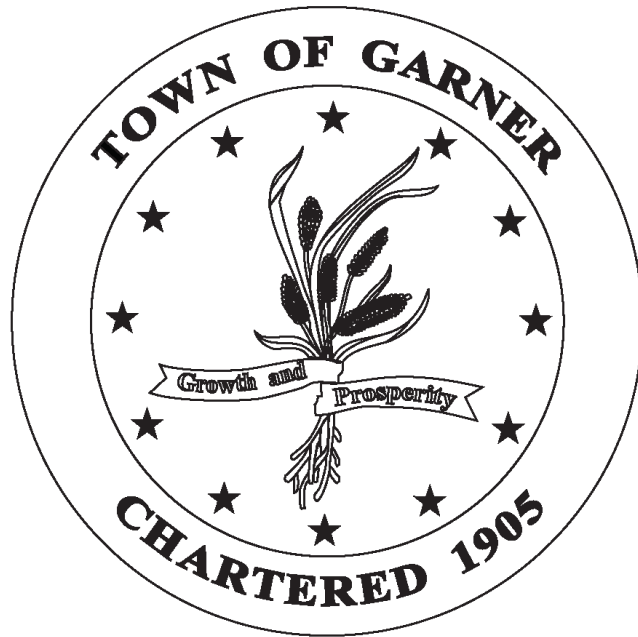


# Town of Garner



Town Council Meeting  
March 22, 2022

Garner Town Hall  
900 7<sup>th</sup> Avenue  
Garner, NC 27529

**Town of Garner**  
**Town Council Regular Meeting Agenda**  
**March 22, 2022**

This regular meeting of the Council will be conducted at 7:00 p.m. in the Garner Town Hall located at 900 7<sup>th</sup> Avenue, Garner.

**Mask Policy:** All staff and visitors, including people who are fully vaccinated, have the option to wear face coverings while inside Town facilities and during Town Council meetings. All persons should practice social distancing, when possible, in Council Chambers.

A. CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn

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

B. PLEDGE OF ALLEGIANCE: Mayor Ken Marshburn

C. INVOCATION: Mayor Ken Marshburn

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

- Rodney Dickerson, Town Manager and Forrest Jones, Public Works Director will recognize Kenneth Griffis on his retirement from the Town.
- Proclamation recognizing The Wall that Heals Vietnam Veteran’s Memorial celebration.

G. CONSENT

1. Position Classification Plan – Inspections.....Page 7  
Presenter: BD Sechler, HR Director

Updated Position Classification Plan to reflect the addition of a new position, job title change, grading of positions and the decommissioning of a position within the Inspections department. More updates will be reflected once positions are reviewed by HR and slotted into the Plan.

Action: Consider approving the changes as recommended

- 2. Resolution in Support of Application for NCDOT Planning Grant Initiative.....Page 8  
Presenter: Maria Munoz-Blanco, PRCR Director

The North Carolina Department of Natural & Cultural Resources (NCNCR) has an annual matching grant program (the NC Parks & Recreation Trust Fund or PARTF) which provides financial aid to municipalities to build or develop recreational facilities for public use. PRCR plans to apply for a 2022 PARTF grant to support the development of Phase 1 of Yeargan Park. Approved 2021 Park Bond funds will be used as matching funds. A Town resolution in support of the grant application is a required component in order to be eligible for funding.

Action: Consider adopting Resolution (2022) 2481

- 3. Council Meeting Minutes.....Page 10  
Presenter: Stella Gibson, Town Clerk

Minutes from the February 22 and 28, 2022 Council meetings.

Action: Consider approving minutes

H. PUBLIC HEARINGS

- 1. Conditional Zoning Map Amendment CZ-22-03, Timber Drive – Thompson Investment Properties.....Page 19  
Presenter: Reginald Buie, Senior Planner

Conditional district rezoning request (CZ-22-22) submitted by Raleigh North Development to rezone approximately 16.78 +/- acres from Single-Family Residential (R-20) to Office and Institutional (O&I C256) Conditional District. The site is located at 0 Timber Drive and may be further identified as Wake County PINs 1710546449 and 1710641582.

Action: Consider motion to refer to Planning Commission for plan consistency review and recommendation.

I. NEW/OLD BUSINESS

- 1. NCDOT Resurfacing Contract - Spring Drive and Thompson Road (Bicycle Accommodations).....Page 33  
Presenter: Chris Johnson, Town Engineer

To provide concepts on bicycle accommodations to be implemented in conjunction with upcoming NCDOT resurfacing projects on Spring Drive and Thompson Road.

Action: Consider approving designs as submitted and authorize staff to engage on-call firm to finalize striping plans for NCDOT approval.

