



PLANNING & DEVELOPMENT
CITY OF NEWARK

220 South Main Street · Newark, Delaware 19711
302.366.7000 · Fax 302.366.7160 · www.cityofnewarkde.us

April 20, 2018

Mr. Christopher Duke
Becker Morgan Group, Inc.
250 South Main Street
Newark, DE 19711

Dear Mr. Duke:

The City of Newark's Subdivision Advisory Committee has reviewed the major subdivision plan you submitted on February 15, 2018 on behalf of your client for the proposed development of Charlotte's Way at 515 Capitol Trail.

We have the following comments:

Electric Department

1. Electric Service is available from Capitol Trail.
2. DP&L owns the existing pole 10C48. The developer must contact DP&L and get approved to use pole 10C48 to supply electric service to the site. The developer must pay all the cost to use DP&L pole.
3. Electric service will be underground from pole 10C48. One (1) padmount transform will be set on front right corner of unit 10 if facing from the parking lot and another padmount transformer will be set on front left corner of Unit 1 if facing from the parking lot. Developer is responsible for trenching, backfilling, installation of 2-4" conduits for all underground high voltage cables from padmount transformers to pole 10C48 to City standards. Developer to supply and install underground secondary cables and conduits from padmount transformer to above ground pedestals and from above ground pedestals to meter boxes.
4. Electric meters must be individually located on each unit. Adequate space for padmount transformer and above ground pedestals must be supplied and shown on the developers drawing to ensure no conflict with water and sewer lines. Electric utility equipment must be located behind the sidewalk. Concrete sidewalks to front doors must be shown on prints.

5. Developer must pay for transformers, meters, above ground pedestals and labor needed to supply electric service to the site. Costs to be determined and price will be subject to a yearly CPI increase. Costs to be determined after final load calculations are received.
6. An open utility easement must be granted and listed on the print.
7. Developer must pay any costs needed to ensure the new smart meters will talk to the existing system.

Parks and Recreation Department

1. 515 Capital Trail, Rezoning Major Subdivision PR#18-02-01, we will require the Developer to pay \$450 per unit for a total of \$4,500 for cash in lieu of land as per Chapter 27, Appendix VI of the Code of the City of Newark, Delaware.
2. No landscape plan was submitted at this time. Please refer to Chapter 32 Zoning Article XXV landscape screening and treatment and to Subdivisions, Appendix VI Playgrounds, Recreation Area Requirements. We will comment further once a landscape plan is submitted.

Police Department

1. The Traffic Unit has a concern with respect to additional vehicles expected to make a U-Turn from E/B Capitol Trail at Anna Way. We have found it to be difficult at best during daily driving and find that many people utilize a portion of the Windy Hills Professional Center parking lot to successfully execute the maneuver. Encouraging additional traffic to do so would likely, and legitimately, elicit concerns from The Windy Hill Professional Center.

Our suggestion would be to consider placing the Charlotte's Way adjacent to the eastern property line, and the buildings to the west, which may allow sufficient room for vehicles to make a standard left hand turn from eastbound Capitol Trail directly onto Charlotte's Way. This scenario may require a minor reduction in size of the existing raised median to allow the proper radius for a turn into Charlotte's Way, however, this would be our preferred course of action over allowing U-Turns that are likely to become 3-point-turns more often than not. This recommendation is also made with the consideration that there may a possibility for additional development in the parcels immediately to the west of this proposed development which could potentially utilize this common entrance.

