

Minutes
Town of Atlantic Beach, North Carolina
Town Council/Planning Board Meeting
Tuesday, July 24, 2007

A Special Joint Meeting of the Atlantic Beach Town Council and Planning Board was held Tuesday, July 24, 2007 at 6:00 p.m. in the Council Meeting Room.

Council Members Present: Mayor Joyce Vinson; Mayor Pro Tem Eddie Dawkins; Council members Jim Bailey, Ruth Barnes, Joe Tarascio and Michael Warren

Council Members Absent: None

Planning Board Members Present:

Chairman Ray Langley; Vice-Chairperson Karen Koenig; Members: Vada Palma, Larry Burke and Pierce Latimer

Planning Board Members Absent: Norman Livengood; Rebecca Marks

Others Present: Dave Harvell, Town Manager; Landin Holland, Planner; Jessica Fiester, Planning Tech; Larry Moolenaar, Facilitator; Kelly Nash, Town Clerk.

CALL TO ORDER AND ROLL CALL

Mayor Vinson called the meeting to order at 6:00 p.m.
Kelly Nash, Town Clerk took roll call.

Mayor Vinson opened the meeting by thanking everyone for attending and explained that the meeting will have a facilitator, Mr. Larry Moolenaar, from Eastern Carolina Council. At this time, Mayor Vinson turned the meeting over to Mr. Moolenaar.

Mr. Moolenaar gave a brief explanation as to his role at this night's meeting. He also reminded the public that this meeting was between the Town Council, the Planning Board and developers involved. Mr. Moolenaar read a statement to the assembly that conveyed the task at hand. It read as follows:

"We are here tonight to address issues relating to the future development proposed within the Circle Development District. Over the last seven (7) years, the town has worked through conceptual design phases for various elements of the CDD. At this point, the town's working towards the permitting process and would like to be sure that the current plans for the district maintain the original intent and vision established for the Circle Development District. Additionally, town administration would like to ensure that concerns related to public services, traffic flow and parking are adequately discusses and addresses prior to proceeding with development. This joint meeting has been called in an effort to address these issues in a form where all developers within the CDD have an opportunity to participate. We aim to establish a course of action at tonight's meeting that will adequately prepare all parties involved to proceed with the development of the CDD."

Mr. Moolenaar stated that the first issue that would be discussed was in 2003 the CDD approved building plan and in 2007, the CDD Proposed Development Plan, Is the Intent and Vision conceptually the same as what was approved in 2005 and what is being proposed today?

Mr. Neil Whitford, appearing on behalf of FMB, Fred Bunn and Cecil Bradley – "I would ask that you hear from Fred Bunn on that point. He is, as everyone knows, is instrumental in the development and I think that he can lay out the enhancement of the development plan, as least his part of the plan, from 2003 to 2007. I would suggest that be a logical place to start."

Mr. Moolenaar: "I agree. I think that would be good. What I would request is that we don't want to go on all evening and try to keep these things as brief as we can, so that we can get some questions and get through the slides that they have for us, if that's ok."

Mr. Neil Whitford: "My name is Neil Whitford and I appear tonight on behalf of FMB, Fred Bunn and Cecil Bradley.

Mr. Moolenaar: "Ok, thank you very much."

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Mr. Fred Bunn: "Thank you for allowing me to come before you again tonight. I'm gonna try to go back a little ways and take it from 2003 to go to 2007 and kinda explain why we think that not only have we, um, are we consistent with what we've talked about before, but how we've actually enhanced what we're doing for the community. I'm gonna go all the way back to a presentation at the Sheraton in July of '03 and, if I may, I'm gonna read this to you because it, I think, shows, that we are in essence doing what we've always said we were gonna do. 'Our idea is to create a pedestrian/bicycle friendly town center, typical of a central business district such as in Wrightsville Beach where Atlantic Beach residents, Carteret County residents, and tourists would want to visit all, that is a community that becomes a habit. The town center would include residential, commercial, office and civic components designed to appeal to everyone with an emphasis on family. Some of the retail opportunities in a market place setting may include a bookstore, a newsstand, an ice cream shop, restaurants and beach rental shops, miniature golf, fudge and candy shop, etc. A vision of the civic component includes a circle museum, and community management office, a community band stand and an outdoor screen for movies on the beach. In addition there would be sidewalks, bicycle racks, a boardwalk, and a outdoor facility suitable for family events such as a 4th of July celebration, Kidsfest, beach run, volleyball and surf fishing tournaments, concerts and art fairs. The residential may include single family, a small inn, condominium building that is three (3) to twelve (12) stories in height, laid and designed to blend with the surrounding community. Prices and amenities will appeal to a broad spectrum of buyers and renters, and we estimate there will be two hundred fifty (250) to three hundred twenty five (325) weddings. The amenities for the residential component would include a beach club, an adult pool, a kid's pool, a water play park, snack bar and a pavilion. We believe the inclusive town center approach with residential/commercial, office, civic areas will led to a successful, sustainable community unlike any in North Carolina and possibly elsewhere.' The only thing here that's changed and we did that, because an enhancement that we talked to the Town Council about, was the heights of the buildings, when we first started in 2003 the....this plan had four (4) tall buildings on it. One of them was directly on the ocean and three (3) interior. We thought about that and thought about that and thought about that and thought that it made more sense to us to eliminate this building so we went before the Town and said 'Look if ya'll agree with us, what we would like to do is kinda substitute what we were doing here by going a little taller here to keep this building, to keep the profile more similar to what it was going to be.' The Town agreed, so, that's how we came about that. The pools have been another change, we've had ____ pools on the ocean since we've got started with sand all that goes with that, where people come in and use the pool at improper times and doing things at the pool that were improper so we thought it would be better to move that off and we move the pools back to here. At that time, we had a street reconfiguration and we decided to stay with the more or less current alignment of the street here. They have been pretty much the only changes. The good thing about it is, we think that with all these plans, and I think we can demonstrate it, each plan has gotten better. That's always been the intent and that will always be the intent. Its possible things could change a little bit more between now and when we get started. We think we are very close to what we want to do now. At that meeting, at the Sheraton, we promised these things. There were thirteen things. We still have those. And since that time we were able to make the land more usable for what we were trying to do. And we've added an additional number to bring it up to twenty eight (28). So we've gone from thirteen (13) non-residential units to twenty eight (28). Which we think.....(inaudible). We've added more common area from the day one. Day one the common area was pretty much here and this was shopping here, but it wasn't true common area, it was shopping and common area. What we've done now is we've kept, we've re configured the shopping area and increased the community area. This space was there originally, it's still there. This whole green space here was not there before and this additional community space. We've wrapped retail and residential around that creating a kinda park setting. We have increased the amount of green space in the development. We're doing a lot, we don't want it to feel like an asphalt jungle, so we've increased the green space and how we've done that is, we've moved the parking around, but we've clustered parking, and I'm gonna go into that because I know that's a big issue with you about parking. Is it ok to do it now?"

Mr. Moolenaar: "Um, you can go over it again, so just kinda...."

Fred Bunn: "alright, in essence, at one time we had parking seventy (70) some spaces under these buildings. This building was ten feet (10') off the ground which created a wall here that we were struggling with, how to deal with that and beautify and separate and how you deal with one area being ten feet (10') up and another one three

to four feet (3'-4') up. So we all decided it was better to keep them all on the same plain, so we pretty much got everything on the same plain, which required us to take the parking out from under here. We've relocated the parking. We had parking here recently. We kept some of that parking but we've made this green space once and we actually had parking all here before but it was like a big parking lot and we felt it was better to line the streets with buildings, to preserve, to hide the parking area while at the same time increase our green space. So we did that. To show you, here, in the analysis on the parking. With what we have drawn here, we're required to have six hundred seventy five (675) parks, we have seven hundred thirty five (735) parks, of which a few are dependant on some rezoning over here. And I've got a map here. I'm sorry, I gave you the wrong figure, we've got seven hundred sixty four (764) parks, we're required to have six hundred seventy five (675). I've got a map here showing kinda how that is. That doesn't include the ninety five (95) or so spaces that could, that are kinda existing or could be put on the street within the CDD area or the CAMA area, CAMA lot area. But the parking here is, we have a parking structure here that can have up to four hundred one (401) parking spaces that's behind Wings. That's a good place for them because.....(inaudible) so it looks good anyway. You can see, we've got parks over here on the North, North um, these would be rezoned, probably.....(inaudible) and we've got parking on South Bogue but, and we may not be able to use that, but if we were, we're proposing to put a fifty foot (50') buffer between anybody that was close to us andtake the....out of that, if that was permissible with everybody. But regardless, we've got enough parking, we've got an auxiliary parking if we're wildly successful at Causeway shopping center, we could have more parking than Wal-Mart's got it.....(inaudible), so I want to emphasis that the concern over parking is ill-founded. We will not..."