II. COMMITTEE REPORTS

- K. MANAGER REPORTS
  - 1. garner info
  - 2. 2021 Annual Progress Report - Garner Forward Comprehensive Plan

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. ADJOURN

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date:			
Subject:			
Location on Agenda:			
Department:			
Contact:			
Presenter:			
Brief Summary:			
Recommended Motion and/or Requested Action:			
Detailed Notes:			
Funding Source:			
Cost:	One Time:	Annual:	No Cost:
Manager's Comments and Recommendations:			
Attachments Yes:		No:	
Agenda Form Reviewed by:	Initials:	Comments:	
Department Head:			
Finance Director:			
Town Attorney:			
Town Manager:			
Town Clerk:			

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: March 22, 2022		
Subject: Proclamation recognizing The Wall that Heals Vietnam Veterans Memorial Celebration		
Location on Agenda: Presentations		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Ken Marshburn, Mayor		
Brief Summary: Mayor Marshburn will present a Proclamation honoring Vietnam Veterans.		
Recommended Motion and/or Requested Action:		
Detailed Notes: The Wall that Heals is a three-quarter scale replica of the Vietnam Veterans Memorial in Washington, DC that honors more than three million Americans who served in the U.S. Armed Forces in the Vietnam War and bears the names of the 58,281 men and women who made the ultimate sacrifice in Vietnam.		
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:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

*Town of Garner*

# Proclamation



## Honoring and Remembering Vietnam Veterans

**Whereas**, the United States of America was involved in an armed conflict in Vietnam, Cambodia and Laos beginning in the 1950s and continuing until 1975; and

**WHEREAS**, more than nine million United States military service members served on active duty during the official Vietnam era from August 5, 1964 to May 7, 1975, including more than two million seven hundred thousand who served in uniform in Vietnam; and

**WHEREAS**, dozens of men and women from our community served their country faithfully, bravely and sacrificially; and

**WHEREAS**, fifty-eight thousand two hundred and eighty-one American military service members died in Vietnam, including one thousand six hundred and 12 service members from North Carolina; and

**WHEREAS**, Garner's Warren Davis; Robert Dawson; Phil Fleming; Larry McLaughlin; Sheffield Stroud; Stephen Thomas; W. Harold Till, Jr.; and Donald Wall sacrificed their lives in Vietnam for love of country, and their names are engraved on the Vietnam Veterans Memorial; and

**WHEREAS**, the Vietnam Veterans Memorial was erected 30 years ago in Washington, D.C., with the promise to always honor and never forget the United States military service members who served in Vietnam; and

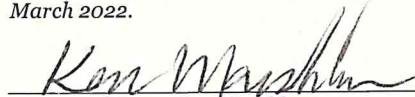
**WHEREAS**, The Wall That Heals is a traveling ¾-scale replica of the Vietnam Veterans Memorial and will be escorted to the Town of Garner's Lake Benson Park on March 29 and remain on display 24 hours per day from March 31 through April 3, and thousands of people will visit; and

**WHEREAS**, events are planned at The Wall That Heals to remember and to honor Vietnam veterans.

**NOW, THEREFORE**, I, Ken Marshburn, Mayor of the Town of Garner, do hereby proclaim March 28 through April 3, 2022 as a week to remember and honor Vietnam veterans.



*In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the Town of Garner, North Carolina, to be affixed this the 28<sup>th</sup> day of March 2022.*

  
Mayor Ken Marshburn

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: March 22, 2022 <span style="float: right;"><input type="button" value="v"/></span>		
Subject: Position Classification Plan - Inspections		
Location on Agenda: Consent <span style="float: right;"><input type="button" value="v"/></span>		
Department: Human Resources		
Contact: BD Sechler, HR Director		
Presenter: BD Sechler, HR Director		
<b>Brief Summary:</b> Updated Position Classification Plan to reflect the addition of a new position, job title change, grading of positions and the decommissioning of a position within the Inspections department. More updates will be reflected once positions are reviewed by HR and slotted into the Plan.		
<b>Recommended Motion and/or Requested Action:</b> Consider and approve the changes as recommended		
<b>Detailed Notes:</b> The Inspections Department is requesting the following changes to the classification system: 1) Creation of a new position, with the title of Developmental Services Specialist Supervisor. The position will be in grade 23 and nonexempt. 2) Elimination/retirement of the current Development Service Specialist position, currently in grade 17 3) The re-titling of the Senior Development Services Specialist to Development Services Specialist. This position, with the new title would remain in grade 19. Council approval is requested.		
<b>Funding Source:</b> n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	BDS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: March 22, 2022 <span style="float: right;"><input type="text"/></span>		
Subject: Resolution in Support of Application for NCDOT Planning Grant Initiative		
Location on Agenda: Consent <span style="float: right;"><input type="text"/></span>		
Department: Parks, Recreation & Cultural Resources (PRCR)		
Contact: Maria Munoz-Blanco, PRCR Director		
Presenter: Maria Munoz-Blanco, PRCR Director		
<b>Brief Summary:</b> The North Carolina Department of Natural & Cultural Resources (NCNCR) has an annual matching grant program (the NC Parks & Recreation Trust Fund or PARTF) which provides financial aid to municipalities to build or develop recreational facilities for public use. PRCR plans to apply for a 2022 PARTF grant to support the development of Phase 1 of Yeargan Park. Approved 2021 Park Bond funds will be used as matching funds. A Town resolution in support of the grant application is a required component in order to be eligible for funding.		
<b>Recommended Motion and/or Requested Action:</b> Consider adopting Resolution (2022) 2481		
<b>Detailed Notes:</b> The Town has completed a Master Plan for the development of Yeargan Park and a phasing plan has been presented and approved by the Town Council. Phase 1 will include four multi-purpose sports fields, one picnic shelter with restrooms, a play area, parking and infrastructure. 30% cost estimate for the development of Phase 1 is \$17M. PRCR will request a PARTF grant of \$400,000 towards the costs of Phase 1. The request aligns with the Town's Strategic Fiscal Responsibility and Quality of Life Goals and with the PRCR Comp Plan Goal 1 - Build High Quality Parks for the Growing Garner Community.		
<b>Funding Source:</b> If awarded, grant will be matched with 2021 Park Bond funds.		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MMB	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

