

1 MINUTES OF THE REGULAR SCHEDULED MEETING
2 OF THE EMERALD ISLE BOARD OF COMMISSIONERS
3 TUESDAY, JULY 12, 2005 – 6:00 P.M. – TOWN HALL
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5 The regular monthly meeting of the Emerald Isle Board of Commissioners was
6 called to order by Mayor Art Schools at 6:00 P.M.
7

8 Present for the meeting: Mayor Art Schools, Commissioners Pete Allen, Nita
9 Hedreen, Robert Isenhour, Floyd Messer, and John Wootten.
10

11 Others present: Town Attorney Richard Stanley, Town Manager Frank Rush,
12 Asst. Town Manager/Finance Officer Mitsy Overman, Town Clerk Rhonda
13 Ferebee, Planning Director Kevin Reed, Parks and Recreation Director Alesia
14 Sanderson, and Fire Chief Bill Walker.
15

16 After roll call all who were present recited the Pledge of Allegiance.
17

18 **4. ADOPTION OF AGENDA**
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21 ***Motion was made by Commissioner Allen to adopt the Agenda. The Board***
22 ***voted unanimously 5-0 in favor. Motion carried.***
23

24 **5. PROCLAMATIONS / PUBLIC ANNOUNCEMENTS**
25

- 26 • **Proclamation – National Kids Day – (05-07-12/P1)**
- 27 • **Bicycle and Pedestrian Advisory Committee – Monday, July 18 –**
28 **6:00 pm – Community Center**
- 29 • **Special Board of Commissioners’ Meeting – Thurs. July 21 – 6:00 pm**
30 **– Town Hall Meeting Room – (Tentative)**
- 31 • **Planning Board – Monday, July 25 – 6:00 pm – Town Hall Meeting**
32 **Room**
- 33 • **Board of Commissioners – Tuesday, August 9, 6:00 pm – Town Hall**
34 **Meeting Room**
35

36 Mayor Schools announced the Proclamation – National Kids Day – which
37 proclaims that National Kids Day in Emerald Isle is the first Sunday in August of
38 each year. Mayor Schools stated there would be celebrations at the Boys & Girls
39 clubs throughout the County.
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41 **Note: A copy of Proclamation 05-07-12/P1 is incorporated herein by reference and hereby made a**
42 **part of these minutes.)**
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2 **6. CONSENT AGENDA**
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- 4 • **Minutes – May 23 Special Meeting**
5 • **Minutes – June 2 Special Meeting**
6 • **Resolution Authorizing Final CAMA Grant Applications – (05-07-12/R1)**
7 • **Resolution Designating National Incident Management System**
8 **(NIMS) for Incident Management in Emerald Isle – (05-07-12/R2)**
9 • **Capital Project Ordinance Amendment – Western Phase Beach**
10 **Nourishment Project**
11 • **Resolution Authorizing Smoke Alarm Grant – (05-07-12/R3)**
12 • **Resolutions Authorizing Participation in Interlocal Risk Financing**
13 **Fund of NC, NC Interlocal Risk Management Agency, and NC**
14 **Municipal Insurance Trust – (05-07-12/R4, 05-07-12/R5, 05-07-12/R6)**
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16 ***Motion was made by Commissioner Wootten to adopt the items on the***
17 ***Consent Agenda. The Board voted unanimously 5-0 in favor. Motion***
18 ***carried.***

19
20 **Note:** A copy of Resolution 05-07-12/R1, 05-07-12/R2, 05-07-12/R3, 05-07-12/R4, 05-07-12/R5, and 05-
21 07-12/R6 is incorporated herein by reference and hereby made a part of these minutes.)
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23 **7. PUBLIC COMMENT**
24

25 Felice Rizetto, 9020 Crew Drive, requested the Town Clerk provide the Board a
26 copy of a letter regarding Bridgeview Campground.
27

28 (A copy of the letter as provided to the Board is attached to the minutes)
29

30 **8. PROPOSED REZONING – RESIDENTIAL -2 (R-2) TO BUSINESS-2 (B-2) –**
31 **7411 EMERALD DRIVE**
32

33 Planning Director Kevin Reed addressed the Board concerning the proposed
34 rezoning of property located at 7411 Emerald Drive from R-2 to B-2. Mr. Reed
35 stated that Dr. Arthur Hemmerlein submitted his request to rezone the
36 approximately .29 acres. The property is currently undeveloped and the
37 applicant has expressed an interest in developing the property to house the
38 offices of a medical practice. Mr. Reed stated that according to the Town's 2004
39 CAMA Land Use Plan, this project is projected as being part of the Village- East
40 Commercial area. Mr. Reed said because this property is shown as part of the
41 Village-East area, the determination was made that the rezoning request would
42 be consistent with the future land use map, assuming that the offices of medical
43 professionals will ultimately be permitted in the Village–East commercial zone.
44 Mr. Reed stated that the Planning Board considered this request at their June 27
45 meeting, voting unanimously to recommend to the Board of Commissioners that
46 the rezoning be approved.