Mr. Moolenaar: "May I ask a question, the plan that you have up there, 2007, is that what the Planning Board has approved?"

Fred Bunn: "Yes, sir"

Mr. Moolenaar: "That's what the Planning Board has approved, ok, alright; I just wanted to make sure."

Fred Bunn: "Ah, we've done phase I of the development, we've demolished what we're going to demolish and everything that's left we hope to preserve and bring back to you. We moved thehouse on the beach there, enhanced that to a little lodge. Um, I think I'll end with saying the concept has not changed, the concept has gotten better. There's more green, more public area, better parking, more walkable, more bicycle-friendly. Here's some statistics that you may be interested in: twenty five (25) buildings, plus or minus; nine (9) retail/restaurant buildings; three (3) office buildings; things may change a little bit, it's pretty close; six (6) lodging buildings of which three (3) are.....(inaudible); two (2) civic buildings; there'll be a maximum of two hundred thirty (230) residential units in the tall buildings and in the two (2) and three (3) story buildings there will be twenty two (22) units; there'll be nine (9) single family residences; there'll be four nine hundred thirty (4930) plus or minus.....(inaudible) pedestrian walkway. We're gonna plant sixteen hundred plus (1600+) shrubs and trees, the height of the tall buildings in the center here are one hundred eighty five feet (185'). The perimeter buildings, that we always said we wanted to lay it out to the East/West, North/South, the perimeter buildings are seventeen (17) and forty five (45) feet tall. The approximate investment we plan on making is one fifty eight million dollars (\$158,000,000.00). We think it'll be approximately one hundred sixty (160) jobs created. We had to acquire thirty two (32) parcels of land since we've started to do this. We've negotiated with eighteen (18) land owners that we were successful with. There's a roughly forty six thousand square feet (46,000 sf.) of retail/restaurant/office space and the number of retail/restaurant/office businesses we project will be around nineteen (19)."

Mr. Moolenaar: "I appreciate that. It was a good summary of the project. Are there any questions or comments from either board? Ok, if not, we'll move on. Ok, the second slide here is the amount of public access versus private access – are they the same or plus? Yes, sir"

Joe Tarascio: "I have a question on that. Fred, I'm just asking this, 'cause I think it's a question that I've been asked an awful lot of times. In the purchase agreement, it talks about things being refigured and relocated; it clearly states the town's preference being to have public parking in or in close proximity to the Atlantic Beach

Circle Development Project area. Now in what you just outlined, what wasn't presented was that where those elevated walkways were going to go, that was all originally parking. Elevated walkways did away with that parking. It seems to me pretty clear with the parking disappearing from inside the triangle and from under the buildings and that the parking's being moved further and further out. Is that an accurate statement or inaccurate? And my other question is, the parking plan that you've presented pre-supposes rezoning of property. What happens if you can't get that property rezoned, where would you're parking be at that point?"

Fred Bunn: "Do ya'll want an answer to these questions?"

Joe Tarascio: "I guess I need to defer my questions to him."

Fred Bunn: "Do you want me to answer those questions?"

Mr. Moolenaar: "I liked to hear from some other people on the parking issue, but I think...."

Fred Bunn: "Yes, the parking has been moved some, but maybe a block at the most and the whole idea of the development was to be a walking/bicycle/automobile friendly, so it has been moved some. If we are able to rezone the land we've talked about, then we'll have to scale back the development. Not to where it would make a tremendous impact, but we would have to scale it back a little bit. We're not 100 percent, I gave you the maximum number of unit, we're not sure we're gonna build that many, but I gave, our parking is based on the max use, and don't forget we have a tremendous amount of parking more than to meet the code. So we've got some room that if people aren't satisfied if we've got some parking here and some parking there that we've got some room to put in some. But if we're talking about doing a development that is like every other development in this country. If we want to pack the place with parking and not make it walker friendly or bicycle-friendly I think we're missing the boat as a community, as a state, as a anybody that's a worthy, first class development."

Mr. Moolenaar: "I guess the question comes down to kinda that like myself, I'm coming from New Bern and I want to go to the beach, where do I park?"

Fred Bunn: "You've got seven hundred and some places to park."

Jim Bailey: "Are they all open, that's my question, are any of them reserved or all they all opened?"

Fred Bunn: "Well, they'll be, we won't assign parking, but that won't mean somebody won't be in a place when you get there. But there is parking right here on the street, like it's always been, right at the..we'll have valet parking for..there should no problem with someone coming from New Bern to use the facilities."

Mr. Moolenaar: "Would they have to pay for parking or could they have free parking?"

Fred Bunn: "They may have to pay for parking. They've had to pay in the past. We haven't gotten that far.:

Mr. Moolenaar: "Are there any other comments?"

Karen Koenig: "I have a question, who owns the road in front of it? Is that the Town's road or is that your property? Who owns the parking on the road and are you counting that??"

Fred Bunn: "We're not counting any street parking."

Karen Koenig: "Ok, and that's owned by the Town of Atlantic Beach?"

Fred Bunn: "Yes, that parking is owned by the town. And our agreement with the Town, we were able to narrow East and West Drive for the walkable system, but all the roads are owned by the Town. The people who say, 'well, this thing is going to be private', well it can't be private, it's town-owned.:

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Karen Koenig: "So, how much public parking per say is there? Parking that you're not assigning and no one else is assigning?"

Fred Bunn: "It's all public parking."

Karen Koenig: "I don't mean that. Parking that's not on your property. Parking on the road and in the CAMA lot."

Fred Bunn: "I'm not counting that..."

Karen Koenig: "I know you're not. How much parking is there for just general "Joe" that comes to the beach? How much is available?"

Fred Bunn: "I don't know how to answer that question, Mrs. Koenig, because we're planning our parking based on what the CDD requires us to, so we're going by what we've got on guidelines."

Karen Koenig: "As far as(inaudible) inside the development, I'm assuming that you're getting, the number of the parking spaces that you have within the CDD zone, not the area in white that has to get rezoned. How many parking spaces do you have there?"

Fred Bunn: "I'll be glad to answer that, but first of all, let me say that the code or the CDD code says it doesn't have to beI'm gonna give you a total, more parking that you've ever dreamed about, I'll give you what's in the CDD."

Karen Koenig: "When you came last time, it was very vague. That's why, I just want to get an idea where people are going to park, how far away and what's there available now."

Fred Bunn: "Ok, let's see. There five hundred and thirty one (531), not counting any CAMA or free parking in the actual CDD zone, if you include the expanded CDD zone, there was some talk about that, there was some talk, you would add another one hundred and six (106)."

Mr. Moolenaar: "Are there any other interested parties that might have, let's say, property close to the development that have questions for Fred Bunn."

Mayor Vinson: "You've got a question over here, Larry"

Jim Bailey: "Fred, will there be any reserve parking for the residential people. I mean, I know I heard say it wasn't going to be assigned parking, but will there be, for instance, a lot that's reserved for people who own residences?"

Fred Bunn: "We addressing that now, but we feel like we've got almost over kill on parking and if we going to have parking, it's only going to be on busy weekends, and 4th of July in which we all gotta park at that time.:

Mayor Vinson: "That was one of my questions. Like the place where the deli is going to be, a grocery store or whatever it is, if you have that parking lot, is that gonna, say, for the whatever the business is?"