RESOLUTION NO. (2022) 2481

RESOLUTION FOR SUPPORT OF THE  
NORTH CAROLINA PARKS AND RECREATION TRUST FUND GRANT APPLICATION

WHEREAS, the North Carolina Department of Natural and Cultural Resources Division of Parks and Recreation manages the North Carolina Parks and Recreation Trust Fund (PARTF); and

WHEREAS, the North Carolina Parks and Recreation Trust Fund awards matching grants to local governments for the development of parks to help local governments reach their park and public access goals to improve the quality of life in their communities; and

WHEREAS, the Town of Garner is committed to developing and maintaining a park system that provides opportunities for recreation to youth and adults within the Town; and

WHEREAS, the Town of Garner acquired the Yeargan Homeplace in 2019 to develop a public park; and

WHEREAS, the Town of Garner citizens approved in 2021 the authorization of bonds for the development of new parks; and

WHEREAS, the Town of Garner has completed a master plan for the development of Yeargan Park and it desires to build Phase 1 of the master plan; and

WHEREAS, the North Carolina Department of Natural and Cultural Resources may provide North Carolina Parks and Recreation Trust Fund grant funding along with matching monies from the Town of Garner to develop Phase 1 of Yeargan Park; and

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF GARNER hereby endorses the application and matching funds to the 2022 North Carolina Parks and Recreation Trust Fund for the development of Phase 1 of Yeargan Park.

Duly adopted this the 22nd day of March 2022.

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Ken Marshburn, Mayor

ATTEST:

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Stella L. Gibson, Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: March 22, 2022		
Subject: Council Meeting Minutes		
Location on Agenda: Consent		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Stella Gibson, Town Clerk		
Brief Summary: Minutes from the February 22 and 28, 2022 Council meetings.		
Recommended Motion and/or Requested Action: Consider approving minutes.		
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:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner  
Town Council Regular Meeting Minutes  
February 22, 2022**

The Council met in regular session at 7:00 p.m. in the Garner Town Hall Council Chambers located at 900 7th Avenue.

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

Present: Mayor Ken Marshburn, Mayor ProTem Elmo Vance, Council Members Demian Dellinger, Gra Singleton, Kathy Behringer and Phil Matthews

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, David Bamford-Asst. Planning Director, Chris Johnson-Town Engineer, Jodi Miller-Asst. Town Manager, David Beck-Finance Director, Jeff Triezenberg-Planning Director, Joe Stallings-Economic Development Director, Terri Jones-Town Attorney, and Stella Gibson-Town Clerk

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

**PLEDGE OF ALLEGIANCE:** Council Member Behringer

**INVOCATION:** Council Member Behringer

**PETITIONS AND COMMENTS**

**ADOPTION OF AGENDA**

Motion: Singleton  
Second: Matthews  
Vote: 5:0

**PRESENTATIONS**

Fire Chief Matt Poole presented the GVFR Annual Report and Police Chief Lorie Smith and Sam Bridges, Town Lobbyist, presented an update on the opioid crisis.

**CONSENT**

**2022 Annual Resurfacing Contract – Bid Award**

Presenter: Chris Johnson, Town Engineer

Staff presented information regarding the bid award of the 2022 Annual Resurfacing Contract.

Action: Award the project to Daniels, Inc. of Garner and authorize the Town Manager to execute the contract.

**FY 22 Pavement Preservation Program**

Presenter: Forrest Jones, Public Works Director

The Town of Garner formally advertised this project and received two bids in response to our RFP for Micro-Surfacing & Crack Sealing Project. Micro-surfacing and crack sealing are two means that the Town uses to recondition and prolong the lifespan of asphalt. A few years ago the Town engaged a

consultant to evaluate Town streets and provide a "toolkit" of preservation methods in lieu of resurfacing.

Action: Authorize the Manager to execute the FY 22 Pavement Preservation Contract to Slurry Pavers.

### **Council Meeting Minutes**

Presenter: Stella Gibson, Town Clerk

Regular and Work Session meeting minutes from December 21, 2021, January 3, January 18, and January 25, 2022. Closed session meeting minutes from December 21, 2021, January 18 and January 25, 2022. Special meeting minutes from January 13, 2022.

Action: Approve minutes

Action: Approve Consent Agenda

Motion: Singleton

Second: Matthews

Vote: 5:0

### **PUBLIC HEARINGS**

#### **Conditional Zoning Map Amendment w/ Master Plan # CZ-MP-21-08 Wilmington Road**

Presenters: David Bamford, Planning Services Manager and Jeff Triezenberg, Planning Director

Mayor Marshburn opened the hearing.