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Commissioner Messer asked Mr. Reed the current zoning of Realty World and Emerald Isle Realty. Mr. Reed said they were both zoned Institutional. The Board discussed whether the property being considered for rezoning should be rezoned to Institutional. Mr. Reed said that could be done, making note that currently offices for licensed medical professionals are not a permitted use in the Institutional district, which would necessitate a text amendment to permit medical offices in the Institutional district.

Commissioner Messer felt that jumping over Institutional and going to B-2 would seem to be a spot zoning situation, and he would support changing to Institutional and then address the permission.

Town Attorney Richard Stanley concurred with Mr. Reed's statement that because the Institutional district is a less intensive district than B-2, the rezoning could take place tonight. Mr. Stanley also advised the Board that when you rezone to B-2 you look at every possible use being able to go in there, and it is a lot more intensive as far as business than an Institutional zone.

The Board during discussion agreed that it would be better to have the Institutional zoning continue on up to the residential area keeping the zoning consistent, rather than changing the zoning of this one lot.

Motion was made by Commissioner Wootten to open the Public Hearing. The Board voted unanimously 5-0 in favor. Motion carried.

There were no comments from the public.

Motion was made by Commissioner Wootten to close the Public Hearing. The Board voted unanimously 5-0 in favor. Motion carried.

Motion was made by Commissioner Messer to approve the rezoning of 7411 Emerald Drive from Residential-2 (R-2) to Institutional. The Board voted unanimously 5-0 in favor. Motion carried.

Town Manager Frank Rush stated that based on the Board's discussion, the text amendment would be sent to the Planning Board for their July meeting with the intention of bringing it back to this Board at their August meeting.

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2 **9. PROPOSED REZONING – RESIDENTIAL MOTEL HOTEL (RMH) TO**
3 **RESIDENTIAL-2 (R-2) – DOLPHIN RIDGE / ROYALL OAKS**
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5 Planning Director Kevin Reed advised the Board that staff is proceeding with the
6 implementation measures identified in the 2004 CAMA Land Use Plan of
7 rezoning certain properties from RMH to R-2. Mr. Reed stated they have
8 approached the next area which encompasses all of the property located in the
9 Dolphin Ridge and Royall Oaks Subdivisions. Mr. Reed said the Planning Board
10 considered this matter at their June 27 meeting, recommending unanimously that
11 the rezoning request be approved. Mr. Reed stated that the Board received
12 information in his memo to Town Manager Rush that was incorrect with regard to
13 the Dolphin Ridge Club. Mr. Reed said it is a private athletic club; however, it
14 was permitted at the time the subdivision was developed with a special use
15 permit as an athletic club. Mr. Reed said the rezoning from RMH to R-2 would
16 essentially make that use non-conforming. Mr. Reed said he had spoken with
17 Clint Routson regarding the situation, and there was concern on Mr. Routson's
18 behalf as to what would happen to the club if it were non-conforming and was
19 damaged by a storm. Mr. Reed felt the Board may want to consider the
20 possibility of not rezoning the property owned by the Dolphin Ridge Club which
21 consists of 4 lots, 3 of which are located in Dolphin Ridge Subdivision and 1 lot
22 located in Royall Oaks, with the next step being to allow athletic clubs by special
23 use in the R-2 district, which would then allow the property to ultimately be
24 rezoned and protect the integrity of the neighborhood, still having the flexibility for
25 that use to continue.

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27 Commissioner Wootten suggested that they look at a special use of the athletic
28 club in R-2, and go ahead with the rezoning tonight.

29
30 Town Attorney Stanley stated that this would leave the property exposed if
31 something were to happen in the meantime.

32
33 Commissioner Messer suggested tabling the rezoning request, and Town
34 Attorney Stanley said the Board could do so following the Public Hearing.

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36 ***Motion was made by Commissioner Hedreen to open the Public Hearing.***
37 ***The Board voted unanimously 5-0 in favor. Motion carried.***

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39 Clint Routson, 9721 Green Glen Road, a member of the Dolphin Ridge Athletic
40 Club, said he appreciated the comments made by Planning Director Kevin Reed,
41 and would appreciate consideration by the Board to do as Mr. Reed suggested.
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2 ***Motion was made by Commissioner Isenhour to close the Public Hearing.***
3 ***The Board voted unanimously 5-0 in favor. Motion carried.***

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5 ***Motion was made by Commissioner Messer to table the proposed rezoning***
6 ***of the properties in Dolphin Ridge and Royall Oaks until further notice. The***
7 ***Board voted unanimously 5-0 in favor. Motion carried.***

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9 **10. PROPOSED PARK DESIGN – EMERALD ISLE WOODS PARK**

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11 Parks and Recreation Director Alesia Sanderson introduced John Farkas with
12 JFK Designs, the lead designer on the team for the Emerald Isle Woods Park
13 design. Ms. Sanderson and Mr. Farkas presented visual exhibits to the Board of
14 the proposed design of the park. Ms. Sanderson stated that the proposed project
15 is well within budget.