Planning and Development Department

Code Enforcement Division

1. From an overall designed standpoint, Code Enforcement recommends that this site be redesigned to eliminate the single row of 10 townhouses and examine the possibility of three and four packs of homes. A defined easement is necessary to be shown along the rear of the property to allow access to the middle units;
2. The following comments are based on 2012 ICC Codes. All contractors shall be licensed in the City. The proposed buildings must meet all applicable Building and Fire Code requirements. Complete architectural, structural, plumbing, HVAC, electrical and fire protection drawings required for review prior to permits. Building Height and Area will be determined by type of construction;
3. The architectural plans will need to match the architectural rendering/elevations submitted for the project. Confirmation that the elevations will match the rendering will need to be done at the time of architectural plan review. Code recommends that draft floor plans be presented to avoid issues during site plan review;
4. Demolition Permits required for existing structures. Proper abatement and disposal of any hazardous materials identified in the Environmental Survey to be done by registered abatement contractor. Site must be enclosed with proper barrier during demolition to ensure public safety. Demolition plan and sequence of events to be prepared and submitted by a licensed professional engineer. Pre- Demolition and Pre-Construction meetings are required;
5. All buildings, uses and parking to comply with the 2009 ANSI 117.1; Accessibility Standards;
6. Compliance with LEED requirements as adopted by the City will be required;
7. Fire Marshal plan required for review. Comments based on 2012 International Fire Code, 2015 Delaware State Fire Prevention Regulations and the 2015 NFPA Life Safety Code. Complete fire protection plans must be submitted for review. Fire Lanes and Fire Department turn around shall be labeled on the plan and turning radius shall meet the standards to the most stringent piece of equipment within Aetna Hose Hook and Ladder fleet. Fire sprinklers required for all buildings. A fire hydrant shall be added to the main entrance of the complex.

Land Use Division

1. Lots 2-9 do not meet the minimum lot size requirement per Section 32-13(c)(1). Lots 2-9 require a 925 ft minimum lot area variance. Need to either receive a variance or apply with Site Plan Approval.
2. If applicant intends to utilize Site Plan Approval - A table with all requested deviations from Zoning Code for Site Plan Approval should be included in the Subdivision Plans
3. Plan title should include, at a minimum, Rezoning and Major Subdivision (and Site Plan Approval if appropriate)
4. Plan includes info in Bulk Requirements indicating the minimum lot size is 1,545 square feet. This is incorrect. The actual minimum lot size for interior units of row houses is 2,725 per Section 32-13(c)(1). Only in special circumstances of Site Plan Approval (Sec. 32 Article XXVII) can lot size be as low as 1,545 square feet.
5. Plan does not include building height. Building height can not exceed 35 feet. Building height should be specified on the plans.

Applicant should be aware of Zoning Codes definition of building height. Height is not measured to top of roof, only to average height of roof.

Height of a building: The vertical distance from grade plane to the average height of the highest roof surface. The average highest roof surface is further defined as the midpoint between the highest roof eave and its highest roof ridge.

6. Plan does not indicate number of bedrooms per unit, but indicates there are 2 parking spaces required per unit. If bedroom count is 3 or less per unit the parking provided meets requirements.
7. Plan should indicate number of bedrooms per unit.
8. No bike parking facilities are shown, but 4 bike parking spaces are required by code. Bike parking spaces that conform to the City Bike Design Guidelines, or garages be adequately sized to accommodate bikes and trash/recycle cans in addition to cars if possible.
9. Plan should indicate Newark Project Number PR#18-02-01

Public Works and Water Resources Department

GENERAL SITE:

1. A SAS checklist shall be submitted prior to, or concurrently with, any future Subdivision Plan submissions. A project Application Meeting will need to be scheduled with the City's Planning and Design Engineer (Ethan Robinson, Phone: (302)366-7000).
2. Add the project number "18-02-01" to the plans.
3. Sketch Plans shall include significant planimetric, topographic, and physical features. Significant planimetric feature would include existing utilities to be tied into.
4. Provide location and details for connection to City water and sewer. Utility easements will be required and should be shown on the future Subdivision Plans.
5. There is a jog on the northern property boundary along Capitol Trail. Can this be eliminated as part of the project?
6. Correct the spelling of Capitol Trail on the plan.
7. Revise General Note No. 13 to reference Capitol Trail or eliminate note.
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.
9. Existing and proposed contours must be shown on the plan. This can be done on the Utility Plan or a separate Grading Plan during the Subdivision Plan process. Separate grading and utility plans will be required during the CIP phase.
10. Provide existing topography, proposed contours, and additional spot elevations at high and low points, building corners, tops of structures and any other critical elevations to help determine surface water flow directions.
11. The names of all property owners of unsubdivided property within 200 feet of the extreme limits of the subdivision as their names appear in the tax records need to be shown on the plan. The property information may be provided in table form.