Conditional zoning map amendment request submitted by Pram Lane Studios LLC to rezone 11.32 +/- acres from Heavy Industrial (I-2) to a Multifamily Conditional (MF-1 C250) for the development of residential dwelling units at a density of no more than 7.5 units per acre. The request offers architectural conditions along with a master development plan. The site is located on the east side of Wilmington Road and may be further identified as Wake County PIN(s): 1721085631, 1721087219, and 1721078952.

Toby Coleman presented an overview of the project noting that there's an array of uses that are allowed in heavy industrial next to a residential subdivision that could create conflicts with citizens and nuisance concerns and that the proposed project made good sense at this location.

Council Member Dellinger expressed disappointment that a larger vision for the project was not being considered.

Council Member Matthews stated that he did not think putting multi-family townhomes that back-up to Hunter's Mark was the correct zoning.

Verna Shelton expressed concern regarding connecting to the water and sewer system and asked if residents would be able to gain access when the project is developed. She also asked if she would lose any of her property as a result of the project. Patty Harrell-Hilburn from McKim & Creed, responded that there was a 12-inch water line that exists down Wilmington Road that Ms. Shelton could connect to and no additional right-of-way was needed for the project.

Council Member Singleton commented that he felt the I-2 zoning was too intense and questioned whether this project was an appropriate use for the property.

Mayor Marshburn closed the hearing.

Council Member Dellinger stated this was a good time for the Planning Commission and staff to revisit the Town's Land Use Plan and look at these types of small areas.

Action: Consider motion to refer to Planning Commission for plan consistency review and recommendation.

Motion: Matthews  
Second: Vance  
Vote: 5:0

**Conditional Zoning Map Amendment w/ Site Plan # CZ-SP-21-02, Greenbrier Park**

Presenters: David Bamford, Planning Services Manager and Alison Jones, Planner

Mayor Marshburn opened the hearing.

Conditional zoning map amendment request submitted by Liberty Investment Partners to rezone 9.6 +/- acres from Service Business Conditional (SB C114), 6.1 +/- acres from to Multifamily Conditional (MF-1 C253) for the development of a multifamily residential community. The request offers architectural conditions and amenities along with a site plan. The 17.8-acre site is located at the northwest corner of Timber Drive and Grovemont Road and may be further identified as Wake County PIN(s): 1701535458, 1701537520, 1701536721, 1701539949, and 1701632572. Collier Marsh provided an overview of the project.

Council Member Vance asked about EMS concerns and Mr. Triezenberg responded that both the Fire and Police Departments reviewed the plans and felt that getting into this part of Greenbrier, this connection would cut those response times down by approximately two minutes.

Council Member Singleton stated he had numerous concerns about placing high density apartments at the intersection of Timber Drive. Council Member Dellinger also had concerns about connecting high-density developments with older neighborhoods when those neighborhoods were stubbed-out with the anticipation of another single-family neighborhood.

Greenbrier HOA President, Jennifer McLaughlin, voiced concerns with connectivity through their neighborhood and through Grovemont. Currently, there are no traffic control measures on their side of the neighborhood and they already have problems with people cutting through from Timber to get to shopping. She was also concerned by the increased traffic as well as water run-off. Mark Sidwell had the same concerns as Ms. McLaughlin.

Joe McCormick had concerns regarding traffic and density.

Lisa Pearce was concerned about the quality of life in their neighborhood, cut-through traffic and congestion in the area.

Jean Locklear asked that the master covenants for Greenbrier Estates be considered noting that the original intent was one single family home per acre.

Mayor Marshburn closed the hearing.

Action: Continue the hearing to April 4 to evaluate connectivity issues and develop a policy.

Motion: Dellinger  
Second: Vance  
Vote: 5:0

**Conditional Zoning Map Amendment w/ Subdivision Plan # CZ-SB-21-05, Caddy South**

Presenter: David Bamford, Planning Services Manager and Jeff Triezenberg, Planning Director

Mayor Marshburn opened the hearing.

Conditional zoning map amendment request submitted by Cambridge Properties, Inc. to rezone 9.54 +/- acres from Multifamily Conditional (MF-2 C224) to Service Business Conditional (SB C251) for the creation of 3 commercial lots. The request offers a restricted list of commercial uses along with a subdivision plan. The site is located at the southeast corner of US 401 (Fayetteville Road) and Caddy Road and may be further identified as Wake County PIN: 0699078909.

Nate Buhler of Cambridge Homes summarized the project.

Mayor Marshburn closed the hearing.

Action: Consider motion to refer to Planning Commission for plan consistency review and recommendation.

Motion: Behringer  
Second: Singleton  
Vote: 5:0

**NEW/OLD BUSINESS**

**COMMITTEE REPORTS**

**MANAGER REPORTS**

- garner info

**ATTORNEY REPORTS**

Ms. Jones reported that the Town reached a settlement with Pro Construction, the general contractor for the Rec Center, in the amount of \$137,500. This executed contract will close-out the project.

**COUNCIL REPORTS**

Matthews

- Stated the Retreat was outstanding.

Singleton

- Agreed with Council Member Matthews.

Behringer

- Reported a fallen tree on Center Street. Mr. Dickerson responded that staff would take a look at it.
- Asked about lifting the mask mandate. Mr. Dickerson responded that Wake County Schools voted to make wearing a mask in schools optional effective March 7. Businesses can make wearing a mask optional if they choose to. The Wake County State of emergency has been lifted and starting Friday

at 5:00 p.m. staff and visitors to Town Hall will not be required to wear a mask.

