

# **TOWN OF GARNER**



## **TOWN COUNCIL MEETING**

February 5, 2018  
7:00 P.M.

Garner Town Hall  
900 7th Avenue  
Garner, NC 27529

**Town of Garner  
Town Council Agenda  
February 5, 2018**

*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 Town Hall located at 900 7<sup>th</sup> 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: Council Member Jackie Johns

- C. INVOCATION: Council Member Jackie Johns

- 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

1. Presentation of the MLK Dream in Action Award  
Presenter: Elmo Vance, MLK Celebration Committee

- 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. Ordinance Amending FY2017/2018 Operating Budget (Benefits Study Contract)  
Presenter: Pam Wortham, Finance Director

Pursuant to the discussion held during the Council Retreat in November, Human Resources staff contracted with a company to provide an in-depth review of the Town's employee benefits package. This budget amendment will appropriate \$7,900 from fund balance to cover the cost of the contract.

Action: Adopt Ordinance (2018) 3899

2. Resolution Declaring Unpaid Nuisance Abatements as Liens  
Presenter: Pam Wortham, Finance Director

This Resolution authorizes unpaid nuisance abatement fees to be filed with Wake County Revenue as liens to real property and added to the property owner's tax bill. The properties listed have unpaid abatements more than 30 days old.

Action: Adopt Resolution (2018) 2344

3. Town Appointee to the Fire Department Board of Directors  
Presenter: Rodney Dickerson, Town Manager

Ms. Nancy Anderson was appointed by the Town Council to the Fire Department Board of Directors with a term expiration of Nov. 18, 2017. She has requested reappointment as the Town Appointee for an additional 2-year term.

Action: Authorize Reappointment

#### H. PUBLIC HEARINGS

1. Conditional Use Permit CUP-SP-17-30, Saad Building  
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director

Request for conditional use site plan approval for a flex space building. The site is located at the intersection of Raynor Road and Bricksteel Lane.

Action: Approve CUP-SP-17-30

2. Annexation Petition ANX 17-08, Springfield Baptist Church  
Presenter: David Bamford, Planning Services Manager

Springfield Baptist Church is requesting annexation in order to connect to public water connection along Auburn-Knightdale Road.

Action: Adopt Ordinance (2018) 3900

3. Annexation Petition, Hebron Church Road  
Presenter: David Bamford, Planning Services Manager

The Town purchased 8101 Hebron Church Road (5.7 acres) in 2017 to provide future public street access to the 115-acre Meadowbrook site, which has already been annexed. This separate tract on Hebron Church Road also needs to be annexed.

Action: Adopt Ordinance (2018) 3901

I. NEW/OLD BUSINESS

J. COMMITTEE REPORTS

K. MANAGER REPORTS

1. garner info

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. 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".

O. ADJOURNMENT

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: February 5, 2018		
Subject: MLK Dream in Action Award		
Location on Agenda: Presentations		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Elmo Vance, MLK Committee		
Brief Summary: Presentation of the Dream in Action Award by the MLK Celebration Committee.		
Recommended Motion and/or Requested Action: N/A		
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:		
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  
Agenda Form

Meeting Date: February 5, 2018		
Subject: Budget amendment--Benefits study		
Location on Agenda: Consent		
Department: Finance		
Contact: Pam Wortham, Finance Director		
Presenter: Pam Wortham, Finance Director		
<p><b>Brief Summary:</b></p> <p>Pursuant to the discussion held during the Council Retreat in November, Human Resources staff has contracted with a company to provide an in-depth review of our employee benefits package. The company will review the benefits that we currently provide, compare the Town's benefits package to others that have been identified, and make recommendations on any changes for the Town Council to consider. We are requesting to appropriate \$7,900 from fund balance to cover the cost of the contract.</p>		
<p><b>Recommended Motion and/or Requested Action:</b></p> <p>Approve Ordinance (2018) 3899</p>		
Detailed Notes:		
<p><b>Funding Source:</b> Fund Balance</p>		
Cost: \$7,900	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p><b>Manager's Comments and Recommendations:</b></p> <p>Study will assess our benefits and provide info to further our efforts to recruit and retain a talented employee pool.</p>		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	PW	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

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**FINANCE DEPARTMENT MEMORANDUM**

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**TO:** RODNEY DICKERSON, TOWN MANAGER  
**FROM:** PAM WORTHAM, FINANCE DIRECTOR  
**SUBJECT:** BUDGET AMENDMENT-HR BENEFIT STUDY  
**DATE:** JANUARY 19, 2018

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**GENERAL FUND**

Pursuant to the discussion held during the Council Retreat in November, Human Resources staff has contracted with a company to provide an in-depth review of our employee benefits package. The company will review the benefits that we currently provide, compare the Town's benefits package to others that have been identified, and make recommendations on any changes for the Town Council to consider. We are requesting to appropriate \$7,900 from fund balance to cover the cost of the contract.

If you have any questions or concerns, please let me know. Thank you.

