



PLANNING & DEVELOPMENT CITY OF NEWARK

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July 5, 2022

Mr. Stephen Gorski, P.E.
Duffield Associates
5400 Limestone Road
Wilmington, DE 19808

Dear Steve:

The City of Newark's Subdivision Advisory Committee has reviewed the May 3, 2022 submission for the major subdivision plan for the proposed Hilton hotel at 1119 South College Avenue (PR#22-01-01). We have the following comments:

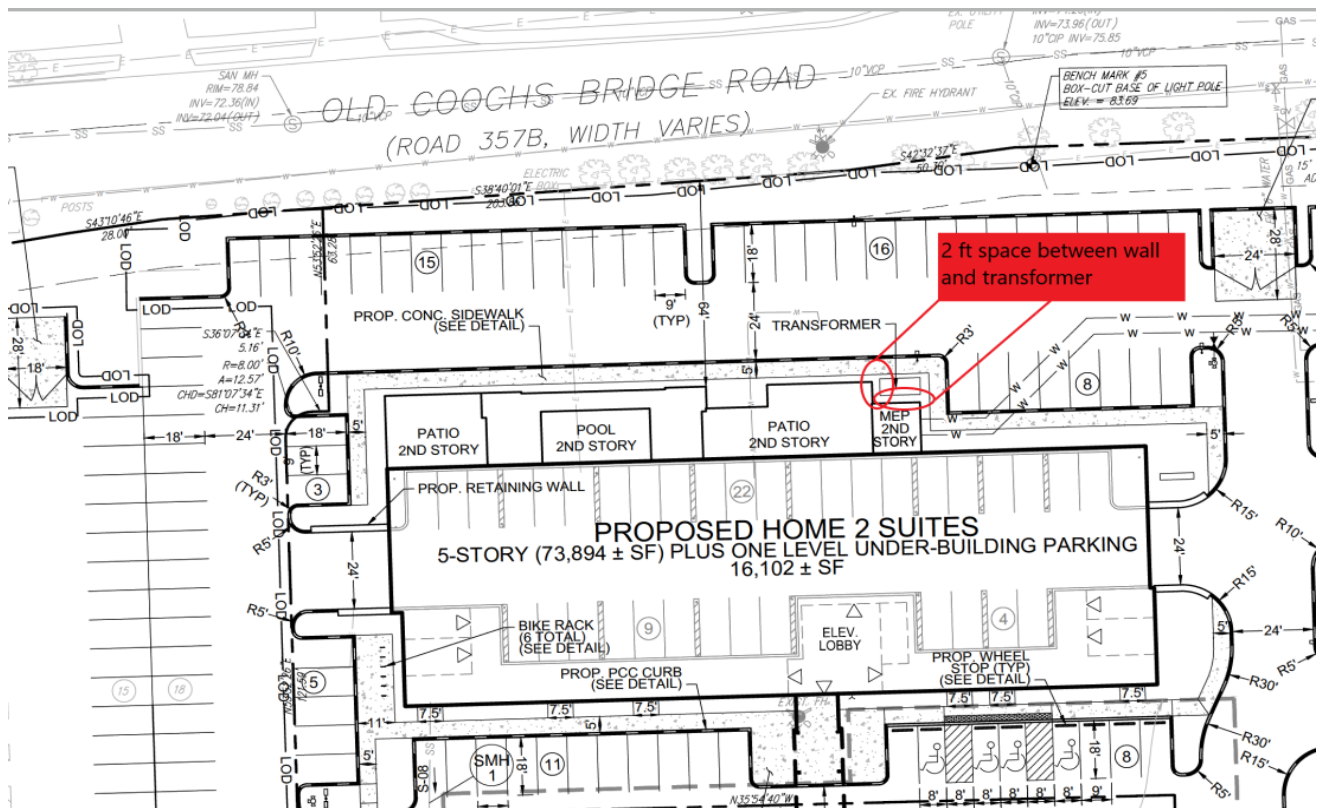
Electric Department

1. The existing utility pole 46E25 and 3-phase aerial lines must be surveyed and shown on the print.



- Any oil-filled pad-mounted equipment shall be located a minimum of 10' from combustible buildings, windows, doors, and stairwells.

