

Denton Planning Commission

Minutes

Town of Denton

August 31, 2010

Planning Commission Members:

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

* Those Present
** Excused

Visitors:

Robert Clendaniel
Carol Donohue

Sharon VanEmburch
George Nier

Recording:

William Kastning
Janice Henderson

1 PROCEEDINGS

2 The regular meeting was called to order by Chairperson Walls at 6:03 p.m., on August
3 31, 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 August 3,
5 2010, Planning Commission meeting minutes. The minutes were approved as submitted.

6 Chairperson Walls closed the regular meeting and opened the Public Hearing at 6:06 p.m.
7 Chairperson Walls asked if there were any comments concerning the amendment to the 2010
8 Town of Denton Comprehensive Plan. Mr. George Nier, representing the Donohue's, owners of
9 property at 808 S. 5th Avenue, asked that the Commission approve the request to change the
10 zoning of the subject property from Suburban Residential to Regional Highway Commercial as
11 shown on the proposed zoning map within the Draft 2010 Town of Denton Comprehensive Plan.
12 Mr. Nier stated that the owners had signed a façade easement for the structure located on the
13 property known as "Plaindealing". Director Kastning confirmed receipt of the easement
14 document.

15 There were no other comments, Chairperson Walls closed the Public Hearing at 6:20 p.m.
16 and re-opened the regular meeting at 6:20 p.m.

17 **Old Business #1 – Ordinance #613 Donohue Façade Easement** – The Denton Town
18 Council introduced the Ordinance #613 at the Town Council meeting on August 9, 2010 and has
19 asked that the Planning Commission make a recommendation to the Council concerning the
20 façade easement on a structure located at 808 S. 5th Avenue.

21 Commissioner Thomas motioned to forward a positive recommendation of Ordinance
22 #613, Donohue façade agreement, to the Town Council.

23 Commissioner Dowdall seconded the motion. The motion passed unanimously.

24 **New Business #1 – 2010 Comprehensive Plan Amendment** – A request for a minor
25 amendment to the 2010 Comprehensive Plan was made to change the proposed zoning for one

1 parcel, Map 105, Parcel 2291, 808 S. 5th Avenue from Suburban Residential to Regional
2 Highway Commercial. The amended items in the Comprehensive Plan would include the
3 proposed zoning map, proposed land use map, and all relevant tables and discussion that would
4 relate the change from residential to commercial. The amendment was sent to Maryland
5 Department of Planning (MDP) for review and comment, MDP declared the change a minor
6 amendment and waived the 60 day comment and review period.

7 Commissioner Thomas motioned to approve Resolution #2010-11, amendment to the
8 Town of Denton 2010 Comprehensive Plan.

9 Commissioner Dowdall seconded the motion. The motion passed 4:1 (Chairwoman Walls
10 voting nay).

11 **New Business #2 – Ordinance #611 – amendment to Denton Town Code, Chapter**
12 **128.** On August 9, 2010, the Denton Town Council introduced Ordinance #611. The ordinance
13 includes amendments to the Town Code, Chapter 128 Zoning, official zoning map, and the
14 critical area map (added signature block only). Director Kastning summed up the revisions to the
15 Zoning Chapter, stating that the Planning Commission participated in numerous working
16 sessions which resulted in many comments and suggestions that were incorporated into the final
17 draft. In addition, the final draft included numerous suggestions by the Town Attorney.

18 Commissioner Cruickshank motioned to recommend approval of Ordinance #611, to the
19 Town Council.

20 Commissioner Dowdall seconded the motion. The motion passed unanimously.

21 **New Business #3 – Ordinance #612 – amendment to Denton Town Code, Chapter**
22 **73.** On August 9, 2010, the Denton Town Council introduced Ordinance #612. The ordinance
23 includes amendments to the Town Code, Chapter 73 Subdivision. Director Kastning reviewed
24 many of the revisions to the chapter, stating as with Chapter 128 the Planning Commission
25 participated in numerous working sessions which resulted in many comments and suggestions

1 that led to the final draft. The Town Engineer reviewed and suggested revisions to Chapter 73.
2 The Commission, Town staff and Town Engineer comments were incorporated into the draft
3 document.

4 Commissioner Cruickshank motioned to recommend approval of Ordinance #612 to the
5 Town Council, conditioned on review and suggestions by the Town Attorney.

6 Commissioner Dowdall seconded the motion. The motion passed unanimously.

7 **New Business #4 – Yard Sales** - A request was presented before Town Council on
8 August 9, 2010 asking that residents be permitted to hold yard sales on a parcel owned by the
9 Town located at the corner of Market Street and Third Street. The Planning Commission was
10 asked to discuss the request and forward a recommendation to the Council. A letter was
11 presented to the Town Council by a resident stating the details of the request; a copy of this letter
12 was given to each Commission member for consideration. After much discussion including a
13 concern about liability, Chairperson Walls motioned to recommend denial of the Town property
14 at Market and Third Street to be used for yard sale purposes and that the current yard sale
15 ordinance should remain unchanged.

16 Commissioner Thomas seconded the motion. The motion passed unanimously.

17 **New Business #5 – Minamoto amended annexation agreement** – Mr. Ben Minamoto
18 requested amending his annexation agreement for property located at River Landing Road, Map
19 102, Parcel 5. The Commission is asked to make a recommendation to the Town Council.

20 Commissioner Thomas motioned to recommend approval of the annexation amendment,
21 which includes removal of the Planned Neighborhood overlay and development limited to no
22 more than six residential lots.

23 Commissioner Dowdall seconded the motion. The motion passed unanimously.

24 The meeting adjourned at 7:15 p.m.