

# Denton Planning Commission Minutes

Town of Denton

February 24, 2009

## Planning Commission Members:

Doris Walls, Chairperson\*  
Dean Danielson\*  
Valerie Miller\*  
William Quick\*  
Ummu Bradley Thomas\*  
Agnes Case\*

\* Those Present  
\*\* Excused

## Visitors:

Chris Coile	Donna Sanders
Brett Meyers	Bobby Fearins
Robert Clendaniel	John Evans
Joe Shuhan	Vivian Fisher

**Recording:** Bill Kastning

1 PROCEEDINGS

2 The meeting was called to order by Chairwoman Walls at 6:04 p.m., on February 24,  
3 2009, at the Denton Police Facility and followed by the Pledge of Allegiance.

4 Chairwoman Walls asked for any corrections, deletions, or additions to the minutes of the  
5 January 27, 2009, Planning Commission meeting. Three corrections were identified and the  
6 minutes were approved as changed.

7 Old Business#1 – None

8 New Business#1 – Glenfield Critical Area Growth Allocation Findings of Fact

9 Town Attorney, Brynja Booth, discussed the entire process for granting the Glenfield  
10 growth allocation. She explained that the Planning Commission is required to approve the  
11 growth allocation findings of fact. Once approved, the Town Council will consider adoption of  
12 an ordinance with similar findings of fact.

13 A motion was made by Planning Commissioner Dean Danielson recommending that the  
14 findings of fact be forwarded to the Town Council. Motion was seconded by Commissioner Bill  
15 Quick and unanimously approved by the five regular members. Afterward, the six members of  
16 the Planning Commission signed a resolution confirming the motion’s approval.

17 New Business #2 – Waiver / Variance Discussion

18 Town Attorney, Brynja Booth, clarified her previously stated position on the granting of  
19 waivers. She explained that the waiver process as written in the land subdivision chapter of the  
20 Denton Town Code was appropriate. She further clarified that setback, lot coverage, and height  
21 variances were not to be considered waivers and therefore required Board of Appeals approval.

1 New Business #3 – Robert A. & Ronald K. Fearins / Special Exception

2 Applicant Robert Fearins indicated he had closed his business at this location and wanted  
3 to convert the office space to an apartment which it once was about 18 years ago. Currently, the  
4 building houses three apartments and the change would make a total of four apartments.  
5 Conversion to an apartment requires granting of a special exception by the Board of Appeals for  
6 a multifamily dwelling in the Central Business Commercial district. Director of Planning, Bill  
7 Kastning, advised that a lot size variance had been granted in 1995 and this variance ran in  
8 perpetuity. Discussion ensued as to the adequacy of on and off-site parking.

9 Planning Commissioner Dean Danielson made a motion to approve making a supportive  
10 recommendation for a special exception to the Board of Appeals. Planning Commissioner  
11 Valerie Miller seconded the motion which was passed unanimously by the five regular  
12 Commission members.

13 New Business #4 – Choptank Community Health Center Final Site Plan

14 Donna Sanders, Project Manager for Davis, Bowen & Friedel, Inc., commented on the  
15 final site plan submission and architectural elevations. She stated that she concurred with  
16 Planning Director William Kastning's review comments. Due to budgetary constraints the  
17 second floor will not be built out at this time but once built would be identical to the preliminary  
18 site plan submission previously approved by the Planning Commission. The existing sign will  
19 remain in place. The landscape plan will be revised and the outstanding comments by the Town's  
20 Engineering firm, GMB, will be addressed. Likewise, DPW Director, Scott Getchell, comments  
21 submitted the prior day will be addressed. Lastly, due to USDA insistence as the funding source,  
22 an elevator will need to be installed although not indicated on the site plan. Site egress on to  
23 Franklin Street was approved by the State Highway Commission.

1           A motion was made by Commission Alternate Agnes Case to approve the final site plan  
2 subject to: 1) resolution of the outstanding GMB and DPW comments, 2) provision of a revised  
3 landscape plan, 3) reporting any UST or AST site contamination found during construction, 4)  
4 submittal of a second floor site plan for Director of Planning approval before constructing those  
5 improvements and 4) approval by Director of Planning of a revised site plan including placement  
6 of the elevator. The motion was seconded by Ummu Bradley Thomas and approved unanimously  
7 by the five regular Commission members.

8 New Business # 5 – 2008 Annual Report Resolution

9           Director of Planning asked the Commission members to sign a resolution confirming the  
10 Commission’s approval of the report at the January 27, 2009, meeting. All six members signed.

11 New Business # 6 – Official Zoning Map

12           Director of Planning, William Kastning, discussed the official zoning map and gave a  
13 presentation specific to the dual zoned parcels. Discussion ensued on each of these parcels. The  
14 Director’s recommendations were confirmed, except for Map 103, Parcel 147, which the  
15 Planning Commission wishes zoned entirely Mixed Residential. In addition, the Planning  
16 Commission was unsure of the preferred zoning for Map 103, Parcel 527.

17           The Planning Commission signed the resolution to forward the updated zoning map to  
18 the Town Council for consideration and adoption.

19 New Business # 7 – Gay Street Redevelopment Preliminary and Final Site Plan

20           Planning Director Bill Kastning discussed the status of the project, specifically regarding  
21 the impact of the Samaritan House denial of a parking agreement. The applicant has indicated a  
22 desire to proceed with the project and is now considering provision of parking on property he  
23 owns on the north side of Gay Street. Some residents from the audience inquired as to how best

1 resolve the Planning Commission's concerns. A new application for a hearing has not been  
2 received.

3 No additional staff items were discussed.

4 A motion was made to adjourn the meeting and approved unanimously at 7:45 p.m.