Fred Bunn: "The parking.....(inaudible) a couple of key businesses that wouldn't make it if they didn't have parking kinda right there, but most of the parking is going to be unassigned, general parking. But I think, the grocery store, I don't believe it would do any business if it didn't have some parking right there."

Mayor Vinson: "What about the houses up there that you've got....."

Fred Bunn: "The houses have parking underneath them and a few parks right here."

Mayor Vinson: "Do you really think, Mr. Bunn, with the residential there, I think you and I have had this conversation before, that my concern is if you build this beautiful residence there on the oceanfront, are they gonna want someone off the beach, in a bathing suit, a pile of young'uns, a cart and everything coming by their residence if they've paid a couple of million dollars for a house? So it that gonna be....."

Fred Bunn: "I can answer that from experience. Number one, not everybody is gonna want one of these. So, if they move there, there gonna be people that like activity, like people and enjoy the scenery. I've got that same situation in Sea Dreams. There are houses right by the pool, right by the public access way there, everybody said "you're crazy for building there", the house sold, people love it, we haven't had any complaints. There's residential here and residential here and it's all the same. We've all gotta get along. I mean, that, if you don't like what we've done....."

Mayor Vinson: "I understand that, I really think the circle here is a little bit different than Sea Dreams because this is the main part of the beach and you've got two (2) residences up there by a restaurant, in the middle up there."

Fred Bunn: "Actually this is retail on the first level and condo on top."

Mayor Vinson: "And residences on top? So you took them out of the corners? Didn't you have two (2), one in each corner?"

Fred Bunn: "Basically the retail is not labeled, it is retail on the first level and residence on top."

Mayor Vinson: "There's gonna have to be a lot of education to the people that buy those places. And I'm not sure that they might not be willing to learn. This is a whole lot different than Sea Dreams. This is had been the main focal point of this Town since the beginning and I just have a hard time thinking that if these residents are on the oceanfront, whoever buys those aren't gonna want any kind of traffic coming through there. I just have a hard time believing that somebody is gonna do that."

Fred Bunn: " Well, I liked to say, we've got all these access ways here, here, and here and through here and those are the most logical places where people go. I mean it doesn't mean they'll all go here, but I don't think people are terribly irresponsibly. They're gonna take the least path of resistance and what's available to them and what's available to them and what looks like where they should go. There could be some conflict, but I don't think it would be much."

Ray Langley: "To kinda take Tootsie's idea.....(inaudible), in your opinion, at any time, did you see that those being brought as investments and be weekly rentals instead of other uses that would really take away the crowd?"

Fred Bunn: "I think that in the days that follow you're going to see more and more of these properties developed because.....(inaudible) more and more will probably be.....(inaudible) or they'll be owned with friends or family members that get used."

Mayor Vinson: "I did want to ask, movie theater still in that?"

Fred Bunn: "Yes, yes. I'm sorry, you want me to go through that again?"

Mayor Vinson, "It just dawned on me, I didn't hear you say that."

Fred Bunn: "Yea, this is a pier here with a pull-down screen for outdoor movies, there's a stage underneath for concerts and music, and also a pull-out stage if some clothing store wanted to have a fashion show. And this common grounds here is for all sorts of things, impromptu-too things that you may want to organize."

Mr. Moolenaar: "We have another question over here."

Joe Tarascio: "Fred, would it be very troublesome for you to be able to demonstrate to us, leaving out any properties that require rezoning, what you've got in parking, in close proximity, I would consider behind Wings close proximity, I'm not talking about tonight, I'm talking about for staff and the Board to look at so we can look at what's required, what you've got, and feel comfortable that without any rezonings, you can meet those requirements. And as you know it, there is public/private, can you get a greater dispensation on the amount of parking that you've gotta have?"

Fred Bunn: "That can be done tomorrow."

Joe Tarascio: "Ok, I think that could bring a level of comfort to everybody to know, because I feel that that's part of the original intent and vision, is that not that there wouldn't be any parking off the circle, that was always on the table from the beginning, but at least we would have substantial parking in the immediate vicinity, and Wings, in my opinion, is in the immediate vicinity. It's certainly not the shopping across the highway and down the road, so I think that would be very helpful to me in any case, to know that."

Mayor Vinson: "I have one more question, Mr. Bunn. The open space that you have there where the movie screen is gonna be and the civic events, concerts, fireworks or whatever it might be, is that gonna be just open to the general public or is it going to be some type of association or something that you have to get permission, you have to rent it...what is your plan?"

Fred Bunn: "Well, we would obviously like people would, like you as the Council, like you've done in the past how this property is used, so yes, we would be asking and along with something that makes since with the community. If we charge for.....(inaudible). It's always been set aside to enhance what we've always had, which is the beach run and some of these other things. It's basically a community area and we control it."

Joe Tarascio: "The town had parking meters in the past so people were paying for parking and they were paying to park on the lots, I just wanted to hear there's plenty of parking."

Mr. Moolenaar: "Planning Board, is the town going to have parking on the streets in this area. I mean, there still is?"

Joe Tarascio: "Mr. Bunn showed us where that was and then there's a CAMA parking lot as well. So there is some public parking that the town has control over."

Mr. Moolenaar: "My question is then, not my question, my observation is that you talk about public access, you talk about someone like me who drives down here and wants to go to the beach, parks as close as he can to the beach and walks down a public access way to the beach, I won't cross anybody's property or anything, so it looks like there's several access points to where that can be accomplished."

Vada Palmer: "Can I say one thing, I grew up down here and I knew that on big holidays, often you couldn't park and go to the beach over there and the option was just to go on down to Fort Macon. I mean there are other places here, you know, that you can actually access the beach. But, I don't it's realistic to think that every person who drives down from all of eastern North Carolina is gonna have a park. It's never been available like that. Parking has always been a problem. We used to have people, four (4) and five (5) cars at the cottage and we were four (4) blocks down West Bogue Blvd. Big weekends, big times, you're gonna have a ton of people here. But most of the time, you'll just pull right in."

Mr. Moolenaar: "And I agree with you there. There's gonna be times where if I came down here on the 4th of July, I would expect to get down here early or not find a parking space. So I agree with that statement. So any other questions on this slide and we can come back to the slides a little later on, so don't feel like this is the end. The density(inaudible). I think maybe there's a feeling that the community has and the Board has gone, not overboard, but done everything they can to increase density to get, to make the development a reality. Are there some benefits to the community for that? I guess that's where the question was headed. Does anybody, I guess, have a problem or have a statement or comment on density of the project as opposed to design? Yes?"

Jim Bailey: "I was going to ask a question that....(inaudible) total number of acres that are in your pocket, Fred, versus the number of units. Just what is the density per acre, are you realizing that if.....(inaudible)?"

Fred Bunn: "We're within the confines of"

Jim Bailey: "I understand that, but I just wondered how, where you were in that."

Fred Bunn: "I don't know the percentage. I do know, that, I think, and this is something I got from the town. I think there's nineteen (19) acres in the CDD. I think that's what I....Well, we're probably eight (8), ten (10) acres."

Jim Bailey: "And then again, that part I want to know is how that relates to what maximum is, below the maximum, then that would probably be better. In general(inaudible)."

Karen Koenig: "I'll make a comment. Hopefully this will be related to what we can get out of you. My concern, and we can leave this open for discussion, is when I saw the proposed.....(inaudible) personally, because I felt that the interior triangle, when you're converting the downstairs units to condotels you're not really going through the intent of the ordinance. It seems like it very private and very exclusive and not really open to the public, and personally, I mean I think there's gotta be a trade off. I mean, if you're gonna have a hundred eighty five foot (185') building which is huge, I mean that's a very tall building, three (3) of them, and then, Mr. Cooper's plan also, one hundred fifty five feet (155'). I mean, I feel like there needs to be benefits to the town as far as having being able to a community area and I don't really see where a condotel for the interior is really something that 's gonna benefit the community. That's my biggest, I just don't see that. I mean that you've rearrange it, but I still don't, I don't see it. It seems like the "jest" of the area, the biggest part of the area is not community friendly, that it's only private. That's my personal opinion and as far as community benefits, if you're gonna have big, tall high-rises that I can see from my house, I want something that's gonna benefit me. True, you're gonna get more tax dollars, but there's gonna be more demand on services. So, who knows how that is gonna pan out down the road."