The proposed transformer location does not meet this requirement. The developer must contact the electric department to review the transformer location and underground conduit run.



- Note #21 on sheet 1 – should read, The proposed transformer will feed the hotel and has a limit of six (6) conductors per phase. If more than six (6) conductors are necessary, the developer must install a transition box at their cost.
- A separate transformer will be installed for future commercial pad site. A suitable location approved by the Electric Department will be required for a pad-mounted transformer for future commercial pad site.
- No part of the building can be closer than 12.5 feet to the power lines.

Parks and Recreation Department

- No further comments on this project.

Police Department

1. No further comments on this project.

Planning and Development Department

Code Enforcement Division

1. No further comments on this project.

Fire Marshal

1. No further comments on this project.

Land Use Division

1. Since the last submission for this project, we have received a plan for the adjacent parcel at 1115 South College Avenue. This changes the type of business at the parcel (convenience store with gas pumps instead of the existing restaurant). Both plans reflect shared parking between the two hotels and the 1115 South College Avenue parcel. Please update the parking numbers on the plan to reflect the proposed new use on the 1115 South College Avenue parcel to allow for accurate determination as to whether parking requirements are met for this project. **(Prior to Planning Commission)**
2. A cross access easement between this parcel and any other parcels that involve shared parking for this project will be required. **(To be included in subdivision agreement and submitted prior to first building permit)**
3. The commercial pad site listed on the site plan is not specific as to the proposed use of the site. Any future use at that site will be considered separately from this project and will be required to follow any approval process within the zoning code as required. **(To be included in the subdivision agreement)**
4. Please provide representative floor plan layouts of typical hotel suite. **(Prior to Planning Commission – sent in previous SAC letter)**
5. Chapter 27, Appendix XIV – Design Review for major subdivisions not located downtown requires the following: **(Prior to Planning Commission – sent in previous SAC letter)**
 - Color scale elevations of all proposed buildings, showing the kind, color, and texture of materials to be used for all sides of the building(s) visible from sidewalks and public areas, including parking lots; if several styles of buildings are proposed, typical examples of each type shall be provided.

- Color scale elevations showing all existing buildings on the site and existing public utilities visible from public ways, if applicable.
 - Contextual color scale elevations showing front facades of all proposed buildings and the front facades of buildings immediately adjacent to the property including proposed signs, lighting, and related exterior features.
6. Please be aware that the elevations will be evaluated based on the standards of Appendix XIV (d)(1) and (2) - see attached. Mechanical equipment and utility hardware on roofs or grounds should be screened from public view with materials harmonious with the building. Also required is screening from public view of refuse, waste removal areas, service yards, including screening when stored of city required refuse containers, and related facilities and sites, using materials harmonious with the buildings. Renderings should show all mechanical and utility equipment so proposed screening can be evaluated. **(Sent in previous SAC letter)**

Public Works and Water Resources Department

GENERAL / SITE:

1. Refer to the latest Public Works and Water Resources Schedule of Fees. The following fee(s) shall accompany any future submission:
 - 1.1. Sediment and Stormwater Management Review Fee – \$825 plus \$275 per acre over 1.0. LOD is 3.54 ac ($\$825 + [2.54\text{ac} \times \$275/\text{ac}]$) for a total of **\$1,523.50**.
2. Ensure the LOD acreage is consistent throughout all submittal documents. The LOD is 3.53ac on the Major Subdivision Plan, 3.13ac on the Sediment and Stormwater Application, 3.54ac on the Preliminary Sediment and Stormwater Plans and 3.23ac within DURRM. **(Prior to Council consideration)**
3. Record Major Subdivision Plan – Index Plan:
 - 3.1. Notes 46 and 51 are the same, delete one of the notes. **(Prior to Council Consideration)**
 - 3.2. Notes 36 and 53 are redundant, delete note 53. **(Prior to Council Consideration)**
4. The Commercial Pad Site was previously proposed to be a gas station with convenience store. Under that use PWWR was agreeable to reducing the number of bicycle parking spaces required on site. Now that the Commercial Pad Site will not be a gas station the full number of required spaces must be provided. Update the bicycle parking totals in the Parking Calculation column and show all required bicycle parking spaces on the plan. **(Prior to Council consideration)**

