



**PLANNING & DEVELOPMENT**  
CITY OF NEWARK

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October 4, 2022

Mr. John Mascari  
Karins and Associates  
17 Polly Drummond Center  
Suite 201  
Newark, DE 19711

John,

The City of Newark's Subdivision Advisory Committee has reviewed the August 8, 2022 submission for the major subdivision, rezoning, comprehensive development plan amendment and special use permit for the proposed five story apartment building with parking garage at 532 Old Barksdale Road (PR#22-02-22). We have the following comments:

Electric Department

1. Pole 25C16 is not suitable because it does not have enough space to install a three-phase riser. A new pole between poles 25C16 and 25C21 will be installed to shorten the length of electric service to the transformer. **(Add to Utility Plan notes)**
2. The existing primary aerial lines along Apple Road need to be reconfigured to install a new service riser for the proposed building. The developer must pay all the reconfiguration costs. The cost will be calculated during the CIP phase. **(Include in Subdivision Agreement)**

Parks and Recreation Department

1. Due to the prevalence of the rose rosette disease in this area, we are recommending removing the Knockout Roses and replacing with Abelia or Rhododendron. **(Prior to Planning Commission)**

Police Department

1. *No further comments.*

Planning and Development Department

*Code Enforcement Division*

1. Comments are based on 2018 ICC Codes (as amended). All contractors shall be licensed in the City of Newark. The proposed buildings must meet all applicable Building and Fire Code requirements. Complete architectural, structural, plumbing, HVAC, electrical and fire protection drawings shall be submitted with applications for permits. **(Include in Subdivision Agreement)**
2. Final elevations, floor plan and building design shall be consistent with plans approved by City Council at time of subdivision. Significant alterations shall be reviewed and approved by City Council. **(Include in Subdivision Agreement)**
3. 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. **(Include in Subdivision Agreement)**
4. In accordance with section 310.1 the following security systems are required:
  - a. All exterior doors shall be self-closing and equipped with an approved lockable device to prohibit unlawful or unwanted entry; such devices, however, shall not interfere with required egress.
  - b. All sliding glass exterior doors shall be equipped with an approved lockable bar device.
  - c. All doorways providing access to individual units shall have an approved peephole device installed.
  - d. All public exterior passageways, including public stairways, open parking spaces and carports, parking garages, and access ways to garages and carports, must be illuminated with light having an intensity of not less than one and one-half (1½) foot candles at grade level. Such lighting, however, shall be deflected, angled, or shaded so as not to impact adjacent properties and public right-of-way.

Lighting not shown for parking lot. **(Prior to Planning Commission)**
5. An accessible route shall be provided from the proposed structure to the right of way in accordance with 2018 International Building Code Section 1104.1 (as amended). Show connection to right of way sidewalk. **(CIP)**

6. Clarify proposed slopes at building entrance. **(CIP)**
7. Clarify proposed slopes at handicap parking, slopes appear to exceed 2%. **(CIP)**
8. Fire lane shall be continuous and delineated throughout parking lot. **(CIP)**
9. Specify proposed ground sign purpose. **(CIP)**
10. A demolition permit is required for the existing building. **(Include in Subdivision Agreement)**

*Fire Protection Specialist*

1. The building will meet the requirements for Mid-Rise Construction in DSFPR 2021 Edition Section 702 Chapter 5, as it will be 50' or greater of DSFPR Section 702 Chapter 5. NFPA 13 2019 Edition Sprinkler System. **(Include in Subdivision Agreement)**
2. NFPA 14 2019 Edition Standpipe System (These may be a combination system with a single riser). **(Include in Subdivision Agreement)**
3. NFPA 72 2019 Edition Fire Alarm System. **(Include in Subdivision Agreement)**
4. 2-hour floor ceiling separation between garage ceiling and 1st floor of apartments (this based on type 2 construction/mid-rise standard, if it is type 3 it will increase to 3hr. separation). **(Include in Subdivision Agreement)**
5. Fire Lanes must comply with DSFPR 2021 Edition Section 705 and the most restrictive apparatus of Aetna Quint 10 for fire apparatus access. Chapters 4.0, 5.0, 6.0, 7.0, 8.0. **(Include in Subdivision Agreement)**
6. Need radio test from Delaware Division of Communications or a registered vendor prior to closing in walls and ceilings. **(Include in Subdivision Agreement)**
7. Fire flow Test per NFPA 921 during peak demand hours to ensure adequate and accurate fire flows. **(Include in Subdivision Agreement)**
8. Applicant to provide Knox box. **(Include in Subdivision Agreement)**
9. Must follow NFPA 101 2021 Edition of Life Safety Code New Apartments. **(Include in Subdivision Agreement)**
10. NFPA 88 A for parking structures 2019 Edition. **(Include in Subdivision Agreement)**

*Land Use Division*

1. The building, as shown in the renderings does not match what is shown on the site plans.
  - a. The footprint is different. The site plans show a uniformly rectangular building. Renderings show a building with a staggered footprint and facade.
  - b. Garage entrances. There are four indicated on the building in the site plans and three shown on the building in the renderings.

