



**PLANNING & DEVELOPMENT**  
CITY OF NEWARK

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October 31, 2022

Steve Gorski  
Verdantes  
5400 Limestone Road  
Wilmington, DE 19808

Steve,

The City of Newark's Subdivision Advisory Committee has reviewed the June 17, 2022 submission of a sketch plan for the proposed service station and convenience store at 1115 South College Avenue (PR#22-06-02). We have the following comments:

Electric Department

1. Electric service is available from South College Avenue. **(Add to Utility Plans)**
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 pad-mounted transformers.
4. Someone must contact the Electric Department with information on the transformer location and electric service needs before any costs can be calculated.
5. Add a note to the Utility Plans stating: The developer must pay all costs for materials and labor to install electrical distribution equipment and meters. The total cost will be calculated after receiving the load calculation and electrical single-line diagram. The price is subject to a yearly CPI escalation from the date of council approval. **(Lines and Grades)**
6. The developer must submit the detailed load calculation and an electrical single-line diagram for the project. **(Lines and Grades)**
7. The developer will be responsible for the cost of the electric meters.
8. Add note to the plans stating: Any oil-filled pad-mounted equipment shall be located a minimum of 10' from combustible buildings, windows, doors, and stairwells. **(Add to**

**Utility Plan notes in Lines and Grades Phase)**

9. The developer is responsible for all trenching, backfilling, and installing 2-4" conduits for underground high voltage cables. **(Add to Utility Plan notes, Lines and Grades Phase)**
10. The developer is responsible for all trenching, backfilling, and installing conduits and cables for low voltage (secondary) services. **(Add to Utility Plan notes, Lines and Grades Phase)**
11. The developer is responsible for trenching, backfilling, and installing 2-4" conduits for all underground high and low voltage cables per City standards.
12. Add note to the Landscape Plans stating: No trees growing over 18 feet at maturity can be planted within 10' of electric service pole/overhead lines. **(Add to Landscape Plan in Lines and Grades Phase)**
13. Add note to the Utility Plans stating: The developer must pay any costs needed to ensure the new smart meters will talk to the existing system. **(Lines and Grades Phase)**
14. Add note to the Utility Plans stating: The developer agrees to pay up to \$4,000 towards problem interference if the building is found to interfere with the City's smart metering system for electric meters when completed. **(Lines and Grades Phase)**

Parks and Recreation Department

1. No landscape plan was included with the submittals, a landscape plan will be required.

Police Department

1. Architectural – Eliminate external “blind corners” if possible (rear left corner of building), otherwise, ensure any blind corner is lighted and covered by a security camera.
2. Security / Lighting (Exterior) – Vandalism resistant LED lighting and security cameras at each entrance point. Sufficient LED lighting to eliminate “blind spots” in all parking lots, with no light encroaching on to neighboring properties. Security Cameras to cover all gas pumps and the parking lot.
3. Security (Interior) – Security cameras properly located to capture all cash registers and counter areas as well as all entrance and exit points.
4. Storage – Secured storage area for any maintenance / refuse related equipment or materials.

5. Landscaping – Canopy trees / vegetation should be of the variety that will limit leaves / vegetation from ground level to 72”, to allow for a natural line of sight to all areas from the street & compliant with comments from Parks & Recreation.
6. Landscaping - Any rock material used for landscaping / decorative purposes should be smaller than 1” in size.
7. Addressing – Clearly marked and illuminated address markings, at least 6” in height, visible from the street, for each entrance. ***The address for this property shall be 1115 South College Avenue.***

#### 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.
2. 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).
3. Detectable warnings shall be provided as required at curb ramps and flush curbs (none shown).
4. All proposed structures shall be provided with automatic sprinkler protection as required by 2018 International Fire Code Section 903 (as amended).
5. Separate water services shall be provided for sprinklers and domestic water.
6. Show all proposed utilities on Lines and Grades plans when submitted.
7. DNREC approval for underground tanks shall be submitted with building permit application.
8. A demolition permit is required for the existing building.

##### *Fire Marshal*

1. Update Note #8 to reflect 2018 IFC and 2021 Delaware State Fire Prevention Regulations.
2. Install NFPA 13 Sprinkler System per 2019 edition.

3. Install NFPA 72 Fire Alarm system per 2019 edition. Exterior strobe mounted on address side of building.
4. NFPA 30A 2021 edition must be followed as applicable for motor fuel dispensing facilities.
5. If truss construction is used, it must be marked with applicable signage.
6. Knox box is required to be installed.