5. Bike 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. Add the following note to the bike rack detail, “The bike pad needs to be installed at a higher elevation than the adjacent pavement (4” min.) or separated by a curb.” **(CIP)**
6. Include the proposed addresses of the units on the plan. Coordinate all addressing with Newark Police Department and AETNA. **(CIP)**
7. 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 submits for a LONOR 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. **(CIP)**
8. ADA compliant sidewalks, curb ramps, and parking will be required for the entire project site including existing parking areas. **(CIP)**

WATER & SEWER:

1. PWWR is confident the eventual use of the proposed Commercial Pad Site will exceed a wastewater flow rate of 200 GPD. As such a sanitary sewer capacity analysis will be required **(Prior to Council Consideration)**.
2. The developer shall investigate the capacity of the existing sanitary sewer system on South College Ave. 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)**
3. Update the wastewater flow generation summary on the Index Plan to include the proposed average and peak wastewater flows for the Commercial Pad Site using New Castle County Department of Special Services flow generation standards. The engineer shall assume a design flow based on an allowable use which will generate the greatest sewer flows. **(prior to Council consideration)**
4. The condition of the existing downstream sanitary manholes will need to be evaluated. If the conditions are substandard the manhole will need to be replaced or restored accordingly at the Developer’s expense. **(prior to Subdivision approval, include in Subdivision Agreement)**

5. Revise the water main alignment along the southern end of the site so that it does not run under the dumpster pad. **(prior to Council consideration)**
6. A valve will be required between the meter vault and water main tie-in location. **(CIP)**
7. Indicate the tapping sleeve and valve at the proposed water main tie-in. **(CIP)**
8. Specify the size and material of the proposed domestic and fire service. **(CIP)**
9. Indicate the size and material of the existing and proposed sanitary laterals. **(CIP)**
10. 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)**

STORMWATER:

1. As submitted PWWR is confident the stormwater management (SWM) design will meet Delaware Sediment and Stormwater Regulations (DSSR) and City Drainage Code however there are several inconsistencies within the SWM Report which need to be addressed **prior to Council consideration:**
 - 1.1. Be consistent with the LOD acreage between the Sediment and Stormwater Application, Plans and Report, Major Subdivision Plan Site Data column and Major Subdivision Plan Notes.
 - 1.2. Update the SWM Report narrative to reflect the current proposed project. For example, the submitted narrative references a bioretention facility “currently under construction” and proposed C-Store and gas pumps. Neither of these references are accurate.
 - 1.3. During the Project Application Meeting held on January 28, 2022, Cv and Fv compliance was proposed to be met via a reduction in impervious within the subject site which would decrease the CN number. Analysis of the Cv and Fv events are still required within the HydroCAD report. This can be as simple as showing how the reduced CN results in a reduced rate and volume of stormwater runoff.
 - 1.4. Per City of Newark Code Chapter 27 Appendix IV Sect. I(a)(1)a “post-development peak discharge rates for the 2, 10, and 100-year frequency storm events shall not exceed the predevelopment peak discharge rates for the 2, 10, and 100-year frequency storm events.”
 - 1.4.1. Update the SWM Report to include analysis of all required storm events. This includes providing a pre vs post summary table.


