fire Lane Access and Perimeter Access to be reviewed once building construction is determined
 - c. Fire Separation "Walgreens and Home Grown"
 - d. Alterations to entrances to parking lots for fire dept access
 - e. Height of the parking garage entrances
 - f. Restricting Fire Dept access to the apartments above Walgreens and Home Grown
14. Comments based on 2012 International Fire Code, 2015 Delaware State Fire Prevention Regulations, 2015 NFPA 101 Life Safety Code.
15. Submit sequence of construction and location of staging area for constructions materials. Site must be enclosed with approved barrier during construction to ensure public safety.

Land Use Division

1. Plan exceeds allowable height by 1 story and height in feet must be shown. An additional floor for hotel might be possible if the area above the apartments was finished as a terrace and was 40% of the floor area. Floor area and dimensions of terrace must be provided to determine if it meets parameters. If terrace is not at least 40% of the floor the difference could be added to the Site Plan Approval data column if using Site Plan Approval to attain extra floor.
2. Will require deed restriction limiting apartments to 1 family or 4 unrelated tenants each (assuming they are 2 bedroom or less and being used to justify 4-story apartments).
3. Building is over 3 stories and 35 feet so 20 foot building setback is required – from scale it appears the setback is about 24 feet and meets requirements, but this needs to be verified on more precise plans.
4. Plan does not show required 15-ft rear yard – add 15-ft rear yard variance to a Site Plan Approval Data Table if that is the rationale.
5. Plan is for buildings over 35 feet and does not show side yards. Requires 8 ft side yard or 8-ft side yard variance – Add 8 foot side yard variance to Site Plan Approval Data Table if that is the justification.
6. Parking (Sec 32-45.) – will need further information to fully evaluate plan.
 - a. Number of retail employees
 - b. Number of hotel employees
 - c. Info on existing grandfathering of spaces if there is any.
7. Loading spaces (Sec. 32-46.) – will need further information to fully evaluate plan.
 - a. Need gross square feet of hotel
8. This plan is tucked right up to an RS District property in the rear with no rear yard shown. The height of the building in the rear of the property is proposed to be 6 floors. This could be very difficult to get approved right beside an RS lot.
9. The labeling of the drawings/floors is confusing. Level one is second floor. Maybe refer to floors and not levels in plans?
10. If approval is being requested based on Site Plan Approval, the applicant must provide rationale for distinctiveness and excellence of site arrangement and design as required

in Sec. 32-97.- Purpose.

11. Also, if approval is being requested based on Site Plan Approval, more detail will be required to verify the design is in conformance with Sec. 32-98.3, particularly the proposed building materials.

Parking Division

1. Parking allocation and management. Please articulate the total number and location of parking spaces that would be allocated to public use and to the hotel and apartments, how they would be managed as well as whether areas dedicated to the hotel could be available for public use.
2. The plan will need to address access for delivery trucks and trash trucks as well as locations of dumpsters which might be negatively impacted by the construction of a parking garage. Currently there are nine dumpsters occupying this area that serve current businesses.
3. Parking lot #4 would likely need to be repaved by the developer at the completion of the project due to damage related construction.

Public Works and Water Resources Department

GENERAL COMMENTS:

1. Add the project number "18-10-02" to all plan sheets.
2. Include the gross floor area of all proposed buildings. Preferably this would be indicated on the building in plan view in addition to any quantities in the data column.
3. Indicate if trash is to be public or private and identify the trash enclosures on the plan.
4. The limit of disturbance will need to be delineated on the plan and the total area added to the Cover/Index Sheet.
5. Include both vehicle and bicycle parking rationale on the Cover Sheet. Racks should be provided in a location that is accessible and visible to tenants and visitors at the point of entry. The bike racks and rack layout will need to conform to the City of Newark Bicycle Plan and DeIDOT Standard Construction Detail M-4 – "Bike Rack Layout Details". Include the detail for both the rack and pad layout on the plans and ensure the pad shown on the plans conforms to the size and spacing on the detail. The bike pad needs to be installed at a higher elevation than the adjacent pavement (4" min.) or separated by a curb.

6. ADA compliant sidewalks, curb ramps, and parking will be required for the entire project site including existing parking areas.
7. Identify the location of proposed handicapped parking stalls on the Subdivision Plan submission.
8. Include the parking count on the Cover Sheet of any future Subdivision Plan submission.
9. DeIDOT's Main Street Rehabilitation project is planned to begin in late spring or early summer of 2019. It is likely the construction of a hotel and parking garage in this area will be impacted by the work on Main Street. Has the Developer discussed this project with DeIDOT, and if so, does DeIDOT have any concerns with the planned development?
10. Installation and termination of proposed and existing utilities will likely require significant restoration of Main Street. Will DeIDOT be requiring the milling and overlay of Main Street?
11. It is likely DeIDOT will implement a five (5) year moratorium from any road opening, excavation or disturbance on Main Street after the rehabilitation project is complete in this area. The Department recommends the developer proactively install the anticipated water, sanitary sewer and storm sewer infrastructure for the project in advance of the DeIDOT Main Street project.
12. Due to the change in use and anticipated increase in trips in and out of the site, the department recommends a Traffic Impact Study (TIS) be performed for the subject site.
13. Provide a Landscape Plan for review during the Subdivision Plan phase.
14. Provide a separate Fire Marshal Plan for review during the Subdivision Plan phase.

WATER & SEWER:

1. Show existing and proposed utilities on the plan and indicate how the proposed utilities will connect to the existing including top of structure, invert, size and material.
2. The department has provided GIS mapping of the approximate location of existing water main, sanitary sewer main, and storm water infrastructure for the design team's reference.
3. The following standard notes should be included on Major Subdivision Plan if they are not already:
 - a. "All construction shall be in accordance with the latest City of Newark standards and specifications, building code, and fire code."
 - b. "As-Built Plans and Checklist shall be submitted to the City of Newark prior to issuance of Certificate of Occupancy." *There is a review process for As-built*

submissions so it is recommended that the submission be done in advance of expected occupancy to avoid delays.