Dellinger

- Stated removing of the mask mandate made by the Governor does not take away private businesses to require masks.

Vance

- Reported trash near the future Bojangles. Staff has already cited the property owner.

#### **CLOSED SESSION**

Council went into closed session to discuss a real estate matter and gave staff instructions relating to that issue. Council also discussed a personnel matter.

**ADJOURN:** 10:39 p.m.

Motion: Vance  
Second: Matthews  
Vote: 5:0

DRAFT



**Town of Garner  
Work Session Meeting Minutes  
February 28, 2022**

The Council met in a Work Session at 6:00 p.m. in the Council Chambers located at 900 7<sup>th</sup> Avenue.

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

Present: Mayor Ken Marshburn, Council Members, Demian Dellinger, Phil Matthews, Kathy Behringer and Gra Singleton.

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, Jodi Miller-Asst. Town Manager, Rick Mercier-Communications Manager, David Beck-Finance Director, Maria Munoz-Blanco-PRCR Director, Mari Howe-Special Projects Manager, Tony Beasley-Inspections Director, Terri Jones-Town Attorney, and Ashley Knotts-Deputy Town Clerk.

Jeff Triezenberg attended via Teams

Mayor Marshburn asked for a moment of silence for those in Ukraine.

Council Member Elmo Vance arrived at 6:37p.m.

**ADOPTION OF AGENDA**

Motion: Matthews

Second: Behringer

Vote: 4:0

**DISCUSSION/REPORTS**

**LMG – Master Development Agreement & Program Update**

Presenter: Andrew Holton, Lansing Melbourne Group

Andrew Holton from Lansing Melbourne Group provided a preliminary overview of the Master Development Agreement for the public-private downtown development project, including the expansion of residential units and amenities, anticipated parking, and an updated commercial layout.

Action: Review in preparation for future action on the Master Development Agreement

**Parks, Recreation & Cultural Resources Fee Schedule**

Presenter: Maria Munoz-Blanco, PRCR Director

Ms. Munoz-Blanco presented updates to the PRCR Fee Schedule to gather Town Council feedback and guidance.

No changes were made to the PRCR Fee Schedule.

Action: Consensus to place on a future agenda for approval.

**RLUIPA Training**

Presenter: Terri Jones, Town Attorney

Mrs. Jones conducted training on the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA) and its impact on zoning decisions in the Town of Garner. Planning Commission members were present for the training.

Action: For information only

## **MANAGER REPORTS**

- March Pending Agenda Items
- LMG Group Agreement scheduled for March 22<sup>nd</sup>
- NC DOT has agreed to extend the 35mph zone to end at Vandora Springs Road heading back towards Hwy 70. Signage design changes and placement were also discussed. Mr. Hodges informed Council that NC DOT has prepared two Ordinances that will be placed on the March 7 agenda.

## **• COUNCIL REPORTS**

Behringer

- Glad to see the houses coming down next to the GPAC.
- Attended the Showcase of Talent
- Asked if the Town will participate in the Monarch butterflies initiative. Mayor Marshburn stated he wanted to get with the Garden Grows Group and see if they could plant milkweed to attract the butterflies.
- Asked Mr. Hodges to get information regarding LIHTC Housing and each of the different municipalities in Wake County in order to compare what percentages of that of affordable housing exists in the individual towns. Council Member Behringer stated this information was shared in email to all Council Members.
- Stated she visited the Farmers Market this past weekend and had coffee at the 321 Coffee Shop, which is operated by children with Down Syndrome. Stated it was a wonderful experience and encouraged everyone to go visit.

Dellinger

- Appreciated the moment of silence regarding the situation with Ukraine.
- Went to a rally downtown on Saturday in support of Ukraine; also spoke with the organizer for the local area, asked if she would come and speak in the next month to give comments and show support for our community.
- Thanked Council Member Vance, Sam Bridges, and the Police and Fire Departments for their presentation on the opioid epidemic.

Singleton

- Stated he would like to see the butterflies at White Deer Park if the Town made any expansion, he would support it.
- Looking forward to the LMG project.

Matthews

- The Wall That Heals will be in Garner at the end of March to the first of April. Additional information can be found online. The veteran organizations were still seeking volunteers.

Marshburn

- Will be presenting a Proclamation recognizing Vietnam Vets in conjunction with the Wall That Heals.

Vance

- On March 20<sup>th</sup> Aversboro Road Church is planning an event with the 82<sup>nd</sup> Airborne Choir, encouraged everyone to come out and hear them sing.
- Referenced what is going on in Ukraine and how quickly freedom can be taken away, wants everyone to remember that we must do everything we can to protect the freedoms that we have.