ORDINANCE NO. (2018) 3899

ORDINANCE AMENDING ORDINANCE NO. (2017) 3862  
WHICH ESTABLISHED THE 2017 – 2018 OPERATING BUDGET

BE IT ORDAINED by the Town Council of the Town of Garner, North Carolina:

Section One. That the GENERAL FUND be amended as follows:

**General Fund Budget Changes:**

<b>Department/ Category</b>	<b>Description</b>	<b>Current</b>	<b>Amended</b>	<b>Net Change</b>
<b><i>Expenditures</i></b>				
10423000-524300	HR-Contract Services	\$35,804	\$43,704	+\$7,900
<b><i>Revenues</i></b>				
10309000-496900	Appropriated Fund Balance	\$1,579,168	\$1,587,068	+\$7,900

Section Two. Copies of this ordinance shall be furnished to the Finance Director and the Town Clerk for their direction in the disbursement of the Town's funds and for public inspection.

Duly adopted this 5<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Ronnie S. Williams, Mayor

ATTEST: \_\_\_\_\_  
Stella Gibson, Town Clerk



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: February 5, 2018		
Subject: Nuisance Abatements		
Location on Agenda: Consent		
Department: Finance		
Contact: Pam Wortham, Finance Director		
Presenter: Pam Wortham, Finance Director		
Brief Summary:  Resolution declaring certain delinquent nuisance abatements as a lien on property. This resolution authorizes Wake County to add these abatement costs to Wake County property tax bills.		
Recommended Motion and/or Requested Action: Adopt Resolution (2018) 2344		
Detailed Notes:		
Funding Source: N/A		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	PW	
Finance Director:	PW	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Return to:  
Stella Gibson  
Town of Garner  
900 7<sup>th</sup> Avenue  
Garner, NC 27529

## **RESOLUTION NO. (2018) 2344**

### **A RESOLUTION ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED**

WHEREAS, the Town Council of the Town of Garner, pursuant to Chapter 160A of the North Carolina General Statutes and Chapter 6, Section 23 of the Town Code of the Town of Garner Ordinances has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed, said liens to be collected in the nature of property taxes; and,

WHEREAS, the Town of Garner has abated nuisances on the below referenced properties in accordance with the Town Code referred to and has been unable to recover the abatement costs from the stated property owners; and,

WHEREAS, pursuant to North Carolina General Statutes 160A-193 the costs of the abatement involved with the abatement as well as the expenses of the action are a lien on the premises in the nature of a tax, which pursuant to North Carolina General Statutes 105-365.1 can be collected by a tax collector using the remedies provided by law;

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF GARNER hereby confirms the cost of the abatement of the nuisances set out herein, pursuant to the General Statutes above referenced, confirms the same as liens against the premises, and requests the Wake County Tax Collector to collect the same in the nature of unpaid taxes:

<u>LOCATION</u>	<u>PROPERTY OWNER(S)</u>	<u>REAL ESTATE ID</u>	<u>COST</u>
1002 Park Ave	Donnie Wrights	35705	\$ 360.00

This resolution shall become effective upon adoption, recorded at the Wake County Registry and a copy thereof forwarded to the Tax Collector for Wake County.

Duly adopted this the 5<sup>th</sup> day of February, 2018.

(Town Seal)

\_\_\_\_\_  
Ronnie S. Williams, Mayor

ATTEST:

\_\_\_\_\_  
Stella L. Gibson, Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: February 5, 2018		
Subject: Appointment to Fire Department Board of Directors		
Location on Agenda: Consent		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Rodney Dickerson, Town Manager		
Brief Summary:  Ms. Nancy Anderson was appointed by the Town Council to the Fire Department Board of Directors with a term expiration on Nov. 18, 2017. She has requested reappointment as the Town Appointee to the GVFR Board. Council has the option to re-appoint Ms. Anderson for an additional 2-year term.		
Recommended Motion and/or Requested Action: Authorize Reappointment		
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:		
Attachments Yes: <input checked="" type="radio"/> No: <input 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  
Agenda Form

Meeting Date: February 5, 2018		
Subject: Conditional Use Permit CUP-SP-17-30 Saad Building		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
Brief Summary:  Tony M. Tate Landscape Architecture is requesting conditional use site plan approval for a flex space building. The site is located at the intersection of Raynor Road and Bricksteel Lane and can be further identified as Wake County PIN 1730-40-0748 (portion of).		
Recommended Motion and/or Requested Action: Approve CUP-SP-17-30		
Detailed Notes: See Section VI of staff report for motion worksheet.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

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## Planning Department Staff Report

