

December 14, 2022

William J. Barthel  
City Administrator  
City of New Castle  
220 Delaware St.  
New Castle, DE 19720

**Re: Ordinance 537, Additional Information Recommendation**

Dear Mr. Barthel:

In accordance with the Planning Commission's decision at their meeting on November 28, 2022 to continue to evaluate Ordinance 536, AECOM recommends the following information be provided by the applicant:

- **Fiscal Impact Analysis** – An analysis should be prepared by a qualified expert that compares the expected City of New Castle (City) tax revenue generated by the proposed development with the cost of services to be provided by the City. Regarding the cost of additional police services that may be necessary, the analysis should be based on input from Chief McCabe. Prior to the onset of the analysis, a “scoping meeting” should be held with City representatives and the applicant's representatives to confirm the parameters of the analysis.
- **Sea-Level Rise Analysis** – The applicant presented a slide at the October 17, 2022 Workshop, and again at the November 28, 2022 Public Hearing, with a schematic drawing depicting the impacts of an approximately 2-foot sea-level rise and a 5-foot sea-level rise on the site using mean high water (MHW) as a reference. The schematic also depicted a first floor elevation of a residential dwelling at 12 feet (above sea level) on the site. The New Castle Vulnerability Assessment and Adaptation Plan, which is being relied upon by the New Castle Sea-Level Rise Task Force as a primary guidance document, used the 100-year flood plain as a point of reference. The referenced schematic did not indicate the resulting impact to the 100-year flood plain based on the depicted sea-level rise. The site is impacted by base flood elevations from the Federal Emergency Management Agency (FEMA) 100-year floodplain (Flood Zone AE) of 8 feet and 9 feet. Using the Concept Plan and the schematic (a vertical scale should be added), the applicant should illustrate the resulting floodplain in the 8-foot AE Zone and the 9-foot AE Zone assuming a 2 to 5-foot rise in sea level. In addition, the applicant should discuss the implications of sea-level rise in consideration of the City's Floodplain Management Ordinance, which requires residential structures to be elevated 18 inches above the base flood elevation.
- **Provision of Emergency Services** – The applicant should obtain comments from the Holloway Terrace Fire Company, the New Castle County Office of Emergency Management, and the Office of the State Fire Marshall regarding the provisions of emergency services to the proposed development. If possible, the comments should acknowledge the requested Comprehensive Plan amendment and rezoning as well as the suitability of the Lukens Drive access. In addition, to the extent Buttonwood Avenue is considered a secondary emergency access, the comments should address the suitability of Buttonwood Avenue for said access, including the general operational parameters of the existing gate.
- **Traffic Analysis** – A Traffic Impact Study (TIS) should be prepared by the applicant and submitted to the City and Delaware Department of Transportation (DelDOT) for review. The scope of the TIS should be determined via a “scoping meeting” between the applicant, DelDOT, and City. At a minimum, the TIS should evaluate the intersection of Cherry Lane and Lukens Drive.

- **Lukens Drive** – Based on previous comments from the applicant, the portion of Lukens Drive between Cherry Lane and the railroad tracks, which is outside of City limits, is a private street. According to a Record Street Plan of Lukens Development Corporation (microfilm 11775), the portion of Lukens Drive within the City limits was designed for office/industrial park traffic and is intended to be dedicated to the City upon completion by the developer and acceptance by the City. With a Comprehensive Plan amendment and rezoning, Lukens Drive would also be providing the sole means of access to approximately 450 dwelling units. As development has occurred along Lukens Drive, it does not appear that adequate traffic control devices, signage, striping, etc., have been provided. In light of these issues, AECOM recommends the following:
  - The private portion of Lukens Drive outside of City limits should be dedicated to DeIDOT prior to or concurrently with the dedication of the portion within City limits to the City. It should be confirmed with this initial submittal of additional information that there is an implementable path forward with DeIDOT.
  - The preparation of a Road Safety Audit for the entire length of Lukens Drive generally in conformance with the Federal Highway Administration guidelines. As with the TIS, the parameters of the Road Safety Audit should be confirmed in a “scoping meeting” that should include DeIDOT. The Road Safety Audit should consider the combined functional classification of Lukens Drive as an office/industrial park road and a local residential street.
- **Confirmation of Development Process** – As described in the applicant’s original rezoning petition dated April 29, 2022, in addition to a Comprehensive Plan amendment and rezoning, the proposed development would require use of the *Planned Development* provisions of Section 230-39 of the Zoning Ordinance whereby, “... *the Planning Commission may authorize deviation from the district regulations ...*” under certain conditions, a Special Exception from the Board of Adjustment to permit residential units in the proposed General Commercial (GC) Zone per Section 230-22.1.B.(1) of the Zoning Ordinance, and a Variance from the Board of Adjustment for a reduction in the number of parking spaces required by the Zoning Ordinance. The applicant should describe in writing their opinion of how/when these additional approvals should be considered relative to Planning Commission’s and City Council’s respective considerations of Ordinance 536.

It should be noted that additional studies, analyses, evaluations, etc. may be needed as a result of the consideration of the above-described information. AECOM recommends that the Planning Commission determine satisfactory completion and acceptance of all such information before requesting detailed site plan information of the proposed development.

If you have any questions or need additional information, please let me know.

Sincerely,

**AECOM Technical Services, Inc.**



Christopher J. Rogers, AICP  
Principal Planner

cc: Planning Commission  
Daniel R. Losco, Esq  
Shawn P. Tucker, Esq