- 1.5. Update the HydroCAD models to utilize the NOAA Rainfall Distribution Curves in accordance with DNREC Sediment and Stormwater Program Regulatory Guidance Memorandum 1.
 - 1.5.1. Be aware, while the NOAA Rainfall Distribution Curves are to be used the regulatory rainfall amounts are still 2.7" for R_{Pv}, 4.8" for C_v and 8.0" for F_v.
- 1.6. Provide a DURMM Report for the entire LOD so that the R_{Pv} requirement for the entire project can be determined. The submitted DURMM report has only 3.23ac within the LOD while the LOD is listed as 3.54 on the Preliminary Sediment and Stormwater Plans.
- 1.7. The submitted DURRM Report claims 7.53ac is draining to the proposed bioretention facility, while the HydroCAD report only has 0.347 ac going to the bioretention facility. As submitted the proposed bioretention facility is not receiving enough water to meet the R_{Pv} requirements for the site.
- 1.8. Within the Proposed-Bioretention Calcs HydroCAD routing 5.2 in/hr infiltration rate is being used. Per the submitted Geotechnical report the design infiltration rate should be 3.8 in/hr. Additionally, since the measured infiltration rate is greater than the flow thru rate of biomedial the biomedial flow through rate of 2.83 in/hr is the limiting factor and should be the only infiltration rate used in the modeling.
- 1.9. Within the Proposed-Bioretention CvFv 2019 Update HydroCAD routing both 2.83 in/hr and 4.16 in/hr were used as infiltration rates. PWWR recommends only utilizing the flow through rate of the biomedial (2.83 in/hr) to simplify the model as this rate is the limiting factor. Additionally, the submitted Geotechnical report specifies a design infiltration rate for the in-situ soils of 3.8 in/hr, not 4.16 in/hr.
2. Bioretention Profiles and Notes – Sheet 8 of 8: A varying side slope of 2:1 to 2.5:1 is shown adjacent to the level spreader. Per the Delaware Sediment and Stormwater Regulations (DSSR) section 11.2.6.4 bioretention side slopes must be no steeper than 3:1. Revise plan accordingly. **(CIP)**
3. Per DSSR section 11.2.6.8 "All traditional and advanced bioretention systems shall include at least one inspection port or cleanout pipe." Add an inspection port to the proposed bioretention facility **(CIP)**.
4. Development projects that require a detailed Sediment and Stormwater Management Plan require NPDES permit coverage through submittal of a Notice of Intent (NOI). Proof of the NOI submission to DNREC will be required **prior to CIP approval**.
5. Inspection of both the existing underground detention facility and bioretention facility and correction of any deficiencies will be required as part of this redevelopment project. Language will be added to the Subdivision Agreement to capture this requirement.

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. Please note that in order facilitate the scheduling of this project on the August 2, 2022 Planning Commission agenda, a digital copy and 15 paper copies of the final site plan with all comments noted as being required before Planning Commission or with the next submission addressed needs to be submitted to the Planning and Development Department for review no later than Friday, July 8, 2022. Should you have questions or need more information, please do not hesitate to contact me at 366-7000, extension 2045.

Sincerely,

A handwritten signature in blue ink that reads "Renee K. Bensley". The signature is written in a cursive, flowing style.