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**TO:** Planning Commission

**FROM:** Jeff Triezenberg, AICP, GISP; Planning Director

**SUBJECT:** *Conditional Use Site Plan – CUP-SP-17-30, Saad Building (Revised)*

**DATE:** January 8, 2018

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### I. PROJECT AT A GLANCE

**Project Number:** CUP-SP-17-30, Saad Building

**Applicant:** Tony M. Tate Landscape Architecture

**Owner:** White Oak Associates

**Plan Prepared by:** Tony M. Tate Landscape Architecture

**General Description -**

**Proposed Use:** Flex Space

**Project Location:** SE corner of Raynor Road & Bricksteel Ln.

**Wake Count PIN(s):** 1730-40-0748 (portion)

**Zoning Classification:** MXD-1 (Mixed Use Development - *obsolete*)

**Key Meeting Dates -**

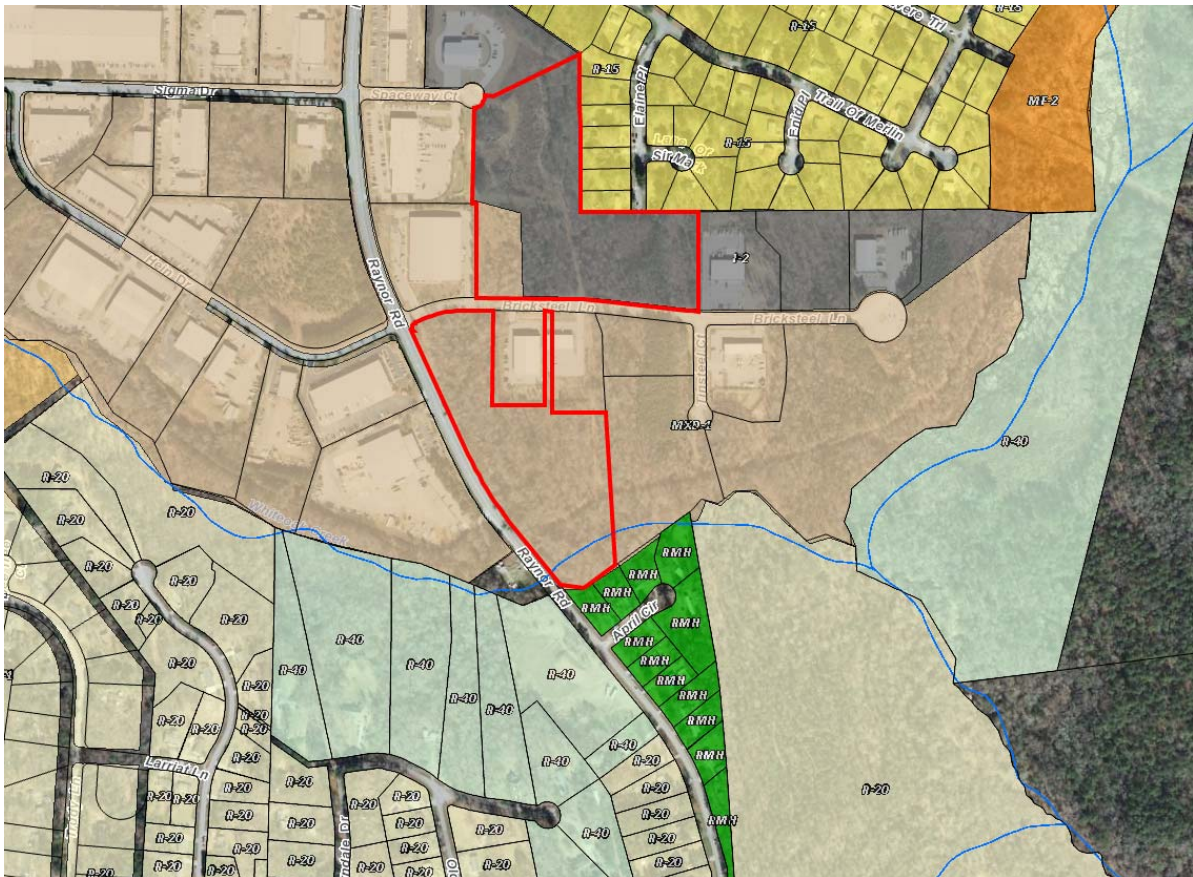
**Planning Commission:** January 8, 2018

**Town Council Public Hearing:** February 5, 2018

## II. ADJACENT ZONING AND LAND USE

<b>North:</b>	MXD-1 (Mixed Use Development) I-2 (Heavy Industrial)	Indoor Rec, Flex Warehouse, Vacant
<b>South:</b>	RMH (Residential Mobile Home) R-40 (Single-Family Residential)	Mobile Home Subdivision Vacant, SF Residential
<b>East:</b>	MXD-1 (Mixed Use Development)	Vacant, Warehouse
<b>West:</b>	MXD-1 (Mixed Use Development)	Flex, Warehouse

**Overall Neighborhood Character:** This site is located within a large office/industrial business park between White Oak Creek (southern park border) and vacant land and the Camelot subdivision to the north. To the south of White Oak Creek are large lot residential tracts and subdivisions.



