SAFETY ADVISORY AND TRANSPORTATION COMMITTEE
A G E N D A

JANUARY 30, 2013 - 5:00 P.M.

CITY HALL CONFERENCE ROOM
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

Public comments are welcomed on any item and will be permitted at appropriate times. When possible, please notify the City Clerk (736-7008 or e-mail at CityClerk@dover.de.us) should you wish to be recognized.

AGENDA ADDITIONS/DELETIONS

1. Request for Waiver of Appendix A - Subdivisions, Article VI - Subdivision - General Requirements and Design Standards, Section E - Lots (5) - Requirement for Lot Frontage on a Public Street - 1151-1155 Walker Road, LLC (SB-13-01)

2. Safety Concerns - New Dover High School Pedestrian/Vehicular Traffic

3. Briefing on Delaware Department of Transportation (DelDOT) Projects
   A. DelDOT Repaving Project
   B. West Dover Connector
   C. Route 8/Hazlettville Road Connector

4. Briefing on Dover/Kent County Metropolitan Planning Organization (MPO) Projects - *Rich Vetter*

5. Update on the Creation of Bicycle/Pedestrian Subcommittee

/tm
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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

City of Dover

PETITION TO WAIVE SUBDIVISION STANDARDS
Before the City Council Safety Advisory & Transportation Committee
January 30, 2013

Plan Title:	Lands of 1151-1155 Walker Road, LLC SB-13-01
Plan Type:	Minor Subdivision Plan
Property Location:	North side of Walker Road, west of Saulsbury Road
Tax Parcel Number:	ED-05-067.18-01-79.00-000
Owner: Equitable Owner:	1151 -1155 Walker Road, LLC c/o Franklin Everett Dover Interfaith Mission for Housing Inc.
Site Area:	1.779 ac +/-
Parcels to be created:	Lot 1: 0.6594 ac +/- Lot 2: 1.1196 ac +/-
Zoning Classification:	IO (Institutional and Office Zone)
Waiver Requested:	Appendix A: *Land Subdivision Regulations*, Article VI §E5 Requirement for Lot Frontage on a Public Street

PLAN SUMMARY

This Minor Subdivision Plan proposes to create two (2) parcels of land (Lot 1 and Lot 2) from the existing parcel of land consisting of 1.779 acres. This request will subdivide the land into two parcels consisting of 0.6594 acres and 1.1196 acres. The subject parcel of land is zoned IO (Institutional and Office Zone) and is located on the north side of Walker Road. Property Addresses: 1151-1155 Walker Road.

Waiver Request: Subdivision Waiver of Requirement for Lot Frontage on a Public Street

The *Land Subdivision Regulations*, Article VI. Subdivision - General Requirement Design Standards, E. Lots states the following:

E. Lots

5. All lots in a subdivision shall have frontage on a public street.

Also per *Zoning Ordinance*, Article 8 Section 1.1, a Building Permit cannot be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to a public street. The subdivision of Lot 2 (1.1196 acre lot) in the rear of the property results in a lot without frontage on a public street.

Land Subdivision Regulations, Article VII includes provisions for waivers to be considered by the Planning Commission who provides a recommendation to City Council for action. A written waiver request was submitted for consideration by the Planning Commission for the requirement of Lot Frontage on a Public Street due the location of the buildings. See attached letter of request. A cross access easement is proposed to provide permanent access to Lot 2 from Walker Road (A Draft Cross-Easement and Joint Maintenance Agreement submitted with application; on file in Planning Office).

The requested waiver is further summarized in the following chart:

Land Subdivision Regulations	Requirement	Proposed	Waiver
Lot Frontage on Public Street	Each lot required to have frontage on a public street.	Lot 1 has frontage on Walker Road. Lot 2 does not have frontage on a public street, but proposed to have access to Walker Road via a cross-access easement.	Allow the subdivision of the parcel to create Lot 2 without public street frontage but with access to the public street as established by an easement across Lot 1.