Fred Bunn: "I think this maybe where....(inaudible). I think we had, in the first level of these buildings, we had a coffee shop, an ice cream shop, three (3) restaurants. We had a fitness center and a bookstore. We've taken those out from underneath for the reasons I stated. They were up too high, it's not what people wanted. It turns out that to be able to produce a product that people will be interested in renting in this building versus another building would probably make it somewhat unaffordable for them. We've literally moved the restaurants one hundred feet (100') across the street. We've moved the bookstore one hundred feet (100') across the street. We've moved the ice cream store one hundred feet (100') across the street. We've moved another restaurant one hundred fifty feet (150') across the street. We've moved another one one hundred fifty also across the street."

Mr. Moolenaar: "Alright, any other comments on this one. Again, we can come back and recap the whole thing as we move through the process. Ok, the permitting process, the concerns. And I think here, what we're looking at is that in 2003 it was one development, and it was gonna come all online and we....(inaudible) one thing. Now we're talking about permitting pieces of it and what's the guarantee that the whole project will get completed. Does that sound true?"

Fred Bunn: "No, well it's always a phase development and it should always a phase development. Coming out of the ground with all this at one time would be too much, too quick."

Mr. Moolenaar: "Was it all permitted at this same time first time around?"

Fred Bunn: "It was permitted I guess, but as far as, its always intended to be phased and it not a problem like this that I know of....(inaudible) except maybe somewhere like Las Vegas or somewhere that it would be relevant."

Mr. Moolenaar: "Ok, we have a question over here."

Jim Bailey: "Are we talking about phase permitting or phase construction? To answer my own question to some extent, I thought we were really looking at a concept that's pretty well set and then it would be built in phases versus we're gonna permit and build this piece and we don't really know what over here. That's, to me, part of my objection, I would rather, I would like to see the whole thing, not set in complete stone, but pretty well lined out and built on some schedule. I do not like the idea of phase permitting."

Mr. Moolenaar: "Is there a piece of the project that is....."

Fred Bunn: "The development is as close conceptually as anybody can get in this business. But we plan on doing it in phases and, I don't know how to say this. ...(inaudible) stores, you know, was greatest thing since ice tea and Roses stores are not here anymore. So things are going to change over time, but we've got a plan, we're going to work hard and plan on doing it in phases and it's gotta be somewhat market-driven and economically-driven. And it's just a lot of work and it has to be an absolute return for the public."

Jim Bailey: "I'm not arguing that point. I guess what I'm trying to say is that I think the concept, every time we've looked at something new, we've tried to look at the whole thing. And I don't want to stop looking at the whole thing. Some of the pieces may move and this thing may take five (5) or ten (10) years to build, I don't know, it may move and change. I think the Board and at least our idea has been that the concept, that's what we're trying to do here tonight I think is that, the concept and vision basically stays the same. That means we've gotta look at all of it, all the time. We can't just look at one little piece. That's what you're showing us, but this phase permitting...to me, I don't want to do phase....personally I think we should look at the whole thing all the time. If we change one piece, we need to see how it affects all of it, not just one piece."

Landin Holland: "If I could interject one point here. The phase permitting arose out of when we came to Council and Planning Board a month and half, two months ago. It was a way to facilitate the development of the CDD, allow Mr. Bunn to proceed with portions of his development plan in lieu of providing the detailed architectural and engineered drawings that would be required to issue a zoning compliance certificate. What we are asking of the Council tonight, I guess from staff perspective, is approval of the artist rendering or concept plan that you have before you and allow staff to start reviewing detailed architectural and engineered drawings for each aspect of that concept plan and issue zoning compliance certificates as they are prepared. And Mr. Bunn is ready to proceed on each component of The Grove."

Jim Bailey: "But only as they conform to the concept that's approved, right?"

Landin Holland: "Correct, outside of a bike shop turning into a bake shop or....(inaudible). A change of use in terms of retail to retail or retail to office or retail to civic or institutional would not be considered substantial change. A redesign or relocation of building footprints, uses and things of that nature, we would be right back before the Council and Planning Board requesting additional approval. So we are not talking about that. If that answers your question."

Jim Bailey: "It does."

Ray Langley: "What we sent to you folks on that 4-2 vote that night, is I interpreted was, we were approving this plan as you see it. The entire plan, not just pieces of it. Understanding that it was still conceptual to a degree, pieces could change as you know as it goes along, due to economy or whatever. But we did approve the entire vision as you see it."

Jim Bailey: "My, and I guess my discomfort as Council, as we've seen tonight, we're looking at something that says residential, but it's really.....(inaudible), know and ought to be sure what we're approving is in fact correct. If we approve that, it says residential and it's really something different. Not only do we need to know that, it needs to say that. So I think we need to be careful we've got the details just right. I don't mean all, I don't mean every architectural....(inaudible), but I mean there's a big difference between residential/commercial and just residential to me."

Ray Langley: "And I agree with you one hundred percent (100%) on that. The presentation that Fred gave us that night prior to the vote, he went by building by building and told us what floor was what in these buildings and that's what we voted on was what was told. Now whether it was actually on the paper because it's so small you can't read everything, I'm not sure. But what he presented to us was, you got your commercial, then you have your residential. "

Jim Bailey: "I guess my point is that if it is something different then it's on the paper, then it needs to be on the paper. As we all know, three (3) months from now, none of us could be here. So who remembers?"

Ray Langley: "That's a very good point and I agree with you."

Mr. Moolenaar: "So what I'm hearing you say is that, that's a pretty generalized picture of the project and what you're saying is what you've approved is a pretty specific plan, building by building, and what was going to be in that building."

Ray Langley: "Pretty much as far as the commercial and residential combinations. Landin, you can jump in, I'm getting off course here. But that's what I remember."

Mr. Moolenaar: "But one big concern is that, I think, we're kinda reading into the questions is that you've got a nice project over, like we're displaying. Did you approve this nice picture or did you approve a pretty well-structured plan that says this building over here in light green is residential or commercial, so many square feet. And if that changes, then they have to go back and get more approval, right?"

Landin Holland: "If I understand the plan correctly, the ground floor of every structure on that plan is considered a non-residential use by the permitted use as outlined in the CDD Ordinance. That's what the basis of the judgment by the Planning Board was a month and a half ago."

Mr. Moolenaar: "But what the Planning Board approved is pretty specific."

Landin Holland: "The presentation was very specific, but it did draw from the rendering that's present on the board before the Council and Planning Board tonight."

Joe Tarascio: "There again, I think the main thing that I'm asking for, is that we have a better understand. If you look at the very first CDD drawing or at least some of the first ones, they all had retail. And then they had residential and you didn't look at it and say "ok, now what is what" and I think that we need to understand that as a Board because that retail component, that was in a lot of people's minds, that was part of the civic component of the redevelopment. Those restaurants we're talking about, those coffee shops are places that people, who live in the town, might not ever rent one of those places or stay in a bed and breakfast, would use as places to meet other people in the community. And I think that the language is part of the part and that also is part of the problem in the ordinance. Non-residential is probably a very poor choice of terms. But in looking at the original rendering, it said retail. Which is a fairly specific term. So not saying that Fred is doing something

that he didn't agree to do because obviously the ordinance reads non-residential, but you got the ordinance, the discussion and the drawings. I think it's time we get to a place where it gets more specific before the Town approves this because there's a lot of things that hang in the balance of the approval. For example, there's language in this ordinance that Buddy Cooper had a big struggle with and it all had to do with buildings that border on certain streets. I'm not opposing to changing that language, but I'd rather quit dancing around it and make it clear so that we move forward with this thing and everybody's in harmony rather than we get to a point and people say well you didn't do this now we're not going to give you this. I think that's a very negative way for this to move forward. So I would just like for it to get clear. Let's know where the retail is. I know, Fred, that you can't tell us if this is going to be an ice cream shop, maybe the surgeon general will find out that ice cream causes cancer and bicycles may go out and everybody will be riding motorized scooters. So that's kind of immaterial, let's call it retail, so we know that there's going to be a retail establishment there. And then we'll be able to size up more how much public gathering area we have. That one drawing shows this huge plaza, not you got the public area on the ocean which is nicer, but I haven't crunched the numbers to see if it's the same amount. I go back to the language in the contract, that stuff is not suppose to be reduced. Now it may be increased from your first drawing but, gosh, we've got twelve (12) renditions of this thing. Let's just get close to where you're going and like, Jim said, I don't need to know what every building is going to look like, I'd just like to know what the use of it is going to be and....(inaudible)."