**ADJOURN:** 7:53 p.m.

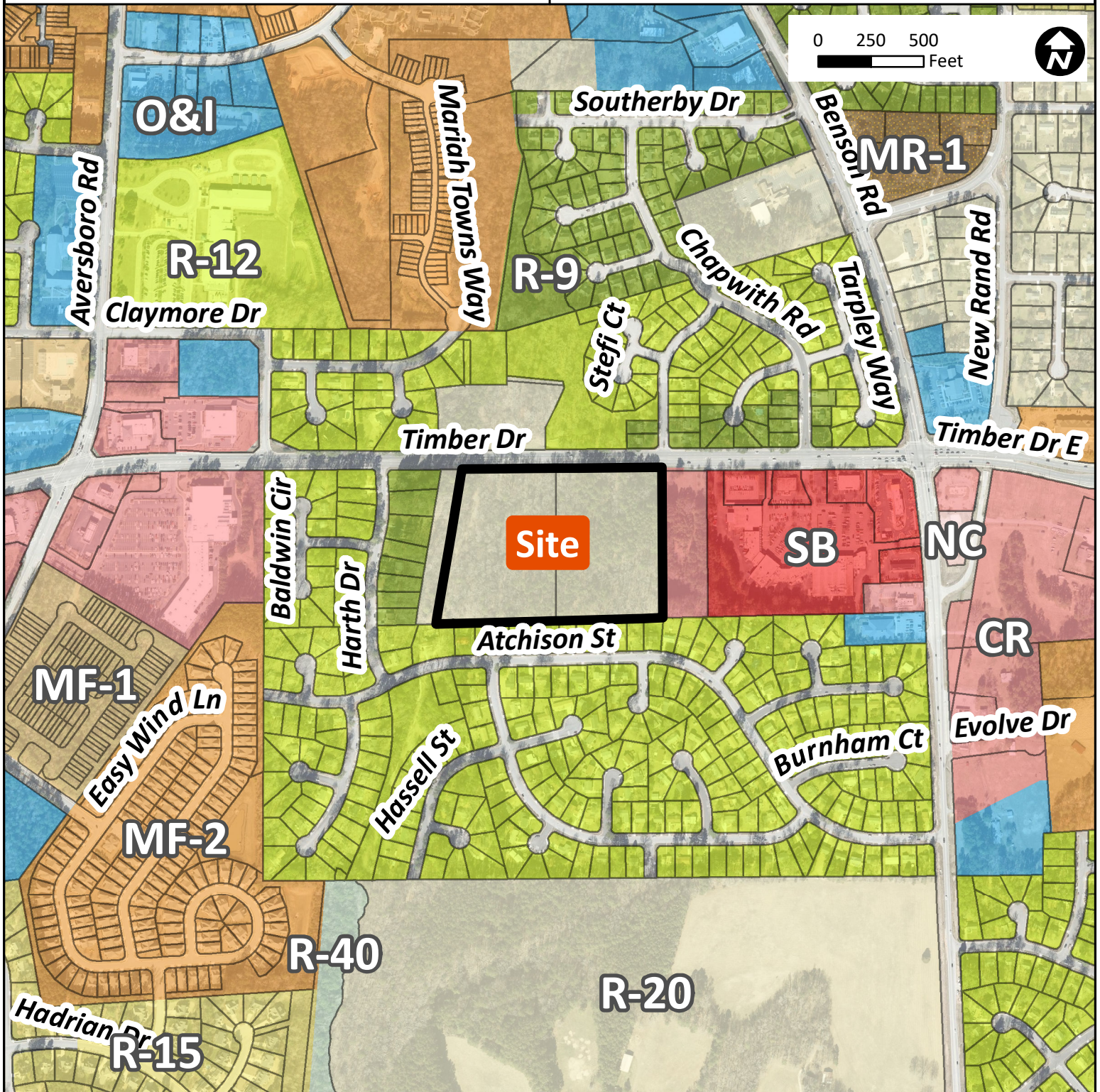
Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: March 22, 2022		
Subject: Conditional Zoning Map Amendment CZ-22-03, Timber Drive – Thompson Investment Properties		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Reginald Buie, CZO; Senior Planner		
Presenter: Reginald Buie, CZO; Senior Planner		
<b>Brief Summary:</b>  Conditional district rezoning request (CZ-22-22) submitted by Raleigh North Development to rezone approximately 16.78 +/- acres from Single-Family Residential (R-20) to Office and Institutional (O&I C256) Conditional District. The site is located at 0 Timber Drive and may be further identified as Wake County PINs 1710546449 and 1710641582.		
<b>Recommended Motion and/or Requested Action:</b> Consider motion to refer to Planning Commission for plan consistency review and recommendation.		
<b>Detailed Notes:</b> This is a Tier 1 conditional district rezoning request with written conditions only. This was originally submitted for a rezoning to MF-1 C252 and went to public hearing on December 21, 2021. Afterwards, the applicant withdrew the request. It was communicated to staff that 3-story townhomes might be developed on the site, and that the 35-foot height limit under MF-1 could be a problem for these units. The applicant still has plans for townhomes but has refiled for a different zoning, O&I C256, that does not have the 35-foot height limit and that also allows this use. A neighborhood meeting was held on February 17, 2022.		
<b>Funding Source:</b> n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



**Town of Garner  
Planning Department**

**Conditional District Zoning Application  
CZ-22-03**



**Project:** *Timber Drive Multi-Family*  
**Applicant:** *Raleigh North Development*  
**Owner:** *Thompson Investment Company*  
**Location:** *0 Timber Drive*  
**Pin #:** *1710546449 and 1710641582*

**Proposed Use:** *Multi-Family Residential*  
**Current Zoning:** *R-20*  
**Proposed Zoning:** *O&I C256*  
**Acraage:** *16.78*  
**Overlay:** *Timber Drive Overlay*

