

**Denton Planning Commission**

**Minutes**

**Town of Denton**

**April 28, 2026**

**Planning Commission Members:**

William Quick, Chairperson\*

David Burroughs, Vice Chairperson\*

Kevin Waterman\*

Dona Sorce\*

Gregory "Lee" Graham\*

James Guay, Alternate\*

\* Those Present

\*\* Excused

\*\*\* Absent

**Participants:**

Peter Johnston, Town Planner

Brett Ewing

Frank Taylor, Councilman

Jim DiDonato

**Recording:**

Donna Todd, Director of Planning and Codes

George Bacorn, Chief of Police

Scott Getchell, Town Administrator

## PROCEEDINGS

### **Call to Order:**

The Planning Commission Meeting was called to order by Chairperson Quick at 6:00 p.m. on April 28, 2026, at the Denton Town Office. Chairperson Quick lead everyone in the Pledge of Allegiance.

This Meeting was made available to the public via Town Hall Video Conferencing, and access to the Meeting was made available on the Town website.

### **Approval of Minutes:**

The Regular Meeting Minutes of February 24, 2026, were reviewed and unanimously approved.

### **Old Business #1 – Other:** None.

**New Business #1 – JPA Venture, LLC – Sketch Plan:** Jim DiDonato, JPA Ventures, LLC, (Owner) requested the opportunity to discuss the proposed sketch plan with the Planning Commission. The proposed mixed-use development will be located on Legion Road, Caroline County Tax Map 0106/Parcels 2473, 2474, 2475, and 2480, zoned Urban Residential (UR) and Regional Highway Commercial (RHC).

Jim DiDonato stated they have submitted plans regarding Commerce Drive for the May Planning Commission meeting. He noted that he will be developing only half of Commerce Drive from Legion Road.

Chairperson Quick asked whether the traffic light would be in place at the off-ramp from Route 404.

Mr. DiDonato expressed his belief in the matter, albeit with reservations. The entrance from Legion Road to Commerce Drive will undergo modifications. Currently, a three-way traffic light operates at this intersection, and a four-way light will replace it. Mr. DiDonato indicated that WAWA will be responsible for the traffic light installation on Route 404.

Brett Ewing, from Lane Engineering, opened the discussion regarding the context of Mr. DiDonato's intentions for his property. He stated the purpose of this meeting with the Planning Commission was to receive feedback on potential road improvements for Legion Road and inquire about the Town's flexibility regarding the common zoning line between the Regional Highway Commercial (RHC) and Mixed Residential (MR) zones. They are also seeking clarification on the technical definition of the zoning for the property in question.

Donna Todd, Planning and Codes Director, stated the property was zoned (UR) Urban Residential, not (MR) Mixed Residential.

Mr. Ewing explained that the proposed project design is structured in phases with a tiered layout. The commercial area is situated at the base, followed by progressively denser residential zones as one moves away from the commercial side, specifically from Walmart. He clarified that the project will be implemented in phases over an extended period. Initially, the focus will be on constructing the road and initiating residential development to generate funds for future phase projects. Mr. Ewing noted that the proposed density is below the maximum permitted in the MR district. Commerce Drive will provide multiple access points for the proposed projects in future phases. The road layout throughout the development is contingent upon the requirements for Legion Road. Mr. Ewing stated that the Comprehensive Plan suggests adding a median down the center of Legion Road. The owner has already invested funds in extending Commerce Drive and hopes that the Town will not require this road feature.

Mr. Ewing contends that incorporating a development at an arbitrary line or ridge line is not always the most practical and fluid design approach. He believes that allowing the design to evolve naturally, considering the road system, lots, and open space, can result in a highly practical and functional layout. Subsequently, he suggests adjusting the zoning line to align with the site's layout.

Mr. Ewing is not seeking a significant alteration but rather some flexibility to modify the boundaries. He acknowledges that the Town Council must approve zoning changes. They aim to maintain this as a by-right permitted subdivision and avoid a protracted Council process.

Commissioner Sorce requested the number of units being proposed.

Mr. Ewing responded with the following:

- Highlighted in Orange - Eighty-two single-family units.
- Highlighted in Yellow - Eighty-seven Townhouse units.
- Highlighted in Purple – Future Multi-Family / Apartment Area.

Commissioner Guay inquired whether the road would extend to Gay Street.

Mr. Ewing clarified that the proposal is distinct from the Commerce Drive project and anticipates that the road will be constructed and operational before any construction commences.

Mr. Ewing inquired about the Town's requirements for infrastructure improvements. The owner is willing to allocate some land to the Town if the Town wishes to provide a median within the roadway.

Chairperson Quick questioned the anticipated improvements or potential issues that Legion Road may face.

Mr. Ewing informed him that Mr. DiDonato had hired Mike Lenhart of Lenhart Traffic as his Traffic Engineer. Based on his analysis, Mr. Lenhart has concluded that the level of service (A) remains unchanged, despite the construction of Commerce Drive.

Mr. Ewing expresses skepticism about the significant impact of Commerce Drive on Legion Road, which would require improvements to Legion Road. Furthermore, Mr. Ewing is uncertain about the necessity of the median proposed in the Comprehensive Plan.

Chairperson Quick requested clarification on whether any improvements to Legion Road are necessary for their project.

Mr. Ewing expressed their willingness to fulfill any requirements to meet the standard specifications or public demands for their access. However, in certain instances, additional off-site improvement requirements may not be deemed necessary based on the conducted studies.

Vice Chairperson Burroughs had questions about prioritizing residential development over Commerce Drive, given the construction of new housing units off Legion Road. Additionally, the construction timeline for the cross streets in the rear area was sought. The single access point from Legion Road, coupled with the anticipated housing development, could potentially lead to traffic congestion.

