



**PLANNING & DEVELOPMENT**  
**CITY OF NEWARK**

220 South Main Street · Newark, Delaware 19711  
302.366.7000 · Fax 302.366.7160 · [www.cityofnewarkde.us](http://www.cityofnewarkde.us)

February 3, 2022

Mr. Alan Hill  
Hillcrest Associates, Inc  
PO Box 1180  
Hockessin, DE 19707

Dear Mr. Hill:

The following are the Subdivision Advisory Committee comments for the Proposed Rezoning, Special Use Permit, Comprehensive Development Plan Amendment, and Major Subdivision Plan for 339, 341, & 349 East Main Street, Project PR#21-08-02.

Electric Department

1. Electric service is available from Washington Street pole 21C21.
2. No part of the building can be closer than 10 feet to the adjacent utility power lines and poles.
3. All the electric services to the existing buildings need to be disconnected before the demolition of the building.
4. An open utility easement is required and must be listed on the prints.
5. A suitable location approved by the Electric Department will be required for pad-mounted transformers.
6. Someone must contact the Electric Department with information on the transformer location and electric service needs before any costs can be calculated. The developer must pay all costs for electric service infrastructure.
7. The developer must submit the detailed load calculation (connected load and Demand load) and electrical single line diagram for the project.
8. The developer will be responsible for the cost of the electric meters.

9. The developer is responsible for trenching, backfilling, and installing 2-4" conduits for all underground high and low voltage cables per City standards.
10. 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.
11. Individual electric meters will be required for each commercial unit. All meters must be grouped in one location, and keys must be provided to access the electric meter room if meters are inside.
12. No trees over 18 feet at maturity can be planted under aerial lines.
13. The developer must pay up to \$4,000 to repair the smart meter system if the building causes interference.

#### Parks and Recreation Department

1. On sheet #2 on the SW corner of the site are 4 "evergreen" symbols noted. If the proposed retaining wall goes in as shown on the plan, the back 2 American Hollies might be able to be saved and remain as part of the plan. If this is the case, then a tree protection zone will be needed at least out past the drip lines as much as construction will allow. If the two hollies can not be saved the area will be required to have landscaping installed including two trees.
2. The proposed 9 Honey locust Trees will grow too tall and get into the overhead wires over time as well as presenting a monoculture type of planting at this site. Suggest the following tree types (all native) be used;  
    Along Main Street; 4 American Hornbeams (*Ostrya virginiana*)/ 2 Prairifire Crabapples (*Malus* spp.)  
    Along Washington Street; 3 Winter King hawthorns (*Crataegus viridis* "Winter King")
3. The parking lot has no landscaping shown on the plan or screening. We have written some notes on the attached where landscaping can be installed including;
  - Landscape screening along the west side of the building behind the retaining wall.
  - In parking area where the crossed hatched no parking areas are located, low growing shrubs and perennials can be added such as coraldrift roses, diervilla, Japanese holly, winterberry, plum bago, coreopsis,
  - In the area behind the dumpster fence a columnar tree with shrubs can be planted such as dawyck purple beech, columnar sergeants cherry, spirea, amagowa cherry

4. Along the rear of the property we will require a 6' fence for screening behind the retaining wall.
5. We have the value tree mapping for the property of all trees with the DBH of 12" or greater. After our inspection of the value trees listed, several trees indicated as value trees had structural flaws or are in decline and will not be counted as value trees. There are still approximately 11 value trees remaining that will be included in value tree replacement as per Chapter 32, Article XXV – Landscape Screening and Treatment, 32-87(g) General provisions, definitions and tree mapping requirements.
6. We would be happy to meet with Hillcrest to discuss the value tree listing and mitigation requirements.

#### Police Department

1. The entrance/exit door on the east side of the building must have sufficient lighting. Renderings show that area to be dark. Place either wall lights or have a light in the overhang of the door. The door on the west side needs to be similarly illuminated. (see attached drawings).
2. Maintain a clear line of sight between the store entrances and main entrance. Trees should be between the entrances to maintain sight lines, not in front of an entrance.
3. The parking lot and garage should be properly illuminated with no light penetrating outside the property, particularly to the rear of building which backs up to the residential area.
4. Any mechanical and maintenance areas must be secure, with access by authorized personnel only.
5. There should be security cameras and secured access systems at all entrance points for residential areas.
6. The parking garage should have well placed security cameras to capture all entrances and exits.
7. A surveillance camera (pan/tilt/zoom) compatible with the existing City system, and property of the City, should be placed as directed by the City.
8. The address numbers must be of appropriate size for the building and the numbers should be easily identified from the street, to include illumination during the night time hours.

