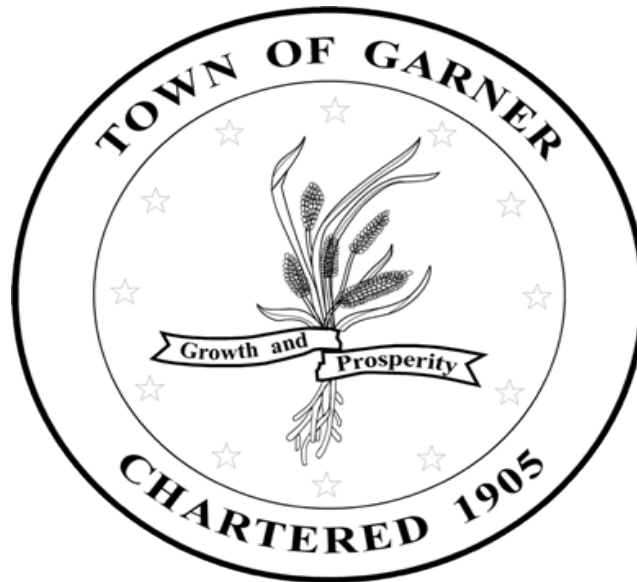


TOWN OF GARNER



TOWN COUNCIL MEETING

JANUARY 3, 2017
7:00 P.M.

Garner Police Department
Training Room
912 7th Avenue, Garner

**Town of Garner
Town Council Agenda
January 3, 2017**

Dinner will be served for town officials in the Conference Room at 6:15 p.m.

The Council will meet in regular session at 7:00 p.m. in the Garner Police Department Training Room located at 912 7th Avenue.

- A. CALL MEETING TO ORDER/ROLL CALL: Mayor Ronnie Williams

The Council will call for a brief recess at 9:00 p.m.

- B. PLEDGE OF ALLEGIANCE: Mayor Pro Tem Kathy Behringer

- C. INVOCATION: Mayor Pro Tem Kathy Behringer

- D. PETITIONS AND COMMENTS

This portion of the meeting is to receive comments from the public on items not included in this agenda. Citizens should sign up with the Town Clerk to speak prior to the start of the meeting. The Board is interested in hearing your concerns, but may not take action or deliberate on subject matter brought up during the Petitions and Comments segment. Topics requiring further investigation will be referred to the appropriate town officials or staff and may be scheduled for a future agenda.

- E. ADOPTION OF AGENDA

- F. PRESENTATIONS

Introduction of Miss Garner, Lauren Walsh and Miss Garner
Outstanding Teen, Caroline Credle Page 3
Presenter: Harold Garner, Executive Director of Miss Garner Pageant Association

- G. CONSENT

All items on the Consent Agenda are considered routine, to be enacted by one motion and without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the Consent Agenda and considered separately.

- 1. Approval of Minutes Page 4

Council Meeting Minutes from 11/22/2016, 11/29/2016, 12/05/2016, 12/20/2016 and Closed Session Minutes from 11/22/2016, 12/05/2016, 12/20/2016

Action: Adopt Minutes

H. PUBLIC HEARINGS

1. General Use Rezoning Z-16-04, Maxwell Drive Page 25
Request to rezone a 6.24 acre tract of land located on Maxwell Drive from R-40 and R-9 C153 to Residential-9 (R-9). This item was continued from the December 5, 2016 Council meeting.

Action: Close Public Hearing; Refer to Planning Commission

I. NEW/OLD BUSINESS

1. 2017 Council Retreat Agenda Page 34
Presenter: Rodney Dickerson, Town Manager

Based on previous discussions with and input from Council, staff has developed a draft agenda for the 2017 Retreat.

Action: Council Review and Discussion

J. COMMITTEE REPORTS

K. MANAGER REPORTS

1. garner info
2. Council Retreat Draft Agenda

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. ADJOURNMENT

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 3, 2017		
Subject: Introduction of Miss Garner and Miss Garner Outstanding Teen		
Location on Agenda: Presentations		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Harold Garner, Executive Director of Miss Garner Pageant Association		
Brief Summary: Mr. Garner will introduce Miss Garner, Lauren Walsh and Miss Garner Outstanding Teen, Caroline Credle.		
Recommended Motion and/or Requested Action: Presentation only; no action required.		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: Congratulations to the newest ambassadors for the Garner community.		
Attachments Yes: No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner
Town Council Meeting Minutes
November 22, 2016**

The Council met in regular session at 7:00 p.m. in the Garner Police Department Training Room located at 912 7th Avenue.

CALL MEETING TO ORDER/ROLL CALL:

Present: Mayor Ronnie Williams, Mayor Pro Tem Kathy Behringer, Council Member Jackie Johns, Council Member Buck Kennedy, Council Member Ken Marshburn, Council Member Gra Singleton

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Assistant Town Manager-Development Services, Rick Mercier-Communications Manager, Tony Chalk-Town Engineer, Pam Wortham-Finance Director, Jeff Triezenberg-Assistant Planning Director, Brad Bass-Planning Director, Michael Gammon-Budget & Special Projects Manager, Brandon Zuidema-Police Chief, Michael McIver-Police Lieutenant, William E. Anderson-Town Attorney, Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Marshburn

INVOCATION: Pastor Luis Rivas, Iglesia Nueva Esperanza Church

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Motion: Johns
Second: Singleton
Vote: Unanimous

PRESENTATIONS

Swearing-In of the Town Attorney

Town Attorney William E. Anderson has advised that many North Carolina municipalities have their Town Attorney take the oath of office, just as elected officials, Police Officers and Building Inspectors do, and recommended that the Town of Garner do it as well. Stella Gibson, Town Clerk, administered the Oath of Office to Mr. Anderson.

CONSENT

Agency Funding/Programming Partners Agreements Approved in FY 2016-17 Budget

Presenter: Michael Gammon, Budget & Special Projects Manager

Following budget adoption, agreements were prepared and forwarded to each of the agencies receiving appropriations this year. Once approved, the Town will make payment to the organizations in accordance with the schedule set out in each agreement. Resources for Seniors has executed and returned their agreement for approval by Council.

Action: Authorize Execution of Agreement

Annexation Petitions ANX-16-06 (Timber Drive East) and ANX-16-07 Green Garden Road

Presenter: Brad Bass, Planning Director

Satellite annexation for a 3.48 acre tract located on Timber Drive East (Timber Drive Office Park) and satellite annexation of a 11.08 acre tract located on Green Garden Road (off US 70).

Action: Adopt Resolution (2016) 2308

Ordinance Amending FY 2016/17 Operating Budget

Presenter: Pam Wortham, Finance Director

This amendment includes \$1,000 transfer from Contingency to contribute to the G-Squad for their trip to Taiwan, transfer of \$5,544 from Contingency for additional Health Reimbursement Account payments, and transfer of \$30,000 from Fund Balance for payment to Rebuilding Together.

Action: Adopt Ordinance (2016) 3834

Recreation Center Grant Funding Request

Presenter: Tony Chalk, Town Engineer

Town of Garner is receiving HUD funding from Wake County for the Recreation Center project as a part of the Community Development Block Grant (CDBG). This agreement sets forth the funding terms of the project.

Action: Authorize Execution of CDBG Agreement with Wake County

Installment Financing Final Resolution

Presenter: Pam Wortham, Finance Director

This is the Final Approving Resolution for the installment financing for which a Public Hearing was held on November 7, 2016. This financing is to purchase vehicles and other equipment as approved in the FY 2016-17 budget, pay costs associated with the purchase of the Meadowbrook property, and to refinance the 2011 Installment Purchase Contract.

Action: Adopt Resolution (2016) 2309

Motion: Marshburn
Second: Singleton
Vote: Unanimous

PUBLIC HEARINGS

Rezoning Application PD-Z-16-01 and Conditional Use Permit Application PD-MP-16-02, Auburn Village

Presenter: Brad Bass, Planning Director and David Bamford, Senior Planner

This request is to rezone a 120.6 acre tract of land located on Auburn-Knightdale Road from R-20 to Planned Development PD-C4 and a request for conditional use permit approval of the master plan for Auburn Village Development.