16
17 Mr. Farkas gave a detailed overview of the entire proposed park design,
18 including cost estimates. The following excerpt from Mr. Rush's memo to the
19 Board is provided for background:

20
21 Following the Board's review, we are seeking the Board's concurrence with the proposed design and authorization to
22 proceed with permitting and detailed design work.

23
24 A schematic drawing of the proposed park design is attached for your review. The proposed design includes the
25 following features:

- 26
27
- A 2,200 linear ft., 24 ft wide gravel roadway leading to two parking areas with approximately 40 vehicle parking spaces and 3 bus parking spaces.
 - 4,350 linear ft. of 6 ft. and 8 ft. wide nature trails throughout the Emerald Isle Woods site.
 - Wooden bridges across steep topography leading to a combined picnic shelter / bathhouse on a ridge overlooking Bogue Sound.
 - Wooden walkways across natural wetland areas along the new nature trails.
 - A new 180 linear ft. pier to Bogue Sound, with features to allow kayak and canoe launching.
 - A trail connection to the existing Town-owned pier adjacent to Cape Emerald subdivision.
 - A smaller picnic shelter located midway through the site.
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43 A copy of the detailed project budget is also attached for the Board's review. As you will see, the total estimated cost
44 of the proposed design is \$439,858, including a 5% contingency. This amount is slightly below the available project
45 funds of \$454,536.

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2 If the Board concurs with the proposed design, permitting and detailed design activities will commence. The Town will
3 likely be seeking to secure the required Major CAMA Permit through the new "Express Permitting Program", which
4 carries a cost of approximately \$2,000 but should reduce the permitting time to approximately 30 days. The project
5 schedule calls for the Town to solicit bids in August and award a construction contract in September. We remain
6 confident that construction can be completed by the June 1, 2006 deadline.
7

8 Mr. Farkas answered questions from the Board, and following general
9 discussion, ***motion was made by Commissioner Wootten to approve the***
10 ***park design for the new Emerald Isle Woods Park, and direct staff to***
11 ***proceed with permitting and detailed design. The Board voted***
12 ***unanimously 5-0 in favor. Motion carried.***
13

14 **11. DISCUSSION – STREET NAME / ADDRESS CHANGES**
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16 Fire Chief Bill Walker addressed the Board concerning the issue of street name /
17 address changes. Chief Walker for the past couple of years has chaired the
18 Addressing Committee consisting of Town staff. The Addressing Committee has
19 been reviewing the Town's addressing system.
20

21 The following excerpt from Mr. Rush's memo to the Board is provided for
22 background:
23

24 The Board of Commissioners is scheduled to discuss several proposed street name and address changes at the July
25 12 meeting. As has been presented at previous Board meetings, a staff committee has been reviewing street names
26 and addressing problems throughout the Town in an effort to reduce duplication of names and confusion about
27 addresses so that emergency service providers can respond as quickly as possible.
28

29 Fire Chief Bill Walker has led the staff committee, and I have attached a memo from Chief Walker that contains a
30 thorough explanation of this issue. As you will note, the staff committee recommends, and I concur with their
31 recommendation, that the names of 5 streets be changed due to the existence of other streets with very similar names.
32 The Board should note that the proposed new names for 4 of these streets were chosen by staff to honor individuals
33 who have made important contributions in the Town's history. Specifically, Beach View Road is proposed to be
34 renamed Paxon Road in honor of community leader Paxon Holz, Holly Court is proposed to be renamed McAdams
35 Court in honor of the late former Commissioner Gordon McAdams, Pelican Court is proposed to be renamed Foster
36 Court in honor of dedicated EMS volunteer and Commissioner George Foster, and the 5600 block of Sound Drive
37 (near Hurst Road and Fredeen Street) is proposed to be renamed Morris Drive in honor of former Police Chief Jim
38 Morris. The 5th proposed change is to rename Windjammer Cove to Windjammer East, an extension of an existing
39 street in Lands End. The Board should also note that changes made to East Landing Drive and Landing Court are
40 noted in Bill Walker's memo, and these changes were included on the recently-adopted official street map. As noted
41 in Chief Walker's memo, the staff committee also recommends, and I concur with their recommendation, that the
42 addresses of several properties on the currently named Windjammer Cove be changed, along with several addresses
43 on East Landing Drive.
44

45 This issue is presented for discussion purposes only on July 12, and we are seeking direction from the Board on how
46 to proceed. There is no prescribed process for municipalities to change street names and/or addresses in the General
47 Statutes. If the Board concurs with these recommendations, I suggest that the Town send a letter to each affected
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2 property owner advising them of the proposed changes and informing them that the Board of Commissioners will make
3 a decision on this issue at the August Board meeting. I would also like to commit in the letters that if the address
4 changes are made that the Fire Department will purchase and install new house numbers for the affected property
5 owners. There are 22 property owners whose house numbers would change.
6

7 If the Board ultimately approves the recommended changes at the August meeting, I recommend that the changes go
8 into effect sometime later this fall. I have asked Chief Walker to consult with the real estate rental agencies to
9 determine when they update their annual rental catalogues, and my goal would be to make the changes effective just
10 prior to the finalization of these catalogues so that the new addresses are correct for any rental properties.
11

