

## MEETING NOTES

### KAZ BROTHERS ON NOVEMBER 21, 2019

Present: Barney Quinn, John Breeding, Chaslyn Derexson, David Warrington, Tom McCarron, Victor and Craig Kazanjian (Kaz Brothers), all four Beck property owners, Mr. Ron Thompson and Mr. Clark R. Shaffer (Esq.)

Mr. Shaffer - stated that we want to develop it, the Beck property. It's slated to be a developed. There is a great deal of frustration. "What do you want?" You have a lot of authority and you are not shy about using it. We don't want the cheese, we just want out of the trap! Can you figure out what this thing zoned for? You should be dealing with minimum standards that are health safety and welfare. If your exacting standards are too onerous, then it will never get developed.

Barney – I know the MXD got put on hold. This was for the Downtown Vision Plan and now that is done. This is part of our Priority Area.

Victor – the people cannot make-up their minds. Nothing happens in this Town if elected officials don't want it to. If you want commercial development on this site, you have to the rooftops. The quality of the rooftops will dictate the quality of the retail.

Mr. Shaffer – This is an opportunity to not do the development piecemeal. It is a 100 million dollar development! There needs to be a development agreement for the entire site. We need it for all of it.

Victor - Funding does not make any sense otherwise. They have to be done together. NOT piecemeal! We have to move forward with some security.

Mr. Shaffer – We need a Developing Rights and Requirement Agreement. A key factor is the Town would agree not to change its rules in mid-stream. GRANDFATHER! There is a loophole in the DARRS structure regarding changes due to health, safety and welfare aspect.

Victor - There is a reputation that Mount Airy has that we want the DARR agreement will be the general plan. There will be developer obligations so they must hold-up their end of the deal.

Mr. Shaffer – the DARR agreement will be legally binding on both parties.

Mr. McCarron – we may already have the legislation or a mechanism that provides the Town the means to enter a DARR, but I would have to double check.

Mr. Shaffer – if you don't then that is something that should be started now. That way we can simultaneously be working on the DARR which will be ready when the MXD Zoning is in effect.

Victor – If there is nothing in this space (pointing to the area to be developed) then the people and customers will not go all the way around from Route 27 to get to the Main Street Downtown. We are calling for 120,000 square feet of retail and could have 707 units, but will most likely be approximately 600 units. NONE, of this happens without the backing of the political will of the elected officials.

Barney indicated that the first step to moving any of this forward is the MXD Zoning and that he would like to go through the staff changes line-by-line in order to explain the alterations to what they have already seen. If we don't deliver a mutually agreeable document to the Mayor and Council in January, then nothing moves forward. The staff changes to the document were then reviewed page-by-page with comments and input.

Victor – why are you limiting your retail uses by listing only what is allowable? The change of percentages shifting from land area to floor area will not work. The percentage of residential would have to be very small otherwise. We will collaborate with the owners and make a decision on whether to make suggested changes to the staff's MXD update.

Barney – We will have to re-look at this from this perspective. The Town is looking for your feedback and the owner's feedback.

Mr. Shaffer – you should list what isn't allowable and let the market place dictate what will or will not work in the space. I understand you have listed no adult book stores, but you are going to allow a tattoo parlor, a medical marijuana dispensary or a massage parlor? You should be listing what you don't want and not leaving that up to interpretation.

All parties agreed to look at the MXD Ordinance with the intent of a January introduction.