



**PLANNING & DEVELOPMENT**  
CITY OF NEWARK

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June 21, 2021

Mr. Gregory Rishel, PLA  
Pennoni Associates, Inc.  
Christiana Executive Campus  
121 Continental Drive, Suite 207  
Newark, DE 19713

Dear John:

The City of Newark's Subdivision Advisory Committee has reviewed the sketch plan for University Commons Apartments (PR#21-03-01). We have the following comments:

Electric Department

1. Electric service is available from the existing pole line on Haines and S. Chapel St.
2. All the existing underground electric services must be shown on the plan before any further comments can be supplied
3. An open utility easement is required and must be listed on the prints.
4. The developer will be responsible for the cost of the electric meters.
5. The developer must pay all costs for electric service infrastructure. The price is subject to a yearly CPI escalation from the date of council approval.
6. The developer must pay up to \$4,000 to repair the smart meter system if the building causes interference.

Parks and Recreation Department

1. No landscape plan was included, a landscape plan will be required during the approval process.

2. We will need value tree mapping of all trees 12" and larger as per Chapter 32, Article XXV – Landscape Screening and Treatment, 32-87(g) General provisions, definitions and tree mapping requirements. This process will need to be completed before any trees are removed.
3. Please visit our web site for additional guidance for landscape design in the City of Newark [landscaping \(newarkde.gov\)](http://newarkde.gov/landscaping)
4. We will require the developer to pay \$700 per unit for a total of \$109,200 for cash in lieu of land as per Chapter 27, Appendix VI of the Code of the City of Newark, Delaware prior to final approval of the Construction Improvement Plan.

#### Police Department

1. The landscaping used to create a barrier on the south side of the property should not exceed three (3) feet in height. Since the area will have vehicle and possible foot traffic, this will help with visibility and help prevent anyone from concealing themselves.
2. If the fence on the north side of the property is on the parcel, it should be repaired or replaced. If replaced, the suggestion would be to make the fence higher (at least 6ft), made of metal for better durability (wood can be damaged easier), and have visibility through the other side (e.g. a standard rod iron fence).
3. Elimination of street parking on the east side of Haines St. Since there will no longer be townhouses, parking on that side of the street isn't necessary. With the addition of the parking added by the City on the west side of Haines, eliminating parking on the east side would provide more room for vehicular traffic and cause less collisions.
4. Make sure the street number is visible on the buildings and provide the department with the addresses.
5. Addresses approved by police must be included in Subdivision Plans.
6. Apartment numbers approved by police must be included in building permit plans.

#### Planning and Development Department

##### *Code Enforcement Division*

1. Demolition Permits required. Proper abatement and disposal of any hazardous materials by registered contractor.

2. Site and public protection required during demolition and construction.
3. Separate curb stops for fire service and domestic service. Must be permanently marked.
4. All buildings and all uses to comply with the ANSI 117.1; Accessibility Standards.
5. Complete architectural, structural, plumbing, HVAC, electrical and fire protection drawings required for review prior to permits.
6. Comments based on 2018 ICC Codes.
7. This project is subject to the sustainability requirements of the City of Newark amendments to the 2018 International Energy Conservation Code as detailed in Section 7-8 (7) of the Municipal Code. Submit a plan or narrative describing proposed means of compliance with the building permit application.

*Fire Marshal*

1. A Fire Site plan shall be provided in all construction improvement plans or civil drawing packages. The purpose of the Fire Site Plan is to provide a plan for the City of Newark Fire Protection Specialist and the fire department to review access and the fire protection features of your project. At a minimum, the following items shall be included in the Fire Site Plan:
  - Name of the building or subdivision
  - Plan date
  - Full address
  - Owner's name and address
  - Design Professional's name and address
  - Applicant's name and address
  - Intended use of building or buildings
  - Name of water supplier
  - Location of all fire hydrants
  - Location and diameter of all water mains supplying fire protection water
  - Maximum height of the building
  - Proposed building construction
  - Location of any fire lanes, their markings, and their widths
  - A plan notes stating "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the State Fire Prevention Regulations."
  - Preliminary Fire Sprinkler Form
2. Site access and water supply to the project shall comply with Chapter 5 of the

International Fire Code (IFC) and the Delaware State Fire Prevention Regulations.