12 Commissioner Allen commended Chief Walker and the committee for the
13 selection of names, also suggesting that residents be given plenty of time to
14 make their address changes.
15

16 Town Manager Rush said the intention in bringing this to the Board tonight was
17 to have an additional review and discussion, and if the Board is comfortable with
18 the recommendations, the plan is to send letters to the property owners notifying
19 them that this change is to be considered at the Board's August meeting so they
20 will be well aware and may attend the meeting prior to the Board taking action.
21 Mr. Rush said they furthermore recommend the Board set an effective date
22 sometime after the August meeting.
23

24 Mayor Schools asked for any comments from the public.
25

26 Gail Johnson, 102 Windjammer Cove, spoke against this change. Ms. Johnson
27 noted the various businesses owned by her and her husband using their existing
28 address, and how she felt this change was unnecessary. Ms. Johnson felt that it
29 was clear where Windjammer Cove is located, and that this change should be
30 reconsidered.
31

32 Bill Mowatt, 107 Windjammer Cove, stated that he didn't feel that changing the
33 name would change the problem. Mr. Mowatt felt there were other solutions,
34 adding he would look forward to having a hearing on this matter where they could
35 present more facts. Mr. Mowatt said there had been no discussion as to why
36 Windjammer Cove was chosen over some of the other streets. Mr. Mowatt felt
37 the inconvenience had not been justified by any argument as to why the name
38 has to be changed.
39

40 Doje Marks, 134 Sandcastle Drive, speaking as a 17 year member of EMS,
41 agreed with the comments made by Mr. Mowatt that the problem is not the name
42 of the street; it is the problem of locating the house. Ms. Marks said the simple
43 solution is to have a house number at the street and the driveway. Ms. Marks
44 noted there was some confusion such as Holly Street and Holly Court which are
45 nowhere near each other, but still felt the problem was finding the house.
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3 Town Manager Rush stated that town staff had the same concerns about the
4 addressing and they are trying to come up with uniform ways to address
5 properties based on where the driveway comes out, and would also like to make
6 sure numbers are visible on the structure. Mr. Rush said they didn't want to bring
7 an ordinance to the Board to change the addressing labeling requirements if they
8 were then going to turn around and ask that the Board change street names or
9 actual addresses.

10
11 Commissioner Hedreen was concerned that there may be even more similar
12 sounding street names that are not co-located that may cause a problem
13 particularly for the newer police officers. Commissioner Hedreen also while
14 agreeing that it made sense to wait, felt a deadline should be set for getting
15 addresses where they can be seen, and felt they should look at addresses being
16 in a consistent location whether on the street or on the structure.

17
18 Following further discussion, direction was given to the Town Manager to pursue
19 his plan to notify homeowners. Mayor Schools also suggested to Bill Mowatt a
20 Lands End homeowner that the Town would be glad to consider any alternatives
21 he may present. In addition, Commissioner Hedreen stressed that Chief Walker
22 review the list once again for any streets not co-located bearing similar sounding
23 names that may also need to be included.

24
25 **12. DISCUSSION – PROPOSED COAST GUARD ROAD TRAFFIC**
26 **IMPROVEMENTS**
27

28 Town Manager Frank Rush discussed the proposed traffic improvements at the
29 intersection of Coast Guard Road and NC 58, providing an overhead
30 presentation detailing the preliminary plan. The following excerpt from Mr.
31 Rush's memo to the Board is provided for background:

32
33 The Board of Commissioners is scheduled to discuss a preliminary plan to address traffic issues at the intersection of
34 Coast Guard Road and NC 58 at the July 12 meeting. I have attached 1) a location survey of the existing conditions at
35 this intersection for your review, and 2) the preliminary plan with the locations of proposed new and lengthened turn
36 lanes at the intersection.

37
38 The first survey shows the existing conditions on Coast Guard Road, and is dated June 8, 2005. The second survey
39 shows the preliminary plan overlaid on some of the existing conditions, most notably the existing asphalt pavement
40 edges, and is dated July 6, 2005. As you will see, the preliminary plan includes the following features that are intended
41 to improve traffic congestion at this intersection:

- 42
43 • A longer dedicated left-turn lane for vehicles leaving Coast Guard Road on to NC 58 toward the bridge. As
44 you know, the existing dedicated left-turn lane is very short, and only has stacking capacity for a limited
45 number of vehicles.
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- A new dedicated right-turn lane for vehicles leaving Coast Guard Road on to NC 58 headed east. This improvement would allow vehicles headed east to avoid waiting in the current through-lane and would also free up more stacking capacity in the through-lane.
- A slightly longer dedicated left-turn lane for vehicles leaving Coast Guard Road on to Reed Drive headed east. This improvement may provide a little more room for travel trailers en route to Holiday Trav-L-Park.
- A clearly delineated right-turn lane for vehicles leaving Coast Guard Road on to Reed Drive headed east. There is currently sufficient pavement in place, and this existing pavement acts as a de facto right-turn lane. This preliminary plan would simply add lane markings.
- A dedicated left-turn lane for vehicles leaving Coast Guard Road and turning into the Bell Cove Village complex at the western entrance to Bell Cove Village. This would make it easier for vehicles traveling from the Coast Guard Road subdivisions to enter the new commercial center, and would allow through traffic to continue along Coast Guard Road towards NC 58 unimpeded.
- A dedicated left-turn lane for vehicles leaving Coast Guard Road and turning into Pebble Beach condominiums. This would make it easier for the residents, property owners, and visitors of Pebble Beach to access the condominium complex, and also allow through traffic to continue down Coast Guard Road unimpeded.
- The construction of landscaped islands where Coast Guard Road meets NC 58 and along the curve of Coast Guard Road. The landscaped islands would have curb and gutter, and would help the aesthetics of the new multi-lane roadway.

The Board should note the following issues in its review of the preliminary plan:

- The preliminary plan will require the relocation of at least one, and perhaps two existing overhead power poles on the west side of Coast Guard Road near the northern entrance to Bell Cove Village.
- As you will see, the area just west of the proposed improvements near where Coast Guard Road meets NC 58 includes available right of way that is not utilized in the preliminary plan. It may be advantageous or even necessary to shift the entire new roadway and lane configuration slightly to the west in this location.
- The existing asphalt pavement, as well as the proposed new lane configuration, encroaches on the property of Pebble Beach condominium complex, and we will need to seek additional right-of-way from the Pebble Beach Property Owners' Association to give the Town the legal right to maintain a road in this location. Because the area in question is of little use to Pebble Beach, I am hopeful that they will cooperate with the Town.
- The preliminary plan includes the construction of a dedicated right-turn only lane from Coast Guard Road into the northern entrance to the Bell Cove Village complex, as required as a condition of subdivision approval. The owner of Bell Cove Village will bear the cost of this turn lane, and the Town would need to coordinate construction with the owner of Bell Cove Village.
- The preliminary plan includes 11 ft wide lanes. NCDOT recommends lane widths of 9 – 12 feet. It may be possible to reduce the lane width to 10 feet in order to "free up" additional room in the right of way for sidewalks and drainage.

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- The preliminary plan does not include any considerations for road shoulders. The final design will need to include sufficient space for road shoulders. The Town's ordinance requires a 6 ft shoulder when ditches are used for storm water drainage.
- The preliminary plan does not include any considerations for planned sidewalks. The developer of Bell Cove Village has previously made a contribution to the Town for the construction of sidewalks along the entire frontage of Bell Cove Village, and we intend to construct the new sidewalks later this year. This issue will need to be addressed with the owner of Bell Cove Village, and if space is available the new sidewalks may be ultimately located on private property secured with a sidewalk easement.
- The preliminary plan does not include any considerations for storm water drainage. Due to space limitations, it appears likely that the Town will need to install curb and gutter and catch basins in the area of Coast Guard Road between NC 58 and Reed Drive and convey the storm water runoff to existing and improved ditches along Coast Guard Road to the west. This may result in additional costs beyond those budgeted.
- The preliminary plan seeks to preserve the remaining large trees in the right-of-way in front of Bell Cove Village, and lanes have purposely been drawn to avoid these trees.
- The preliminary plan does not indicate, but envisions the future construction of an asphalt bicycle path along the south side of Coast Guard Road. It appears that there will be sufficient right-of-way to construct this project in the future, even after the proposed traffic improvements are taken into consideration.

The Board should note that this preliminary plan represents the first step toward finalizing a design that will effectively improve traffic conditions at this intersection. The preliminary plan is presented for initial Board review to seek Board and citizen input at an early stage. Following the Board's review, I will incorporate the Board's and citizens' comments and ask NCDOT's traffic engineers to review the proposed design for their concurrence and/or suggestions. After securing NCDOT's input, I will seek the assistance of Town Engineer Greg Meshaw to begin actual detailed design. The final design would be presented to the Board again prior to seeking construction bids, hopefully later this fall or winter. I will also be working with the owners of Bell Cove Village and Holiday Trav-L-Park during this process, as well as the leadership of the Pebble Beach Property Owners' Association.

As you know, the FY 05-06 General Fund budget includes \$60,000 for this project. I remain hopeful that the desired improvements can be constructed within budget, and I will certainly be mindful of the budget amount as we proceed with the design phase.

Following general discussion, direction was provided to the Town Manager to continue with this plan.

13. DISCUSSION – NC 58 SPEED LIMITS

Town Manager Frank Rush presented information regarding this agenda item to the Board for the purpose of discussion and direction. The following excerpt from Mr. Rush's memo to the Board is provided for background:

The Board of Commissioners is scheduled to discuss the possibility of lowering the speed limit on certain segments of NC 58 through the commercial district at the July 12 meeting. Following Board discussion, I am seeking direction from the Board on whether or not to submit a request to change the speed limit to the NC Department of Transportation (NCDOT), which has the final decision making authority on speed limits on NC 58 in Emerald Isle.