12. The plans currently indicate the right-of-way is to be dedicated to public use and state maintained. It seems unlikely that the proposed road will be state maintained. Has this been discussed with DeIDOT?
13. Refuse collection for the subject site shall be private. There is currently no adequate turnaround provided to accommodate a City trash truck. Specify how refuse collection will be addressed on the plans.
14. One (1) bicycle parking spot is required for every five (5) off-street parking spots required. Add the Bicycle parking rationale to the Site Data column.
15. Provide the location of the proposed bike rack(s) on the plans. 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”. Please note that the detail for both the rack itself and the spacing of the rack layout is required.
16. Show any existing trees on the property and specify their removal if applicable. See Parks and Recreation comments for more details.
17. It is highly recommended that the Developer submit for a “Letter of No Objection to Recordation” (LONOR) from DeIDOT as soon as possible to prevent any delays in the plan review (Subdivision Plan and CIP phases). DeIDOT LONO should be provided concurrently with any future CIP submission and must be furnished to the City prior to CIP approval.
18. ADA compliant sidewalks, curb ramps, and parking will be required for the entire project.

WATER & SEWER:

1. Show existing water mains and services pertinent to the project. There is an 8” main in the west bound travel lane of Capitol Trail. The main is stubbed out just to the east of the water valve that is shown on the plans in front of the proposed entrance road. Show proposed water main with individual domestic and fire services to each home and a meter pit on the domestic service line.
2. Our field investigation identified that there is an existing on-site well on the property. If a well is not used for its original intended purpose, then DNREC will declare it abandoned and order it sealed. The well shall be properly sealed by a well driller in accordance with the most recent edition of DNREC’s Regulations Governing the Construction and Use of Wells.
3. The proposed homes are required to have sprinkler systems. A separate fire service is required for each unit.

4. All fire and domestic water services shall have individual valves located at the edge of the right of way.
5. Water services to new construction are required to have Mueller Thermal-Coil meter pits and standard City meters and transmitters for sewer billing purposes. Show the meter pits on the plan and label them accordingly.
6. Any dead ends to the proposed main will require a 2" blow off.
7. A hydrant flow test will be required to verify the flow rate and system pressure are consistent with the basis of design. Contact the Public Works and Water Resources Department to schedule a flow test at a cost of \$300 per test.
8. The Developer shall provide a set of water system drawings in accordance with the State Department of Health Drinking Water Standards for their review and approval. A copy of the approval letter (Approval to Construct) shall be provided to the City prior to CIP approval. A copy of the "Approval to Operate" from the Department of Public Health shall be provided to the City prior to the issuance of any certificate of occupancy.
9. Provide the City of Newark with a signed and sealed copy of the Department of Public Health (DPH) approved water as-built plans within 30 days of DPH approval. Delaware State Plane Coordinates shall be provided for all fittings, valves, bends and hydrants.
10. Provide size, material, and invert elevations for all proposed and existing sanitary sewer manholes, mains, and laterals. The existing sanitary manholes immediately upstream and downstream from the tie-in location will need to be shown on the plan. There is an 8" sanitary main on the eastbound side of Capitol Trail (opposite side of the proposed subdivision). It continues east where it crosses Capitol Trail on the eastern corner of the adjacent parcel for the Windy Hills Professional building (parcel 1801000006) and continues along the eastern edge of that parcel. From there it connects to the White Clay Creek 30" interceptor which runs along the White Clay Creek.
11. Projects that generate more than 2000 gallons per day of average sewer flow require a DNREC "Construction of Wastewater Collection and Conveyance Systems" permit. Plans which do not meet the 2,000 gallons per day threshold shall be submitted to DNREC but do not need to submit the accompanying permit application and review fee. A copy of the approved permit shall be provided to the City prior to CIP approval.
12. Provide the City of Newark with a signed and sealed copy of the DNREC approved sanitary sewer as-built plans within 30 days of DNREC approval. Delaware State Plane coordinates shall be provided for all manholes, lateral connections, and cleanouts. Diameter and depth shall be provided for all cleanouts.