- c. "All handicapped parking stalls, logos, and access aisles shall be marked with blue paint and hatched accordingly."
- d. "An "Approval to Construct" will be required from the Department of Public Health Office of Drinking Water. A copy of the approved permit shall be furnished to the City prior to CIP approval."
- e. "An "Approval to Operate" from the Department of Public Health shall be provided to the City prior to the use of any domestic water or issuance of any certificate of occupancy."
- f. "A DNREC "Construction of Wastewater Collection and Conveyance Systems" permit will be required and shall be furnished to the City prior to CIP approval." *Required for all projects generating more than 2,000 gallons per day average sewer flow.*
- g. "A signed and sealed copy of the DNREC approved sanitary sewer as-built plans shall be furnished to the City within 30 days of DNREC approval."
- h. "The Developer shall pay the Sewage Treatment Plant (STP) fee prior to the issuance of any building permit." *A credit will be given for any existing building that is to be removed.*
- i. "Individual water meters will be required for each commercial and/or residential unit and shall be located in one or more centrally located meter room(s) as close as possible to where the domestic main enters the building. The meter room(s) shall be readily accessible to the City of Newark. A ¼ turn locking ball valve shall be located immediately on both sides of each meter in a meter bank setup. The developer will be responsible for the cost of the meters. The city will determine the size of the meters in coordination with the developer."
- j. "The Developer shall pay all water meter fees prior to the issuance of any building permit."
- k. "The owner will be responsible for the installation of additional transmission equipment as necessary should the proposed building negatively affect the performance of the City's wireless meter reading system."
- l. "All water valves shall be Mueller unless otherwise approved by the City of Newark Public Works and Water Resources Department."
- m. "All unused water and sewer services shall be terminated at the utility main or at a location determined by the Public Works and Water Resources Department."
- n. "Any damage to the City storm sewer, water, or sanitary sewer infrastructure shall be repaired or replaced to the satisfaction of the Public Works and Water Resources Department."
- o. "All on-site storm sewer and sanitary sewer is private. On-site manholes shall not have "NEWARK" anywhere on the lid."
- p. "The required fire protection flow rate(s) is/are _____." *The required flow rate(s) for each buildings sprinkler system shall be determined by the engineer/sprinkler designer and provided with Subdivision Plan submission.*

q. "The Developer shall televise any existing sanitary sewer laterals to be re-used and provide a copy of the video to the City for review. The condition will be evaluated to determine the suitability for reuse." *This note only applies if existing laterals are to be reused. Contact Shawn Gealy, Water and Wastewater Inspector, at (302) 229-1396 a minimum of 48 hours in advance of the CCTV work and provide a digital copy to the Public Works and Water Resources Department.*

4. A hydrant flow tests will be required to verify the flow rate and system pressure are consistent with the basis of design. Public Works and Water Resources personnel must be present during flow testing to collect flow test results. Please submit a fire flow test request to PWWR.
5. Include an existing versus proposed sanitary sewer flow summary on the plans with anticipated flows for each use. Anticipated wastewater flows shall be based on NCC Special Services Sewer Use Design Flows for each proposed use.
6. The developer shall investigate the capacity of the existing sanitary sewer system to determine if sufficient capacity exists to handle the anticipated wastewater flows and furnish the report to the city for review and approval. PWWR can provide the applicant's engineer with the diurnal curve for dry weather flows for the project area that they will need to adjust their field measurements.
7. If the proposed use of the building includes food preparation such that a grease trap is required, two (2) separate service laterals are required so that flows from kitchens or containing grease or oils flow to the grease trap and not directly to the public sewer. Grease traps should be located outside the building for ease of cleaning and inspection.
8. The condition of the existing downstream sanitary manhole being tied into will need to be verified. If the conditions are unsuitable the manhole will need to be replaced or restored accordingly.

STORMWATER:

1. The SAS checklist and SAR have not been submitted for review. The Sediment and Stormwater Program Project Application Meeting will need to be scheduled with the City's Planning and Design Engineer (Ethan Robinson, Phone: (302) 366-7000 Ext. 2108).
2. The plans do not specify how stormwater management will be addressed. Stormwater management will be required for the subject site. As a redevelopment project, runoff reduction practices shall be employed to achieve a 15% reduction in the effective imperviousness based on the existing conditions. The approach to stormwater management for the site will be further discussed during the SAS Project Application Meeting.

3. Redevelopment projects that require a detailed Sediment and Stormwater Management Plan or exceed 1 acre in disturbance also require NPDES permit coverage through submittal of a Notice of Intent (NOI). Proof of the NOI submission to DNREC will be required during the CIP phase.
4. A wetlands report is required to be submitted for major subdivisions involving new and/or additional construction in accordance with Chapter 27, Section VIII of the City Code of Ordinances. If there are no wetlands, a letter certifying no wetland are present will need to be submitted by a wetland scientist or the professional engineer of record.

This Sketch Plan review is solely based upon the information and detail provided in the submitted documents. Additional comments may be generated during any successive reviews by our department. If you should have any questions on the Public Works and Water Resources Department do not hesitate to contact Ethan Robinson at 302-366-7000 ext. 2108 or erobinson@newark.de.us.

I hope you find this information helpful. **Please provide a written response to all comments with subsequent submissions.** Should you have questions or need more information, please do not hesitate to contact me at 366-7000, extension 2040.

Sincerely,



Mary Ellen Gray, AICP
Planning and Development Director

MEG/tf