



PLANNING & DEVELOPMENT
CITY OF NEWARK

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January 9, 2019

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 September 26, 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 Trial.
2. DP&L owns the existing pole 10C48. The developer must contact DP&L and get approval 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 transformer 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.
8. The existing utility poles must be shown on the developers drawing.

Parks and Recreation Department

1. Include the City of Newark Typical Tree Planning Detail sheet that is attached on the Landscape Plan.
2. The landscape plan also needs to include Sec. 32-89 Installation and maintenance of landscape that refers to the 120% landscape value security instrument.
3. Developer will be required to pay \$700 per townhouse unit for a total of \$7,000 for cash in lieu of land (open space) as per Chapter 27, Appendix VI of the Code of the City of Newark, Delaware.
4. There are an excessive amount of Arborvitae (22) shown on the plan for landscape screening along the driveway. We suggest removing 14 Arborvitae and replacing with 7 Boxwood (*Buxus sempervirens rotundifolia*) and 7 Prague Viburnums (*Viburnum progense*)

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 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. 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;
2. 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;
3. Demolition Permits are 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;
4. All buildings, uses and parking to comply with the 2009 ANSI 117.1; Accessibility Standards;
5. Compliance with LEED requirements as adopted by the City will be required;
6. 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. It appears that that the turning radius at the end of the street will not 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 along with the hydrant that is shown halfway down the street;

7. The applicant should consider designing the side of unit 10 to be the front entrance as to make the unit aesthetically pleasing and in keeping with the general character of the existing housing that fronts Capitol Trail. The front and rear façade of each townhouse unit should use a diversity of materials for aesthetics. As shown the houses lack this diversity and character.

Land Use Division

1. Groups of buildings are 12 feet apart with 25 foot separation required. Buildings are 13 feet too close to each other. Would require a 13 foot variance. Required variance should be included in Site Plan Approval Deviation table.
2. Lots do not meet required minimum lot size. Required variance should be included in Site Plan Approval Deviation table.
3. All lots meet coverage requirements except lot 2. Lot 2 should be expanded, or 3.7% deviation for lot coverage should be added to Site Plan Approval Data Column
4. Lot width of end units is shown as 26 feet – does not meet requirement of 41 ft minimum. Minimum lot width of end units must be added to Site Plan Approval Data Column.
5. 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. Table should include the Code requirement, what the plan provides, and the deviation requested.
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.

Site Plan Approval

5. As approval is being requested based on the Site Plan Approval provision of the Code per Chapter 32 Article XXVII, the applicant must provide rationale for distinctiveness and excellence of site arrangement and design as required in Sec.

32-97.- Purpose. Per this Code provision *“Site plan approval shall be based upon distinctiveness and excellence of site arrangement and design and including, but not limited to:*

- (1) Common open space;*
- (2) Unique treatment of parking facilities;*
- (3) Outstanding architectural design;*
- (4) Association with the natural environment including landscaping;*
- (5) Relationship to neighborhood and community and/or;*
- (6) Energy conservation defined as site and/or construction design that the building department has certified meets or exceeds the 'certified' level as stipulated in the LEED (Leadership in Energy and Environmental Design) United States Green Building Council Program or a comparable building department approved energy conservation program.”*

Further, towards this end of meeting the Site Plan Approval provision, staff recommends the following:

- Additional architectural features/design that reflect “distinctiveness and excellence of site arrangement and design” in the proposed buildings
- The end unit face Capital Way
- Provide a 20’ landscape buffer in common space along the eastern edge of the property
- Provide additional landscaping in open space along Capitol Trail and the western edge of the property if feasible
- Reforest the 50’ buffer area

Also, more detail will be required to verify the design is in conformance with Sec. 32-98.3, particularly the proposed building materials.

9. As the applicant is requesting approval by Site Plan Approval, explanation of distinctiveness and excellence of site arrangement and design, as described in Sec. 32-97 (a) should be clearly provided by the applicant. Also, detail will be required to verify the design is in conformance with Sec. 32-98.3, particularly the proposed building materials.

Public Works and Water Resources Department

GENERAL SITE:

1. Clarification was requested in the SAS project meeting regarding the previously submitted wetlands report. The report states no wetlands on the site however

references possible Waters of the United States in the “drainage channel which passes through the site”. Further clarification is needed.