Recommendation of Planning Staff:
As part of the Development Advisory Committee (DAC) Report dated January 9, 2013, the Planning Staff made the following recommendation on the waiver request for application SB-13-01:

> *Subdivision Waiver of Lot Frontage on a Public Street: Planning Staff recommends approval to waive the requirement to provide Lot Frontage on a Public Street for Lot 2. Staff finds that due to the location of the existing buildings and the existing layout of the property to achieve the Code required lot frontage on Walker Road (the public street) would create an irregular shaped lot and still require variances for setbacks. This proposal simplifies the parcel shapes and presents a series of proposed easements for access, utilities, parking and shared stormwater management facilities between the two lots.*

Findings and Recommendations of the Dover Planning Commission
The Planning Commission at its meeting on January 22, 2013 reviewed the proposed waiver request as part of its review of the Minor Subdivision Plan for the Lands of 1151-1155 Walker Road, LLC. **The Planning Commission recommends approval of the waiver of lot frontage on a public street for Minor Subdivision Plan SB-13-01 Lands of 1151-1155 Walker Road, LLC.** The motion passed unanimously 6-0 of the members present (three members absent).

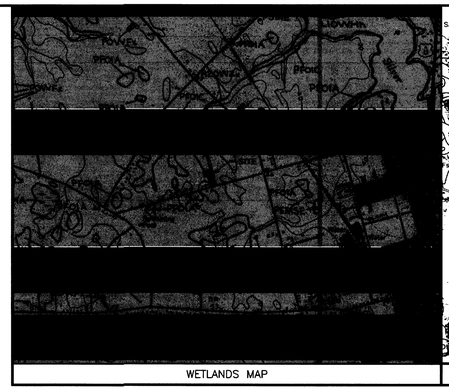
Attachments: Minor Subdivision Plan (dated 11/30/2012)
Waiver Request Letter of November 30, 2012

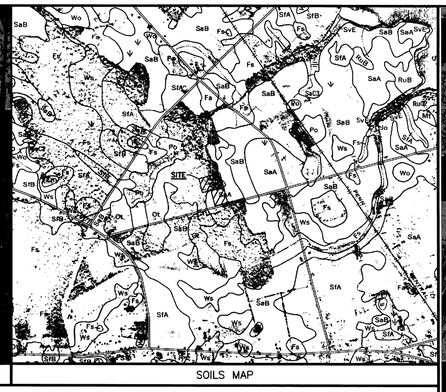
LOT 1:

1.	OWNER:	1151–1155 WALKER ROAD, LLC C/O FRANKLIN EVERETT 5608 ROCK HARBOR DRIVE ROCK HALL, MD 21661
2.	SOURCE OF TITLE:	DEED RECORD 4787–316
3.	ZONING:	IO
4.	PRESENT USE:	PROFESSIONAL AND GENERAL OFFICES
5.	PROPOSED USE:	LOT 1: PROFESSIONAL AND GENERAL OFFICES
6.	SITE AREA:	28,722± S.F. OR 0.6594± ACRES
7.	IMPERVIOUS AREA:	IMPERVIOUS AREA = 15,957± S.F. BUILDING AREA = 3,000 S.F. FLOOR AREA = 6,080 S.F. PAVING/SIDEWALK = 12,957± S.F.
8.	FLOOR AREA RATIO:	0.21
9.	PARKING:	1 SPACE PER 200 S.F. FLOOR AREA 6,080 S.F. FLOOR AREA, REQUIRING 31 SPACES SPACES PROVIDED: 33 STD. SPACES, 2 HCP SPACES TOTAL SPACES PROVIDED = 35
10.	BUILDING HEIGHT:	35'
11.	SIGNAGE:	NO NEW SIGN PROPOSED

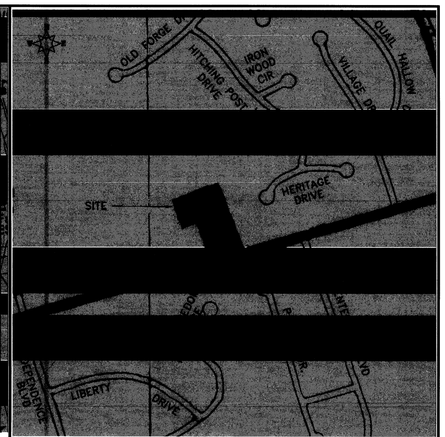
LOT 2:

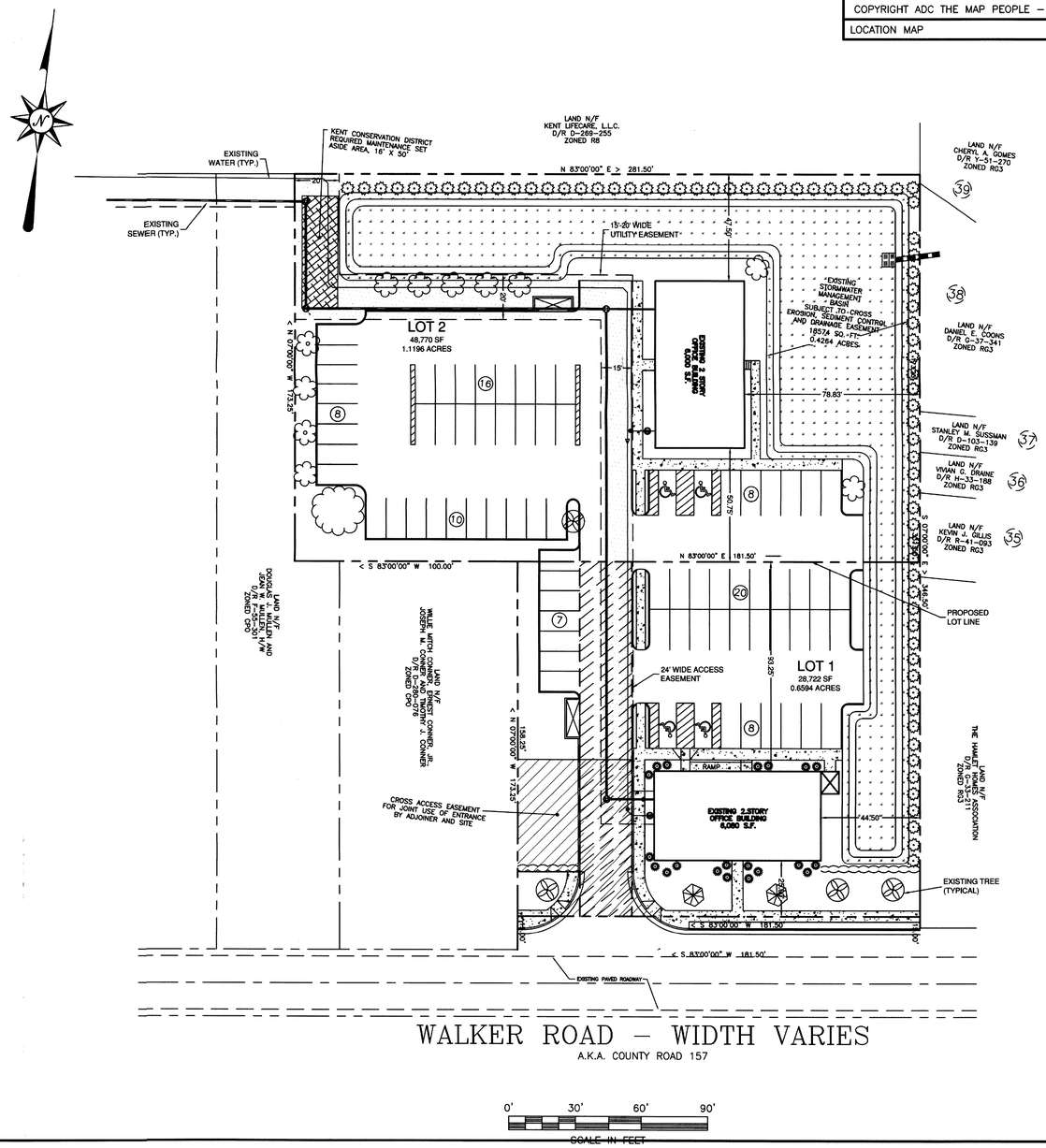
1.	OWNER:	1151–1155 WALKER ROAD, LLC C/O FRANKLIN EVERETT 5608 ROCK HARBOR DRIVE ROCK HALL, MD 21661
1A.	EQUITABLE OWNER:	DOVER INTERFAITH MISSION FOR HOUSING P.O. BOX 1148 DOVER, DE 19903
2.	SOURCE OF TITLE:	DEED RECORD 4787–316
3.	ZONING:	IO
4.	PRESENT USE:	PROFESSIONAL AND GENERAL OFFICES
5.	PROPOSED USE:	TRANSITIONAL HOUSING
6.	SITE AREA:	48,770± S.F. OR 1.1196± ACRES
7.	IMPERVIOUS AREA:	IMPERVIOUS AREA = 21,278± S.F. BUILDING AREA = 3,000 S.F. FLOOR AREA = 6,000 S.F. PAVING/SIDEWALK = 18,278± S.F.
8.	FLOOR AREA RATIO:	0.12
9.	PARKING:	1 SPACE PER 200 S.F. FLOOR AREA 6,000 S.F. FLOOR AREA, REQUIRING 30 SPACES SPACES PROVIDED: 42 STD. SPACES, 2 HCP SPACES TOTAL SPACES PROVIDED = 44
10.	BUILDING HEIGHT:	35'
11.	SIGNAGE:	NO NEW SIGN PROPOSED