*Land Use Division*

1. This plan does not appear to require a subdivision as submitted.
2. Planning has determined that the proposed use in its current configuration is a service station according to Section 32-4.(a)(6) *Automotive gasoline service station*, requiring a Special Use Permit and subject to Sect 32-19.(1)(b)(1) which is attached and highlighted. As the property is one acre, the application for a Special Use Permit will be required to go through the Planning Commission.
3. Special Use Permit application and \$1,000 application fee will be required for an automobile service station in the BC district. **(Prior to Planning Commission)**
4. Per Comment 2, the proposed gas pump canopy is closer than 300ft to the structure of another gas station measured along the street line between the two structures. It may be possible to reconfigure the site to locate the pumps along the side to meet the 300ft distance requirement. Please indicate where 300ft from the nearby gas station falls on the site plans. **(Prior to Planning Commission)**
5. In reviewing the proposal from project counsel, staff agrees that all four criteria in the automotive gasoline service station definition must be met for that to be an applicable standard and that if the property were to be voluntarily deed restricted to remove the “oil, and minor accessories and services for automobiles at retail direct to the consumer”, then the project would no longer come under the definition of an automotive gasoline service station. Once those deed restrictions are in place, staff believes at that point that the use would qualify for a Special Use Permit under Section 32-19(b)(19) as “accessory buildings or structures, with impact, and accessory uses, with impact”. The Special Use Permit process with the Planning Commission outlined in Comment 2 and the application and fee outlined in Comment 3 would apply to this application as well. **(Prior to Planning Commission)**

6. Per Comment 2, the proposed building marked “Convenience Store” is closer than the minimum 25ft to the northeast property line required by Section 32-19(b)(1)e. **(Prior to Planning Commission)**
7. Exterior lighting shall be shielded so that it is directed away from adjacent properties and from passing motorists. Please add note to plans. **(Prior to Planning Commission)**
8. Outline the correct parcel in the Location Map on Sheet 1. **(Prior to Planning Commission)**
9. As currently submitted and reviewed by Planning Commission, plans for 1119 South College Avenue show 263 parking spaces provided by the two hotels on adjacent properties. Please amend parking rationale. Project still meets requirements. **(Prior to Planning Commission)**
10. A cross access easement between this parcel and any other parcels that involve shared parking for this project will be required. **(To be submitted prior to first building permit)**

Public Works and Water Resources Department

GENERAL / SITE:

1. Include PDFs of all documents provided in each submittal. This includes checklist, applications, plans, reports, etc.
2. The age and condition of the existing on-site stormwater facility will need to be evaluated to determine whether the project will need require additional stormwater improvements.
3. Identify the site benchmark on the plan.
4. 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 pre- and post-development AADT.
5. Proposed bike racks and bike parking counts will need to be added to the plans in any future Lines and Grades Plan submission.
6. The bike racks and rack layout will need to conform to the City of Newark Bicycle Plan and DelDOT standard detail M-4.
7. It is highly recommended that the developer submit for a Letter of No Objection to Recordation (LONOR) from DelDOT as soon as possible to prevent any delays in the plan

review process (Lines and Grades phase). LONOR shall be provided concurrently with any future Lines and Grades Plan submission.

8. A list of all utility owners shall be added to the Cover Sheet as part of the Lines and Grades submission.
9. Provide adjacent property owner and zoning information for all properties within 200 feet of the proposed project.
10. ADA compliant sidewalks, curb ramps, and parking will be required for the entire project site including existing parking areas. The existing handicap parking and ramps will likely need to be improved to allow for an accessible aisle adjacent to the parking spaces.
11. Show, and label the size and material, of all proposed and existing utilities impacted by the project.
12. Provide details for how proposed utilities will connect to existing utilities. For example, manholes shall be core drilled and water taps shall be specified with the appropriate fitting.
13. Show existing and proposed contours.
14. Monuments shall be placed at corners, angle points, points of curve, or intermediate points to mark the physical location of property. Location of all monuments must be shown on the plans. Monuments shall be stone or concrete and have a flat top at least five inches in diameter or four inches square, and at least 36 inches in length. Any existing monuments that do not meet this requirement will need to be replaced and indicated as such on the plans.
15. Provide a Landscape Plan for review during the Lines and Grades Plan review phase.

#### WATER & SEWER:

1. An Approval to Construct will be required from the Office of Drinking Water. A copy of the approved permit shall be provided to the City prior to Lines and Grades approval.
2. Individual water meter(s) will need to be provided. The developer will be responsible for the cost of the meter. The city will determine the size of the meters based on the anticipated peak demand (in GPD) in coordination with the developer.
3. All fire and domestic water services shall have individual valves located at the edge of the right of way or back of sidewalks on private drives.

