



PLANNING & DEVELOPMENT
CITY OF NEWARK

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

July 11, 2019

Mr. Colm DeAscanis
CDA Engineering
6 Larch Avenue, Suite 401
Wilmington, DE 19804

Dear Mr. DeAscanis:

The City of Newark's Subdivision Advisory Committee has reviewed the subdivision plan revisions plan for the proposed apartments at 321 Hillside Road submitted on June 14, 2019 by CDA Engineering.

We have the following comments:

Electric Department

1. Electric Service is available.
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 padmounted transformers.
4. Someone must contact the Electric Department with information on transformer location and electric service needs before any costs can be calculated. 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.
5. No trees growing over 18 feet at maturity can be planted near the electric service pole.
6. The Developer installs all underground conduits for high voltage and low voltage cables to City standards.
7. The Developer installs all underground low voltage cables to City stands.

8. The developer must dig and backfill all trenches for the underground high voltage and low voltage cables to City standards.
9. Individual electric meters will be required for each commercial unit. The developer will be responsible for the cost of the electric meters.
10. All metering shall be grouped together and be arranged so that the service for each unit can be properly and independently controlled from a point readily accessible to the City. Additionally, each meter shall be permanently marked with the address served by that equipment. The interior of meter boxes shall also be marked appropriately.
11. All meters on townhouses shall be mounted on the side of each building. The developer must contact the Electric Department with information on meter locations.
12. The developer must provide a minimum of 15' of access road on the back side of the project for utility trucks to do the maintenance on City's power line. If the access road can not be provided, then the developer must pay all the associated cost to put all the aerial power line and communication lines on the south side of the property underground.
13. The developer must pay any costs needed to ensure the new smart meters will talk to the existing system.

Parks and Recreation Department

1. On sheet #1 of 2, under the "Shrubs" list Fringetree (*Chionanthus virginicus*) is listed as one of the proposed shrub types. Fringetree is related to Ash and EAB has been found in Fringetree. The Fringetree should be removed from the proposed list.
2. Also, on sheet #1, Hackberry (*Celtis occidentalis*) is shown as a planting tree type for under utility lines. This species will get much too tall to be located under power lines. This is however a very urban/heat tolerant tree and suggest moving it to the "M" designation list for taller trees.
3. On sheet #2 in the top left corner is a list of all the trees 18" or greater to remain with no disturbance. Trees J and K are listed but the locations are not shown on the plan, we need to know their location.
4. Located on the east side of the site are 4 Honey Locust to be saved but a note on the plan states "No Protection Fence is to be Proposed". If these trees are to remain, then a tree protection should be erected. The plan does not show the parking area being enlarged so the tree protection should not be eliminated.

5. A more detailed planting plan must be completed detailing all of the tree/shrubs and their exact locations on the plan.

Police Department

1. Plans must include addresses as approved by City of Newark Police Department.
2. Building Permit plans must include City of Newark Police approved room numbering before first building permit is approved.

Planning and Development

Code Enforcement Division

1. See attached memos and emails for comment to applicant and applicant responses to the Code Enforcement comments below. Note that there may still be some egress issues from some bedrooms with no windows.
2. A Demolition Permit is required for each existing structure.
3. Separate building permits are required for each proposed building.
4. Proposed building A does not meet egress requirements. Provide floor plan for 3rd floor. Second floor layout shows no entry door to second stair. A wall is shown separating beta and gamma units on south end of building. Dead end corridor exceeds permitted length. First floor stair exit doors shall swing in the direction of egress. Stairs shall exit directly to exterior as required. If demo unit is to be occupied, egress shall not pass through amenities space.
5. Proposed building B does not meet egress requirements. Egress convergence does not meet exit separation requirements. Exit layout does not meet exit separation requirements. Floor plans and site plans do not show exits at stairs on first floor. Provide floor plan for 3rd floor. Second floor layout shows stairs with exit doors to unknown area, a wall separating beta and gamma units on south end of building. Dead end corridor exceeds permitted length.
6. Accessible units shall be provided as required.
7. Exterior walls shall be rated in accordance with the International Building Code tables 601 and 602.

8. Openings shall be limited in accordance with the International Building Code table 705.8.
9. 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.
10. This project is subject to the LEED based requirements of the City of Newark amendments to the 2012 International Energy Conservation Code as detailed in Section 7-8 (7) of the Municipal Code.
11. Final Plan shall be signed and sealed by a State of Delaware licensed civil engineer prior to submission.

Fire Marshal

1. Building front entrances are too far off the fire lane.
2. Fire Truck Access does not meet code in many areas.
3. Fire Dept Access off rear of building by Apple is not wide enough nor does it have a turnaround.
4. FDC Locations are not accurate and need to be moved.
5. Building Construction type for 2 buildings closest to Apple should be upgraded as Stormwater pond was a fire lane access and was requested to be removed to make room for more Stormwater areas.