NOTES:

1.	FLOOD:	THE SITE IS NOT IMPACTED BY THE 100 YEAR FLOOD PRONE BOUNDARY, BASED ON FEMA COMMUNITY MAP PANEL NO. 100006–0005–C, EFFECTIVE DATE SEPTEMBER 16, 1982.
2.	UTILITIES:	SANITARY SEWER: CITY OF DOVER WATER: CITY OF DOVER
3.	FIRE LANE:	ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
4.	EROSION CONTROL:	THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY OR DELETE ANY EROSION OR SEDIMENT CONTROL MEASURE AS THEY DEEM NECESSARY. THE OWNER IS RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL EROSION, SEDIMENT CONTROL AND STORMWATER MGE. FACILITIES BEFORE AND DURING PLAN REVIEW AND AFTER SITE IS COMPLETED.
5.	WETLANDS:	THERE ARE NO WETLANDS ON THIS SITE BASED ON SITE INVESTIGATION DONE BY ATLANTIC HYDROLOGIC, INC.
6.	TAX MAP NUMBER:	ED–05–067.18–01–79.00–000
7.	DATUM:	PROJECT BENCH MARK IS AN 8" SPIKE AT THE BACK OF SIDEWALK ON SOUTH SIDE OF COLLEGE ROAD. 530'± EAST OF THE EAST CURB LINE OF McKEE ROAD. ELEVATION 42.16 (N.G.S. SYSTEM).
8.	LIGHTING:	ALL LIGHTING SHALL PROVIDE A MINIMUM OF 1.5 FOOT CANDLES OF LIGHT INTENSITY AT GRADE. ALL LIGHTING SHALL BE DIRECTED TOWARDS THE GROUND AND ARRANGED IN A MANNER WHICH WILL NOT BE DISTRACTING TO ADJOINERS OR MOTORIST.

15. IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY THE KENT CONSERVATION DISTRICT. THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.

17. THE OWNER IS RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL EROSION, SEDIMENT CONTROL AND STORMWATER MANAGEMENT PRACTICES DURING, AND AFTER SITE COMPLETION.

Owner's Certification

I, _____, for 1151–1155 Walker road, LLC, hereby certify that we are the owners of the property described and shown on this plan, that the plan was made at our direction, and that we acknowledge the same to be our act and desire the plan to be developed as shown in accordance with all applicable laws and regulations.

Date_____ Signature _____

Title _____

Engineer's Certification

I, David C. Braun, hereby certify that I am a registered Professional Engineer in the State of Delaware, that the information shown hereon has been prepared under my supervision and to my best knowledge and belief represents good engineering practices as required by the applicable laws of the State of Delaware.

