

Denton Planning Commission

Minutes

Town of Denton

February 23, 2010

Planning Commission Members:

Doris Walls, Chairperson*
Valerie Miller*
William Quick*
Ummu Bradley Thomas*
Sue Cruickshank*
Marina Dowdall*

* Those Present
** Excused

Visitors:

Sharon VanEmburch	Robert Clendaniel
Gus Diakoulas	Bonnie Johnson
Jim Didonato	Joe Stevens
Phil Riordan	Ben Minamoto
Dean Danielson	

Recording:

Bill Kastning
Janice Henderson

1 PROCEEDINGS

2 The meeting was called to order by Chairwoman Walls at 6:00 p.m., on February 23,
3 2010, at the Denton Police Facility and followed by the Pledge of Allegiance.

4 Chairwoman Walls asked for any corrections, deletions, or additions to the January 26,
5 2010, Planning Commission meeting minutes and the February 16, 2010, Working Session
6 minutes. The minutes were approved as submitted.

7 **New Business #1 – Rezoning Request/Rede, LLC** – Director William Kastning
8 discussed the request by Raymond Briscuso, owner of Rede, LLC, for the rezoning of property
9 located at the corner of Sixth and Caroline Street; current zoning is Town Scale Residential (TR),
10 requested zoning is General Commercial (GC). The original request to rezone has been amended
11 to consider rezoning the property as part of the comprehensive plan update and comprehensive
12 rezoning.

13 Sharon VanEmburch disclosed professional relationship with the YMCA.

14 Gus Diakoulas, representing Rede, LLC, and Bonnie Johnson, with Champion Realty,
15 stated that the Talbot County YMCA was interested in opening a location in Denton. They
16 remarked that the corner of Sixth and Caroline would be a good location for the future location
17 of the YMCA, except that the current zoning of Town Scale Residential does not allow for
18 “indoor recreation” use. For that reason they are requesting the zoning change to General
19 Commercial which does allow the use. Four out of the five Commissioners (one undecided)
20 stated that implementing a text amendment to the Town’s zoning ordinance of permitted uses to
21 either allow with conditions or by special exception the use of “indoor recreation” within the TR
22 zone; would be a favorable option rather than to rezone the parcel as requested.

23 **New Business #2 – Rezoning Request/JPA Ventures, LLC** – Director William
24 Kastning discussed the request by JPA Ventures, LLC, for the rezoning of approximately 81 total
25 acres located on Legion Road, Map 106, Parcels 2473, 2474, and 2475. The rezoning has been

1 requested to be included as part of the comprehensive plan update and comprehensive rezoning.
2 Applicant proposes rezoning approximately 10 acres on the western side of the property from
3 Town Scale Residential (TR) to Highway Commercial (HC) and the remaining 71 acres from the
4 current Town Scale Residential (TR) to Mixed Residential (MR).

5 Sharon VanEmburch disclosed personal relationship with Lane Engineering and a
6 working relationship with Joe Stevens, legal representative of JPA Venture, LLC.

7 Representing JPA Ventures, LLC, principle Jim Didonato and Joe Stevens, with Stevens,
8 Phillips & McCann, discussed history of previous PUD request on property and current reasons
9 for proposed zoning change.

10 Commissioners discussed zoning the entire 81 acres Highway Commercial to
11 accommodate commercial growth in the area due to the pending Walmart.

12 JPA Ventures applicant indicated he will attend the March 10, 2010, Planning
13 Commission Working Session to continue the rezoning discussion.

14 **New Business #3 – Rezoning Request/Ben Minamoto** – Director Kastning discussed
15 the requested rezoning of property located on Route 328, Map 102, Parcel 5, approximately
16 32.56 acres. The rezoning has been requested to be included as part of the comprehensive plan
17 update and comprehensive rezoning. The current zoning for the property is Suburban Residential
18 (SR) with an overlay zone of Planned Neighborhood. The proposed rezoning request is that the
19 parcel be subdivided into two parcels, one with a zoning of Highway Commercial (HC),
20 approximately one-third of total acreage, and the second parcel to be zoned Suburban
21 Residential. Director Kastning discussed the history of the annexation of the property in 2006.

22 Sharon VanEmburch disclosed her firm's co-ownership of Eastern Shore Title with
23 Robert Jarrell, Attorney, who represents Mr. Ben Minamoto.

24 Representing Mr. Minamoto was Mr. Phil Riordan, realtor who discussed plans for the
25 property and that because the land is not within the Town's planned area to be serviced by sewer

1 and water, perc tests are being conducted. Mr. Minamoto plans to attend the March 10, 2010,
2 Planning Commission Working Session to continue the rezoning discussion.

3 **New Business #4 – Ordinance No. 597/Table of Density** – Director Kastning discussed
4 the request by the Town Council for the Planning Commission to make a recommendation on the
5 proposed ordinance to amend the Table of Density and Dimensional Regulations with respect to
6 the Commercial Medical (CM) zoning district. Chairperson Walls entertained a motion. Motion
7 to recommend approved changes as submitted was made by Commissioner Dowdall and
8 seconded by Commissioner Quick. The motion passed unanimously.

9 **New Business #5 – Adult Oriented Business Ordinance** – Town of Denton’s legal
10 representative, Sharon VanEmburch, discussed why the inclusion of an “adult oriented business”
11 use should be addressed in the Town’s zoning ordinance. The discussion will continue at the
12 March 10, 2010, Planning Commission Working Session.

13 **Staff Item #1 – Ethics Training** – The ethics training that was scheduled for February
14 23, 2010, has been postponed until March 30, 2010. This meeting will be a joint session with the
15 Board of Appeals.

16 **Staff Item #2 – 2010 Draft Comprehensive Plan** – The Commissioners discussed and
17 commented on the Municipal Growth Element, Water Resources Element, Community
18 Characterization, and Historic Features chapters of the Draft Comprehensive Plan.

19 Meeting adjourned at 8:05 p.m.