The Town Attorney explained the procedures to be followed in this type of hearing and the Clerk administered the Affirmation of Oath to Brad Bass, Jeff Triezenberg, David Bamford, Tony Chalk, Keith Roberts, Kurt Burger, Jeff Hochanodel, Beth Blackmon, and David Moss. Mayor Williams asked the Council to disclose any ex parte communications regarding this project. Hearing none, Mayor Williams opened the public hearing and asked Brad Bass and David Bamford to provide the staff report.

Council Member Kennedy asked if the community core designated on the map is the expected area where I-540 is expected to cross Rock Quarry Road and Mr. Bamford confirmed that it was.

Mr. Bass confirmed the proposed location of the curb and gutter and sidewalks.

Council Member Marshburn asked how the density of this project compares to the density of The Village and Mr. Bass explained the minimum lot sizes in The Village is 5,000 square feet. Lot sizes in this project will be slightly smaller in some cases; however, this project includes a large amount of open space so it will not feel quite as encroaching or tight. The Village does not have that type of open space distribution.

Mr. Bass stated sewer capacity for this project will be Type 1 under the Town's policy. This will require a second revision to the policy this year. Council may want to consider adjusting the policy to allow for some automatic increases in Type 1. Staff will continue to monitor development and see what adjustments are needed at that time.

Council Member Kennedy asked about erosion control measures during construction. Mr. Chalk advised some actions can be taken during construction to reduce erosion such as over excavating the wet ponds to provide for additional sediment storage.

Mr. Keith Roberts, of The Timmons Group, stated the meetings which were held with the neighbors went well and they seemed to be pleased with the project. Complete build-out of the project should be in 3 years.

Mr. Kurt Berger, of CalAtlantic, stated the selling price point of the homes would be in the mid 300's. He stated the homes were premium with stone features, granite countertops, and vinyl siding or hardi-plank.

Mr. Jeff Hochanodel, of The Timmons Group, stated he was available to answer any traffic impact questions.

Ms. Beth Blackmon, of The Timmons Group, stated she prepared the design books and was available to answer any questions. Council Member Kennedy stated this was a good product for prospective buyers.

Mr. David Moss stated he had no questions, but was not happy with this project.

Ms. Natalie Richard asked about the long term plan for the area and Mr. Bass advised the current plan would include mostly residential development of 2.5 to 6 units per acre. Staff is in the process of updating the 2006 Comprehensive Growth Plan and changes may be made over the next 6 months.

Hearing no further comments, Mayor Williams closed the public hearing and called for a motion.

Action: Adopt Ordinance (2016) 3835

Motion: Marshburn
Second: Johns
Vote: Unanimous

Action: Approve Permit PD-MP-16-02 with CUP-SB-16-03 with 1 site specific condition

NEW/OLD BUSINESS

Budget Amendment for Recreation Center Project

Presenter: Pam Wortham, Finance Director

This capital project ordinance captures all of the cost components of the Recreation Center project. A budget was presented to Council prior to final bids being received; however, this budget is based on actual bid numbers. Also, this separates the budgets for the Recreation Center Building, the storm water BMP, Road improvements, the GPAC parking lot construction, and the GPAC parking lot resurfacing. Various bond funds are being used for this project, and this ordinance budgets the transfer of those resources to the Recreation Center budget.

Action: Adopt Ordinance (2016) 3836

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Mr. Chalk advised Council that an amendment to add a webcam to the Town's MultiVista contact will be forthcoming.

Amendments to Chapter 3 of the Town's Code of Ordinance – Animals and Fowl

Presenter: Mike McIver, Lieutenant

As discussed with Council at the Work Session on September 27, 2016, these ordinance changes will update Sections 3-1 (Definitions), 3-17 (Confinement of Dangerous Animals), and 3-25 (Imposition of Penalties for Violations of Chapter) of the Code of the Town of Garner, North Carolina.

Council Member Marshburn stated the revisions were thorough and Council Member Singleton thanked the Police Department for working on this issue.

Action: Adopt Ordinance (2016) 3833

Motion: Singleton
Second: Behringer
Vote: Unanimous

Design Services Agreement for Improvements on New Rand Road

Presenter: Tony Chalk, Town Engineer

Kimley Horn has modified their agreement to reflect improvements on New Rand Road from the intersection with East Main Street to the Garner Road intersection. The project scope will include improvements south of the intersection of US 70, modification to the signal at US 70 and New Rand, and improvements from US 70 to Garner Road.

Action: Authorize Execution of Contract with Kimley Horn for \$299,450

Motion: Kennedy
Second: Marshburn
Vote: Unanimous

Town Appointment to Fire Department Board of Directors

Presenter: Rodney Dickerson, Town Manager

Jeanette Stevens and Joe Sample were appointed by the Town Council to the Fire Department Board of Directors with a term expiration date of November 19, 2016. Council has the option to re-appoint these members for an additional two-year term.

Action: Authorize Re-appointments with term expirations of 11/19/2018

Motion: Johns
Second: Behringer
Vote: Unanimous

COMMITTEE REPORTS

MANAGER REPORTS

- Garner Info was not available
- Finance Report
- Upcoming holiday events: December 2, 6:00 p.m. - Light up Main, December 3, 2:00 p.m. – Christmas Parade
- Council is invited to attend the Police Departments Annual Employee Holiday Dinner on December 14 at 5:00 p.m.
- Mr. Hodges advised Council of the confusion with the mock wall of the new Town Hall building. There should have been two different areas with stone; a lighter version and a darker version for Council consideration. Council preferred the darker stone. There was also a question of recessing the rough block trim. The architect reviewed this request and

if Council decides to move forward with recessing the trim, he did not believe that would be a problem.

- Mr. Dickerson advised Council the mock-up of the new dais in Town Hall is complete. The dais is at the proper height and the first row of seating will be indicated. Mr. Dickerson invited Council to visit the site to ensure proper line-of-sight in Council Chambers. Mr. Chalk advised staff would be available on November 29 to provide an escort on-site.
- Mr. Dickerson commended Rick Mercier and Adam Carroll (PEG Media) for earning second place in the 2016 Excellence in Communication from the North Carolina Association of Government Information Officers for their video encouraging citizen engagement in the Planning Department's update of the Town's comprehensive growth and transportation plans. Mr. Dickerson also commended Mr. Hodges for his vision and assistance with this project.

ATTORNEY REPORTS

COUNCIL REPORTS

Council Member Singleton

- Council consensus to excuse Mr. Dickerson from the December 5 Council Meeting
- Reported the contractor was working on the curb and gutter along Buffalo Road today and is scheduled to work tomorrow.
- Reported in the near future, a drain tile near the creek will need to be replaced causing Buffalo Road to be closed for 3-5 days. Traffic will be re-routed through Old Scarborough. Council Member Singleton suggested providing notice to adjacent residents and asking the traffic team to be on-site during peak morning and evening hours.

Council Member Kennedy

- Asked about the status of Swift Creek Station project. Mr. Chalk advised the project has been rekindled and is moving forward with some slight modifications. Council Member Kennedy asked about the status of Oaks Development across the road from Sutton Springs which was started over a year ago. Mr. Chalk stated construction drawings have been received and may need to be reviewed by the City of Raleigh. Mr. Chalk also stated a Public Works Committee meeting may need to be scheduled to discuss Type 1 and Type 2 water/sewer allocations.

Council Member Marshburn

- Asked about the projected completion date for the Buffalo Road sidewalk project. Mr. Chalk advised the contractor is aware of Council's concerns and felt once the curb and gutter was installed the sidewalk would be completed very quickly. Approximately 6-7 property owners with driveways to Buffalo Road will be affected and will need to park and walk and provisions will need to be made for those with special needs.
- Attended the Veteran's Day event and thanked the Committee for their work in organizing.
- Commended the Police Department on the "oath of office" video.
- Asked if other Council would be attending the Raleigh Chamber of Commerce holiday reception on November 30.