*Land Use Division*

1. In regards to Sec. 32-12.(a)(1)c., the Zoning Summary indicates the minimum building separation is greater than 80 feet, but the distance from the existing townhomes to the new high-rise apartment tower is less than 50 feet. The proposed plan does meet code, the Zoning Summary should be corrected.
2. In regards to Sec. 32-12.(c)(4) Height of buildings – the applicant should be aware that that with the proposed parking on the ground floor of the plan the allowable height of the proposed towers would be 8 stories and 91 feet per Sec. 32-12.(c)(4)a. While the Code allows this height, some members of the SAC team have concerns regarding the proposed height of a total of seven stories.
3. In regards to Sec. 32-12.(c)(5) Building setback lines, Code requires the buildings to be set back 30 feet from perimeter streets and 25 feet from exterior lot lines. The proposed plan meets the required setback from exterior lot lines on the side yards, but it does not meet either of these requirements on Haines or South Chapel. This is indicated in the Zoning Summary table on the plan, but should be more clearly shown in the Potential Waiver/Variations list. It is assumed this will be a site plan approval project. If it is, these variances should be shown on the plan in a similar format as below:

SITE PLAN APPROVAL DATA

<u>SECTION</u>	<u>REQUIRED</u>	<u>PROVIDED</u>	<u>VARIANCE</u>
Sec. 32-12.(c)(5)a.	min. 30-ft	20-ft	10-ft
Sec. 32-12.(c)(5)c.	min. 25-ft	20-ft	5-ft

4. Parking calculations on the plan are not correct. The parking requirements per Sec. 32-45 (a) are two off-street parking spaces per dwelling unit, plus one additional off-street parking space for each dwelling unit with more than three bedrooms. The calculations on the plan show three required parking spaces for the three-bedroom apartments when only two spaces are required. It looks like the required parking might be 336 spaces, not the 450 spaces shown in the parking calculations on the plan. This would result in a need for an 86-space parking waiver which should also be shown on the plan's Site Plan Approval Data table.
5. In regards to Sec. 32-12.(a)(1)(a) Lot coverage, Code requires the buildings to cover no more than 20% of the lot. The proposed plan provided 23% coverage which is shown in the Zoning Summary but should also be shown on the plan's Site Plan Approval Data table.

6. Please note that bike racks must conform to City standards which can be provided if the applicant is not familiar with them.
7. Per Sec. 32-46(a)(2), the plan must provide two loading spaces (600 square foot minimum for each). Note that these loading spaces cannot interfere with fire lanes. Perhaps they could be located in the driveway along the south perimeter of the parking lot.
8. Please provide representative floor plan layouts of typical apartment units.
9. As the proposed plan is requesting Site Plan Approval, narrative will be required explaining distinctiveness and excellence of site arrangement and design per Section 32-97 and must also include a description of the building material and type. Planning Staff has concerns that the site arrangement may not meet the threshold for Site Plan Approval.
10. The Developer should voluntarily agree to provide deed restrictions indicating residents will not be able to receive residential parking permits or guest parking permits for parking on the street in the residential parking district from the City of Newark.

Public Works and Water Resources Department

GENERAL / SITE:

1. Add the project number "21-03-01" to all plan sheets. **(prior to Council)**
2. Include gross floor area and finished floor elevation for all proposed buildings. **(prior to Planning Commission)**
3. Provide addresses for all buildings and units. Ensure any new addressing has been coordinated with AETNA and NPD. **(CIP)**
4. Add a note to the Index/Cover Sheet indicating how refuse collection will be handled (public/private). Include trash enclosure details and identify locations on future Subdivision Plans. **(prior to Council Consideration)**
5. The limit of disturbance (LOD) will need to be delineated on the plan and the area added to the Cover/Index Sheet. A phased approach is mentioned in the plan purpose and would need to be shown accordingly. **(prior to Planning Commission)**
6. A list of all utility owners shall be added to the Index/Cover Sheet as part of the Subdivision Plan submission. **(prior to Planning Commission)**

7. Include the ADA parking count in the parking rationale on the Cover Sheet of any future Subdivision Plan submission. Be sure to list both the required number and proposed number. **(prior to Planning Commission)**
8. Bike racks should be provided in a location that is accessible and visible to tenants and visitors at the point of entry. **(prior to Planning Commission)** 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. **(CIP)**
9. ADA compliant sidewalks, curb ramps, and parking will be required for the entire project site including existing parking areas. **(CIP)**
10. A DeIDOT Letter of No Objection to Recordation (LONOR) shall be furnished to the Public Works Department prior to **CIP approval**. It is highly recommended that the developer submit for a Letter of No Objection to Recordation (LONO) from DeIDOT as soon as possible to prevent any delays in the plan review process (Subdivision Plan and CIP phases). LONOR shall be provided concurrently with any future **CIP submission**.
11. Due to the change in use and anticipated increase in trips in and out of the site, a Traffic Impact Study (TIS) may be required for the subject site. Provide the anticipate pre and post-development average daily counts including peak vehicle trips per day and vehicle trips per hour. **(prior to Planning Commission)**
12. Provide an Existing Conditions Plan with any future Major Subdivision Plan submission. This plan can also include proposed demolition and termination of any utilities. **(prior to Planning Commission)**
13. Provide a Landscape Plan for review during the Major Subdivision Plan phase. Include green roof area plantings on the Landscaping Plan if applicable. **(prior to Planning Commission)**
14. Provide a separate Fire Marshal Plan for review during the Subdivision Plan phase. **(prior to Planning Commission)**

