CITY OF DOVER PLANNING COMMISSION
QUARTERLY WORKSHOP
February 19, 2014

The Regular Quarterly Workshop Meeting of the City of Dover Planning Commission was held on Wednesday, February 19, 2014 at 12:00 noon with Chairman Colonel Welsh presiding. Members present were Mr. Holden, Mr. Cregar, Mr. Baldwin, Ms. Still, Dr. Jones, Mr. Ambruso and Colonel Welsh. Mr. Holt was absent.

Staff members present were Mrs. Townshend, Mrs. Melson-Williams and Mr. Bill Cook.

All Planning Commission members introduced themselves and gave their background information for Mr. Cook.

PLANNING COMMISSIONER COMMENTS AND CONCERNS

Colonel Welsh stated that Mr. Cregar was concerned about zoning change versus *Comprehensive Plan* amendment. From his perspective, it seems the proper order would have been to have the Commission hear the proposed change, recommend approval or disapproval to City Council, let them take action and then the Planning Commission would hear the (rezoning) application.

Mrs. Townshend stated that it's something that could be done in the future. Before her time and when the economy was up and everyone wanted everything approved the next day. They had the *2003 Comprehensive Plan* and the City was receiving a lot of requests to amend the *Comprehensive Plan*. It was really creating a tracking nightmare, a pretty heavy workload and a constant state of confusion for all the parties involved in the review process. Toward the end of Mr. Jim Galvin's tenure with the City, he put in place an opportunity twice a year to change the *Comprehensive Plan*. The way it was laid out to be done was side by side with the zoning so that it's done at the same meeting but just prior to. When the *2008 Comprehensive Plan* was done, Staff decided that even twice a year was still burdensome so it was changed to only accepting changes to the *Comprehensive Plan* once a year. The changes to the *Comprehensive Plan* and to the zoning were still done side-by-side but the two can be separated.

Mr. Holden questioned if the *Comprehensive Plan* classification has changed to what was requested, could the parcel zoning have remained the same? Responding to Mr. Holden, Mrs. Townshend stated yes. With the last Comprehensive Plan Amendment that was done was at the corner of Mifflin Road and Route 8, this was one where it was changing from Residential classification to Commercial classification. If the Comprehensive Plan classification had changed to Commercial but the Rezoning was denied then it creates an inconsistency and it sets them up for being in a very bad position legally.

Mr. Holden further questioned what by default does the zoning for the parcel then become if the classification in the *Comprehensive Plan* is changed? Responding to Mr. Holden, Mrs. Townshend stated that it doesn't change the zoning until the Commission changes the zoning. But there will be an issue of incompatibility between the two.

Colonel Welsh stated that what is being said in the *Comprehensive Plan* is "this is what we envision; this is what we would like to see."

Mrs. Townshend stated that the problem with disjointing them in her view is for a

Comprehensive Plan Amendment, there is not the same level of public notice. For a Comprehensive Plan Amendment, those neighbors wouldn't have been notified. If the Comprehensive Plan Amendment went a month before the Rezoning, they could have been in a position where they changed the *Comprehensive Plan* and then a month later they get the public input on the Rezoning. The Rezoning is then denied and creates the incompatibility between the *Comprehensive Plan* and the zoning. By keeping them together, the people who are noticed are there during the discussion of the Comprehensive Plan Amendment. This is why she made it a point to say at last night's meeting if anyone was there to speak about the Rezoning to speak about the Comprehensive Plan Amendment as well. What they end up with is almost a duplicate record on both. Some cases in the past, people have said "I'd like to enter the comments I made on the Comprehensive Plan Amendment into record for the Rezoning." If they are separated then there is a risk of approving the Comprehensive Plan Amendment and then needing to change it back because the Rezoning is denied. The State law is setup so that they both have to match. The benefit of having them together is that the same people are notified.

Colonel Welsh questioned why Staff could not notice the people who are affected by the potential Comprehensive Plan Amendment? Responding to Colonel Welsh, Mrs. Townshend stated that they could notify them but there is no procedure laid out in code. It would also require notification twice.

Colonel Welsh stated that to him that is okay. He realizes that it would be more work for Staff. Responding to Colonel Welsh, Mrs. Townshend stated that it would really be more work on the applicant.

Colonel Welsh stated that they would be notifying the public that they want to change the *Comprehensive Plan* and then one month later they would send notice saying that the *Comprehensive Plan* has been changed and here is what the developer wants to build at that location. Responding to Colonel Welsh, Mrs. Townshend stated that she is always conscious not to say this is what the builder wants to build because it would just be a Rezoning.

Dr. Jones stated that she agrees with the notification twice but in her mind it's empowering the citizenry of Dover and not making decisions by omission or commission; making decisions for the citizens.

Technical difficulty was experienced. The recorder ended at 12:23 PM.

Staff briefed Planning Commission members on the following items:

DEPARTMENT OF PLANNING AND INSPECTIONS UPDATE

Summary of 2013 Applications and 2014 Applications

Other Project and Research Activities

- **Bicycle & Pedestrian Sub-Committee**
- **Update on Commercial Zoning Research for Amendments**
- **Central Dover Community Plan**
- **Review of *2008 Comprehensive Plan***
- **Transportation Improvement Districts**

CITYWIDE RECREATIONAL NEEDS ASSESSMENT

EDUCATION AND TRAINING OPPORTUNITES

TRAINING

Meeting adjourned at 1:12 PM

Sincerely,

Kristen Mullaney
Secretary