Land Use Division

1. Two of the townhouse buildings are about 24 feet from each other. This could possibly be based on scale/error in drawing, but this must be clarified to show the townhouse groups are at least 25 feet from each other.
2. Current shared access agreements between swim club and University of Delaware may not be totally appropriate with non-university and more year-round use. If terms are being renegotiated, they should be shared with the City to be included in the review and report and verify the agreement adequately addresses easement issues.

Public Works and Water Resources Department

- The Public Works review and comments are not complete yet. Public Works comments will be provided when complete.

This Subdivision review is solely based upon the information and detail provided in the submitted documents. Please prepare a written response to all comments and include with your subsequent submission. Additional comments may be generated during any successive reviews by our department.

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,

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/tf



CODE ENFORCEMENT DIVISION
CITY OF NEWARK

220 South Main Street · Newark, Delaware 19711
302.366.7000 · Fax 302.366.7098 · www.cityofnewarkde.us

July 2, 2019

TO: Tom Fruehstorfer, Planner
FROM: Tim Poole, Code Enforcement Officer
RE: Subdivision Plan, 321 Hillside Road (PR#18-06-04)

Please accept the following comments regarding this project. These comments are based on **subdivision plan review only.**

1. A Demolition Permit is required for each existing structure.
2. Separate building permits are required for each proposed building.
3. Proposed building A does not meet egress requirements. Provide floor plan for 3rd floor. Second floor layout shows no entry door to second stair. A wall is shown separating beta and gamma units on south end of building. Dead end corridor exceeds permitted length. First floor stair exit doors shall swing in the direction of egress. Stairs shall exit directly to exterior as required. If demo unit is to be occupied, egress shall not pass through amenities space.
4. Proposed building B does not meet egress requirements. Egress convergence does not meet exit separation requirements. Exit layout does not meet exit separation requirements. Floor plans and site plans do not show exits at stairs on first floor. Provide floor plan for 3rd floor. Second floor layout shows stairs with exit doors to unknown area, a wall separating beta and gamma units on south end of building. Dead end corridor exceeds permitted length.
5. Accessible units shall be provided as required.
6. Exterior walls shall be rated in accordance with the International Building Code tables 601 and 602.
7. Openings shall be limited in accordance with the International Building Code table 705.8.
8. 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.
9. This project is subject to the LEED based requirements of the City of Newark amendments to the 2012 International Energy Conservation Code as detailed in Section 7-8 (7) of the Municipal Code.
10. Final Plan shall be signed and sealed by a State of Delaware licensed civil engineer prior to submission.

Please contact me with any questions or comments.

BERNARDON

ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE

Mr. Tom Fruehstorfer
City of Newark
Planning and Development Department
220 South Main Street
Newark, Delaware 19711

**Subject: 321 Hillside Road (PR#18-06-04)
Subdivision Plan, Code Enforcement Comments: Item-by-Item Responses**

Dear Mr. Fruehstorfer:

We have received and reviewed the comment letter from Tom Poole, the Code Enforcement Officer for the City of Newark, dated July 2, 2019. Our architectural plans are in the preliminary stages and will develop with the project. Our building permit set will address these concerns with much greater detail. See our initial responses to the comments as follows in RED:

1. *A Demolition Permit is required for each existing structure. ok*
2. *Separate building permits are required for each proposed building. ok*
3. *Proposed building A does not meet egress requirements. Only one stair per four dwelling units per floor is required per 1021.2(1). Provide floor plan for 3rd floor. The third floor plan is identical to the second floor plan. Second floor layout shows no entry door to second stair. The plan has been updated. See attached. A wall is shown separating beta and gamma units on south end of building. Dead end corridor exceeds permitted length. We are unable to identify the location of the dead end corridor. We believe that all of the plans are compliant with the 20' dead end corridor citation if IBC 2012 Section 1018.4.2. with a NFPA 13R sprinkler system in Type V construction. First floor stair exit doors shall swing in the direction of egress. The plan has been updated. See attached. Stairs shall exit directly to exterior as required. The plan has been updated. See attached. If demo unit is to be occupied, egress shall not pass through amenities space. The demonstration unit is a model unit that will not be occupied. This is strictly for leasing purposes. The leasing office will be part of the amenity space.*
4. *Proposed building B does not meet egress requirements. Egress convergence does not meet exit separation requirements. Exit layout does not meet exit separation requirements. Building B is actually two separate buildings that share a vestibule and mechanical/electrical room on the first floor only. We will provide a 2-hour wall separating the vestibule from the building on the left. Only one stair per four dwelling units per floor is required per 1021.2(1). Floor plans and site plans do not show exits at stairs on first floor. The plan has been updated. See attached. Provide floor plan for 3rd floor. The third floor plan is identical to the second floor plan. Second floor layout shows stairs with exit doors to unknown area, ~~a wall separating beta and gamma units on south end of building.~~ (The beta and gamma are only in Building A.) All of the upper floor stairs descend to the first floor and egress to the exterior. Dead end corridor*



321 Hillside Road (PR#18-06-04)
Subdivision Plan, Code Enforcement Comments

July 9, 2019
Page 2

exceeds permitted length. The dead end corridor length is 15'-11.25"'. We are compliant with the 20' dead end corridor citation if IBC 2012 Section 1018.4.2.