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3 Mayor Pro-Tem Messer requested that this item be on the July 12 agenda in response to concerns about the speed
4 limit between Loblolly Street and Black Skimmer Drive, and inquired if the speed limit could be reduced from 45 mph to
5 35 mph in this area. As illustrated on the attached map, the speed limit on NC 58 is 45 mph from the Cameron
6 Langston Bridge to Merchants Park, and then becomes 35 mph from Merchants Park to Loblolly Street, where it
7 returns to 45 mph through the remainder of Emerald Isle to the Indian Beach town line.
8

9 I have discussed this issue with all of the Town's department heads, and there was no recollection of this issue being
10 discussed in the past. It was the consensus of the department heads and myself that the Town should seek to reduce
11 the speed limit to 35 mph along the entire stretch of NC 58 from Coast Guard Road to Lee Street, as this area
12 corresponds with the main commercial district, the presence of a center turn lane, and most of this area is or will soon
13 be served with sidewalks and bicycle paths, thereby attracting more pedestrian and bicycle activity.
14

15 I have discussed this issue with NCDOT, and if the Board is interested in changing the speed limit along any segment
16 of NC 58, the Board should pass a motion to have the Town Manager submit a request to NCDOT. NCDOT staff will
17 then review the request (considering factors such as the amount of development, number of driveways, pedestrian and
18 bicycle activity, and controlled access issues) and determine if the speed limit warrants changing. If NCDOT concurs
19 with the requested change, NCDOT will then ask the Board of Commissioners to adopt an ordinance establishing the
20 new speed limit, and NCDOT will also adopt a concurrent speed limit ordinance for the affected segment of NC 58.
21 The State Traffic Engineer at NCDOT has the final decision making authority on the speed limit.
22

23 Although Town staff and I recommend a 35 mph speed limit from Coast Guard Road to Lee Street, the Board should
24 note that NCDOT has informed me that it is unlikely that the speed limit can be reduced between Coast Guard Road
25 and Merchants Park due to the fact that that segment of NC 58 is a controlled access highway (no additional driveway
26 or street connections will be permitted along this stretch). The Town can certainly make this request if that is the
27 Board's desire, however, the Board may want to consider requesting a 35 mph speed limit from Loblolly Street to
28 either Black Skimmer or Lee Street only, as originally suggested by Mayor Pro-Tem Messer.
29

30 I have also discussed the possibility of a seasonal change in speed limits (i.e., 45 mph in the winter months and 35
31 mph in the summer months) along NC 58 with Town staff. I have not had the opportunity to discuss this option with
32 NCDOT staff, however, I know that this practice is used in Atlantic Beach and Surf City, and perhaps in other locations
33 with higher summertime traffic counts. The consensus of Town staff and myself, however, is to not adopt a seasonal
34 change in speed limits, as we believe that this will cause more confusion and discord for travelers along NC 58.
35

36 Commissioner Messer voiced his concerns over the existing speed limit of 45
37 mph on the section of Highway 58 between Loblolly Street and Black Skimmer,
38 with so many businesses in the area, causing traffic in every direction, with
39 vehicles running 50+ miles per hour, feeling this was just too fast.
40

41 The Board discussed various alternatives including alternating speed limits
42 between the summer and winter months, similar to Atlantic Beach, as well as
43 traffic and speed issues and concerns for the entire stretch of Highway 58 from
44 Coast Guard Road to Lee Street.
45

46 Doje Marks, 134 Sandcastle Drive, suggested that the Board consider placing
47 turning lanes for left turns in this area of Emerald Drive for all turns to the east up
48 to Lee Street. Ms. Marks also mentioned the problem of delivery tractor trailers
49 using the turning lanes as an unloading lane, feeling this is a real safety hazard.
50
51

1
2
3 ***Motion was made by Commissioner Messer to request the NC Department***
4 ***of Transportation to change the speed limit from 45 mph to 35 mph from***
5 ***Loblolly Street to Lee Street. The Board voted unanimously 5-0 in favor.***
6 ***Motion carried.***
7

8 **14. DISCUSSION – POTENTIAL CAMA LAND USE PLAN AMENDMENTS**
9

10 Town Manager Frank Rush addressed the Board concerning the 3 potential map
11 amendments and one potential text amendment to the 2004 CAMA Land Use
12 Plan. The following excerpt from Mr. Rush's memo to the Board is provided for
13 background:

14
15 The Board of Commissioners is scheduled to discuss potential CAMA Land Use Plan amendments at the July 12
16 meeting. The specific potential amendments include 3 revisions to the Future Land Use Map and one text
17 amendment. If the Board is interested in pursuing these amendments, they will appear on the Board's August meeting
18 agenda for formal consideration.
19