Date _____ Seal Signature _____

File Copy
SB-13-01
Received 11/30/12

REVISIONS

BRAUN ENGINEERING, LLC
863 ALLABANDS MILL ROAD, WYOMING, DE 19934
TELEPHONE: 302–674–2903

SUBDIVISION PLAN – LANDS OF

1151-1155 WALKER ROAD, LLC

IN EAST DOVER HUNDRED, KENT COUNTY AND STATE OF DELAWARE
TAX PARCEL NO. ED–05–0667.18–01–79.00–000

DATE:	11/30/12
DRAWN BY:	DCB
CHECKED BY:	
DRAWING NO.	990501S1
CLIENT NO.	99–05–01
SCALE:	1"=30'
SHEET NO.	S1

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City of Dover Planning Commission/City Planner
Department of Planning & Inspections
City of Dover
P.O. Box 475
Dover, DE 19903

November 30th, 2012

Re: Waiver Request for Minor Subdivision Application
1151-1155 Walker Road

Dear Ladies and Gentlemen,

I represent the Dover Interfaith Mission for Housing, Inc. ("DIMH") and 1151-1155 Walker Road, LLC ("Walker Road" - Frank Everett, Managing Member) in seeking Minor Subdivision approval to divide Walker Road's existing 1.9040-acre parcel of land at 1151-1155 Walker Road (zoned "Institutional/Office" or "IO"), currently improved by two office buildings and a large parking lot (77 off-street parking spaces and 1 loading space) into two lots (a "front" lot and a "rear" lot), each containing one of the existing office buildings and approximately one-half of the existing parking lot. The front parcel would contain .7844 acres of land with its existing frontage and entrance on Walker Road; the back parcel would contain 1.1196 acres of land and have access to Walker Road via the existing entrance and access lane pursuant to a Cross-Easement and Joint Maintenance Agreement.

The subdivision of the one existing parcel into two will not involve any physical changes to the existing lands or to the exteriors of the existing improvements; the only change will be that a new property line running parallel to Walker Road will separate the existing parcel into two roughly equal lots, with the rear lot to be purchased by DIMH and converted to use as transitional housing for homeless men. A Cross-Easement and Joint Maintenance Agreement will be executed at final closing which will address the use and maintenance of the existing entrance and access lane from Walker Road, as well as the existing utility easements, drainage,

erosion, and sediment control facilities; and off-street parking and loading spaces.

Due to the manner in which the existing parcel must be subdivided to create two lots, each containing one building, and due to the simple nature of this minor subdivision proposal, DIMH and Walker Road are, pursuant to Article VII, Section A of Appendix A to the Dover Code ("Subdivisions --Special Provisions - Variance and Waiver") joining in requesting a waiver from the following provisions of the City Code:

1. Article 8, Section 1.1 of the City Zoning Ordinance and Article VI, Section E (5) of the City Subdivision Ordinance requiring frontage on a public road, as to the "rear" 1.1196 acre lot to be created by the proposed minor subdivision and purchased by DIMH.

2. Article 6, Section 4.13 and 4.2 of the City Zoning Ordinance requiring one off-street loading birth situated where actual loading and unloading activities are intended to occur, as to the "front" .7844 acre lot to be created by the proposed minor subdivision to be retained by Walker Road. (The existing off-street loading space currently serving the existing 1.9040 parcel will remain as currently located on the "rear" lot to be created by the minor subdivision and will be subject to a cross-easement agreement which will allow use of that loading berth, located on the "rear" parcel, by the "front" Walker Road parcel.)

3. A substantial portion of the technical and procedural requirements set out in Articles IV and V or the Subdivision Ordinance, in order to allow the Commission to review and make its determination on this application after a single duly-noticed public hearing to be held on January 22nd, 2013. The Commission and the City Council recently reviewed this property when it was re-zoned to "I/O" in 2011, and detailed plans, already approved by the City in connection therewith, are on file at the Department of Planning and Inspections office. Your applicant is submitting, with this application, a new "Minor Subdivision" plot showing the location of the proposed new property line, the location of the Cross-Easements for access, parking, utilities, drainage, erosion and sediment control, and setting out the required information concerning off-street parking, lot sizes, yard spaces, etc.

As noted above, the very simple nature of this minor subdivision request, involving no change to any of the existing physical improvements, but only dividing the existing single parcel into two parcels, would appear to justify waiver of the extensive, costly, and time-consuming technical and procedural requirements designed to address more substantial and complex subdivision applications.

Respectfully submitted,

John Terence Jaywork

West Street Traffic Study



City of Dover
West Street Bike/Pedestrian Improvements