Mayor Pro Tem Behringer

- Received a citizen request to lower the speed limit in front of Heather Springs across from Timber Drive from 45 mph to 35 mph. Mr. Chalk advised this request was made several years ago and at that time NCDOT did not want to reduce the speed because the way the road is constructed is

considered “semi-controlled” access. If improving sight distance is a concern, the Town can possibly help with that and the request to lower the speed limit can be resubmitted to NCDOT.

- Received a citizen request to lower the cameras filming the Council Meetings as the view is looking down toward Council.
- Received a “thank you” letter from InterAct and felt the contribution was well spent.
- Thanked two fire-fighters who traveled to the western part of the state to help with the forest fires.
- Reported trash on West Garner Road near TT&E.

Council Member Johns did not have anything to report.

CLOSED SESSION

Pursuant to N.C. General Statutes Section 143-318.11(a)(5) “to discuss possible real estate acquisition and the Town’s negotiating position regarding such real estate”.

Pursuant to N.C. General Statutes 143-318.11(a)(3) “to consult with the Town Attorney regarding litigation”. This closed session was cancelled.

RETURN TO REGULAR SESSION AND ADJOURNMENT: 9:23 p.m.

Town of Garner
Council Work Session Minutes
November 29, 2016

The Council met in a Work Session at 6:00 p.m. on Tuesday, November 29, 2016 in the Garner Police Department Training Room located at 912 7th Avenue.

Present: Mayor Ronnie Williams, Mayor Pro Tem Kathy Behringer, Council Member Jackie Johns, Council Member Buck Kennedy, Council Member Ken Marshburn and Council Member Gra Singleton.

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Development Services, Sonya Shaw-PRCR Director, Tony Chalk-Town Engineer, Rick Mercier-Communications Manager, William E. Anderson-Town Attorney, and Rebecca Schlichter-Deputy Town Clerk.

CALL MEETING TO ORDER

Mayor Williams called the meeting to order at 6:00 p.m.

ADOPTION OF AGENDA

Motion: Kennedy
Second: Johns
Vote: Unanimous

REPORTS/DISCUSSION

Shelter at Garner Recreational Park

Presenter: Sonya Shaw, PRCR Director

Ms. Shaw gave an update on the shelter proposed for Garner Recreational Park and a timeline for construction. During budget discussions, Town Council approved a shelter to be located on the front lawn of Garner Recreational Park. In July, Council authorized unallocated Parks and Recreation Bond funds to be used to pay for the project. Staff has been working with architects, shelter vendors and contractors to find a shelter design that fits in the surrounding area. The "Raleigh" from EnWood Structures was chosen for its design and size options. The mid-sized shelter dimensions are 30' x 44' and should accommodate approximately 85-100 people and provide a recreational option for patrons visiting Garner Recreational Park.

The shelter kits could be ordered from a vendor but require a contractor to erect and also a separate contractor for slab installation. The multiple contractor option proved to be a challenge because hiring multiple contractors could exceed the \$85,000 budget and could cause logistical issues in the construction phase. Parks, Recreation and Cultural Resources staff consulted with the manufacturer to find contractors that could provide a turn-key product within the proposed budget.

McQueen Construction, Inc. presented a bid that would allow the Town to complete the "Raleigh" shelter within the budget guidelines. That bid includes the shelter kit, materials, upgrade to metal roofing, concrete slab and all labor. However, the construction will not start until after the winter weather breaks. Because McQueen Construction has experience building this exact model shelter, a long construction period is not anticipated. Resurfacing of the GRP parking lot will take place after the shelter construction and will be scheduled to accommodate ball season.

Council Member Behringer expressed her support and excitement for this shelter. Council Member Kennedy asked Council's opinion on whether or not gutters were needed. After discussion staff was asked to get a quote to include gutters in the project.

Action: Bring requested information to a future meeting.

Storm Water Infrastructure Study

Presenter: Tony Chalk, Town Engineer

Staff presented information to Council at the 2016 Retreat regarding the need to assess the condition of the storm water pipes in the Town's system in order ascertain the condition of the lines and maintenance needs. While the item was presented in the budget process, there was no funding identified for this work and staff has not moved forward with Request for Proposals.

The project would consist of observations of the larger size lines contained in the Town's system. The consultant would be looking at the condition of the lines, needed maintenance of each section along with estimated remaining service life, and provide preliminary costs associated with the repair work. The proposed study would be limited to pipes of 30" or larger in an effort to control costs. This would cover the majority of the systems that would interrupt traffic patterns or cause access issues in the Town's streets system if failures occurred and also potentially cause flooding concerns if not functioning as designed.

Brief discussions with several engineering firms have indicated that a budget of \$70,000 to \$75,000 should be adequate. The Town's existing base maps should be adequate for use by the consultant, and once a priority of repairs has been established more detailed design and construction plans would be developed for each project.

Mr. Dickerson suggested funds remaining in the White Oak/Highway 79 project budget (\$70,970) could be allocated to this project.

Action: Council consensus for staff to solicit Request for Proposals.

Tasks for Strategic Plan – 2016/2017

Presenter: John Hodges, Assistant Town Manager-Development Services

Following Council's adoption of the new multi-year Town of Garner Strategic Plan, staff has developed and distributed a working document that assigns annual tasks to each of the initiatives.

- Annual organization-wide tasks included in this document will be used to guide department-specific tasks that will be further defined in their individual work plans.
- Some tasks are one-time and will be completed in an annual cycle. Some strategic tasks will recur annually and are included in the document due to their importance in the ongoing operations of the organization. Some less-strategic tasks, while also performed on an ongoing basis, may not be included for simplicity.
- Some tasks may involve multiple departments. To that end, wording was chosen to allow multiple departments to specify their unique actions needed to accomplish the end-result.
- A future goal is to develop a performance measurement system that better ties to implementation of the strategic plan through successful completion of tasks.

Staff proposed utilizing a quarterly update report that could be prepared and included in Council's agenda packets on a scheduled basis, similar to the Financial Reports. The proposed format would include activities that

have been accomplished during that reporting period. A cumulative mid-year update will be prepared for Council's annual retreat and an annual report will be prepared after year-end. For this inaugural year, the first report will be prepared for the upcoming Council Retreat in February.

Action: Presentation only; no action

Begin discussion about Council Retreat

Presenter: Rodney Dickerson, Town Manager

Staff is beginning planning for the Town Council's 2017 Retreat, scheduled for February 8-9. Given the work that was done at last year's Retreat and considering Ms. Carlson's recommendations, staff has prepared a tentative list of topics that could be the basis of some "big picture" discussions. These include:

- Annual Review of the Strategic Plan and Accomplishments
- Council Briefing on the Comprehensive Plan & Transportation Plan featuring an overview of the draft Economic Assessment component of the plan
- Bond Project Mapping and Timeline exercise
- Economic Development Update
- Garner's next steps regarding the Wake County Transit Plan
- Revisit the Communications and Marketing Plan discussion
- Collect information relevant to the CIP or Budget

Action: Consensus from Council to discuss the Comprehensive Plan & Transportation Plan on the first day of the Retreat and the Strategic Plan on the afternoon of the second day.

COMMITTEE REPORTS

MANAGER REPORTS

- Garner Forward Workshop, December 12-14
- Steering Committee is Tuesday at 5:30 p.m.
- The next neighborhood improvement project is the lighting in Cloverdale.
- The Mayor, Mr. Bridges and himself will be attending the Metro Mayors Annual meeting December 1st and 2nd.
- Light up Main is Friday, December 2 at 6:00 p.m.
- Christmas Parade is Saturday, December 3 at 2:00 p.m.

COUNCIL REPORTS

Mayor Pro Tem Member Behringer

- Requested input on ideas of how to discourage littering between Garner Road and Creech Road.
- Requested an update on the Chipotle building in White Oak shopping Center. Mr. Hodges responded that the building should be turned over to Chipotle next week.