Mr. Ewing stated that they plan to have Commerce Drive completed within a year.

Mr. DiDonato elaborated on the Commerce Drive project's longstanding existence, emphasizing that the Town's control is limited to its property. Several discussions have been held between the Town and adjacent property owners, but these have not yielded favorable outcomes. Their sole responsibility is to manage their own property and proceed with construction. The Planning Commission will review the project at the end of May. Mr. DiDonato has a verbal agreement with the WAWA Group to complete the project. They are currently drafting an

agreement, which is not yet finalized. Based on the approval process, he anticipates that the project will be presented to the Planning Commission in May, receive comments within 45 days, and be returned to the Town sometime in June.

Chairperson Quick expressed his understanding that the construction of residential housing is contingent upon the completion of Commerce Drive. He inquired if his interpretation of their stance was accurate.

Mr. DiDonato clarified that the presentation is more of a conceptual sketch rather than an official plan. They are still refining the stormwater management and utility grading aspects, which could alter the layout depicted. The primary objective was to share their initial ideas before incurring the costs associated with developing a comprehensive concept plan.

Chairperson Quick clarified that the Commission would not be receptive to the concept of constructing housing without ensuring adequate access, including multiple access points to Legion Road and/or Commerce Drive. Although he does not perceive any issues from his perspective, he lacks the legal authority to inform them about zoning regulations. However, he does not see any problems with minor modifications of the zoning district boundary line they discussed.

Councilman Taylor emphasized that Commerce Drive is a component of the Comprehensive Plan and expressed gratitude to the developers for their collaborative efforts in devising a plan to achieve its objectives. He inquired whether there is a plan for access from Foy Road or if all access will be exclusively provided via Legion Road.

Mr. Ewing stated that, as of now, access would be provided exclusively via Legion Road.

Peter Johnston, Town Planner, explained that the Comprehensive Plan recommends the median. Still, the Public Works department should determine its appropriateness in this context, considering trip generation from the buildout of downstream properties. He suggested JPA proffer

plans for improvements to Legion Road that they feel are necessary for Public Works review and acceptance. The Comprehensive Plan recommended a pedestrian trail in the Legion Road corridor, e.g., a pedestrian and bike lane along the front of the property, given Walmart and Denton Plaza's proximity to the development, which is generating more foot traffic. They need to consider pedestrian movement throughout the community and connections across. He is unsure how much right-of-way there is on Legion Road, but it needs to be assessed and possibly widened. There will certainly be accel-decel lanes along the road. He also pointed out that pedestrian and bicycle access across the property from the east will be needed, as well as an internal connection between the residential and apartment areas and the shopping center, so residents can safely walk or bike to the new commercial. Those kinds of details need to be part of the whole movement of people and goods in the project.

Mr. Ewing noted that the right-of-ways within the community will be wide enough to accommodate sidewalks, trees, and everything required by the town's specifications.

Mr. Johnston mentions cut-through traffic and what would be in place to discourage traffic from Commerce Drive from going through their development, rather than coming down to the signalized intersection and heading southeast.

Mr. Ewing stated that one reason they did not provide access to Foy Road was to avoid the cut-through in the residential section.

Mr. Johnston asked whether the traffic study mentioned included the construction of the proposed project.

Mr. Ewing confirmed that it was included in the TIS from ten years ago, but they anticipated hundreds of residential units and 500,000 square feet of retail.

Mr. DiDonato explained that the study was primarily conducted to secure a signalized intersection at Commerce and Gay Street. This development will encompass both residential and commercial spaces, extending beyond their property to include adjacent properties along Commerce Drive. Given the limited development in the vicinity, the area has remained largely unchanged. Mr. DiDonato assured that the Traffic Impact study will be updated specifically for the project. He believes that Commerce Drive represents a significant regional enhancement for the town, facilitating connectivity throughout the community. In contrast, he views the median on Legion Road primarily as an aesthetic consideration, while acknowledging that Commerce Drive is poised to deliver substantial benefits to the town, including increased mobility and property tax revenue.

Commissioner Graham questioned whether it would affect Legion Road.

Mr. DiDonato has indicated that they will provide a more accurate study. They believe that over 90% of traffic will be directed to the MD 404 intersection rather than to Legion Road. He needs to assess the traffic flow on Commerce Drive and determine the demand for commercial development. They will then proceed from Commerce Drive to commercial areas, working from both ends. Mr. DiDonato is willing to initiate the project in phases if there are any delays. He could construct their portion of the project and potentially transfer it to the Town if they are willing to accept it.

Mr. DiDonato explained they would like to give themselves maximum flexibility.

Chairperson Quick stated the Planning Commission wouldn't advocate any significant expense on their part.

Mr. Johnston noted that the Planning Commission will receive a subdivision application for the JPA portion of Commerce Drive in May.

Chairperson Quick asked if anyone knew when they would hear from WAWA.

Ms. Todd informed them that she is unaware of when they will submit plans.

**New Business #2 – Other:** None.

**Staff Item #1 – Other:** Ms. Todd informed the Planning Commission that the Denton Project LLC, single-family homes, approvals have expired, and the owner did not record the subdivision for Phase I. At this time, there has been no communication regarding the townhomes that need to be recorded on July 26th; if they are not recorded, they will also expire.

Vice Chairperson Burroughs asked if they were out of extensions.

Ms. Todd confirmed that it was correct and that the water and sewer allocations will expire on July 6<sup>th</sup>, for both projects, since they applied for them at the same time.

Ms. Todd also informed the Planning Commission that 7-Eleven and Popeyes are moving forward with construction.

**Adjournment:** The Meeting adjourned at 6:44 p.m.