Neil Whitford: "Mr. Moolenaar, why don't we have Mr. Bunn just go over and basically describe what these buildings are all about. Most of them, I'll point out are self-descript, but Fred can certainly do that and I think you'll find that they're more descriptive than the 2003 rendering which is the concept under which the Town is operating on. But I suggest Mr. Bunn do that."

Mr. Moolenaar: "If it's ok with the Board. Is there any suggestions from either Board to get to the point, I mean, description again is going to be a verbal description. I think you want more than a verbal description. Yes, ma'am."

Karen Koenig: "What I think would be helpful is to compare the square footage of retail space, retail, not condotel, retail in 2003 to what's proposed in 2007 not including condotel space because I don't consider that retail or something that the public can go to. I would like that information first of all if you have it."

Fred Bunn: "Did ya'll want me to respond?"

Mr. Moolenaar: "Do you, would you like...."

Joe Tarascio: "When this finally comes back again, it would be nice if the drawing were really labeled and Neil maybe right, there may be more on that than what was on the first one but there is still a lot of stuff that isn't described on there, not really."

Mr. Moolenaar: "So going through it tonight, is that going to be helpful or would you like to have that drawing or some drawings with more details."

Mike Warren: "I think it would be helpful to go....(inaudible)."

Mr. Moolenaar: "Ok, Mr. Bunn."

Fred Bunn: "Let me go through. I'm just gonna walk around the whole thing. This is the utility services plant and that we'll make it so it doesn't look like a utility services plant. Always been there from day one. This is grocery store with two (2) weddings on top, this is the old John' Motel that we're planning on renovating, adding three (3) new rooms there and a coffee shop in here. This'll have to be approved by the Town but this was the chapel and the reception for open air pavilion. This is a lodge that right now has four (4) rooms in it. We had hoped to add six (6) more with this wing later on. This is a retail store. We've got it labeled....(inaudible)residential right on top of that. This is all commercial or retail/restaurant. This is ea.....(inaudible). We told everybody about it

from day one. This is a professional building, a place we may sell, but probably be rented. This will be retail and restaurant on the first level. One dwelling on top of them. This will be restaurant/retail on first level, two (2) dwelling units on top. This will be retail on the first level, two (2) units on top. This will be retail on first level, two (2) units on top. This is the pier where the movie screen will be, where the stage will be for music and where there'll be a runway. The three (3) tall buildings, the first two (2) of them are hotels, this is a hotel lobby with small bar, piano, fireplace, reception area, kinda living room. First two (2) levels will be hotel, top level will be residential. Part of the shaded area, people are dropped off, go eat. This will be retail/restaurant or retail, two (2) dwellings on top. These are garage apartments that we've shown all along here for those. These are bottom level office, bottom level office, two (2) dwellings on top, two (2) dwellings on top. This building is office on first level, five (5) dwellings on top. This building is three (3) levels. It is a, I think a fifteen (15) room Bed and Breakfast. This building is first level bike shop, second level and third level fitness/spa/salon. These are four (4) single family dwellings. The whole intent with this thing was to be real diverse. The town is diverse, so we kinda wanted to do that. We are blessed with the locations because of the way it intersects with the town, east and west, north and south. And it would've been pure-t shame not to take advantage of the public part or the interconnectivity of the town. Heck, I'll fight ya all day long if somebody says we're gonna come and put a gate in. "

Mr. Moolenaar: "Thank you very much."

Mike Warren: "That walk-thru, there's several things that are hard to see on here, but it would be labeled restaurant or then it would have a residential unit or two (2) or three (3) above it. Is there anyway we can get a drawing like that, not necessarily that it's a bike shop, but it's retail. It's a three (3) story building is retail with so many units above. I think that's what I'm hearing. That would be helpful."

Joe Tarascio: "There's a lot of other town stuff that's interconnected in all of this and I think if we can get a clear idea about what's going on and the Council gets comfortable, well the Planning Board's already approved it, then there's other things that the Town could take action on that they might not without having that clear idea. And like I said, the biggest thing I, Fred, you know how much work I put into this on the Planning Board, I want to see this move forward in a harmonious manner so that it's not, it doesn't get adversarial and doesn't get bogged down. And that's what I think people understanding this would be the best thing we could do before we get started."

Mr. Moolenaar: "Alright, good. Are we ready to move on then? Phase permitting process, any concerns about that?"

Dave Harvell: "Been there, Larry."

Joe Tarascio: "Got one comment on that. There's some folks that think we've got too much staff in this town. We start going through this project in a phased approach we're gonna need the staff because if anybody's ever tried to keep up with everything that's being discussed on those drawings. You ain't gonna go hire somebody off the street at \$7.00 a hour to do it, I can tell ya that."

Mr. Moolenaar: "Ok, well I apologize for that. The next slide. How about the infrastructure permitting, an update. Can we get an update on the infrastructure permitting process? I guess that's a Mr. Bunn question."

Fred Bunn: "I'm not sure what the question means."

Landin Holland: "I believe the intent was here, DWQ, storm water, NCDENR permits, or DWQ water permits, so and so."

Fred Bunn: "This is Ron Cullifer, he's a.....(inaudible)."

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Ron Cullifer: "The wastewater system has been permitted for quite awhile. The storm water.....(inaudible) has been approved for The Circle development. What we haven't place for approval yet is the water distribution.....upgrade for fire fighting capabilities around the circle. We're gonna have to come to the Town on that here in the next few weeks. And then thesewer collection permit needs to be acquired and then that's a thirty (30) day permit to get. So we're basically thirty (30) days out of the final sewer permit and thirty (30) days out on water.....(inaudible)to go into construction."

Mr. Moolenaar: "Alright, any questions on....."

Karen Koenig: "Is this discussion just regarding Mr. Bunn?(inaudible) Mr. Cooper, I see."

Landin Holland: "Yea, we were intending involving all parties.....(inaudible)."

Karen Koenig: "Can we ask Mr. Cooper what....."

Mr. Moolenaar: "Where are you in your permitting on for water and sewer kinds of things."

Buddy Cooper: "We've already applied for our sewer permit"

Note: Mr.Cooper's statement was not recorded in its entirety due to Mr. Cooper speaking from the audience and not in close proximity to a microphone.

Joe Tarascio: "Question for Ron, where's the disposal and the disposal area for the sewer? Is it still on...is the repair area there too or is Fred still thinking of exercising the option on that property down at....."

Ron Cullifer: "His green space is at the water tower site."

Mr. Moolenaar; "Alright, is there any other questions on infrastructure permitting kinds of things?"

Ruth Barnes: "I got a question. You're saying that it's only like thirty (30) days away, but maybe I misunderstood, but I thought you were going to phase building certain areas just using septic systems. Am I wrong?"

Fred Bunn: "Well, we're doing that, but we're doing them both simultaneously at the one time. And you don't put a plant in until you got enough usage to be beneficial. So if we don't build the tall building right this minute then it doesn't make any sense to put a plant in to serve very few, very low users. And then what he's saying is we'll just have the hotel permit and then we'll be ready to go when the time is correct. Did I answer your question?"