13. Add the following notes to the plan:

- a. *"The required fire protection flow rate for the building is _____." The required sprinkler flow rate for each building will need to be provided with the Subdivision Plan submission.*
- b. *"The Developer shall paint all existing and proposed fire hydrants associated with this project to reflect the flow capacity and apply 2 inch reflective tape in accordance with the State Fire Code."*
- c. *"Individual water meters will be provided for each dwelling and/or commercial unit. The developer will be responsible for the cost of the meters and the meter pits. The City will determine the size of the meters in coordination with the developer. Meter pits shall be Mueller Thermal-Coil meter pits in accordance with the latest City of Newark Water and Wastewater Standards and Specifications."*
- d. *"The Developer shall pay fees associated with the new water meters prior to issuance of any building permit."*
- e. *"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."*
- f. *"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."*
- g. *"Unused water and sewer services shall be terminated at the utility main unless a more suitable location is determined by the PWWR Department during construction."*
- h. *"All on-site storm sewer and sanitary sewer is private. On-site manholes shall not have "Newark" anywhere on the lid."*
- i. *"The Developer shall pay the Sewage Treatment Plant (STP) fee prior to receiving a building permit." A credit for any existing structure will be given when determining the STP fee.*
- j. *"Any sanitary sewer laterals proposed to be reused shall be visually inspected (televised) by the Developer and approved for re-use by the Public Works and Water Resources Department."*

STORMWATER:

1. This is a redevelopment project that shall comply with the latest Delaware Sediment and Stormwater Regulations. As a redevelopment project, runoff reduction practices shall be employed to achieve a 30% reduction in the effective imperviousness based on the existing conditions.
2. Redevelopment 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. There is no record of an NOI Project ID for this project. Add the NOI Program ID to the Plan.
3. A soil investigation will be required on the site to determine if infiltration is an option for stormwater Best Management Practices (BMPs). The location of infiltration tests shall be provided on the plans.
4. Provide the DNREC Preliminary S&S checklists with report concurrently with any future Major Subdivision Plan submission.
5. Pipe size, material, slope, and inverts will be required for all existing and proposed storm sewer piping and tops and inverts of all existing and proposed storm sewer structures will be required to be shown on the Subdivision Plan. The same information will be required for any existing pipes or structures immediately upstream or downstream to any pipe or structure that the proposed system is tied into.
6. There appears to be grading and significant disturbance proposed within the 50-foot floodplain buffer. Per City Drainage Code, Appendix II, a 50-foot buffer beyond the special flood hazard area (SFHA) shall remain undisturbed unless the disturbance is a permitted use.
7. Maintenance of any drainage facility, stormwater management structure, or watercourse originating and partially or completely on private property is the responsibility of the owner to the point of open discharge at the property line or at a communal watercourse within the property or the point of piped discharge into a closed communal system which has been accepted by the city or communal watercourse.
8. Show the location of downspouts and roof leaders on the plans.
9. Provide a delineation of the Limit of Disturbance on the plans and indicate the disturbed area in square feet and acres on the plan.

Mr. Christopher Duke
April 20, 2018

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This Subdivision Plan review is solely based upon the information and details provided in the submitted documents. Additional comments may be generated during any future submission or CIP phases.

I hope you find this information helpful. Should you have questions or need more information, please do not hesitate to contact me at 366-7000, extension 2040.

Sincerely,



Mary Ellen Gray, AICP
Planning and Development Director

MEG/tf