Council Member Johns

- Expressed concern about the hedges on the corner of Garner and Creech Roads.

Council Member Singleton

- Requested that the greenway banner on Timber Drive needs to be replaced.

- Requested a briefing at a future work session on the available tablets and computers that can be used by Council members to go paperless.

Council Member Kennedy

- Requested an update on the hiring of the new assistant Town Manager. Mr. Dickerson responded that he is currently evaluating the written material and the goal is to have someone named before Christmas.

RETURN TO REGULAR SESSION AND ADJOURNMENT: 9:20 p.m.

Respectfully Submitted,
Rebecca Schlichter

DRAFT

**Town of Garner
Town Council Meeting Minutes
December 5, 2016**

The Council met in regular session at 7:00 p.m. in the Garner Police Department Training Room located at 912 7th Avenue.

CALL MEETING TO ORDER/ROLL CALL:

Present: Mayor Ronnie Williams, Mayor Pro Tem Kathy Behringer, Council Member Jackie Johns, Council Member Buck Kennedy, Council Member Ken Marshburn, and Council Member Gra Singleton

Staff Present: John Hodges, Asst. Town Manager-Development Services, Rick Mercier-Communications Manager, Brad Bass-Planning Director, Jeff Triezenberg-Asst. Planning Director, David Bamford-Senior Planner, Jenny Saldi-Senior Planner, William E. Anderson-Town Attorney, Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Gra Singleton

INVOCATION: Council Member Gra Singleton

PETITIONS AND COMMENTS

Monika Johnson-Hostler advised Council of the scheduled walk-through for the Trojan Club at the new Garner High School on Thursday at 1:30 p.m. Those wishing to attend should plan to meet at the construction site.

ADOPTION OF AGENDA

Council Member Kennedy asked to add a closed session per N.C. General Statutes Section 143-318.11(a)(5) "to discuss possible real estate acquisition and the Town's negotiating position regarding such real estate."

Motion: Marshburn
Second: Johns
Vote: Unanimous

PRESENTATIONS

CONSENT

PUBLIC HEARINGS

Special Use Site Plan SUP-16-09, Vandora Springs Elementary

Presenter: Jenny Saldi, Senior Planner

This project consists of the demolition and replacement of Vandora Springs Elementary School.

The Town Attorney explained the procedures to be followed in this type of hearing and the Clerk administered the Affirmation of Oath to Brad Bass, Jenny Saldi, Renee Pfeifer, Ken Loring, Kenneth Haywood, and Matthew Peach. Mayor Williams asked the Council to disclose any ex parte

communications regarding this project. Hearing none, Mayor Williams opened the public hearing and asked Ms. Saldi to provide the staff report.

Council Member Singleton expressed concern regarding bus traffic on Frederick Road with no planned improvements. This is a quiet residential area with little traffic. Mr. Bass reminded Council they had the option to recommend any improvements they felt would be appropriate for that segment of Frederick Road. Council Member Marshburn asked the approximate distance from Vandora Springs Road to Frederick Road and Ms. Saldi stated approximately the distance is less than one-quarter mile.

Mr. Haywood stated the School Board was excited to come before Council with this new building to house students. Mr. Haywood also stated they were in agreement with the Planning Commission recommendations for this project as well as the Town's Ordinances and requirements.

Ms. Pfifer stated the majority of the parking for this project will be in front of the school. This area will include parking for staff and visitors. The school has a student body of 800 and they feel the 1,750 feet of linear vehicle stacking on-site will be adequate. Busses will enter the site from Frederick Road and the site plan allows for stacking of 8 to 10 busses. In addition, the site has a fire lane near the 3-story wing.

Mr. Loring stated sanitary sewer to the site is from a 6" line from Jaycee Park. This line is private on the school site which allows them to make multiple connections as needed on the school site.

Mr. Peach stated considerations for the traffic light at Timber Drive included traffic timing changes (how much time is allocated to each movement with addition of left turn areas.) NCDOT removed that requirement and requested a southbound right turn lane from Timber Drive to Vandora Springs Road. Mr. Peach advised this is currently being evaluated by the School Board. In addition NCDOT asked for a cost estimate from the School Board to help with their review and they are in the process of preparing.

Mr. Peach explained one of the processes required by NCDOT is to evaluate multiple alternatives to mitigate impacts, not school traffic. This project is the expansion of an existing school, not the addition of a new school. A turn lane was considered for Frederick Drive, but it was not warranted by NCDOT standards.

Council Member Singleton asked how construction traffic would enter the site and Ms. Pfifer stated they would enter off of Vandora Springs Road.

Hearing no further comments, Mayor Williams closed the public hearing and called for a motion.

Motion: Council Member Marshburn made a motion to approve SUP-SP-16-09 with 3 standard and 1 site specific condition.

Council Member Singleton requested to amend the motion to require the applicant to resurface Frederick Drive from Vandora Springs Road to and through the bus loop.

Second: Kennedy
Vote: Unanimous

Action: Approve SUP-SP-16-09 subject to 3 standard and 2 site specific conditions

Special Use Subdivision Plan SUP-SB-16-02, McCullers Walk Townhomes

Presenter: Jenny Saldi, Senior Planner

This project is the 3rd phase of the McCullers Walk Cluster Development and is a 94 unit town home complex.

The Clerk administered the Affirmation of Oath to Tom Spaulding. Mayor Williams opened the public hearing and asked Ms. Saldi to provide the staff report.

Mayor Pro Tem Behringer asked if residents were aware this project was coming and Ms. Saldi replied notices were sent to property owners. This project is consistent with the first and second phases of the project with the exception of one additional access point off Caddy Road. Mr. Bass advised staff will follow-up with NCDOT and ask they determine the structural soundness of the east side of Caddy Road.

Hearing no further comments, Mayor Williams closed the public hearing and called for a motion.

Action: Approve SUP-SB-16-02 subject to 3 standard and 3 site specific conditions

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Annexation ANX-16-06, Timber Drive Office Park

Presenter: Brad Bass, Planning Director

Satellite annexation for a 3.48 acre tract located on Timber Drive East (Timber Drive Office Park)

Mayor Williams opened the public hearing and asked Mr. Bass to provide the staff report. Hearing no further comments, Mayor Williams closed the public hearing and called for a motion.

Action: Adopt Ordinance (2016) 3837

Motion: Singleton
Second: Kennedy
Vote: Unanimous

Annexation ANX-16-07, Green Garden Road (Cermin Property)

Presenter: Brad Bass, Planning Director

Satellite annexation for a 11.08 acre tract located at 4812 Green Garden Road (off US 70, East). This item is associated with the public hearing for Rezoning Application CUD-Z-16-10 and Conditional Use Permit Application CUP-SP-16-31.

The Clerk administered the Affirmation of Oath to Jim Chandler.

Mayor Williams opened the public hearing and asked Mr. Bass to provide the staff report.

Mr. Sparkman stated Konica Minolta has a need to expand by adding 80,000 to 100,000 square feet of flex space. At this time, their immediate need is access to additional parking. They feel their company is a good fit for Garner and would promote a positive image for the Town.

Hearing no comments, Mayor Williams closed the public hearing and called for a motion.

Action: Adopt Ordinance (2016) 3838

Motion: Marshburn
Second: Singleton
Vote: Unanimous

Conditional Use Rezoning and Conditional Use Site Plan CUD-Z-16-10 (C190) and CUP-SP-16-31, Cermin Property Phase 1

Presenters: Brad Bass, Planning Director and David Bamford, Senior Planner

Request to rezone a 11.09 acre tract located at 4812 Green Garden Road (off US 70) from Wake County Highway District to Town of Garner I-2 C-190 with the US 70/401 Overlay District and request for conditional use permit approval of Phase 1 site improvements.

The Clerk administered the Affirmation of Oath to Billy Sparkman.