#### WATER & SEWER:

1. Provide an overall utility plan showing the full extent of the development and all existing (to remain) and proposed utilities on one sheet. Indicate how the proposed utilities will connect to the existing including top of structure, invert, size and material. Existing tops and inverts of all storm and sanitary structures will be required to be shown on the

**Subdivision Plans. (Prior to Planning Commission)**

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. All existing utilities critical to the proposed project must be field verified and surveyed. **(Prior to Planning Commission)**
3. 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)**
4. Provide a wastewater flow generation summary on the Cover Sheet of future Subdivision Plans to show existing and proposed average and peak wastewater flows using New Castle County Department of Special Services flow generation standards. **(Prior to Planning Commission)**
5. 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 2000 gallons per day average sewer flow.*
6. 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.* **(CIP)**
7. The anticipated peak water demand for all buildings and units will need to be provided during the CIP phase so appropriately sized water meters can be specified. **(CIP)**
8. Individual water meters will be required for each residential unit and shall be located in a centrally located meter room in the proposed apartment buildings, 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.
9. The meter room location(s) will need to be shown in a manner which ensures the water line is not below the slab of the building for greater than 10-feet. **(Prior to Council consideration)**
10. Any unused water or sewer services shall be terminated at the utility main or at a location determined by the Public Works and Water Resources Department.
11. 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 by

Public Works to determine the suitability for reuse. *Only applies if existing laterals are to be reused.* **(Prior to Council consideration)**

12. 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. **(Prior to Council consideration)**
13. The condition of the downstream City owned and maintained sanitary manhole will need to be evaluated. If the conditions are unsuitable the manhole will need to be replaced or restored to the satisfaction of PWWR at the Developers expense. **(prior to Subdivision approval, capture in subdivision agreement)**
14. 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 an [application for fire flow test](#) to PWWR. **(Prior to Council consideration)**
15. The latest version of the City of Newark Water and Wastewater Standards and Specifications is available at <https://newarkde.gov/DocumentCenter/Home/View/464>. Ensure that all water and wastewater design standards are met, and all relevant details shown on the plans correspond to those in the latest release. **(CIP)**
16. Ensure water and sewer lines are a minimum of 18" vertically and 10' horizontally from each other and all other utilities. **(CIP)**
17. Specify on the plans that when tying into existing sanitary sewer manholes that the manhole must be core drilled and link sealed. **(CIP)**

#### STORMWATER:

1. This project will follow the "detailed plan" sediment and stormwater plan review process. As such, submit a Stormwater Assessment Study (SAS) in accordance with the [SAS Checklist](#) for review. **(Prior to Planning Commission)**
2. Once the SAS is submitted a Sediment and Stormwater Program Project Application Meeting will need to be scheduled with the City's Planning and Design Engineer (Michael Falkowski, [mfalkowski@newark.de.us](mailto:mfalkowski@newark.de.us), Phone: (302) 366-7000 Ext. 2046). **(Prior to Planning Commission)**
3. 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. If infiltration is a proposed method



of stormwater management, a soil investigation shall be performed prior to the meeting.

4. Following the Project Application Meeting, a Preliminary Sediment and Stormwater Management submittal shall be made in accordance with the [Step 2 Checklist](#). The Preliminary Sediment and Stormwater Management submittal must include preliminary plans for the site, as well as the schematic erosion and sediment control plan, with supporting hydrologic and hydraulic calculations necessary for Public Works and Water Resources to determine compliance with the latest Delaware Sediment and Stormwater Regulations (DSSRs). **(prior to Planning Commission)**
5. 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. **(CIP)**
6. Show existing and proposed contours. Provide additional high and low point elevations to allow for a determination of stormwater flow direction and verification of delineated drainage areas for the site. **(Prior to Planning Commission)**
7. Show the existing and proposed stormwater infrastructure and facilities on the plans including those which are to be removed. There is an existing Sand Filter (City Facility #114) at the southern edge of the Victoria Court loop road. It was last inspected on March 29, 2021 and found to be in fair condition overall with minor maintenance required. **(Prior to Planning Commission)**
8. 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. **(Prior to Planning Commission)**

This plan review is solely based upon the information and details provided in the submitted documents. Additional comments may be generated following any future submissions.

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,

A handwritten signature in blue ink that reads "Mary Ellen Gray for MEG".

Mary Ellen Gray, AICP  
Planning and Development Director

MEG/tf