### **III. SITE PLAN PROJECT DATA**

<b>Acreage:</b>	6.55 acres (final)
<b>Building Size:</b>	The building will encompass 18,900 square feet of flexible office/warehouse space.
<b>Building Material and Color:</b>	The metal construction slab building will be finished on the southern and western sides with a mix of autumn blend (brown) and red brick, gray aluminum horizontal wall panels and ash gray metal awnings. The northern and eastern sides will be finished with gray vertical metal panels. The dumpster enclosure will be finished to match the brick of the main building.
<b>Landscape and Buffer Requirements:</b>	<p>The plan as proposed meets the requirements of the Landscape Ordinance.</p> <ul style="list-style-type: none"><li>• <b>Tree Cover:</b> Requirements are met with existing vegetation.</li><li>• <b>Street Buffers:</b> A 15-foot street buffer is shown as required adjacent to Raynor Road.</li><li>• <b>Perimeter Buffers:</b> A 65-foot buffer is shown adjacent to residential properties that is coincident with a FEMA designated floodplain, and a 7.5-foot buffer (50% of a 15-foot buffer) is shown along the west and north property lines. Reductions have been granted per Article 7.1.K.7.</li></ul> <p>Existing vegetation will be used to meet some of the buffer landscaping requirements. A landscape plan has been prepared to use in areas where existing vegetation does not meet buffer requirements.</p>
<b>Parking Spaces:</b>	<p><b>Number</b> - Parking is based on 1 space being provided for every 400 square feet of flex space, or portion thereof.</p> <ul style="list-style-type: none"><li>• <u>Required</u>: 48 (2 accessible)</li><li>• <u>Proposed</u>: 48 (2 accessible)</li></ul>
<b>Lighting:</b>	The plan as proposed meets the requirements of the Lighting Ordinance. Lighting will be provided via 30-foot pole-mounted LED lights with a Kelvin scale of 4,000 units and zero uplight.



**Environmental Features:** The site contains a FEMA-designated floodplain along White Oak Creek as well as a few existing wetlands and a stream feature subject to Neuse River buffer rules along the eastern side of the property. No encroachments are proposed.

**Fire Protection:** The Inspections Department has reviewed the plan for fire protection and has granted approval with the condition that the existing driveway pipe is adequate to withstand the weight of a fire truck at 75,000 pounds – minimum. An official statement has now been provided by the project engineer satisfying this condition.

**Infrastructure:** ***Stormwater Management*** - The Saad Building is located within the White Oak Business Park East commercial subdivision. Stormwater was not planned on a subdivision level for these individual commercial lots and so it is required on a lot by lot basis for water quality treatment of nitrogen only. It has been previously shown in a study prior to initial development of White Oak Business Park East that any water quantity detained within this area will have negative effects in the overall watershed downstream of this subdivision. Therefore water quantity is not required at any of the lots within the White Oak Business Park East subdivision. The only stormwater requirement for this site is to meet the post-development nitrogen loading rate threshold either with a nitrogen offset payment and/or stormwater control measures. Since the post-development nitrogen loading rate is under the 10 pounds per acre threshold, this project only requires a nitrogen offset buydown to satisfy all stormwater requirements and is not required to implement a stormwater control measure.

***Water/Sewer*** – Connections to public water and sewer are proposed and have been preliminarily approved by the City of Raleigh Public Utilities Department.

***Transportation/Access*** – The site will have one point of access off of Raynor Road (State Route 2555).

#### **IV. SITE PLAN CONFORMITY WITH APPLICABLE ADOPTED TOWN PLANS AND POLICIES**

##### **2010 Garner Transportation Plan:**

A review of the Transportation Plan revealed an additional right-of-way of 5' required along Raynor Road. This additional right-of-way has been provided for, and therefore,

this project as proposed may be considered in conformance with the 2010 Garner Transportation Plan.

**Parks, Recreation, Open Space & Greenway Master Plan**

A review of the Parks, Recreation, Open Space & Greenway Master Plan did not reveal any recommendations for this parcel, and therefore, this project as proposed may be considered in conformance with said Plan.

**Unified Development Ordinance Regulations:**

As the applicant has satisfactorily followed up on two items noted below in the time since the meeting of the Planning Commission, this plan may now be considered in conformance with the regulations of the Unified Development Ordinance.

**V. PLANNING COMMISSION NOTES AND RECOMMENDATION**

The Planning Commission reviewed this request at their January 8, 2018 meeting. On a unanimous vote of 6:0, the Planning Commission confirmed staff's findings in Section IV of this report that CUP-SP-17-30, Saad Building, was in conformity with adopted town plans and policies so long as the following items were addressed prior to the public hearing:

1. That a written statement be added to the plans noting that the existing driveway pipe is adequate to withstand a minimum weight of a fire truck at 75,000 pounds.
2. That the finish materials for the dumpster enclosure be shown to match those of the primary structure or moved to an acceptable location per Town Staff.

**VI. COUNCIL MOTION WORKSHEET**

**CONDITIONAL USE PERMIT ACTION WORKSHEET**

**Approve:** I move that the Council accept the staff statements regarding plan consistency in Section IV of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-17-30, Saad Building, with the three standard conditions listed on the attached permit.

***Optional (conditions – mark, fill in and read all that applies):*** ...and including the following reasonable conditions necessary to address the impacts of the proposed development on:

- adjoining property,
- the existing natural and man-made features of the site,
- off-site and on-site traffic flow,
- public utilities,
- such other public services or goals of the Comprehensive Growth Plan or the Transportation Plan that may be negatively impacted by the proposed development (*enumerate plan services/goals*):  
\_\_\_\_\_  
\_\_\_\_\_

**Condition #1:**

\_\_\_\_\_

**Condition #2:**

\_\_\_\_\_

**Condition #3, (etc.):**

\_\_\_\_\_

or

**Deny:** I move that the Council find the application does not meet one or more of the criteria in Section 3.14.D. for granting a special use permit,