Mayor Williams opened the public hearing and asked Mr. Bass and Mr. Bamford to provide the staff report.

Mr. Chandler stated initially the plan is to use parking from the owner of the rezoning site for the adjoining business. They are in need of additional temporary parking and plan to come in at a future time to develop the site. The current business is connected to public water and has a septic system.

Hearing no further comments, Mayor Williams closed the public hearing and called for a motion.

Action: Adopt Ordinance (2016) 3839

Motion: Singleton
Second: Marshburn
Vote: Unanimous

Action: Approve CUP-SP-16-31 subject to 3 standard and 2 site specific conditions

Motion: Kennedy
Second: Behringer
Vote: Unanimous

General Use Rezoning Z-16-04, Maxwell Drive

Presenter: David Bamford, Senior Planner

Request by Khalil Rahimi to rezone a 6.24 acre tract of land located on Maxwell Drive from R-40 and R-9 C153 to Multi-Family-1 (MF-1).

Action: Per the applicant's request, this item was continued to the January 3, 2017 meeting

NEW/OLD BUSINESS

General Use Rezoning Z-16-03, 8025 Country Club Drive

Presenter: David Bamford, Senior Planner

Request by the Town of Garner to rezone a 115 acre tract of land located at 8025 Country Club Drive from Wake County R-30 and Watershed Overlay to Town of Garner R-40 and Swift Creek Overlay District.

Mr. Bamford stated Country Club Drive is privately owned and access to the Town-owned Meadowbrook property would be along a public road when the purchase of the 6-acre parcel recently approved by Council is complete. This 6-acre parcel will need to be annexed and re-zoned.

Action: Adopt Ordinance (2016) 3840

Motion: Singleton
Second: Behringer
Vote: Unanimous

COMMITTEE REPORTS

Mayor Williams excused himself from the meeting at 9:02 p.m.

MANAGER REPORTS

- garner info
- Mr. Hodges stated staff was working on the Council's Retreat and asked if Council would be interested in adding a topic/exercise to re-evaluate goals for the ConAgra property. This is something that can be done with the GEDC. A facilitator versed in economic development may be asked to conduct the exercise.
- Mr. Hodges invited Council to attend the Garner Revitalization Association's planning work session on Thursday from 8:00 a.m. to 10:00 a.m. at Rising Stream Media.
- A road closure is scheduled on Buffalo Road between Old Scarborough Lane and White Deer Trail beginning December 10 to allow installation of storm drainage. The road will need to be closed for an estimated four or five days to complete the work. A message board will be placed on Highway 50 notifying traffic that Buffalo Road is detoured. There will also be detour signage on Aversboro and Buffalo Roads. In addition social media outlets such as Nextdoor, Facebook and Twitter will be utilized to inform the public.
- A Comprehensive Plan Work Session is scheduled for December 14 from 5:30 p.m. to 6:30 p.m. Information will be on display for the public to view. A Steering Committee meeting is scheduled for

December 13, and a walkthrough for the stakeholders group is scheduled for December 12 at 5:00 p.m. Each of these events will take place at the White Deer Park Nature Center.

- CAMPO will be hosting a public workshop for the Southeast Area Study on January 12 at the Clayton Center from 4:00 p.m. to 7:00 p.m. This will follow along from work done on the Comprehensive Plan. Both topics will be discussed in detail at Council's Retreat. Travel can be coordinated if Council is interested.
- Congratulated Assistant Coach Rodney Dickerson and the Knightdale Dragons on winning their first game against the Camas Jets (Oregon) in the Pop Warner Superbowl.

ATTORNEY REPORTS

COUNCIL REPORTS

Council Member Kennedy

- Reported a conflict with the December 14 Comprehensive Plan Work Session. Mr. Hodges stated he would inquire of the possibility of Council going to the event early to avoid the conflict.

Council Member Singleton

- Thanked staff for their work on the Garner parade and reported the tree lighting event went well.
- Requested the shrubs at Avery Street and Garner Road be trimmed to improve sight distance toward the west.

Council Member Johns

- Stated the parade was a well-attended and enjoyable event.

Council Member Marshburn

- Agreed the tree lighting and parade were great events.
- Attended a luncheon sponsored by the Church of Latter Day Saints where Amy White was recognized for her work with the Community of Hope.

RETURN TO REGULAR SESSION AND ADJOURNMENT - 9:48 p.m.

**Town of Garner
Town Council Meeting Minutes
December 20, 2016**

The Council met in regular session at 7:00 p.m. in the Garner Police Department Training Room located at 912 7th Avenue.

CALL MEETING TO ORDER/ROLL CALL

Present: Mayor Ronnie Williams, Mayor Pro Tem Kathy Behringer, Council Member Jackie Johns, Council Member Buck Kennedy, Council Member Ken Marshburn, and Council Member Gra Singleton.

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Assistant Town Manager-Development Services, Michael Gammon-Budget & Special Projects Manager, Rick Mercier, Communications Manager, Sonya Shaw-PRCR Director, Pam Wortham-Finance Director, Tony Chalk-Town Engineer, William E. Anderson-Town Attorney, and Stella Gibson-Town Clerk.

PLEDGE OF ALLEGIANCE: Mayor Ronnie Williams invited members of Boy Scout Troop 391 to lead the Pledge.

INVOCATION: Mayor Ronnie Williams

PETITIONS AND COMMENTS

Ms. Susan Emanuel asked for assistance recognizing a small African-American business named Locks, Nails and Moore owned by the Perry family, and located in the downtown area. Council referred Ms. Emanuel to Mr. Johnny Whitfield, Editor of the Garner-Cleveland who was in the audience.

ADOPTION OF AGENDA

Motion: Marshburn
Second: Johns
Vote: Unanimous

PRESENTATIONS

Recognize Retirement of Brad Bass

Presenter: Rodney Dickerson, Town Manager

Mr. Dickerson recognized the retirement of Brad Bass, Planning Director, for almost 30 years of dedicated service to the Town.

Auditors Report

Presenter: Elsa Watts, Martin Starnes & Associates, CPAs

Ms. Watts presented the audit report and financial statements for the fiscal year ending June 30, 2016.

CONSENT

Approval of Minutes

Minutes from July 26, September 6, October 25, and November 7 Council Meetings and Closed Session
Minutes from October 25 and November 7, 2016.

Action: Adopt Minutes

Ordinance Amending FY 2016/2017 Operating Budget

Presenter: Pam Wortham, Finance Director

This budget amendment will increase budgeted revenues by \$8,890 to cover the cost of vehicle repairs. The revenues come from insurance proceeds received for police vehicles. The insurance company sent the funds to the Town to cover the cost less the \$1,000 deductible per the policy.

Action: Adopt Ordinance (2016) 3841

Motion: Marshburn
Second: Johns
Vote: Unanimous

PUBLIC HEARINGS

NEW/OLD BUSINESS

Updates to Performance Management Process

Presenter: Rodney Dickerson, Town Manager

Review of several modifications and recommended changes to performance management process to make it more efficient and effective.

Action: Approve Updates

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Bond Update

Presenter: Michael Gammon, Budget & Special Projects Manager and Tony Chalk, Town Engineer

A brief overview was provided regarding the status of the bond program, specifically changes and updates from the last report.

Action: No Action Required

Garner Recreational Park Shelter

Presenter: Sonya Shaw, PRCR Director

During the Council Work Session on November 22, 2016, Staff provided an update on the approved shelter at Garner Recreational Park. Project budget was estimated at \$85,000. Council requested staff obtain information regarding the addition of downspouts and gutters for the shelter, which will cost an additional \$3,800, bringing project budget to \$88,325.00.