20 The first map revision pertains to the property on which the Island Harbor Marina is located. This property is currently
21 zoned Business-3 (B-3), however, due primarily to an oversight, the Future Land Use Map designates this property as
22 "Mixed Residential". (An excerpt from the Future Land Use Map is attached.) At the June meeting, the Board
23 expressed its interest in revising the Future Land Use Map to designate this property as commercial in an effort to
24 promote the perpetual existence of a public marina in Emerald Isle. The Planning Board discussed this issue at its
25 June 27 meeting, and unanimously recommended that the Board amend the Future Land Use Map to designate the
26 Island Harbor Marina property as "Marine Commercial Area", and also recommended a text amendment establishing
27 the "Marine Commercial Area". A copy of the proposed text amendment is attached for the Board's review. The Board
28 should note that only the Island Harbor Marina property that is currently zoned B-3 would be changed to "Marine
29 Commercial Area", and the remainder of the surrounding area, currently occupied by mobile homes, would retain the
30 "Mixed Residential" designation. The Board should also note that staff has discussed the proposed revision to the
31 Future Land Use Map with the owners of the Island Harbor Marina property, and they concur with such an amendment,
32 at least in concept. If the Board adopts these amendments in August, staff will begin work on the creation of a new
33 zoning district to reflect the goals of the "Marine Commercial Area", and present a zoning text amendment and zoning
34 map change at future meetings of the Planning Board and Board of Commissioners.
35

36 The second map revision pertains to the Bridgeview Campground property. This property is currently zoned B-3, and
37 the Future Land Use Map designates this property as "Commercial Corridor". The new owners of the campground
38 intend to redevelop the campground as a residential subdivision, and have applied for a rezoning to Residential-2 (R-
39 2). If the Board intends to rezone the property, then an appropriate amendment to the Future Land Use Map must also
40 occur. A designation of "Single / Dual Family Residential" is suggested for the Board's consideration. The Planning
41 Board discussed this issue at its June 27 meeting, and unanimously recommended an amendment to the Future Land
42 Use Map. The Planning Board will consider the proposed rezoning at its July meeting, and their recommendation will
43 be forwarded to the Board of Commissioners for consideration at your August meeting. I have attached an excerpt
44 from the Future Land Use Map that shows the current designation of this property.
45

46 The third map revision pertains to the so-called "Gateway tract" that is located between Crew Drive and NC 58. This
47 4+ acre tract is currently zoned B-3, and is designated on the Future Land Use Map as "Commercial Corridor". The
48 potential map revision to be discussed by the Board would change the Future Land Use Map designation for this tract
49 from "Commercial Corridor" to "Single / Dual Family Residential", consistent with the potential change for the
50 Bridgeview Campground property.
51
52

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1
2
3 This tract is important to many in the community because it is currently undeveloped and consists of a high dune ridge
4 and several significant trees, providing an inviting and aesthetically pleasing welcome to Emerald Isle's residents,
5 property owners, and visitors. The "Gateway" concept was specifically cited in the the 2004 CAMA Land Use Plan,
6 which includes the following policy (Policy #6.2, page 81):
7

8 "The Town supports the concept of creating the Emerald Isle Gateway on Emerald Drive, beginning at the
9 Cameron Langston Bridge and extending to the Coast Guard Road intersection. The Gateway will focus on
10 preserving existing vegetation, introduction of complimentary native vegetation, and minimizing public and
11 private signage. The Gateway will announce arrival at a special place."
12

13 The future development of this tract for commercial purposes would likely result in the elimination of the high dune
14 ridge and existing trees that currently make up the "Gateway" in an attempt to gain visibility for the businesses located
15 on that site. On the other hand, the future development of this property in a residential manner would likely result in
16 the preservation of the desired "Gateway" buffer, as the future owners of the residential units would likely attempt to
17 buffer their properties from the noise and aesthetics of NC 58.
18

19 The Planning Board reviewed this potential amendment to the Future Land Use Map at its June 27 meeting, and
20 unanimously recommended that the "Gateway tract" retain the "Commercial Corridor" designation. The Planning
21 Board cited the fact that the property owner had not been informed of this potential change prior to the Planning Board
22 meeting in making this decision, and the fact that the property owner objects to such an amendment. I have since met
23 with the owners of the "Gateway tract" to discuss this potential map amendment and confirmed that the current owners
24 do not agree with this amendment. The current owners would like to retain the "Commercial Corridor" designation in
25 order to preserve their future development options for this tract.
26

27 If the Board makes this amendment to the Future Land Use Map for the "Gateway tract", future implementation
28 measures could possibly include one or more of the following:
29