Mike Warren: "What kind of capacity are your able to handle....wastewater?"

Fred Bunn: "One hundred twenty five (125) gallons."

Mike Warren: "Twenty thousand (20,000) a day?"

Fred Bunn: "Yes."

Mike Warren: "Is that with maximizing the space you have?"

Eddie Dawkins: "Do you have any feel for timing on that?"

Fred Bunn: "We have applied and we have done soil test all over septic tanks. But we've applied for a permit to redo John's Motel, for we already have a permit for the first portion of the lodge. We've applied for a permit for this facility here, which was the old, where Club Ziggy was. And we've applied for permit for one of these

buildings and of course the pier(inaudible). We haven't perk.....(inaudible), but we've got the preliminary soil reports and they look fine. Does that answer your questions?

Eddie Dawkins: Yes, yes that's what I figured. Just curious if there was any timing lined up of activity to be performed?

Fred Bunn: Well, we want to. And once we get our permit, we've got some terms of the cost of all, of the renovation, of course this is being finished now and hopefully in sixty (60) days that'll be continuing. But what we want is to start this and here probably to begin with. I'd say, we're looking at fall. We've got a lot of infrastructure work to put in to get, what we'd like to do to get ready to do these incremental things, but get all the improves in place kinda in the off season so that we wont be disrupting during the season, the best we can. So we'd like to be doing some work in the winter and the infrastructure-wise, street-wise and...(inaudible), that sort of thing...(inaudible).

Mr. Moolenaar: Thank you. Any other questions/comments? I know this next slide we've gone over some of this already, parking, traffic flow, rezoning or the plan for parking, CAMA parking lot, parking deck, public vs. private parking. Does anybody want to address any of these items specifically or got a specific question that we wanna address on these?

Landin Holland: If we could take a few moments and deviate from the plans related to The Grove area. There are two (2) issues relating to the Ocean King project that I wanted to go ahead and bring up tonight. Mr. Cooper will be going before the Planning Board in August to display his plans for the Ocean King project. The two (2) issues are some alternative plans for the closing of East Boardwalk, which has already been addressed at one Council meeting however this is a different or alternative method of achieving that. Additionally we wanted to talk generally about the utilization of a parking deck, public parking area on the ground floor as a non-residential use. I've discussed this with Mr. Cooper. If you read the CDD ordinance, you have a hard time making argument against that, but we wanted to go ahead and bring it up at tonight's meeting in conjunction with the discussion of the East Boardwalk closure. And I'll let Mr. Cooper speak on this. He can address your questions.

Buddy Cooper: I think that closing East Boardwalk now...(inaudible) relocating it northward...(inaudible) suicide hill.

Landin Holland: Yea, it's, basically, what has been proposed is to take the parcel that is located. If you see the parcel on the left hand side of the northern portion of the CDD. It's on the top left. Talking about taking the rear portion of that lot and creating perpetual easement that would connect with Atlantic to the south. Is that correct? And that easement would provide a twenty foot (20') or if need be twenty five (25') based on the determination of the fire department. Twenty (20) or twenty five foot (25') perpetual easement that would provide an access from the property owners on East Boardwalk to Atlantic in lieu of the hill that exists out there currently. Where that will go, that is going to be coming to Council probably next month as a request and formal, there will be a public, the public hearing and a formal discussion and debate between Council and the public can speak specifically about that issue. Just wanted to bring it up tonight so that everyone's aware and if there's any questions or discussion then we can address it.

Mr. Moolenaar: Ok, so nobody has any comments on these five (5) items or questions or concerns?

Joe Tarascio: The only comment I've got, is no matter what happens with this I believe we've got to do something to clarify what non-residential use means because it is so wide open right now that it really means nothing one way or the other in my opinion. So regardless of what happens with Buddy's project or Mr. Cooper's project, I just think we need to get a better handle on this because I think it is the source of a lot of frustration that is going on back there.

Mr. Moolenaar: That's a good comment. Yes, ma'am?

Karen Koenig: I would to like hear, I know we haven't addressed this. How the traffic is going to flow in that area? Not only in that area, but how it's going to flow to outlining parking lots? I think Mr. Cooper is planning on having the parking at...Mr. Cooper...you're planning on, last time you said you're planning on having the parking right next to your condo, correct?

Buddy Cooper: At this time, it looks like we're gonna have more than the required...(inaudible) parking lots on the lower decks.

Karen Koenig: Yea, so that would really apply to you, but, well it wouldn't but since the traffic flow...how would both of your developments..how would the traffic flow...to them, from them?

Fred Bunn: The traffic will be as always it's been. It's worked good for years and years and years. It shouldn't change from the way it is. It's always been one way and looped around, which does good. If we're able to do some parking north of East Bogue, next to the commercial areas on Fort Macon then, my guess it that they would come here, turn and go here or they'd go down Beaufort and come in one block and come in there.

Karen Koenig: Are you planning on having, like, buses, that go from your outlying parking lots to that area?

Fred Bunn: Absolutely not.

Karen Koenig: You're not?

Fred Bunn: We're not. We think. Obviously we would if we thought it was necessary. But we think people will enjoy getting out and enjoy the areas. It's going to be one pretty place. One welcoming place. And we think people will enjoy not...(inaudible).

Karen Koenig: I don't think you understood my question. Some of your proposed parking is going to be outside the CDD. Perhaps significantly (inaudible) the CDD that some people might not be able to walk there because of their physical limitations. That's what I'm talking about. How is that, is it gonna be just (inaudible) the CDD?

Fred Bunn: Well, it will, of course (inaudible) traffic also. Then, no one will have to walk over two (2) blocks and ninety percent (90%) of it will be on site.

Ray Langley: And is it possible that on some of the other street parking that the town owns we could designate that as handicap, jus to help our situation?

Mike Warren: I think, does the code not say how many handicap parks you have to have? I would think that that means that some of those parks that we're looking are gonna be handicap only. So, back to the reserve parking question I would think that would lend itself that there is gonna be some reserved handicap parking.

Mayor Vinson: Right now, they're really coming down us about handicap accessible to the ocean and I don't see anything in here to that or any designation for it. Do you have anything planned on.....

Fred Bunn: Well, we're required by stated to have a certain amount of handicap parking and not like the court for instance, the sidewalk level would be...

Mayor Vinson: Well for handicap people to be able to make their own programs where there are chairs that people can get and we have there here in the town for people with disabilities can get those chairs and actually get all the way to the beach. But it has to be where they can get there. And I don't see it within (inaudible). And they're really coming down on us, all towns,

Fred Bunn: I'm not sure I'm familiar with what you're talking about but we'll have parking, handicap parking for the handicap.

Councilwoman Barnes: She said it's not just handicap parking, you have to get them all the way to the sound. That's gonna be the new requirement.

Fred Bunn: Right, fortunately we already have that here. We've got one (1), two (2), three (3) places that are already (inaudible) right level and everything. This is one place that should not....

Norman Livengood: Fred, are they boardwalks or are they sand paths?

Fred Bunn: No, these are actually paved walkways. They're already existing except this one here, we're gonna move. I'm sorry, I may not have answered your question.

Mr. Moolenaar: (inaudible) hear some things on the radio recently too about Carteret County has an advertisement right now about how people in wheelchairs and disabilities can actually go to a handicap spot on the ocean and actually get to see water . (inaudible).

Fred Bunn: One benefit that, I don't know whether people (inaudible) or not. These access points here are really wide enough for someone to go down in a handicap car or go down in a car and unload a handicap van. I mean that's rare that you see that. I think these walkways are fifteen feet (15') wide, ten (10'), fifteen (15') feet wide.

Mr. Moolenaar: I think the concern here is how does the Council and Planning Board suppose to deal with current requests for inclusion within the CDD.