Planning and Development Department

*Code Enforcement Division*

1. The street will be blocked when the dumpster is dumped.
2. Shall meet ANSI A117.1 requirements.

*Fire Marshal*

1. Issues meeting the 75% fire lane perimeter requirement for a 6-story building.

*Land Use Division*

1. The Data Column on Dwg. No. 1 shows the provided rear yard is 15.2 ft, but it appears the rear yard is actually 62.5 ft.
2. Title should read "Comprehensive Development Plan Amendment," rather than "Comprehensive Development Amendment Plan." Also, please add "Parking Waiver" to title.
3. The Waiver Requested section on Dwg. No. 1 shows a waiver is being requested to provide 91 fewer spaces than required by Code. It appears the actual waiver should be for 28 fewer spaces than required by Code. Include a Parking Waiver request letter and payment as indicated by Sec. 32-45(b)(3) and Sec. 32-3.1(a)(5)a.
4. Identify location of outdoor lighting. Add a note to the drawing that outdoor lighting shall not be directed off the site. Lights shall be shielded if required to keep them from shining directly off-site.
5. Identify the location of utility meters on the drawings and show them on renderings if located outside of building.
6. Include transformer in building renderings.
7. Police have assigned an address of 349 E Main Street to this proposed building. Identify the address of the new building as such on the drawings.
8. Building permit plans must include room numbering approved by Newark Police Department.

9. Please provide an architectural rendering of the view of the proposed building from the street including neighboring structures.
10. In general, the proposed project appears to meet the design requirements of Chapter 27 Appendix XIII. – DESIGN REVIEW FOR DOWNTOWN COMMERCIAL PROPERTIES and the Design Guidelines for Downtown Newark <https://newarkde.gov/DocumentCenter/View/9611/DNP-Design-Committee-Revised-Design-Guidelines-2016?bidId=> , however staff might have additional comments on this as a follow up to this SAC letter.

### Public Works and Water Resources Department

#### GENERAL / SITE:

1. The Cover letter indicates no Public Works and Water Resources Review fees were submitted with the Major Subdivision Plan submission. Please refer to the latest Public Works and Water Resources Schedule of Fees effective 4/27/2020. The following review fees shall accompany any future submission (additional fees to be determined during the CIP Phase):
  - 1.1. Sediment and Stormwater Management Review Fee = 0.8 Disturbed Acres = \$825 + ( \_\_\_ acres over 1.0 x \$275) = **TBD when LOD is revised/confirmed and calculated. (Prior to Council)**
  - 1.2. Water and Wastewater Review Fee = Greater than 2,000 GPD = **\$1,100.00.**
2. Sanitary Treatment Plant Fee for the proposed 41 apartments (@666.67 each = \$27,333.47) plus 1,494 SF of retail space (@\$0.24/SF = \$358.56) minus the credit for 5,154 SF of Commercial Space (@\$0.24/SF = \$1,236.96) will require a fee of **\$26,455.07**. This fee shall be paid prior to the issuance of any building permit. **(CIP) Fee will be included within the Subdivision Agreement.**
3. Update the Planning Number #21-08-02 on all sheets. **(Prior to Planning Commission)**
4. Plans must be signed by all appropriate parties and sealed by the engineer of record prior to Subdivision approval. **(Prior to Planning Commission)**
5. Cover Sheet General Note #21 is combined with another note (Note #22). Revise accordingly. **(Prior to Planning Commission)**
6. Provide addresses for all buildings and units. Ensure any new addressing has been coordinated with AETNA and NPD. **(CIP)**
7. The limit of disturbance (LOD) will need to be revised to include required utility work within the Right-of-Way. Update the plan and Data Column on the Cover/Index Sheet. **(Prior to Council)**
8. Plans indicate a parking waiver is being requested for 91 spaces. Plans also indicate that 91 spaces are required, and 63 spaces are being provided. It would seem that either the waiver should indicate 28