## Planning Department Staff Report

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**TO:** Honorable Mayor Marshburn and Members of the Town Council

**FROM:** Reginald Buie, CZO; Senior Planner - Zoning and Land Use

**SUBJECT:** *CZ-22-03, Timber Drive – Thompson Investment Properties*

**DATE:** March 22, 2022

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### I. PROJECT AT A GLANCE

**Project Number(s):** CZ-22-03 Conditional Zoning Map Amendment

**Applicant:** Raleigh North Development

**Owners:** Thompson Investment Company

#### General Description -

**Project Area & Location:** 16.78 +/- acres

**Wake Count PIN(s):** 1710546449 and 1710641582

**Current Zoning:** Single-Family Residential (R-20)

**Requested Zoning:** Office and Institutional (O&I C256)

**Overlay:** Timber Drive Overlay (O-TD)

#### Key Meeting Dates:

**Public Hearing:** March 22, 2022

**Planning Commission:** TBD

**Action:** TBD



**III. ZONING ANALYSIS**

**Existing:** The existing zoning of the site is **Single-Family Residential (R-20)**. The R-20 district allows single-family lots of at least 20,000 square feet (0.45 acres). Gross maximum density is approximately 2.18 units per acre.

*The following is a list of permitted uses in the R-20 District:*

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

**Proposed:** The proposed zoning of the 16.78 -acre site is **Office and Institutional (O&I C256) Conditional District**. The MF-1 zoning district is designed to create and maintain higher density residential neighborhoods composed primarily of multifamily dwellings and, as special uses, those service, institutional, public and other compatible uses that are so designed, constructed and maintained that they do not detract from the quality of the neighborhood as a place for healthful, quiet and aesthetically pleasing residential living.

*The applicant has proposed the following permissible uses for the Office and Institutional (O&I C256) Conditional District. conditional district.*

1. Use Table:

Use Category	Specific Use	O&I C256
Household Living **	Townhouses	P*

*\*\* Any form of group living protected by state or federal statute for use in single-family dwellings shall be permitted according to the specific use standards of the Garner Unified Development Ordinance*

2. Residential density shall not exceed five (5) dwelling units per acre.
3. All townhouse dwellings shall have a minimum of .046-gauge vinyl siding or an equivalent.
4. The trim elements such as windows, eaves, fascia, soffits, box end, corner boards and barge boards may be vinyl material, aluminum, wood or fiber cement or a combination thereof.



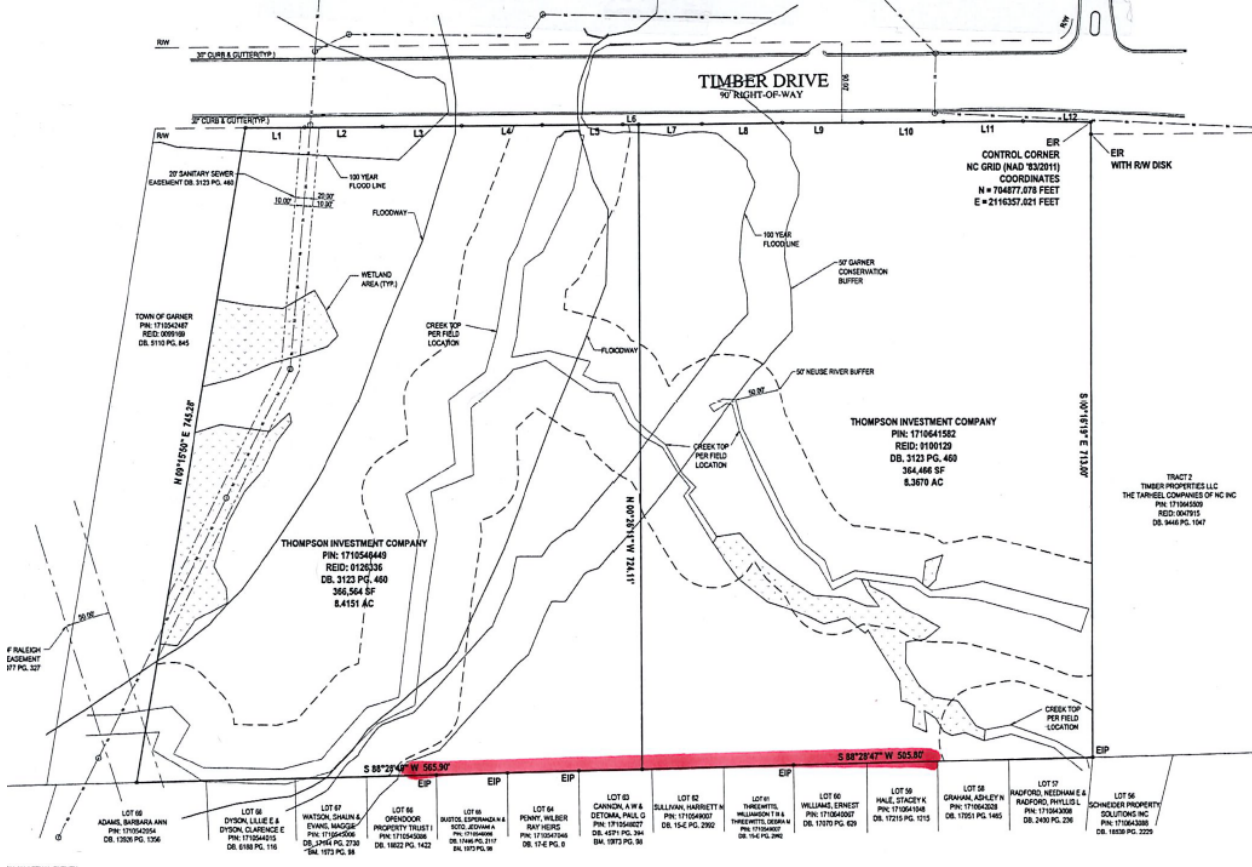
5. Each Townhouse Group (which is defined as a building containing multiple townhouse dwellings) shall include at least one (1) of the following siding types on the front façade: (a) board and batten; (b) horizontal lap siding; and /or (c) shake siding.
6. The front façade of Each Townhouse Group may incorporate with the .046-gauge siding a combination of one or more of the following materials; brick, stone, manufactured stone, simulated stone, simulated wood, simulated shakes, or wood.
7. The front façade of each townhouse dwelling will include the following treatments:
  - a. A covered entry.
  - b. At least three operable windows and one entry door.
  - c. Front door surrounds.
8. Shutters or window trim shall be provided on the front façade of all townhouse dwellings and side facades of all townhouse dwellings. Trim Dimensions shall be a minimum of one (1) inch by (4) four inches.
9. Each Townhouse Group shall have at least one two (2) foot horizontal offset per every two dwellings.
10. Each Townhouse Group side elevations shall have at least 2 operable windows.
11. Each townhouse dwelling shall have minimum 8” eaves on all sides.
12. Each townhouse dwelling shall have at least a one-car garage.
13. Garage doors for townhome dwellings shall have carriage door hardware and windows.
14. Garage interior dimensions shall be a minimum of 12’ X 20’ or 10’ X 22’.
15. A 50-foot buffer will be provided with the property’s common boundary line “the southern property line” with lots in Van Story Hills. The proposed buffer includes the areas outside of the existing FEMA flood zones, Town of Garner Conservation Buffer Areas and designated stream buffers. The buffer requires retaining all existing significant vegetation (4” DBH or greater) and does not allow for any grading in the buffer. The clearing of existing brush or downed trees shall be permitted. In the event there is construction of a building and or parking lot in a location that is within 100 feet of the property’s common boundary line “the southern property line” with lots in Van Story Hills a large evergreen shrub screen to a height of 6’ shall be provided/supplemented in the buffer as needed. See EXHIBIT I for location of the 50 ft. buffer.