***(Check and read all that apply – include stated reason/evidence)***

- 1. The proposed use will endanger the public health or safety because/as evidenced by \_\_\_\_\_;

- \_\_\_ 2. The proposed use will substantially injure the value of adjoining or abutting property;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 3. The proposed use does not comply with all applicable provisions of this UDO;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 4. If completed as proposed, the development will not comply with all requirements of this section;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 5. The proposed use will not be compatible with the proximate area in which it is to be located;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 6. The proposed use is inconsistent with the Transportation Plan, other relevant adopted plans and policies, and the stated purpose and intent of this UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan);  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 7. The proposed use is incompatible with adjacent uses in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 8. Any significant adverse impacts resulting from the use will not be mitigated or offset, including impacts on the natural environment;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 9. The public safety, transportation and utility facilities and services will not be available to serve the subject property while maintaining sufficient levels of service for existing development;  
*because/as evidenced by* \_\_\_\_\_;
- \_\_\_ 10. Adequate assurances of continuing maintenance have not been provided;  
*because/as evidenced by* \_\_\_\_\_;

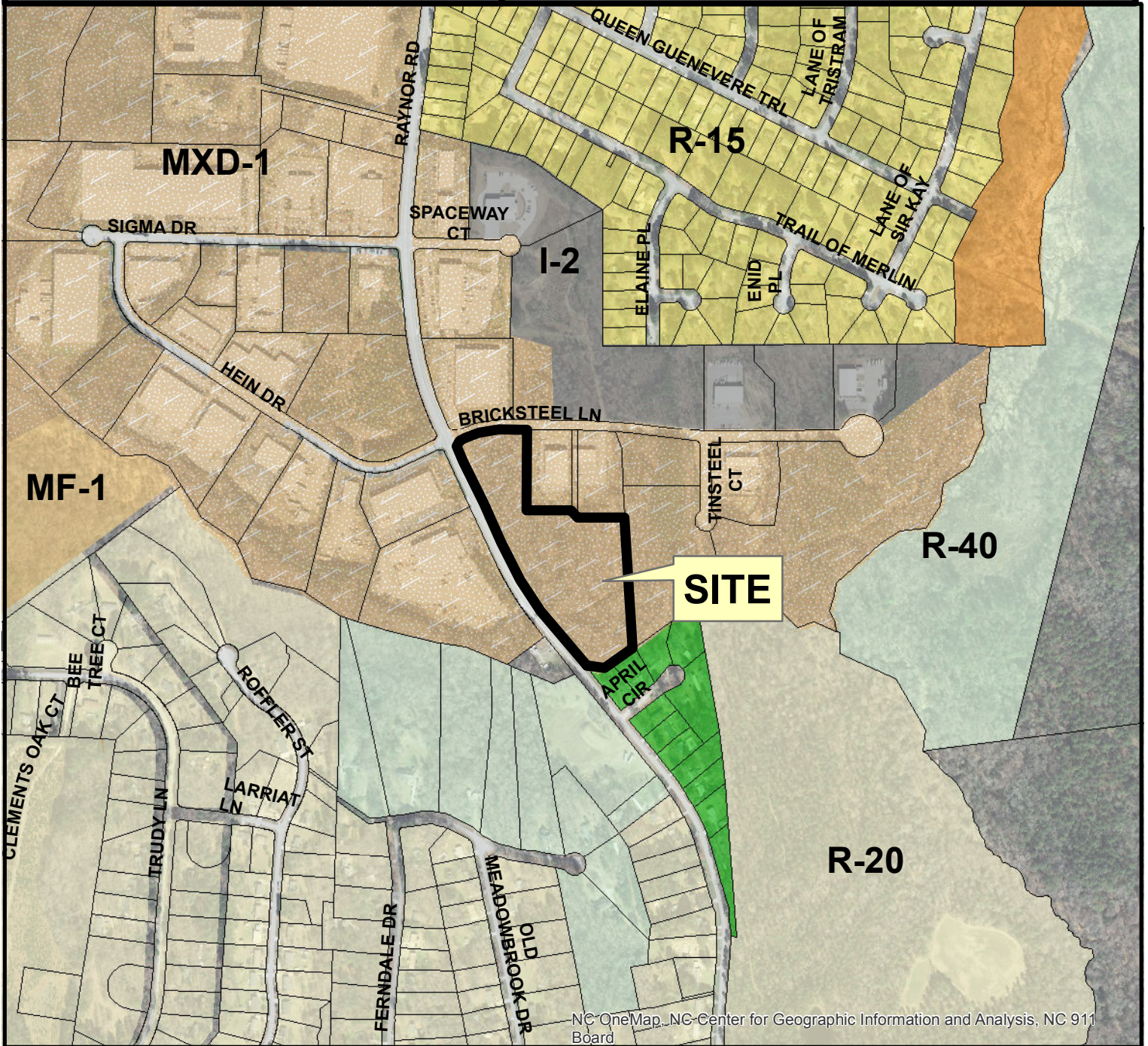
and therefore, deny Conditional Use Permit for the Saad Building – CUP-SP-17-30.

