

## Town of Colonial Beach Planning Commission Minutes

Date: January 5<sup>th</sup>, 2012 – Town Center, 22 Washington Avenue

Time: 4:30 p.m.

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Present: Maureen Holt, Chairwoman  
Desiree Urquhart, Vice Chair  
David Coombes  
Ed Grant  
Kent Rodeheaver

Staff: Director of Planning and Zoning, Gary Mitchell  
Town Manager, Val Foulds  
Town Attorney, Andrea G. Erard  
Town Clerk, Kathleen Flanagan

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### **Item 1: Call to Order**

Ms. Erard called the meeting to order at 4:30 p.m. The first order of business is selection of a chairperson.

### **Item 2: Selection of Chairperson and Vice Chair**

Mr. Coombes made a motion to select Maureen Holt as Chairwoman. Ms. Urquhart seconded the motion. There were no additional nominations.

A voice vote was called, the ayes were unanimous.

Ms. Holt made a motion to select Desiree Urquhart as Vice Chairwoman. Mr. Rodeheaver seconded the motion. There were no additional nominations.

A voice vote was called, the ayes were unanimous.

### **Item 3: Acceptance of Resignation of Cynthia Misicka**

Mr. Coombes made a motion to accept the resignation of Cynthia Misicka. Mr. Grant seconded the motion.

A voice vote was called, the ayes were unanimous.

Commissioners agreed to prepare a letter or resolution thanking Ms. Misicka and Ms. McMullen for their service and to request Town Council do the same.

### **Item 4: Town Manager Update on Planning Commission Vacancies**

Ms. Foulds asked Ms. Flanagan to provide an update. The position has been advertised twice with no applicants coming forward. Ms. Flanagan requested Commissioners assist in generating interest and finding interested, qualified applicants.

### **Item 5: Adoption of By-Laws**

Mr. Grant noted that in the By-Laws, it reads “A majority of the members will constitute a quorum.” And continued, “It’s not the majority of those present.” Ms. Erard noted that, under the law, a quorum is based on the number of the membership, not those present. Therefore, four members constitute a quorum.

Ms. Urquhart noted “We only five people until we fill those seats. A quorum of the majority is three out of five.” Ms. Erard noted that “A quorum, generally speaking, under the law is a majority of the members of the body, not of those present.”

Ms. Urquhart requested the By-Laws be amended to include the language “A majority of the body of the membership” constitutes a quorum.

Mr. Coombes noted “It goes on to say, shall be valid unless authorized by a simple majority vote of those present and voting.”

Ms. Erard replied “It says, a majority constitutes a quorum, that’s the first topic. The second topic is ‘no action of the Commission is valid unless authorized by a simple majority of those present and voting. So you need two things to take correct action. You need a quorum to start the meeting. And then, in order to pass something, you need a simple majority of those present.’”

Ms. Holt requested the By-Laws be amended to include term limits.

Mr. Coombes noted his concern that “Continuity over a period of time is good as you add new members. It is also of concern that an appointed commission limiting itself, when not requested by the governing body – or the governing body limiting itself.”

Ms. Erard stated, the requested changes will be made and action is deferred on approval of the By-Laws until the February meeting.

Ms. Urquhart made a motion to defer action. Mr. Grant seconded the motion.

A voice vote was called, the ayes were unanimous – Action on the By-Laws is deferred until the February meeting.

### **Item 6: Further Discussion and Consideration of Comprehensive Plan Amendment – Urban Development Area and Density**

Mr. Mitchell presented a report on a Comprehensive Plan Amendment, which had been originally presented in November. The amendment is a result of state code requirements concerning urban development areas.

Comments made by Commissioners at the November meeting have been incorporated into the proposed amendment.

Mr. Mitchell highlighted changes made in Chapters 2 and 4.

Mr. Coombes asked Mr. Mitchell to explain “floor area ratio” and how one determines the “floor area ratio.”

Mr. Mitchell explained “Say you have a 5,000 square foot lot. With a floor area ratio of .5 or 50%...you take 50% of the lot area and that equals the largest floor space you can occupy. It could be on more than one floor.”

Mr. Mitchell further explained the ratio percentage is based on the development pattern that Carol Rizzio provided.

Mr. Coombes then referred to page 2-12 where it discusses “a densely developed trailer court is located at the intersection of Irving and Dandridge Lane.”

Mr. Mitchell noted he is continuing to work on the document and could take or update that information.

Mr. Coombes then referred to page 2-22, under Potomac Crossing, that reads “The current economic conditions may result in a mixed use community without a golf course.” “When we approved Potomac Crossing, the overriding concern of the citizens in Town was that that golf course was all important and that there would be no development if the golf course did not...”

Mr. Coombes noted “I would like to take that “without a golf course” language out so that it doesn’t cause any undue alarm.

Mr. Mitchell noted he had had discussions with the developer, but nothing specific to the golf course.

The Commissioners agreed with Mr. Coombes to take out that sentence.

Mr. Mitchell reported that “The developer has re-staffed itself, they have new people in place. Val has met with the project manager and they are attempting to come up with some alternative solutions to bring to us, probably in the spring.”

Mr. Rodeheaver noted under “Monroe Point” it says “golf cart linkage to the rest of the town via Colonial Avenue.” The access may be part of someone’s yard.

Ms. Erard recommended a proposed Resolution: “Therefore, be it resolved that the Planning Commission hereby forwards this proposed Comp Plan Amendment to the Town Council with either a favorable or unfavorable recommendation.”

Ms. Holt asked for a motion.

Mr. Coombes moved to accept the resolution as read. Mr. Rodeheaver seconded the motion.

Ms. Erard read Resolution CPA-01-2011 recommending forwarding the Comp Plan Amendment to Town Council with a favorable recommendation.

Ms. Holt asked for a vote on the Resolution. Mr. Coombes voted aye, Mr. Grant voted aye, Ms. Urquhart voted aye, Mr. Rodeheaver voted aye, and Ms. Holt voted aye. The motion unanimously passed.

**Item 7: The 2012 Work Plan**

Mr. Mitchell presented a 2012 Work Plan that included five goals. (1) continue to revise and update the zoning ordinance; (2) draft a major highway corridor overlay district; (3) continue to develop the downtown revitalization program; (4) revise the CIP format; and (5) implement and update the GIS.

**Item 8: Power Point Presentation of examples associated with the Highway Corridor Overlay District concept as recommended in the Comprehensive Plan**

Mr. Mitchell presented a power point presentation to Commissioners.

**Item 9: Adjournment**

The meeting was adjourned at 5:00 p.m.

Minutes Prepared by and Respectfully submitted:

Kathleen Flanagan,  
Town Clerk  
Town of Colonial Beach

Accepted by:

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Planning Commission Chairperson