Action: Authorize Contract with McQueen Construction for \$88,325.00

Motion: Behringer
Second: Johns
Vote: Unanimous

COMMITTEE REPORTS

MANAGER REPORTS

- garner info
- Building & Permit
- Finance Report
- Mr. Dickerson asked Council to set the filing fee and select the dates for the 2017 Election. Council set the filing fee at \$25 and selected October 26, 2017 through November 4, 2017 for early voting in Garner.
- Reported closing on the refinancing loan to purchase vehicles and other equipment as approved in the FY 2016-17 budget, pay costs associated with the purchase of the Meadowbrook property, and to refinance the 2011 Installment Purchase Contract.
- Advised Council the Town of Garner was featured in the recent article in the League's Southern City Magazine "Bond Program to Help Fuel Growth." This article was also on the League's website.

ATTORNEY REPORTS

COUNCIL REPORTS

Council Member Marshburn

- Stated the League is encouraging Town's to tell their own stories and he was pleased to see the Town spotlighted in the article.
- Congratulated the Town Manager and staff on an excellent recognition and safety awards program.
- Asked if the insert included in the City of Raleigh utility bills was the only way advertising of the utility bill assistance program was being accomplished. Mr. Dickerson advised staff could investigate but this method was probably the main avenue of getting the word out.
- Asked if the Town usually has representation at the Carolantic Realty event and Mr. Dickerson advised several staff members attend this event.
- Wished everyone a Merry Christmas and a Happy New Year.

- Asked for an excused absence from the January 3, 2017 Council Meeting.

Mayor Pro Tem Behringer

- Reported attending the Mayor's Association Christmas dinner and was pleased to hear nice compliments about Garner.
- Reported reading an article in the Triangle Business Journal relating to teachers leaving the profession and/or the state. This is a problem in every state in the country and is not unique to North Carolina.
- Asked for an update on the expected announcement of the Interim Planning Director and the Assistant Town Manager positions. Mr. Dickerson advised an announcement will be made soon for the Interim Planning Director position; however, an announcement for the Assistant Town Manager position will probably not occur until after the first of the year.

Council Member Johns

- Reminded everyone there was no Work Session scheduled for December.
- Reported attending the Zaxby's Restaurant grand opening last week.
- Wished everyone a Merry Christmas and a Happy New Year.

Council member Singleton

- Clarified the first meeting in January 2017 will be held on January 3.
- Asked if the Thompson Road sidewalk project would be expected to begin construction in the spring and Mr. Chalk confirmed that is what we expect.

Council Member Kennedy

- Announced the retirement reception for Brad Bass, Planning Director, will be held next Thursday at 2:30 p.m. at the White Deer Park Nature Center.
- Stated there was almost \$11M invested in various permit activity on the Permits Report; permits included Garner's first solar farm located off Creech Road, upfit of the Chipotle Restaurant and 8 new homes.
- Expressed his thanks to Tony Chalk and Bill Anderson for the effort and planning put into obtaining easements for the Thompson Road sidewalk project.

CLOSED SESSION

Pursuant to N.C. General Statutes Section 143-318.11(a)(5) "to discuss possible real estate acquisition and the Town's negotiating position regarding such real estate".

RETURN TO REGULAR SESSION AND ADJOURNMENT: 8:40 p.m.

Respectfully Submitted,
Stella Gibson

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 3, 2017		
Subject: General Use Rezoning Z-16-04		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, Senior Planner		
Presenter: David Bamford, Senior Planner		
Brief Summary: Request by Khalil Rahimi to rezone a 6.24 acre tract of land located on Maxwell Drive from R-40 and R-9 C153 to Residential-9 (R-9). This item was continued from the December 5, 2016 Council meeting.		
Recommended Motion and/or Requested Action: Conduct the public hearing and after receiving public comment refer the matter to the Planning Commission.		
Detailed Notes: See attached staff report.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: None		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MBB	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner
General Use Rezoning
Staff Report**

**Town Council
January 3, 2017**

APPLICATION: Z 16-04
APPLICANT: Khalil Rahimi
OWNER: Khalil Rahimi
LOCATION OF PROPERTY: Maxwell Drive
WAKE COUNTY PIN #: 1701342730
AREA: 6.24 acres
TOWN LIMITS: No
PRESENT ZONING: R-40 (5.56 acres) and R-9 C153 (0.68 acres)
REQUESTED ZONING: Residential 9 (R-9)
OVERLAY DISTRICTS: None

KEY MEETING DATES:

Town Council Public Hearing **January 3, 2017**
Planning Commission: **January 9, 2017**
Town Council Action: **February 6, 2017**

REZONING REPORT

EXISTING ZONING

The rezoning site has split zoning. Approximately 5.56-acres are zoned R-40. The remaining 0.68-acre portion is zoned R-9 Conditional Use District 153 (R-9 C153). The portion zoned R-9 C153 was a result of the Jameson Place rezoning approved in 2008 (CUD Z 08-02). This project never moved forward but the zoning remains.

The 5.56 portion is zoned **R-40 single-family residential (R-40)**. This district allows single-family lots of at least 40,000 square feet (.92 acres). Properties zoned R-40 are typically in areas where municipal water & sewer services are not readily available. There is a pond on this site that takes up approximately 2.28-acres. The developable 3.28-acres of R-40 could be subdivided into approximately 3 lots.

The following is a list of permitted uses within the R-40 district.

1. Single-family site built and modular homes
2. Residential Cluster
3. Manufactured homes, Class A only
4. Family Care home
5. Group care home
6. Intermediate care home
7. Community center
8. Child day care up to 3 as home occupation
9. Family child day care up to 8 in home
10. School public or private
11. Public safety facilities (fire, police, rescue, ambulance)
12. Cemetery
13. Public parks, swimming pools, tennis and golf courses
14. Religious institutions
15. Minor utility—elevated water tank
16. Telecommunications facility
17. Other major utility
18. Private golf course or country club
19. Horse stables and related facilities
20. Bed and breakfast
21. Agriculture or silvi-culture

The remaining 0.68-acre portion is zoned **Residential 9 Conditional Use District 153 (R-9 C-153)**. The R-9 district is established to provide for the development of single-family residential units on lots of at least 9,000 square feet. In addition, the R-9 district also allows schools, churches, parks, and in-home daycares.

This residual sliver of R-9 C 153 is left over from the 2008 project Jameson Place (CUP SB 08-01 & CUD Z 08-02). The proposed project was going to include this area as part of the open space for this project. The subdivision and rezoning was approved but did not move forward due to the downturn of the economy. The project has now expired. The approved zoning boundary remains.

The following is a list of permitted uses within the proposed R-9 C-153 district. Uses voluntarily prohibited by the applicant are highlighted.

1. Single-family detached
2. Residential cluster
3. Modular home (prohibited)
4. Family Care Home
5. Group Care Home
6. Intermediate Care Home
7. Community Center
8. In-home Child Day care (up to 3 children)
9. Family Day care (up to 8 in home)
10. School
11. Public safety: fire, police, rescue squad, ambulance
12. Cemetery
13. Public Parks, swimming pool, tennis courts, golf course
14. Churches, religious institutions (prohibited)
15. Minor utility, elevated water storage tank (prohibited)
16. Private country clubs, golf courses (prohibited)
17. Bed and Breakfast (prohibited)

Proposed Housing conditions for the R-9 C153 district:

1. Each dwelling unit will have at least 1,800 heated square feet.
2. Each dwelling unit will have a 2-car garage.
3. Each dwelling unit will have at least a 36 square foot covered front porch.
4. Each dwelling unit will have at least a 120 square foot patio or deck.
5. The exterior facade of each unit will be constructed of at least 80% brick or stone.
6. Each dwelling unit will have a masonry foundation with crawl space for at least 70% of the foundation area, not to include the garage.
7. At the option of the owner of the property, the requirements of 2 through 6 listed above may be altered, provided that the additional heated square footage requirements below are met.

<u>Amenity required</u>	<u>Additional heated area</u>
No covered front porch.....	100 square feet
No patio or deck.....	50 square feet
Only 1 car garage.....	100 square feet
Not at least 80% brick.....	400 square feet

PROPOSED ZONING

The proposed zoning district for the entire 6.24-acres is **Residential 9 (R-9) general use**. The R-9 district is primarily a residential district allowing single-family lots of at least 9,000 square feet (0.21 acres). This is not a conditional use application, and no specific site plan is proposed at this time.