Landin Holland: I will deal with this issue. There's a request in to the Planning Board for rezoning of this red parcel. Sorry for the quality of that. But the red parcel is adjacent to a property that Mr. Bunn owns, single family home I believe, correct me if I'm wrong, but Mr. Ward, who brought the Greg...Mrs. Gregory's house you all are familiar with, has acquired this piece of land and is requesting that, to be brought into the CDD district. As you can see on this map he is part of the expanded CDD area. Problem we have currently, I guess from staff perspective, is there is a parcel between the contiguous CDD district boundary line and the parcel in question. I'm certainly not going to speak for the Planning Board or the Council, but it would be difficult at this time to justify expanding that CDD into a out-parcel that is not contiguous to the existing boundary line. We wanted to go ahead and bring this up tonight, Mr. Ward cannot be here. I spoke with him today. He just wanted me to relay to him any concerns or comments that the Council or Planning Board has relating to that expanded area because I think this is going to become an issue rapidly as development proceeds in the district. So, nothing really specific. It is going to Planning Board next month. I don't think that at this time, I relayed to Mr. Ward I didn't feel that, until something starts or construction begins or some activity proceeds it probably wouldn't be the best time to ask for expansion of the area.

Mr. Moolenaar: So you intend to bring this up as a point?

Landin Holland: He has rezoning application in for Planning Board in August. Obviously that will go through the chain of command, administrative chain of command like any other rezoning took place.

Mr. Moolenaar: Ok, we're presenting that to make everybody aware of that?

Landin Holland: Yes

Mr. Moolenaar: This was the originally proposed timetable and I guess what this question is asking is 'what is the project's schedule today?' or what (inaudible) pass along an update on the project schedule. I know you started that already talking about what's under development or whether it's renovation, that sort of thing. But would you be willing to.....

Fred Bunn: I can address as best as I can. We are in unprecedented times right now and it's not just Atlantic Beach, it's the whole East Coast. And frankly, we're kinda glad the way we are now that we haven't gotten out of ground because it would be extremely difficult for us now. The good thing about all the time it's taken is it, like I said, we've had to acquire thirty some parcels in (inaudible) time. But the good thing about it is, we think every time we come to see you we've gotten things better, so in time we're gonna get there. We hope do some of the smaller things we've talked about but we're victims of the economy, like everybody else (inaudible) economy. And so that would be very difficult to predict at this point. We plan on finishing the buildings, the design of the buildings in the next, all the buildings, in the next six (6) months. We've already designed eighty percent (80%) of a lot of the smaller buildings, the taller buildings we're probably ninety (90) days away from finishing the design on those. We hope to go to market, see what market says. We have a tremendous long list of interested parties. But probably a lot of those may have dropped out because of the times, it's hard to say. We're gonna go to market soon, can which I would say be this fall and see where it's gotta say. The time is probably a five (5) to seven (7) year project. How we know when the East coast climate, the coastal...when that's really change. Believe me, I'm on the phone everyday. Jim Bailey (inaudible) if can answer I (inaudible) today. And Joe, they're all kinda all in the same business. But I think that's (inaudible).

Mr. Moolenaar: Ok, any direct questions about the schedule from the Boards? Lease Property and Development Options. We might have address this already. I think, you're talking about projects or residential things that are on the water. We've already gone through each building here, so we basically know the size and scope of the residential structures. Was that what the question was?

Landin Holland: There's just been debate and questions relating to the Chapel structure specifically because it is not a permitted use and it is a leased piece of property. We just wanted to add this, addressed this tonight because there's been ongoing questions relating specifically to that issue and that's why it's up there tonight and that's what the basis for the slide is. So we just wanna address the question and any concerns relating to that issue. That's about it. Mr. Bunn, I think, is aware of what I'm eluding to, I think. I'll....

Mr. Moolenaar; Well, I don't have a clue.

Landin Holland: There is a piece of property where the chapel is proposed. It is a leased piece of property and the chapel is not a permitted use within the CDD district. There's been a lot of concerns and questions relating to that issue. Just wanted to bring that up tonight for the Council/Planning Board to ask any questions they have regarding this specific concern.

Fred Bunn: Mr. Moolenaar, just so you'll know (inaudible).

Mr. Moolenaar: So that's going to be new construction right?

Landin Holland: I believe the property owner is here tonight so I will open the floor up.

Alice Green: Yes, I am Alice Green and I am the property owner of the leased property that is in question and Mr. Bunn. has planted beautiful palm trees on that property and, but from what I understand he does want to place a chapel on that property and I am not interested in doing that. I don't want that to take place. We wanted to leave our options open. If possible, if later on in the future that we might want to construct something, we wanted the opportunity to do so. And we did not want it to be rezoned to be used as a chapel. I believe now it's zoned for commercial or basically commercial-residential.

Landin Holland: It's currently zoned within the CDD which is a wide range of uses, but it's my understanding anything that goes on that property is contingent upon your approval. Is that accurate? So really this would be an issue that can be resolved between the two parties and then Mr. Bunn can come to the Town pending your approval for whatever goes on it.

Alice Green: Yes, that's right.

Mr. Moolenaar: Alright, any other questions about that? You're making me look good here, we're moving right along. Oceanfront residential units, concept, vision, intent, ah, again, I think we've talked about that. Those four (4) units over there on the right hand side of the development. Are there any other questions or, that need to be answered regarding those? If not, then this is the conclusion, the last slide. We'd like to know how to go forward, I guess, is what this is all about. To approve the existing conceptual drawing at August Council meeting, approve the conditions at future Council meetings, schedule an additional workshop, kind of like we have today. Are we ready to do A or B or C the options? Any thoughts?

Councilmember Ruth Barnes: I would like to see if any of the other property owners have something they want to say, I mean, I think there's more than Mr. Cooper and Mr. Bunn and I'm sorry, the lady back here, I think there's more owners within the CDD, I mean they're here and they would like to say something I would like hear.

Mr. Moolenaar: OK, we can do that. Please if you want to speak, state your name and your address and we'll give you that opportunity. Does anybody want to take advantage of that?

Katherine Abbott: I'm Katherine Abbott, I live at 314 East Boardwalk. I am strongly opposed to closing that street for the purpose that Mr. Cooper is using it to make money. He is inconveniencing people that have been here an awful long time, pay their taxes and don't complain. And I'm gonna fight him.

Mr. Moolenaar: Anyone else? Yes, sir?

Councilmember Joe Tarascio: I think that until we get the drawings labeled and get some of the other information we've asked for, it's going to be very hard to know what we need to schedule for additional workshops, now if we get all that information, I think A or B might work, ya know. I don't know how else to answer that.

Jessica Fiester: May I interject for a minute? I've been keeping a list of things that we thought were good ideas during this workshop. The first thing that was asked for was to provide the parking numbers, assuming there is no rezoning. If you could, Mr. Bunn, collect that and get it to the Council/Planning Board in writing of some form with the exact location of those parkings. Also, perhaps a drawing that is connected to a key, that would, the key like say A through Z connected to the units that explain the number of units in the building, the use and the square footage and by use we mean residential or you know commercial like that, retail/restaurant. And also possible ideas of some plans for the land where the chapel is proposed. It does not appear that that will work. Some other idea for that land and prepare it for the August meeting. Just an idea to throw out there. Those three (3) items was what were specifically asked for tonight.

Fred Bunn: Just for your information, we can have that done tomorrow. We can do that the quicker we can get started.

Vada Palmer: I just like, since we've got so many people, I was surprised, I didn't know (inaudible) people were coming tonight. How many of you would like to see something going on at that circle so that we can have again a nice center?

Mayor Vinson: I think we'd all like to see that.

Councilmember Eddie Dawkins: I think the entire town, Vada, is, has been, and has been for sometime, been looking forward to when something's going to happen at the circle.

Llewellyn Ramsey: May I ask a question? The question being, and I certainly understand Joe wanting to know where the parking is without any rezoning of the other properties, but I would like to know does anyone have any problem with rezoning once Mr. Bunn has shown you that he had the count right. Well he's got it drawn up there

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on the other places. The places that are not zoned for parking. He's got to show that he has (inaudible) some spaces that are...

Councilmember Mike Warren: I think the rezoning (inaudible), at least my action after a public hearing on this.