Renderings should match the building as proposed on the Site Plans. **(Prior to Planning Commission)**

2. Per Chapter 27 – Appendix XIV, parking lot lighting required by Code Enforcement Comment 4 must be shown on renderings in addition to site plans. **(Prior to Planning Commission)**
3. Entry doors must be shown in the renderings at same locations as indicated on the Site Plans. The renderings do not show any entry doors on the front of the building. **(Prior to Planning Commission)**
4. The renderings do not show the pad-mounted transformer in the west corner of the parking lot. If the perspective can be altered, it might provide line-of-site to its location. Since it is not proposed to be screened and is located in the corner of the lot near the overpass it might not be an issue in Planning Commission or Council but could come up. **(Prior to Planning Commission)**
5. Per Public Works General/Site Comment 3, if in the reconfiguration of the parking, it is determined that spaces must be removed, this determination needs to be made **prior to Planning Commission**. If this results in needing a parking waiver, that request letter and the associated \$330.00 application fee must be included in the next submission along with the relevant updates to the title, plans and Plan Data item 16 – Parking Rationale.

Public Works and Water Resources Department

GENERAL / SITE:

1. There were no [Public Works and Water Review fees](#) submitted with the Major Subdivision Plan submission. The following fees shall accompany any future submission:
  - 1.1. Sediment and Stormwater Management Review Fee: 1.33 Acres =  $(\$875 + \$275(.33)) =$   
**\$965.75**
  - 1.2. Water and Wastewater Review Fee: **\$1,100.00**

2. Sanitary Treatment Plant Fee for the proposed 54 apartments (@666.67 each = \$36,000.18) minus the credit for 5,035 SF of Commercial Space (@\$0.24/SF = \$1,208.40) will require a fee of **\$34,791.78**. This fee shall be paid prior to the issuance of any building permit. **(CIP) Fee will be included within the Subdivision Agreement.**
3. The proposed parking spaces along the back wall of the parking garage have inadequate means of ingress and egress. Consider adding a buffer space or some other means to turnaround at the end of the aisles or reconfiguring the parking stalls. Designating these stalls as “compact parking only” will not address this issue as the stalls are immediately adjacent to the wall. **(prior to Council Consideration)**
4. Trash pickup is indicated as private. Include the trash enclosure details on the Subdivision Plan. At a minimum, provide the type of material that will be used in the construction of the enclosure (i.e. masonry block). **(prior to Council Consideration)**
5. An accessible pedestrian route is required from the public right of way along Apple Road or South Main Street. The provided sidewalk through the open space and along the parking lot will need to be extended accordingly. **(prior to Council Consideration)**
6. The limit of disturbance will need to be delineated on the plan. **(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)**
9. Include the proposed addresses of the units on the plan. Coordinate addressing with Police and Aetna. **(CIP)**

#### WATER & SEWER:

1. 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](#) and submit to PWWR. **(prior to Council consideration)**
2. 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)**

3. The condition of the existing downstream sanitary manhole will need to be evaluated. If the conditions are unsuitable the manhole will need to be replaced or restored accordingly at the Developers expense. **(prior to Council consideration, include in Subdivision Agreement)**
4. There is an existing water service stub between the proposed fire hydrant connection and the proposed domestic and fire service connection that is indicated to be removed at the main. Remove this service stub from all plans showing proposed conditions. **(prior to Subdivision approval)**
5. The City's existing water line serving the subject site cannot be easily isolated should a shutdown be required as a result of the proposed construction. If a shutdown is required for the installation of the water line associated with this project, the developer shall be responsible for improvements to the existing City water main to minimize disruption to the system and customers to the maximum extent practical, to include but not limited to the installation of a new gate valve, insertion valve, or line stop. **(include in Subdivision Agreement)**
6. We recommend a proposed manhole at the change in sanitary pipe direction currently shown as a proposed cleanout as a best practice to avoid future maintenance issues. The proposed cleanout is on private property and will be the maintenance responsibility of the owner and not the City. **(Developer's Discretion)**
7. Indicate the tapping sleeves and valves at the water main connection. **(CIP)**
8. Profiles for water and sanitary sewer will be required in the CIP phase along with invert and rim elevations for sanitary sewer. **(CIP)**
9. 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. 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 wetlands are present will need to be submitted by a wetland scientist or the professional engineer of record. **(prior to Council Consideration)**

2. Per the submitted Preliminary Stormwater Management Report the project site is listed as a DNREC SIRS Brownfield. Provide PWWR with a copy of the final Plan of Remedial Action. The Subdivision Plan and Agreement will include notes and language about the site having to adhere to the requirements of the Plan of Remedial Action. **(Prior to Council Consideration)**
3. Profiles for storm sewer will be required in the CIP phase along with invert and rim elevations for storm sewer. **(CIP)**
4. As the proposed disturbance is greater than 1 acre, a Notice of Intent (NOI) must be filed with DNREC. Once an NOI number is obtained include that number within the Standard Sediment and Stormwater Notes on the Sediment and Stormwater Management Plans. **(CIP)**

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 November 1, 2022 Planning Commission agenda, **a digital copy and 15 paper copies of the final site plan and renderings** 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 Wednesday, October 12, 2022**. Once given confirmation of the scheduling of the plan for the November 1 meeting, the public notification sign must be posted by October 17, 2022. Should you have questions or need more information, please do not hesitate to contact me at (302) 366-7000, extension 2045 or [rbensley@newark.de.us](mailto:rbensley@newark.de.us).

Sincerely,



Renee K. Bensley  
Director of Planning and Development