5. *Accessible units shall be provided as required. ok*
6. *Exterior walls shall be rated in accordance with the International Building Code tables 601 and 602. ok*
7. *Openings shall be limited in accordance with the International Building Code table 705.8. ok*
8. *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. ok*
9. *This project is subject to the LEED based requirements of the City of Newark amendments to the 2012 International Energy Conservation Code as detailed in Section 7-8 (7) of the Municipal Code. ok*

10. *Final Plan shall be signed and sealed by a State of Delaware licensed civil engineer prior to submission. Ok*

Please let us know if you have any additional concerns or would like us to provide additional clarification.

Regards,

Michael S. McCloskey, AIA, LEED AP BD+C | Principal
Bernardon
A Professional Corporation

July 9, 2019
Date

Thomas Fruehstorfer

From: Tim Poole
Sent: Wednesday, July 10, 2019 2:46 PM
To: Thomas Fruehstorfer
Cc: Mary Ellen Gray
Subject: RE: 321 Hillside Road Follow up Questions

Tom,

I have reviewed the letter and have the following responses:

1, 2 – no comment.

3. The wall creating the dead end corridor was removed, the other responses/revisions appear to meet code.

4. The proposed building(s) B still does not meet egress requirements, buildings with one exit must have emergency escape and rescue openings in all sleeping rooms. There are 2 bedrooms in the Delta 2 units on the north side with no exterior wall to provide the emergency escape and rescue, dependent on the slope of the roof over the WA/ELEC/MECH room the same issue is present on the second floor bedrooms in the same location. Additionally, the proposed firewall shall be compliant with sections 706.5, 706.6, 713 and 1009.3.1. These requirements may affect the ability to provide additional emergency escape and rescue openings in adjacent sleeping rooms. There is no dead end corridor issue in this building.

5 – 10 – no comment.

Sincerely,

Tim Poole
Code Enforcement Officer, City of Newark
(302)366-7000 x2067 | 220 S. Main Street | Newark, DE 19711
www.cityofnewarkde.us

From: Thomas Fruehstorfer <TFruehstorfer@newark.de.us>
Sent: Wednesday, July 10, 2019 12:03 PM
To: Tim Poole <TPoole@Newark.de.us>
Cc: Mary Ellen Gray <MGray@newark.de.us>
Subject: FW: 321 Hillside Road Follow up Questions

Tim,

See 321 Hillside response to your comments (attached).

Does it look like your concerns are properly addressed?

Tom Fruehstorfer
City of Newark
Planning and Development Department
220 South Main Street
Newark, Delaware 19711
(302) 366-7000 ext 2044

From: Mike Hoffman <mike@tarabicosgrosso.com>
Sent: Wednesday, July 10, 2019 11:52 AM

To: Thomas Fruehstorfer <TFruehstorfer@newark.de.us>

Cc: Matt Genesio <mgenesio@collegetowncommunities.com>; Megan Hughes <megan@tarabicosgrosso.com>; Colm DeAscanis <cdeascanis@cdaengineering.com>

Subject: 321 Hillside Road Follow up Questions

Tom –

Circling back regarding your follow up questions for the proposed redevelopment of 321 Hillside Road:

(1) Preliminary Comments/Questions from Building Code Inspector:

- a. Attached is a response and additional information/revisions from our project architects at Bernardon.

(2) Distance between groups of townhomes on the south side of the site:

- a. CDA notes that the grouping of townhomes should be 25 feet apart on the south side of the site, but noted further that we can make the minor adjustment to meet the minimum requirement if your estimate is correct. Restated, the separation will be 25'.

(3) One person per bedroom?

- a. Yes, my client has confirmed that these units will be one person per bedroom.

(4) Estimated construction cost for the new plan?

- a. My client estimates the construction cost for this revised Plan to be approximately \$30 million.

As always, please don't hesitate to contact me with any questions.

Thanks –

Mike

Michael J. Hoffman
TARABICOS GROSSO, LLP
One Corporate Commons
100 W. Commons Boulevard, Suite 415
New Castle, Delaware 19720
[o] 302-757-7811
[c] 302-584-5221

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