- spaces requested, not 91, or the required parking calculation are incorrect. **(Prior to Planning Commission)**
9. Indicate which parking spaces are designated for the apartments and which are designated for the retail space. How will they be kept separate? What type of signage is required? **(Prior to Planning Commission)**
  10. The ADA parking stall locations should be revised to be nearest to the entrance to the commercial space. **(Prior to Council)**
  11. ADA compliant sidewalks, curb ramps, and parking will be required for the entire project site including existing parking areas. Label all ADA ramps. **(Prior to Council)**
  12. Specify the required ADA parking count in the Parking Rationale. It needs to be clear that the provided number is at least the required number. **(Prior to Council)**
  13. Include trash enclosure details on future CIPs. **(CIP)**
  14. Consider location of gas meter bank setup, feasibility of installation at that location, as well as required screening from public view. **(CIP)**
  15. Add curb between the parking lot and the concrete area in front of the building. If curb is not used, wheel stops shall be installed. **(Prior to Planning Commission)**
  16. Show the existing curb cut and entrance opposite the proposed entrance on Washington Street. **(Prior to Planning Commission)**
  17. With the installation of the storm sewer pipe within Washington Street, a full width 3.5 inch mill and overlay of Washington Street will be required from proposed CB #5 to the existing catchbasin at the intersection of E. Main St. and Washington Street. **This will be captured within the Subdivision Agreement and details included within the CIP.**
  18. 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 Letter of No Objection to Recordation (LONOR) from DeIDOT as soon as possible to prevent any delays in the plan review process. LONOR shall be provided concurrently with any future CIP submission. **(CIP)**

**WATER & SEWER:**

1. Indicate location, size and material for all proposed utilities and all existing utilities associated with the site. **(Prior to Council)**
2. Provide top of structure, invert, size and material of all storm and sanitary pipes and structures. **(Prior to Council)**
3. The sanitary sewer lateral located in the public right-of-way shall be SDR-26, not less than 6-inches in diameter, and shall have a minimum slope of 2%. **(CIP)**
4. Confirm the proposed retail space will not include food preparation. External grease interceptor shall

be installed for any Commercial Food Establishment (CFE). **(Prior to Planning Commission)**

5. Specify on the plans that when tying into existing sanitary sewer manholes and storm structures that the pipe opening must be core drilled and link sealed. **(CIP)**
6. The anticipated peak water demand for all buildings and units will need to be provided so appropriately sized water meters can be specified. **(CIP)**
7. Provide on the plans the most recent City of Newark standard details for water and sanitary sewer improvements as applicable to the project. They can be found here:  
<https://newarkde.gov/DocumentCenter/Home/View/464> **(CIP)**.

#### STORMWATER MANAGEMENT:

1. The Project Application Meeting was held on August 11, 2021, via Microsoft Teams. Discussion and Agreement Items completed during the meeting were distributed to meeting attendees on August 11, 2021.
2. As discussed during the Project Application Meeting an NOI is not required for this project, if the LOD remains less than 1.0acre. Should the LOD remain less than 1.0ac after revisions per comments above, remove Cover Sheet General Note #41. **(Prior to Council)**
3. PWWR recommends utilizing a more typical underground stormwater management facility, i.e. StormTech, Raintank, etc. The proposed drywell could be difficult to maintain long term as there is no way to clean out the system should it become impacted by sediment or other contaminant. Replacement of the proposed facility would be costly and could compromise the integrity of the parking lot. **(Prior to Planning Commission)**
4. As submitted pretreatment for the proposed dry well stormwater management facility does not seem to meet pretreatment requirements of the Delaware Sediment and Stormwater Regulations (DSSR). Review Section 1.5 of the BMP Standards and Specifications and revise the design accordingly. **(Prior to Planning Commission)**
5. Verify the drywell storage volume is being modeled correctly within the HydroCAD. The underground stone storage does not appear to be connected to the above ground storage. **(Prior to Planning Commission)**
  - 5.1. Underground storage starts at elevation 110.35' and the stone envelope is 3 ft tall ending at elevation 113.35. The above ground storage does not begin until elevation 115.36'. What happens between elevation 113.35' and 115.36'?
  - 5.2. Show on the Proposed Drainage Area Plan where the surface storage area for the stormwater facility is. **(Prior to Planning Commission)**
6. Ensure the catchbasin grates collecting runoff for the drywell can pass the Cv and Fv storm events. **(CIP)**
7. Provide a capacity analysis of the storm sewer pipe proposed to be installed within Washington Street.

(CIP)

This Major Subdivision Plan review is solely based upon the information and detail provided in the submitted documents. Additional comments may be generated as the departments complete their reviews and during any successive reviews by our department.

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.