- 30 • No further action. If this implementation strategy is pursued, the Board could simply rely on the Future Land
31 Use Map to convey to the current and future owners of the "Gateway tract" that the Town's vision for this
32 tract is to 1) preserve the Gateway buffer, and 2) to be developed in a residential manner, and rely on the
33 property owner to embrace this vision voluntarily.
34
- 35 • Eventual rezoning of the property from B-3 to R-2. This implementation strategy would likely enhance the
36 Town's chances of preserving the Gateway buffer, but is not acceptable to the current owners.
37
- 38 • Potential purchase of the "Gateway tract" or a portion of the tract to preserve the Gateway buffer. This would
39 obviously require a willing seller, and would likely result in a significant expense to the Town. The Board
40 would need to commit the necessary funding for such a purchase, and would likely need to incur additional
41 debt.
42
- 43 • Adoption of an ordinance mandating the retention of a significant (50 - 75 ft) natural buffer along NC 58 in
44 this area of Town. This option has been discussed by previous Town Boards in the past. This option would
45 likely result in little or no cost, and would require diligent enforcement of such an ordinance. The current
46 property owners would likely be very upset by such an ordinance.
47
- 48 • Potential condemnation of sufficient land for the Gateway buffer. This option would obviously result in
49 additional expense, but likely a lesser expense than a negotiated purchase price. This action would
50 obviously generate conflict between the Town and the current owners, and should be carefully weighed prior
51 to taking such an action.
52

53 If the Board amends the Future Land Use Map to show the "Gateway tract" as "Single/Dual-Family Residential", I am
54 hopeful that the chosen implementation strategy can be achieved with the cooperation of the current or future owners

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1
2 of the "Gateway tract". To this end, I recommend that the Board give strong consideration to attempting to purchase
3 the "Gateway tract".
4

5 Town Manager Rush noted that in accordance with the 30 day public notice
6 requirement the Town has advertised the possible land use amendments for all 3
7 of these parcels at the August 9 meeting. Mr. Rush said at this point the
8 Planning Board had only recommended the Bridgeview Campground, and it will
9 depend on the Board's direction tonight whether to leave Island Harbor Marina
10 and the Gateway tract for their consideration at that time.
11

12 Town Manager Rush said if the Board did decide to go forward with the future
13 land use map amendments, it will go to the Coastal Resources Commission at
14 their September meeting, the CRC will be looking for the plan to be consistent
15 with the planning guidelines for the 20 coastal counties, as well as internal
16 consistency in our document. Town Manager Rush noted that the current
17 property owners of the Bridgeview Campground and Island Harbor Marina were
18 in favor of the land use map amendment; while the owners of the Gateway tract
19 have indicated they are not in favor of changing the future land use map from
20 commercial to residential.
21

22 Rhett Ricks, 408 Emerald Landing Drive, stated that his mother, Martha Howe is
23 the owner of the "Gateway" tract. Mr. Ricks wished to reiterate the Town
24 Manager's comments that his family wants to keep the property as it is, B-3. Mr.
25 Ricks said this has been their intent, and he wanted to make this clear to the
26 Board where his family stands on this issue. Mr. Ricks said there had been a lot
27 of dialogue with the town over the past month because of changes with the
28 project at Bridgeview, and felt a sense of irony that this is coming to discussion
29 now.
30

31 Felice Rizetto, 9020 Crew Drive, discussed Bridgeview Campground noting how
32 it is a natural environment, environmentally sensitive, numerous trees and dunes,
33 and when hearing comments that whatever is left by December 31 will be
34 bulldozed – he felt this was a CAMA issue. Mr. Rizetto asked about the
35 possibility of delaying, or moratoriums or eminent domain of this property, feeling
36 this might also be a nice site for the public use. Mr. Rizetto emphasized the
37 impact on the residents and their families who have enjoyed the campground for
38 almost 50 years.
39

40 It was the general consensus of the Board for the Town Manager to include all
41 potential map amendments for formal consideration at the August meeting.
42
43
44
45
46

1
2 **15. COMMENTS FROM TOWN CLERK, TOWN ATTORNEY, AND TOWN**
3 **MANAGER**
4

5
6 There were no comments from the Town Clerk or Town Attorney.
7

8 Town Manager Frank Rush said he would look at scheduling a special meeting
9 for the personnel study in the near future.

10
11 Town Manager Frank Rush provided information to the Board concerning the
12 cost and feasibility of moving overhead power lines to underground.
13

14 **16. COMMENTS FROM BOARD OF COMMISSIONERS AND MAYOR**
15

16 There were no further comments from the Commissioners or Mayor.
17

18
19 **17. CLOSED SESSION – PURSUANT TO NCGS 143-318.11(5) TO DISCUSS**
20 **THE POTENTIAL ACQUISITION OF REAL PROPERTY**
21

22 ***Motion was made by Commissioner Messer to go into closed session at***
23 ***7:50 pm – pursuant to NCGS 143-318.11(5). The Board voted unanimously***
24 ***5-0 in favor. Motion carried.***
25

26 ***Motion was made by Commissioner Messer to leave closed session. The***
27 ***Board voted unanimously 5-0 in favor. Motion carried.***
28

29 No action taken in closed session. The Board discussed the potential purchase
30 of a piece of land in Emerald Isle.
31

32 **18. ADJOURN**
33

34 ***Motion was made by Commissioner Messer to adjourn the meeting. The***
35 ***Board voted unanimously 5-0 in favor. Motion carried.***
36

37 ***The meeting was adjourned at 8:40 pm.***
38

39 Respectfully submitted:
40

41
42
43 Rhonda C. Ferebee
44 Town Clerk