Llewellyn Ramsey: Well I know that, but I was just wondering is there a reason that people are wondering, is it going to be a problem having it up in here, what I want to know.

Councilmember Eddie Dawkins: I really believe that if it's done right, no, I think it will not be a problem having it there.

Llewellyn Ramsey: That was just a question.....

Councilmember Eddie Dawkins: And the thing that drove me on that was how quickly you said within a day we can accomplish that.

Mayor Vinson: I would think that (inaudible) having the public hearing, it might be a situation like Mrs. Abbott here, would you get (inaudible) from people against it depending on where the place was that you were going to rezone.

**** Due to several people speaking at once at this time, the conversations were too inaudible to decipher for recording purposes.

Mr. Moolenaar: Ok, one second, we have a gentleman in the back.

Billy Brewer: I would like to make a suggestion if I could. We've got the big screen up there, if you could just blow this thing up where the public could see it if we were to have a public meeting. At least, we would be able to identify what's going to be going on in the circle at each individual section that he's going to try and develop.

Councilmember Joe Tarascio: This is just a public perception thing, I just think it sends the wrong message to show something that hasn't been rezoned yet. It sends the message that this is the pre, foregone, presupposed thing.

Llewellyn Ramsey: Joe, I understand that, but what I'm hearing on the street from citizens is that ya'll are trying to stop the project because some of the property is not zoned properly for parking and that's why I wanted to clarify. I know that Mr. Bunn has enough parking spaces and I just wanted to bring this out in the open so possibly some of the news media would print it so ya'll don't get labeled on that also.

Mayor Vinson: Well, I think Mrs. Ramsey right now you're (inaudible).a lot of things on the street.

Councilmember Joe Tarascio: By the way, speaking about what might get, on the street. I don't own any property for development anywhere in Carteret County, so though I'm very flattered to be lumped in with Fred and Jim as a big developer, I build houses for a living. I don't have a piece of property.....

Mr. Moolenaar: Do we have any more comments from people in the audience?

Councilmember Mike Warren: Would it be reasonable to ask that the parking on this next sketch be drawn where, only where it's zoned to be parking and, I would have to hope that when he goes through his permitting process he has to lay out where the actual parking is for each residential unit as he goes. And, I mean, although I think it may be the best place to have parking all the way up the shopping center, I doubt very seriously he would be willing to put parking for residential units that he's trying to sell such that it's so far away that he's not going to be able to sell the units. So I would rather just see the parking on the drawing that it's zoned and my personal feeling is that the permitting process will take care of making sure he's got appropriate parking.

Councilmember Eddie Dawkins: Will you have that?

Fred Bunn: We can do it.

Councilmember Mike Warren: I would rather see a plan that doesn't have any requests for rezoning because, ya know, that has to be public hearing called and you know, I would rather that assumption, like Joe said, not be made.

Ray Langley: Just to hit on a point that Mike made. At the Planning Board meeting that night, we knew that parking was not set in stone. We also realized that from day one the CDD has been a concept and even to this point it's still a concept. And we knew that it was incumbent upon Fred that when he applied for a permit for a particular structure, he had to have parking in place. Whatever he had to go through it's his requirement to do so, that's why I feel like that, we as a Board, have no problem approving it, although the parking one hundred percent (100%) is not designated, but you're only talking about a small amount of parking to do the smaller outlying buildings. You don't need the seven to eight hundred parks until the towers are constructed. That, I feel like, is one of the reasons, with us that we agreed and sent it up to you folks for approval was based on that. He has got to provide that parking to get a permit and that incumbent upon staff to see to it that it happens.

Unknown female speaker from the audience: This may be out of line, but a quick question, does the Town of Atlantic Beach have the public services, such as fire vehicles, that can accommodate if these three (3) tall buildings. If there were a fire on the top floor, can our fire vehicles accommodate that or is this something the taxpayers are going to have to purchase in the future in order to meet that requirement?

Landin Holland: The best I can answer that and Mr. Bunn or Mr. Cooper can step in if they have additional comments. But I sat at a table with Mr. Bunn and Adam Snyder, the Fire Chief about six (6) months ago and addressed all concerns relating to fire protection and suppression in relation to those three (3) tower structures. Additionally it is a requirement upon the developer to provide adequate fire flow to those buildings. It is not the responsibility of the Town again, I'll be corrected if I'm wrong in that, but that is what they are working on with the Town now to make sure they're line sizes are adequate to meet fire flow requirements. And that has to be approved by the State Fire Marshall's office before they can begin development. The towers should not result in increased cost to the Town in terms of fire protection, police protection I can't answer that. I would think it potentially could be better. I don't know. In terms of fire, my understanding is it shouldn't be an increased impact.

Councilmember Joe Tarascio: The building code has some pretty stringent requirements on buildings of that nature in terms of sprinkling....

Mr. Moolenaar: I think the question might have been addressed to things like ladder trucks and stuff like that. That's usually where you get your infrastructure money is from increased tax base from these projects as they are built. And with that, Mayor, I'm through for the evening. Are there any final comments?

Mayor Vinson: I think he had another question.

Councilmember Mike Warren: I'd like to ask Mr. Cooper to give us an update on his project while he's here and while we're here. That's the other big project.

Buddy Cooper: I appreciate the opportunity, but there's not much to tell. We still need a couple of things from the Town, a couple of things from the Planning Board to go in front of Town Council. The most urgent thing we need is a Waiver of Setback for part of our sewer system (Next sentence inaudible). Landin has a copy of that. (The rest of Mr. Cooper's remarks were too inaudible for recording due to Mr. Cooper not being at a microphone).

Councilmember Mike Warren: Do you have any projected starting time for construction that you're shooting for?

Buddy Cooper: We got everything we needed right away. Probably six (6) to seven (7) months before the architects could have what they call their construction documents eighty percent (80%) complete. When that happens, our general contractor, what he calls maximum guarantee price, wants to know what they're going to cost us (inaudible).

Landin Holland: I've also included a copy of the engineering drawings, basically site plan is what it amounts to, that shows some details on the Ocean King project, in your packet.

Mr. Moolenaar: Alright, any other final comments, otherwise, I will turn it back over to the Mayor.

Mayor Vinson: Ok, well thank you and you did a great job. I think everybody had a lot of good input. You have something you want to say?

Councilmember Joe Tarascio: Off this subject, I just wanted everybody to know there is now a handicap accessible ramp from the parking at Atlantic Station all the way nearly to the water at Hoop Pole Creek on the Coastal Federation property. Five foot (5') wide, wheelchair accessible, really nice thing through the nature trails, combination ADA accessible ramp and a storm water maintenance project. You all ought to just take a walk and check it out, it's pretty nice.

Mayor Vinson: I do think we have had a very good meeting here tonight. I want to thank Mr. Harvell for getting all this together and setting us up where we could be very friendly and back and forth with the talk. I appreciate all the audience coming. Everybody that is concerned. We certainly are looking forward, again Fred, for this to get this started and off the ground. I'm getting older, we've talked about this Fred. We'd like to see the building get started. We thanked the Planning Board for their hard work. We appreciate you very much and do a great job and also the Board members, thank you for your time and the job you're doing. If there is nothing else for the good...

Ray Langley: On behalf of the Planning Board, we appreciate you folks taking your time to meet with us. Now we've all heard the same thing in the same place and think that's been very beneficial.

Mayor Vinson: I think that's always a good thing. It makes everybody on the same page, it's not a hearsay thing and it's face to face and I think that's why Mr. Harvell set this up and very friendly. I think we've had a very good meeting here tonight. If there is nothing else for the good of the meeting, I would entertain a motion to adjourn.

ADJOURNMENT

There being no further business before the Town Council, Councilman Dawkins made a motion to adjourn the meeting. Motion was seconded by Councilman Tarascio. Vote was unanimous, 5-0.

Submitted by:

Kelly L. Nash, Town Clerk

These minutes were approved at the October 15, 2007 meeting of the Atlantic Beach Town Council.

Joyce Vinson, Mayor