# Town of Garner Planning Department

## Conditional Use Permit CUP SP 17-30



0 500 1,000 Feet



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board

Project: Saad Building East Tract  
Owner: White Oak Associates  
Applicant: Tony Tate Landscape Architecture  
PIN: 1730400748

Proposed: Flex space  
Zoning: MXD-1 C25  
Project Acreage: 9.64  
Overlay: None

**TOWN OF GARNER  
CUP-SP-17-30 – SAAD BUILDING  
CONDITIONAL USE PERMIT**

<b>APPLICANT</b>	Tony M. Tate Landscape Architecture, PA Attn: Pam Porter 5011 Southpark Drive #200 Durham, NC 27713
<b>LOCATION</b>	SE Corner Raynor Road and Bricksteel Lane
<b>USE</b>	Flex Space
<b>DATE ISSUED</b>	February 5, 2018

**I. COMPLETENESS OF APPLICATION**

The application is complete.

**II. COMPLIANCE WITH ORDINANCE REQUIREMENTS**

The application complies with all applicable requirements of the Unified Development Ordinance.

**III. GRANTING THE APPLICATION**

The application is granted, subject to the following conditions:

- 1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Town Council, a copy of which is filed in the Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in the Unified Development Ordinance.
- 2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
- 3) All applicable permit approvals shall be obtained by the applicant.

**IV. SPECIFIC TO THE PROJECT**

None

c: White Oak Associates  
3204 Brennan Dr.  
Raleigh, NC 27613

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: February 5, 2018		
Subject: Annexation Petition ANX-17-08, Springfield Baptist Church		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager		
Brief Summary:  Springfield Baptist Church is requesting annexation in order to connect to public water connection along Auburn-Knightdale Road.		
Recommended Motion and/or Requested Action: Adopt Ordinance (2018) 3900		
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:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Design. Connect. Sustain.



## Planning Department Staff Report

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**TO:** Mayor and Town Council

**FROM:** David Bamford, AICP; Planning Services Manager

**SUBJECT:** ***ANX-17-08: Springfield Baptist Church***

**DATE:** February 5, 2018

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**ANNEXATION APPLICATION:** ANX 17-08

**OWNER:** Springfield Baptist Church

**CONTIGUOUS / SATELLITE:** Satellite

**LOCATION OF PROPERTY:** 4309 & 4306 Auburn-Knightdale Rd

**WAKE COUNTY PIN #:** 1730686666 and 1730596426

**REAL ESTATE ID #:** 0055172 and 0448162

**AREA:** 50.27 acres

**ZONING:** R-40

**ASSOCIATED DEVELOPMENT PLAN:** Public water connection

**RECOMMENDATION:** Adopted annexation ordinance

### **KEY DATES:**

**SET PUBLIC HEARING:** December 19, 2017

**PUBLIC HEARING:** February 5, 2018

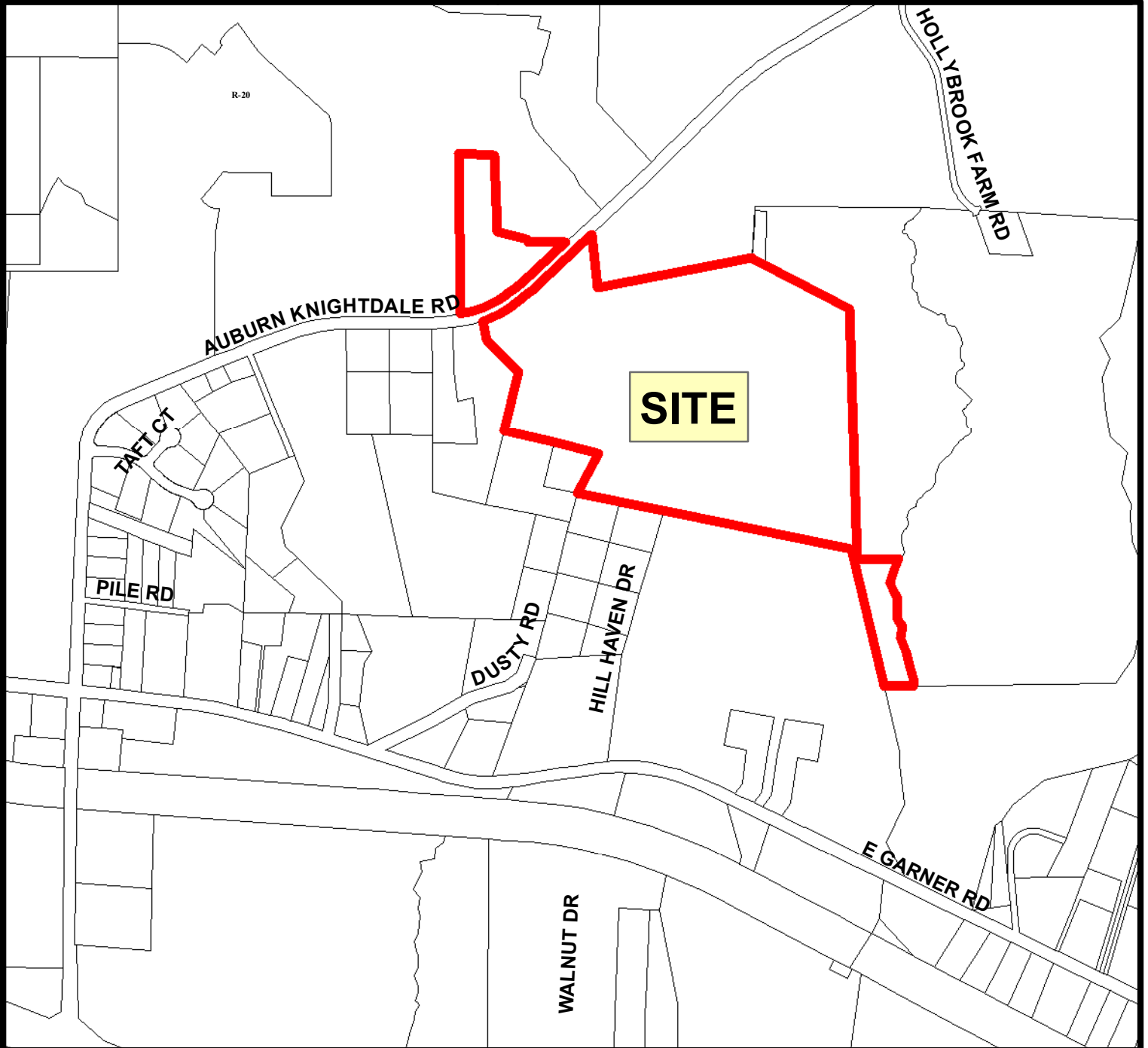
**ANNEXATION EFFECTIVE:** February 5, 2018