Staff estimates that the site could be developed into approximately 13 dwelling units, which is a net density of 2.15 units per acre; this includes subtracting out land for driveways, roads, and parking areas, and 2.28-acres for the existing pond

The following is a list of permitted uses in the R-9 district.

1. Single-family site built and modular homes
2. Residential cluster
3. Family Care Home
4. Group Care Home
5. Intermediate Care Home
6. Community Center
7. In-home Child Day care (up to 3 children)
8. Family Day care (up to 8 in home)
9. School
10. Public safety: fire, police, rescue squad, ambulance
11. Cemetery
12. Public Parks, swimming pool, tennis courts, golf course
13. Churches, religious institutions
14. Minor utility, elevated water storage tank
15. Private golf course or country club
16. Bed and Breakfast

SUMMARY OF ZONING REQUEST

The rezoning site is 6.24 acres. There is an existing pond that consumes approximately 2.28-acres of this site as not buildable. Approximately 5.56-acres of this 6.24-acre site are zoned R-40. The remaining 0.68-acre portion is zoned R-9 Conditional Use District 153 (R-9 C153). The portion zoned R-9 C153 was a result of the Jameson Place subdivision project approved in 2008 (CUD Z 08-02). The proposed 2008 Jameson Place subdivision project was going to include a small area of the rezoning site (0.68-acres) for open space. The project did not move forward. However the rezoning was approved and remains mapped.

There is one single-family home on this 6.24-acre lot. The property was sold in 2015, and the current property owner wants to rezone the entire 6.24-acres to Residential 9 (R-9). While the owner has communicated future plans for subdividing out single-family lots, there are no plans at this time. No site plan has been submitted for review. Any development plan will be reviewed separately at a later date.

SURROUNDING ZONING & LAND USE

North: MF-2; Pinewinds Apartments
 South: O&I, Smith Elementary School
 R-9; Undeveloped
 East: R-40; Single-family, undeveloped
 West: SBI; Commercial / outdoor storage

NEIGHBORHOOD CHARACTER

This area of the community is in an unincorporated area between Greenbrier Subdivision and US 401. Smith Elementary is located across the street from the rezoning site. There are large tracts of undeveloped land in this area. A church is also located to the west. There is a mix of zoning districts along Maxwell Drive: SB, O&I, R-40, and R-9 C153.

ZONING HISTORY

There have been several rezoning cases in this area of Garner going back to 1999.

Case	Applicant	Location	Zoning Change
Z 99-01	Pinewinds Townhomes	Small Pine Drive	CB to MF-1
CUD Z 02-02	David Martin	Timber Drive & Grovemont	R-15 & R-20 to SB CUD
CUD Z 06-05	Maissa Kaddoura	4809 Fayetteville Rd	CR to SB CUD
CUD Z 08-02	Homestead Developer, LLC	Maxwell Drive	R-40 to R-9 C153

* Note: CB was Community Business under the previous version of the *Land Use Ordinance*. All CB districts were re-named to CR (Community Retail) in the *Unified Development Ordinance*, effective October 1, 2003.

INFRASTRUCTURE

Water & Sewer

The rezoning site has access to both water and sewer. There are 8” water and sewer lines along Maxwell Drive on the opposite side of the road. When the site is developed, any connections will be subject to the Town’s Utility Policy.

TRANSPORTATION

The rezoning site has approximately 230 feet of frontage on Maxwell Drive. This road is a 2-lane NCDOT maintained facility (SR 2797) with a right-of-way width of 60 feet. It is not classified as a thoroughfare on the Town's plan.

Approximately ¼-mile west of the rezoning site, Maxwell Drive intersects with US 401. Highway US 401 road is classified as a **Major Thoroughfare** on the *Garner Transportation Plan* and is maintained by NCDOT. In this vicinity, US 401 has 4 travel lanes and a center turning lane within a 150 foot right-of-way. Average daily traffic counts (ADT) are estimated to be 36,000 in this area according to 2015 NCDOT data.

Road widening improvements to Maxwell Drive along the frontage of the site will be required when the site is developed. This would include curb and gutter, and sidewalks.

Staff estimates that under the current single-family zoning (R-40 / R-9), the site could be developed into approximately 3 lots. This would generate approximately 29 vehicle trips. Under the proposed R-9 zoning, staff estimates the site could be developed into approximately 13 dwelling units (buildable area reduced by 2.28-acre pond). This would generate approximately 124 vehicle trips. While more traffic would be generated to the property, Maxwell Drive is not a heavily travelled road. Significant traffic impacts to the area are not anticipated.

ENVIRONMENT

The rezoning site drains to the south. There is also a pond that takes up approximately 2.28-acres of the 6.24-acre property. On June 13, 2016, the State Division of Water Quality determined that a 50-foot buffer would apply around the perimeter of the pond shore. Future development of the site would need to be located outside any required buffer.

STAFF COMMENTARY

Conformity to Adopted Town Plans

According to the *Town of Garner Comprehensive Growth Plan*, the rezoning site is designated as a **Primary Residential Area** for the **Neighborhood Center** at Old Stage Road and US 401. The Neighborhood Center is designed to serve the daily needs of the surrounding residential population. These centers are pedestrian scaled with a limited mixed use area at the center. At the core, generally located at the intersection of minor arterials, is an area of mixed-use development with neighborhood scaled convenience retail/service, schools, professional offices, churches, civic functions, formal open spaces and higher density residential.

The **Primary Residential Area** for a Neighborhood Center is designed to accommodate limited office use and medium density residential development. The recommended zoning districts include: Neighborhood Office (NO), MF-1, R-9, R-12, Traditional Neighborhood (TND), Planned Residential (PRD), and Planned Unit (PUD). The recommended residential density range for **Primary Residential Area** is 3 to 9 dwelling units per acre.

The requested zoning change from to R-40 and R-9 C153 to R-9 general use is consistent with the recommendations of the *Comprehensive Growth Plan* for this area of the community. When the site is developed, the density of any future project will be constrained by the pond and required riparian buffers. The proposed R-9 zoning district is also consistent with the surrounding zoning pattern along Maxwell Drive.

Because this is a general use request, no site plan or development plan is proposed at this time. A future development plan will be evaluated and reviewed separately.

RECOMMENDATION:

Staff is still evaluating this request and will provide a recommendation at the January 9, 2017, Planning Commission meeting.

Town Council Action

After conducting the public hearing, refer rezoning application Z 16-04 to the Planning Commission for review at their January 9, 2017 Meeting.