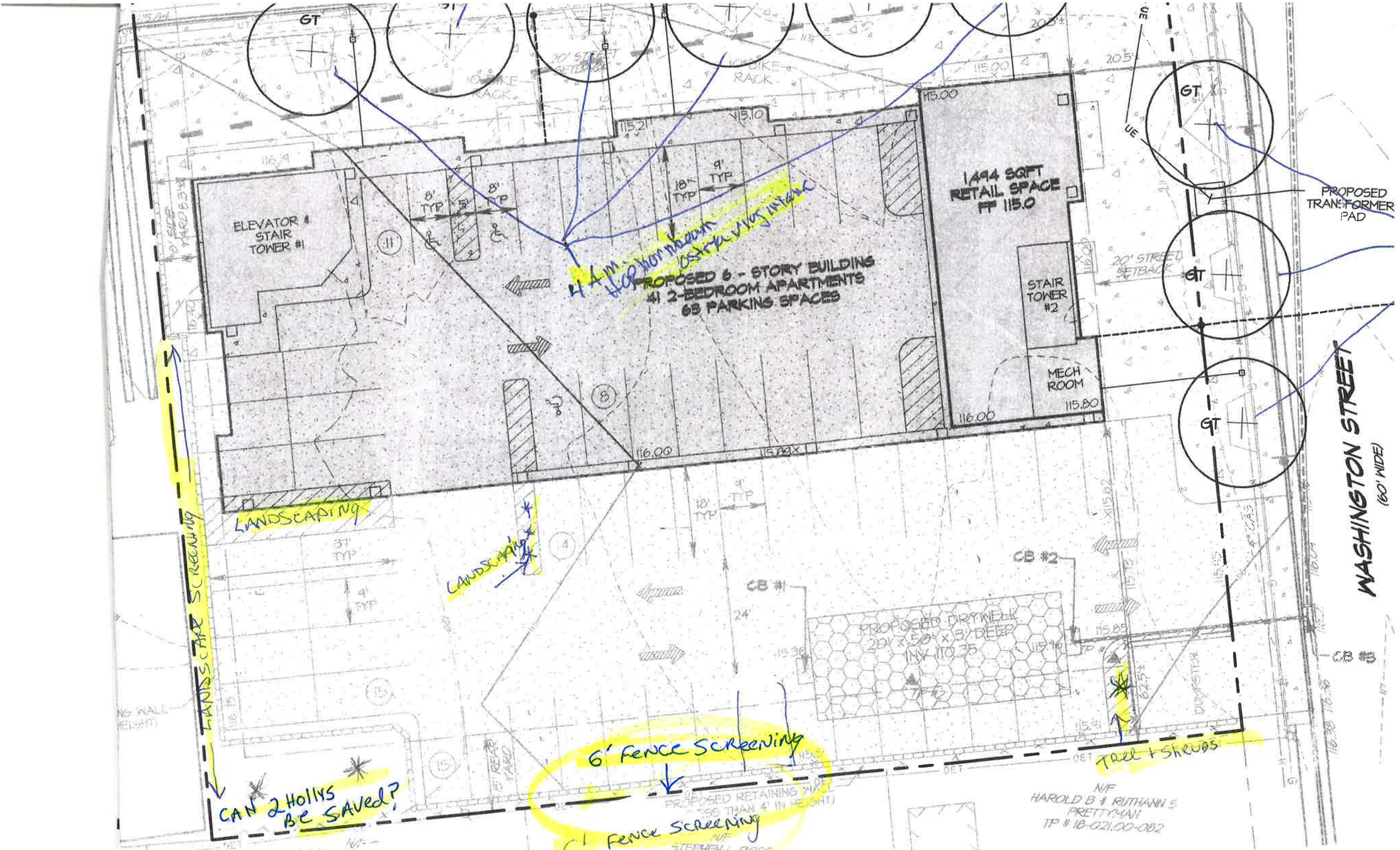
Sincerely,

A handwritten signature in blue ink that reads "Mary Ellen Gray". The signature is written in a cursive, flowing style.

Mary Ellen Gray, AICP  
Planning and Development Director

MEG





ELEVATOR & STAIR TOWER #1

PROPOSED 6 - STORY BUILDING  
41 2-BEDROOM APARTMENTS  
69 PARKING SPACES

1,494 SQFT  
RETAIL SPACE  
FF 115.0

STAIR TOWER #2

MECH ROOM

LANDSCAPING

LANDSCAPING

6' Fence Screening

6' Fence Screening

CAN 2 HOLLYS BE SAVED?

4.1 m. hop north  
to the vlog intake

PROPOSED TRANSFORMER PAD

WASHINGTON STREET  
(60' WIDE)

NF  
HAROLD B & RUTHANN S  
PRETTYMAN  
TP # 18-021.00-082

PROPOSED RETAINING WALL  
LESS THAN 4' IN HEIGHT

NF  
STEPHEN L ROSS