**Town of Garner  
Planning Department**

**Annexation  
ANX 17-08**

0 400 800  
Feet



Project: Springfield Baptist Church  
Property 4309 & 4306 Auburn-Knightdale Rd  
Property Owner: Springfield Baptist Church  
Area: 50.27  
Pin: 1730686666 and 1730596426

Return to:  
Stella Gibson  
Town of Garner  
900 7<sup>th</sup> Avenue  
Garner, NC 27529

ORDINANCE NO. (2018) 3900  
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE  
TOWN OF GARNER, NORTH CAROLINA

WHEREAS, the Town Council of the Town of Garner has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 900 7<sup>th</sup> Avenue in the Town of Garner Town Hall at 7:00 PM on February 5, 2018, after due notice by the *News & Observer* on January 19, 2018, and

WHEREAS, the Town Council finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Garner;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Garner;
- c. The area described is so situated that the Town of Garner will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the Town Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Garner and of the area proposed for

annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Garner, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Garner as of

**ANX 17-08**

**4306 & 4309 Auburn-Knightdale Rd (Springfield Baptist Church)**

50.27-acres located on Auburn-Knightdale Rd; the site can be identified as Wake County PINs 1730686666 and 1730596426; the properties are recorded in Deed Book 006462, Page 00774, and in Book of Maps 2014, Page 171.

Section 2. Upon and after February 5, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Garner and shall be entitled to the same privileges and benefits as other parts of the Town of Garner said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Garner shall cause to be recorded in the office of the Register of Deeds of Wake County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Wake County Board of Elections, as required by G.S. 163-288.1.

Adopted this 5<sup>th</sup> day of February, 2018.

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Ronnie S. Williams, Mayor

ATTEST:

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Stella L. Gibson, Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: February 5, 2018		
Subject: Annexation Case # ANX-17-09, Hebron Church Road		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager		
Brief Summary:  The Town purchased 8101 Hebron Church Road (5.7 acres) in 2017 to provide future public street access to the 115-acre Meadowbrook site, which has already been annexed. This separate tract on Hebron Church Road also needs to be annexed.		
Recommended Motion and/or Requested Action: Adopt Ordinance (2018) 3901		
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:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

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## Planning Department Staff Report

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**TO:** Mayor and Town Council

**FROM:** David Bamford, AICP; Planning Services Manager

**SUBJECT:** *ANX-17-09: Town of Garner*

**DATE:** February 5, 2018

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**ANNEXATION APPLICATION:** ANX 17-09

**OWNER:** Town of Garner

**CONTIGUOUS / SATELLITE:** Satellite

**LOCATION OF PROPERTY:** 8101 Hebron Church Road

**WAKE COUNTY PIN #:** 1629653937

**REAL ESTATE ID #:** 0113226

**AREA:** 5.7 acres

**ZONING:** R-40

**ASSOCIATED DEVELOPMENT PLAN:** None, Town purchased this tract in 2017 to provide public street access to the Meadowbrook park site