4. The required sprinkler flow rate for the building will need to be provided on the Lines and Grades Plan submission.
5. A hydrant flow test will be required to verify the flow rate and system pressure are consistent with the basis of design. Please submit a fire flow test request to PWWR.
6. Provide a wastewater flow generation summary on the future Lines and Grades Plan to show existing and proposed average and peak wastewater flows using New Castle County Department of Special Services flow generation standards.
7. Projects that generate more than 2,000 gallons per day average sewer flow require a DNREC Construction of Wastewater Collection and Conveyance Systems permit.
8. Existing tops and inverts of all storm and sanitary structures will be required to be shown on the Subdivision plans.
9. A Sewer Treatment Plant (STP) fee will be required. A credit will be available for the existing building that is to be removed. STP fee shall be paid prior to receiving any building permit.
10. Add the following notes to the plan if they are not already included:
  - a. All Construction shall be per the most current City of Newark Standards and Specifications, Building Code, and Fire Code.
  - b. Project shall comply with all notes and conditions of the "Construction of Wastewater Collection and Conveyance Systems" permit as issued by the Department of Natural Resources and Environmental Control (DNREC).
  - c. 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 well in advance of expected occupancy to avoid delays.
  - d. 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 Director or their designee.
  - e. 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.
  - f. An individual water meter will be provided for the building. The developer will be responsible for the cost of the meter and the meter pit. The City will determine the size of the meter in coordination with the developer. Meter pit shall be Mueller Thermal-Coil, 42" depth, with integral dual check valve, and 4" insulation pad. The lids for all meter pits shall be H-20 rated unless otherwise approved.

- g. The Developer shall pay fees associated with the new water meters prior to issuance of any building permit.
- h. All water valves shall be Mueller unless otherwise approved by the City of Newark Public Works and Water Resources Department.
- i. Sprinklers are required in all units and all fire protection systems shall be submitted to the City of Newark Fire Marshal's office for review and permitting prior to issuance of building permit.
- j. The required fire protection flow rate for the building is \_\_\_\_\_ GPM.
- k. The Developer shall pay the Sewer Treatment Plant (STP) fee for the project prior to issuance of a building permit.
- l. All on-site storm sewer and sanitary sewer is private. On-site manholes shall not have "Newark" anywhere on the lid.
- m. The Developer will be responsible for the installation of additional transmission equipment should the proposed building negatively affect the performance of the City's wireless meter reading system.
- n. A Blue Card holder will be on site at all times during construction to ensure all sediment and stormwater regulations are adhered to.
- o. A concrete washout area shall be installed by the contractor and approved by the Public Works and Water Resources department.

#### STORMWATER:

1. PDFs of all stormwater management reports and plans must be included with each submittal.
2. A Sediment and Stormwater Program Project Application Meeting will need to be scheduled with the City's Planning and Design Engineer (Mike Falkowski, [mfalkowski@newark.de.us](mailto:mfalkowski@newark.de.us)).
3. The approach to stormwater management for the site will be further discussed during the SAS Project Application Meeting.
4. Identify on the Lines and Grades Plan, the location of the proposed underground stormwater management facility mentioned in the SAS Report.
5. Provide an explanation within the SAS Report narrative explaining the Well Permits included in Exhibit 6. Are these monitoring wells associated with a nearby contaminated site?
6. The site will be required to meet both Delaware Sediment and Stormwater Regulations



(DSSR) and City of Newark Drainage Code.

7. 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 pre-development peak discharge rates for the 2, 10, and 100-year frequency storm events.”
  - 7.1. Provide 2-year storm event analysis within the SAS report.
8. Update the HydroCAD models to utilize the NOAA Rainfall Distribution Curves in accordance with DNREC Sediment and Stormwater Program Regulatory Guidance Memorandum 1.
  - 8.1. Be aware, while the NOAA Rainfall Distribution Curves are to be used the regulatory rainfall amounts are still 2.7” for RPv, 4.8” for Cv and 8.0” for Fv.
9. Update the HydroCAD model to resolve “Hints” and “Warnings”.
10. 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.
11. Provide an overall Limit of Disturbance (LOD) delineation on the plans. This should include all utility work outside the right-of-way, if required.

This sketch 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 2045.

Sincerely,



Renee K. Bensley  
Director of Planning and Development