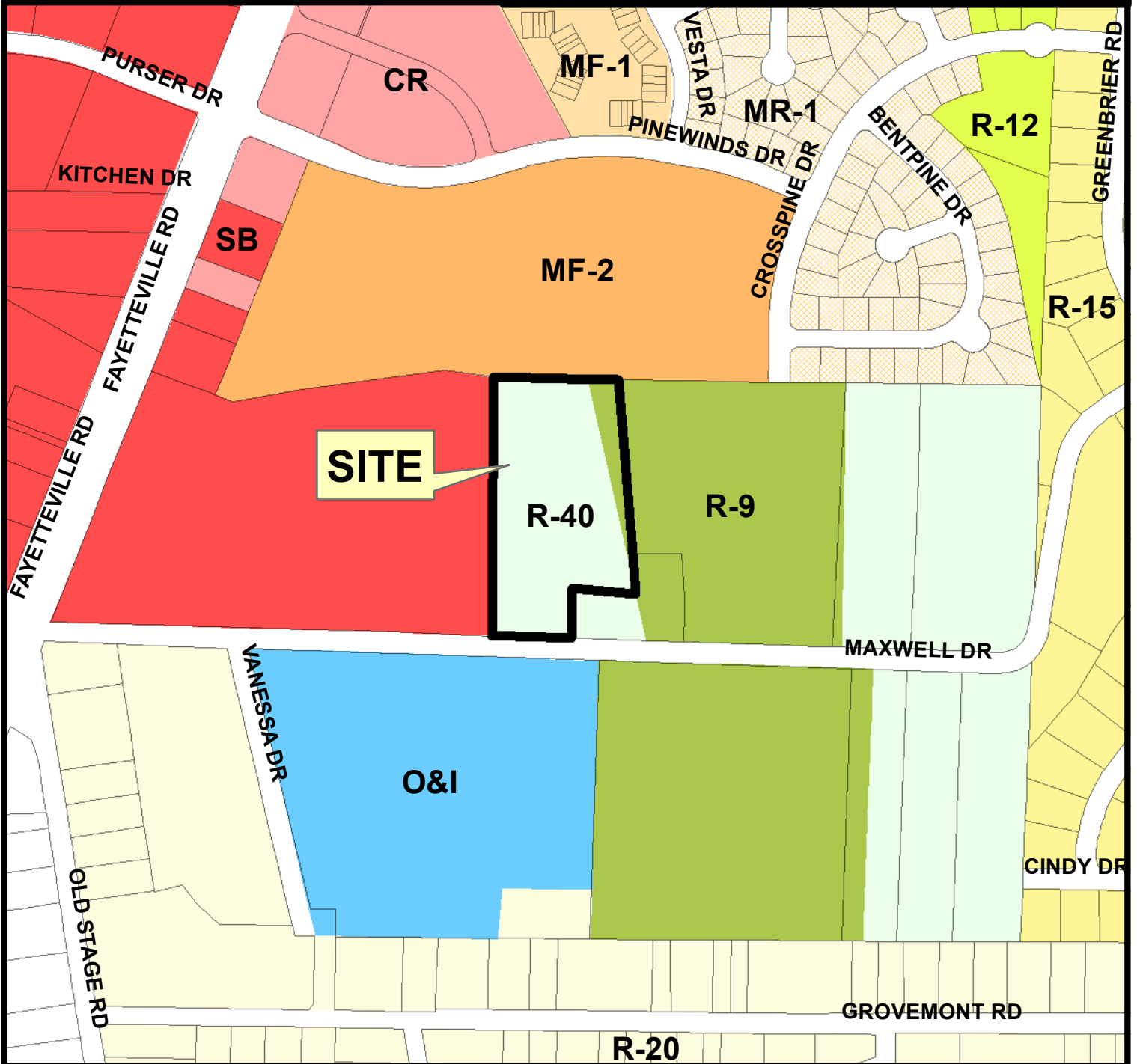


**Town of Garner
Planning Department**

General Use Rezoning

Z-16-04

0 300 600
Feet



OWNER: Khalil Rahimi
LOCATION: 1016 Maxwell Drive
PARCEL PIN: 1701342730

CURRENT USE: 1 single-family house
CURRENT ZONING: R-40
PROPOSED ZONING: Residential 9(R9)
OVERLAY: None
ACREAGE: 6.24

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 3, 2017		
Subject: Draft 2017 Council Retreat Agenda		
Location on Agenda: Old/New Business		
Department: Town Manager's Office		
Contact: Rodney Dickerson, Town Manager		
Presenter: Rodney Dickerson, Town Manager		
<p>Brief Summary:</p> <p>Based on previous discussions with and input from Council, staff has developed a draft agenda for your 2017 retreat. The draft is attached for your review and for discussion at the January 3, 2017 Council meeting.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Provide input and guidance for staff in order to finalize the agenda.</p>		
<p>Detailed Notes:</p> 		
<p>Funding Source:</p> <p>NA</p>		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p>Manager's Comments and Recommendations:</p> <p>These items will provide insight on Garner's long range goals and provide direction for staff. We are open to other potential topics at your discretion.</p>		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	RD	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

TO: Town Council

FROM: Rodney Dickerson, Town Manager
John Hodges, Assistant Town Manager – Development Services

DATE: December 29, 2016

SUBJECT: Draft Agenda for Council Retreat

Based on previous discussions with and input from Council, staff has developed a draft agenda for your 2017 retreat. The draft is attached for your review and for discussion at the January 3, 2017 Council meeting. Bullet points have been added to some items to provide additional detail.

The first day of the retreat focuses on Economic Development Strategy. Guests will include Stantec, the consultants for the Comprehensive and Transportation Plans and the GEDC Board of Directors who will participate in the afternoon discussion regarding ConAgra Redevelopment Goals. The second day of the retreat focuses on Strategic Transportation Initiatives and Funding Decisions. Guests will include CAMPO staff and consultants working on the Southeast Area Study. Staff is in contact with an economic development professional who is tentatively scheduled to facilitate the first day of the retreat, and may assist with the second day.

Staff has kept a placeholder for a working lunch on the second day to allow an opportunity for Council to invite guests as desired. We would like to get input on this at the January 3 meeting so that invitations can be extended and arrangements made as needed.

We look forward to discussing the proposed agenda at the January 3 meeting. Staff will begin preparing materials as soon as the agenda is finalized.

Garner Town Council 2017 Planning Retreat

Draft Agenda

RETREAT OBJECTIVES

- Receive preliminary findings from the Comprehensive Plan and Transportation Plan process and use them to frame key discussions and decisions
- Review and reframe key economic development goals and strategies to better position Garner as a strong competitor in the region
- Utilize local and regional transportation planning efforts and funding opportunities to evaluate street and sidewalk investments for Bond Sale 3

AGENDA

Day One – Wednesday, February 8, 2017

Focus on Economic Development Strategy

8:30-8:45	Welcome and Logistics	Mayor Williams & Rodney Dickerson
8:45-9:00	Overview of Retreat Agenda and ground rules	Facilitator
9:00-9:30	Celebrate Our Successes <ul style="list-style-type: none">○ Review key accomplishments from the Strategic Plan	John Hodges
9:30-10:15	Overview of Financial Outlook	Michael Gammon
10:15-10:30	Break	
10:30-12:00	Comprehensive Plan and Transportation Plan Briefing <ul style="list-style-type: none">○ Summary of activity to date and timeline○ Overview of Market Assessment○ Review Plan Framework and Opportunity Sites	Stantec
12:00-1:00	Lunch <i>Invite GEDC Board of Directors</i>	
1:00-1:30	Economic Development Update <ul style="list-style-type: none">○ Update on recent activities and strategic initiatives	Joe Stallings & Mari Howe
1:30-3:00	ConAgra Redevelopment Goals <i>With GEDC Board Members</i>	Facilitator

3:00-3:15	Break	
3:15-4:30	Town of Garner Economic Development Strategy	Facilitator
4:30-5:00	Day 1 Review and Wrap-up	Facilitator

Day Two – Thursday, February 9, 2017

Focus on Strategic Transportation Initiatives and Funding Decisions

8:30-8:45	Review of Day 1 and overview of Day 2	Mayor Williams & Rodney Dickerson
8:45-10:30	CAMPO Update <ul style="list-style-type: none"> o Southeast Area Study o Garner Hot –Spot Analysis 	CAMPO Staff/Consultants
	Transportation Plan Preliminary Recommendations <ul style="list-style-type: none"> o Review sidewalk and any other early recommendations to consider in bond discussion 	Staff
10:30-10:45	Break	
10:45-12:15	Street & Sidewalk Bond Allocation Discussion <ul style="list-style-type: none"> o Work toward decisions to structure Bond Sale 3 o Incorporate funding partnerships, opportunities and timelines in the decision-making process 	Staff
12:15-1:30	Working Lunch <ul style="list-style-type: none"> o Invite Wake County Commissioners and/or other guests 	
1:30-3:00	Strategic Initiatives <ul style="list-style-type: none"> o Identify new or modify existing initiatives to further the multi-year Strategic Plan 	Council & Staff
3:00-3:15	Break	
3:15-3:45	Review and Wrap Up	Mayor Williams & Rodney Dickerson