Renee K. Bensley
Deputy Director of Planning and Development

/rkb

APPENDIX XIV. DESIGN REVIEW FOR MAJOR SUBDIVISIONS NOT LOCATED DOWNTOWN

- (a) *Purpose.* In conformity with the purposes of Section 2-89, General powers and duties of the planning commission, and Chapter 32, Zoning, of this code, and the land development goals of the Comprehensive Plan, the purpose of this appendix is to promote the most appropriate use of land, to encourage the beautification of buildings, to encourage high-quality growth, and to encourage and foster civic beauty for construction in Newark.
- (b) *Applicability.* This appendix is applicable to major subdivision plans calling for construction of properties not covered by Appendix XIII; the review criteria in subsection (d) in this appendix also may be applicable to minor subdivision plans. If applicable, and as an alternative to the submittal and review requirements in this appendix, applicants may submit required building elevations and related information for city review through Chapter 7, Building, Section 7-16, Historic Buildings; or, Chapter 32, Zoning, Article XXVII, Site Plan Approval, of this code.
- (c) *Submittal requirements.* Applicable major subdivision plans shall include:
 - (1) Color scale elevations of all proposed buildings, showing the kind, color, and texture of materials to be used for all sides of the building(s) visible from sidewalks and public areas, including parking lots; if several styles of buildings are proposed, typical examples of each type shall be provided.
 - (2) Color scale elevations showing all existing buildings on the site and existing public utilities visible from public ways, if applicable.
 - (3) Contextual color scale elevations showing front facades of all proposed buildings and the front facades of buildings immediately adjacent to the property.
 - (4) All proposed signs, lighting, and related exterior features.
 - (5) Visually prominent topographical features, including vistas, hilltops, ridges, stands of woodlands, and similar aspects of the natural landscape. An existing natural features plan or photographs showing such features may be required (see Appendix IX, Community Assets).
 - (6) Other information may be required by the planning director to meet the purposes of this appendix.
- (d) In reviewing subdivisions under these standards the planning commission and council shall encourage flexibility and creativity of design and shall recognize that these standards are intended to guide development. That is, these review criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in developing creative building designs that enhance the visual appearance of Newark. In addition, these standards are not listed in priority order; their relative importance should be weighed by the commission and council for each subdivision depending upon the subdivision's characteristics and the nature of the site. The planning commission and council shall consider the following:

- (1) The appropriateness of the design elements of the building(s) in terms of the adjacent buildings and their relationship to each other. Appropriateness shall be considered in most cases to include evaluations of the following:
 - a. Height and bulk of buildings; that is, the scale and proportion of the building shall conform in general to adjacent buildings. In other words, the building's mass should respond or relate in some clear and obvious way to its immediate and distant neighbors. Facade modulation/articulation can help reduce the apparent bulk of a building.
 - b. Roof treatment of buildings; multifaceted roofs and awnings can add visual interest.
 - c. Materials, colors, and texture of buildings.
 - d. Setbacks, in general, shall be consistent with that of adjacent buildings; except for approved driveways, parking in front of buildings is discouraged.
- (2) The general architectural character, especially scale and stylistic features, including evaluations of the following:
 - a. Use of natural materials, including stone, brick, and wood is encouraged; synthetic stucco, vinyl, and metal siding should be used less frequently.
 - b. Use of the same or similar building materials for all building walls, wholly or partially visible from street or public ways.
 - c. Signs, including identification signs of a prototype design and corporate logos, shall be designed as integral architectural elements of the building.
 - d. Exterior lighting, fixtures, standards, and all exposed accessories shall be designed as integral architectural elements of the building.
 - e. Screening from public view of mechanical equipment or utility hardware on roofs or grounds, with materials harmonious with the building.
 - f. Screening from public view of refuse, waste removal areas, service yards, including screening when stored of city required refuse containers, and related facilities and sites, using materials harmonious with the buildings.
 - g. For residences, garages shall not be the dominant element of the front building facade.
 - h. Screening of off-street parking and loading areas, utilizing the landscape requirements of Chapter 32, Zoning, of this code.
 - i. Screening from public view, including underground installation, insofar as possible and subject to the approval of the subdivision advisory committee, of public utilities and their related appurtenances, but not to include utility pad-mount transformers and above-ground pedestals.

- (3) The preservation of natural light, natural resources, floodplains, woodlands, cultural features, and visually prominent topographical features. The features to remain shall be shown on the plan.
- (4) The utilization of existing circulation patterns and the provision of bike and pedestrian ways.
- (5) The planning commission and city council may consider comments from local and area architects and other design professionals requested to provide input as part of the design review process.

(Ord. No. 06-26, Amend. No. 5, 9-25-06)