**RECOMMENDATION:** Adopted annexation ordinance

**KEY DATES:**

**SET PUBLIC HEARING:** December 19, 2017

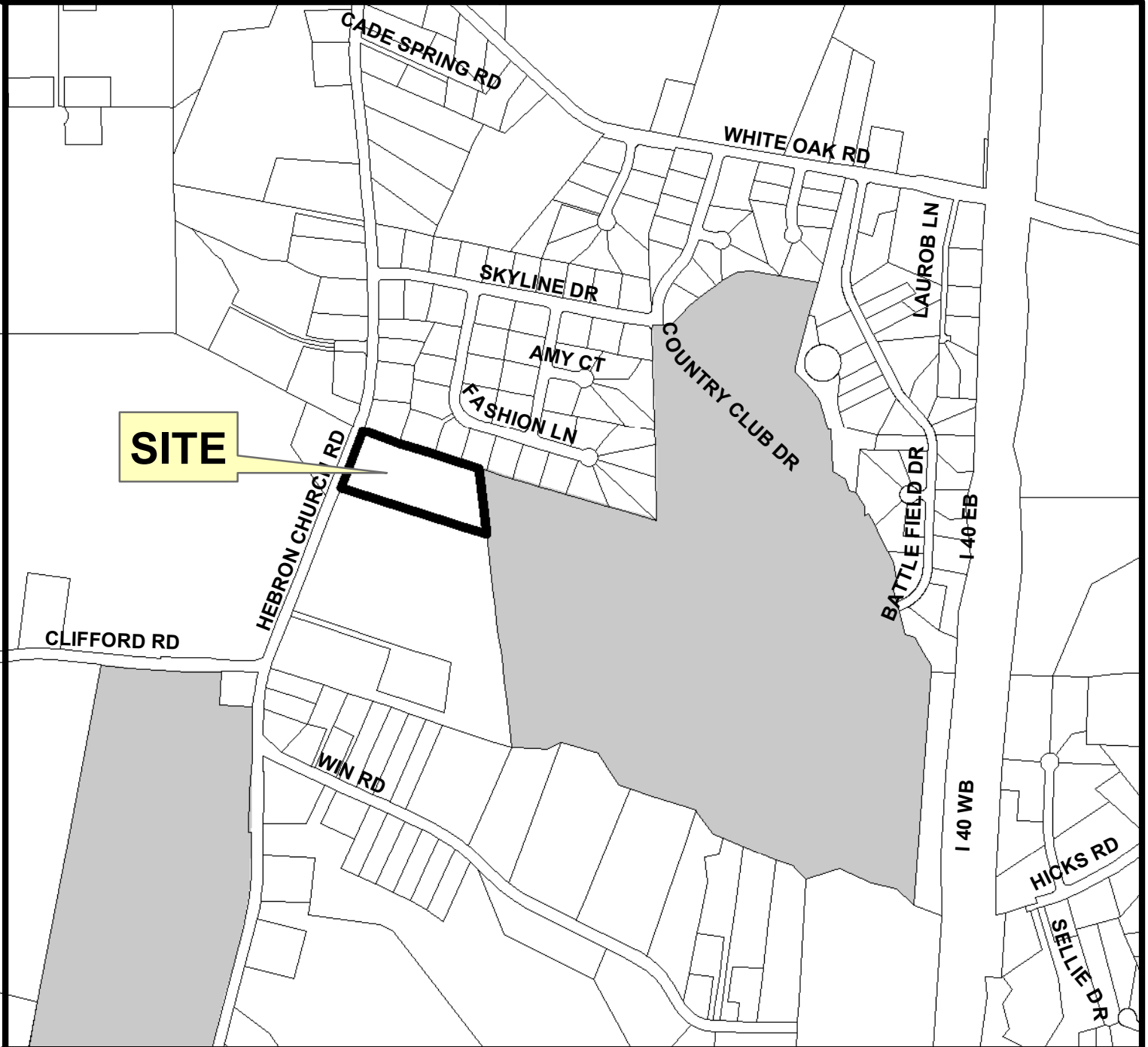
**PUBLIC HEARING:** February 5, 2018

**ANNEXATION EFFECTIVE:** February 5, 2018

**Town of Garner  
Planning Department**

**Annexation  
ANX 17-09**

0 400 800  
Feet



Project: Town of Garner  
Property: 8101 Hebron Church Rd  
Property Owner: Town of Garner  
Area: 5.7  
Pin: 1629653937

Return to:  
Stella Gibson  
Town of Garner  
900 7<sup>th</sup> Avenue  
Garner, NC 27529

ORDINANCE NO. (2018) 3901  
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE  
TOWN OF GARNER, NORTH CAROLINA

WHEREAS, the Town Council of the Town of Garner has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 900 7<sup>th</sup> Avenue in the Town of Garner Town Hall at 7:00 PM on February 5, 2018, after due notice by the *News & Observer* on January 19, 2018, and

WHEREAS, the Town Council finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Garner;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Garner;
- c. The area described is so situated that the Town of Garner will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the Town Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Garner and of the area proposed for

annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Garner, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Garner as of February 5, 2018.

**ANX 17-09**

**Town of Garner – 8101 Hebron Church Rd**

A 5.7-acre tract located on Hebron Church Rd; the site can be identified as Wake County PIN 1629653937; the property is recorded in Deed Book 016661, Page 0236, and in Book of Maps 1974, Page 240 as Tract 1-A.

Section 2. Upon and after February 5, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Garner and shall be entitled to the same privileges and benefits as other parts of the Town of Garner said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Garner shall cause to be recorded in the office of the Register of Deeds of Wake County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Wake County Board of Elections, as required by G.S. 163-288.1.

Adopted this 5<sup>th</sup> day of February, 2018.

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Ronnie S. Williams, Mayor

ATTEST:

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Stella L. Gibson, Town Clerk