

Denton Planning Commission

Minutes

Town of Denton

November 30, 2010

Planning Commission Members:

Doris Walls, Chairperson*
William Quick*
Ummu Bradley Thomas**
Sue Cruickshank*
Marina Dowdall*
Brian Tyler*

* Those Present
** Excused

Visitors:

Robert Clendaniel
Glenn Collins
JOK Walsh
Ray Briscuso
Mike Lewis
Tom Davis
Sharon VanEmburch

Don Mulrine
Douglas Gunther
Agnes Case
Andy Mackel
Kathy Mackel
John Evans

Recording:

William Kastning
Janice Henderson

1 PROCEEDINGS

2 The regular meeting was called to order by Chairperson Walls at 6:00 p.m., on November
3 30, 2010, at the Denton Police Building and followed by the Pledge of Allegiance.

4 Chairperson Walls asked for any corrections, deletions, or additions to the October 26,
5 2010, Planning Commission meeting minutes. The minutes were approved as submitted.

6 **New Business #1 – Ordinance #615** – The ordinance was introduced at the November 1,
7 2010 Town Council meeting. Ordinance No. 615 amends the Table of Use Regulations in the
8 Zoning Ordinance, to permit “Restaurant, Standard” as such use is defined in § 128-8 of the
9 Denton Zoning Ordinance, as a conditional use in the Recreation and Parks (RP) District. This
10 item has been advertised as a public hearing at the December 6, 2010 Town Council meeting.
11 The Denton Town Council has requested a recommendation from the Planning Commission.
12 Director Kastning stated that the project began many years ago, the property is owned by the
13 Town, and the project is proposing a 99 year lease for the development of a restaurant to an
14 individual. The current zoning of the property is Recreation and Parks (RP), a restaurant use is
15 not allowed within the RP district. Director Kastning suggested an option to the proposed
16 amendment, the option would be to add a new use such as “Riverfront Restaurant” and restrict
17 that use to parcels that are zoned RP and are also within the Critical Area Buffer Exemption
18 Area. This option would create the opportunity for restaurant development at the proposed
19 Crouse Park site but not expand the restaurant use to other RP zoned parcels.

20 Discussion continued with JOK Walsh and Glen Collins of the Denton Development
21 Corporation answering questions from the Planning Commission and reviewing the timeline of
22 the project. A question was asked to the Town Attorney regarding the relevance of the zoning
23 because the property is owned by the Town and exempt from zoning requirements. The Town
24 Attorney, Sharon VanEmburch, stated that because the project will be constructed by an
25 individual with a 99 year lease she would research the issue and report her finding to Director

1 Kastning. [Research by Ms. VanEmburch subsequently confirmed that the table of use change
2 was necessary.] Ms. VanEmburch suggested that the Planning Commission continue with a
3 recommendation to demonstrate good faith by the Town by following the zoning requirements.

4 Chairperson Walls entertained a motion. Commissioner Quick made a motion to forward
5 a positive recommendation of the amendment to include a conditional use in the Table of Uses,
6 of “Riverfront Restaurant” only in the Recreation and Parks District; and add a definition for
7 “Riverfront Restaurant” to the Zoning Ordinance that is defined as “Restaurant, Standard” for
8 property that is zoned Recreational and Parks, located along the Choptank River, and within the
9 Buffer Exemption Area (BEA) of the Critical Area. Commissioner Dowdall seconded the
10 motion. The motion passed 3:2 with Commissioners Quick, Dowdall and Cruickshank voting aye
11 and Commissioners Walls and Tyler voting nay.

12 **New Business #2 - Canceled**

13 **New Business #3 – Rede, LLC Informal Concept PUD** – An informal concept
14 submittal by Rede, LLC for a PUD proposal on property at Caroline Street and Sixth Avenue to
15 receive comments from the Planning Commission.

16 Mr. Briscuso addressed the Commission regarding the PUD submittal. The PUD includes
17 five residential buildings of two duplex units each and one two-story 20,000 square foot
18 commercial building. The property is currently zoned Town Scale Residential (TR). The
19 Commissioners unanimously expressed support of the conceptual plan for the PUD.

20 Director Kastning stated that the requirement for a PUD is a minimum area of 5 acres.
21 The proposed property is approximately 4 acres; the Town is exploring the option of amending
22 the minimum PUD area requirement.

23 **Staff Item #1 – Maryland Planner Commissioners Association (MPCA)** – Currently
24 Caroline County is not represented at the MPCA. Director Kastning asked for a volunteer from

- 1 the Planning Commission to serve. Commissioner Dowdall made a motion to nominate
- 2 Commissioner Cruickshank, seconded by Commissioner Tyler and unanimously passed.
- 3 The meeting adjourned at 7:30 p.m.