2. Add the following note, “The proposed subdivision road shall be privately maintained by the maintenance corporation. When the road requires structural or functional restoration, the maintenance corporation may petition property owners to have the road repaired as part of the City’s annual street contract with a 51% majority vote by property owners to have the City make the necessary repairs. Each homeowner will be responsible for their proportional share of the road restoration costs for the subdivision. The payment for these improvements may be made over a period of five years from the date of completion, provided at least one-fifth of the total cost is paid each year, and that interest at the rate of 12% per annum shall be charged on the unpaid principal balance and shall be paid concurrently with the principal payments.” This condition should be included in the executed deed for each parcel. **(Subdivision Agreement)**
3. The Applicant has expressed interest in having the City be responsible for refuse collection for the site. A note shall be added to the plan stating, “Any damage to the private road that may result from refuse collection vehicles will be the sole responsibility of the maintenance corporation.” **(Subdivision Agreement)**
4. The department strongly encourages the developer to provide additional exterior bike parking. It is likely that these units will be rented by students who are more inclined to store their bicycles outside as opposed to in a garage and furthermore, may have visitors who won’t have access to the garages. The bike racks and rack layout will need to conform to the City of Newark Bicycle Plan and DelDOT Standard Construction Detail M-4 – “Bike Rack Layout Details”. Include the detail for the rack layout on the plans and ensure the rack and pad shown in plan view conforms to the required layout and spacing. Update the Parking Calculation data column on the Cover Sheet accordingly. **(Add similar language to Subdivision Agreement to require bike racks)**
5. The project proposes the construction of a stormwater management facility within the riparian buffer on the subject site. Chapter 27, Appendix III-Section II.d.(2) of the municipal code of ordinances prohibits soil disturbance by grading, stripping or similar practices within a the 50-foot wide riparian buffer area as measured from the top of the banks of the blue line streams and 50 feet from beyond the special flood hazard area (SFHA). Approval of this subdivision plan would include the approval of the proposed bioretention area located within the riparian buffer area. Staff has no objection to the proposed facility and offers the proposed improvements for mayor and council consideration.

WATER & SEWER:

1. The full extent of the existing water and sewer mains are not shown on the plan. A GIS map is attached for your reference. Show the full extent of both utilities on future submissions.
2. There are various water system details referenced on the plan as “see detail sheet” however there is not detail sheet. Add the appropriate City of Newark details to the plans.
3. The plans specify 1” domestic water services. A ¾-inch domestic water service is generally adequate to provide domestic water flows to single family townhomes.
4. Add a note to General Notes on Sheet C-301 stating, “The site water main shall be private beginning at the gate valve located at the Capitol Trail right of way and terminating at a 2” blowoff to be located at the terminal end of the main. **(Subdivision Agreement)**
5. All fire and domestic water services shall have individual valves (curb stop and box) located at the edge of the right of way. Water meter shall be located 2-feet beyond right-of-way on the building side. Revise domestic water system notes W-5 and W-7 accordingly. **(CIP)**
6. Revise note domestic water system note W-7 to specify the installation of a 2” blow off. **(CIP)**
7. 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.
8. The plans appear to propose gravity sanitary sewer to collect and convey wastewater flows from the subject site to the City’s wastewater collection system located in Capitol Trail. It is unlikely that a gravity collection system will be feasible to convey flows to Capitol Trail based on the existing and proposed site topography. Additional invert elevation will be required to verify gravity collection and conveyance to Capitol Trail is feasible for the site. A low pressure sanitary sewer system (LPSS) may be necessary.
9. As previously discussed, there is an alternative sanitary sewer tie in location that would avoid having to enter the DelDOT right of way. The 8” sanitary 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. The manholes for this run are shown on the plan but the sanitary segments in between them are not.

10. Field observations of the existing sanitary manhole shown on the plans on the northeast corner of the that parcel indicate an existing lateral that shall be abandoned. Show the location of the existing lateral and add an annotation indicating it shall be terminated and plugged at the manhole.
11. Regardless of sanitary sewer tie-in location, the condition of the downstream manhole will need to be inspected and it is likely that the manhole will need to be replaced. Add a note stating, "The Developer shall be responsible for the rehabilitation or replacement of the existing manhole downstream of the project as directed by the Public Work and Water Resources Department."

STORMWATER:

1. The design narrative indicates the RPv is met by the proposed bioretention area with underdrain however, the pond storage volume considers storage volume above the secondary outfall which will allow runoff to bypass the biomedial altogether and not be treated. The size of the bioretention will likely need to be increased slightly to meet the RPV requirements for the site. Provide the cumulative volume of the facility at an elevation of 59.75, the elevation of the secondary outfall. This can be completed during the CIP phase of the project. **(CIP)**

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