LEB

REFER TO PLAT AND SURVEY MAPS FOR FULL PROPERTY DESCRIPTIONS. SURVEY WAS A SURVEY, MARK FT POSITIONAL ACCURACY, VRS FIELD PROCEDURE, GEOID12A AND UNITS IN FEET.

# EXHIBIT I

## 50 Ft. Buffer Location Marked in Red



**Overlay District:** This property is located within the **Timber Drive Overlay District**. The overlay applies to the entire length of Timber Drive from U.S. 70 to N.C. 50 for a depth of 250 feet from the right-of-way line, on either side, and shall include all of the property within the focus areas that has frontage on Timber Drive from N.C. 50 to U.S. 70. The Town of Garner Official Zoning Map clearly indicates the boundaries of the adopted Timber Drive Overlay District and in cases where any portion of a building or parking area falls within the boundaries of the overlay district, the provisions of the overlay district shall apply. The rezoning site is subject to the additional standards of this overlay district which include standards for new residential development.

**Zoning History:** The Planning Department’s rezoning database contains the following rezoning cases in the vicinity of this property. More recent cases are listed below.

Case	Applicant	Location	Zoning Change
CUD-Z-87-12	Robert Chandler	Aversboro Road	O&I to CB (C16)
CUD-Z-90-2	Thomas Johnson	Benson Road	R-12 to O&I (C61)
CUD-Z-93-7	The Eastern Group	Benson Road	R-20 to O&I (C47)
CUD-Z-95-3	Larry W. and Mary J. Edward	Benson Road	R-20 to CB (C60)

CUD-Z-96-9	Timber Crossings, Inc	Timber Drive	SB to SB (C4)
CUD-Z-99-11	Eugene Hoke Mitchner	Timber Drive	R-20 to CB (C95)
CUD-Z-01-11	Johnathan Adams	Benson Road	R-20 to O&I (C113)
CUD-Z-08-01	Bobby & Brenda Fowler and Carl T. Williams	New Rand Road	CR, R-20 and NC to CR and O&I (C152)
CUD-Z-10-02	Timber Crossing Office Building, LLC	Timber Drive	SB (C4) to SB (C160)
CUD-Z-12-03	Bobby & Brenda Fowler	Timber Drive	O&I (C152) to MF-2 (C164)
CUD-Z-13-04	WJ Properties III, LLC	Timber Drive	CR (C151) to CR (C169)
CUD-Z-16-04	Carl T. Williams	Benson Road	CR (C152) and O&I (C152) to MF-2 (C184)
CUD-Z-18-09	Marjan LTD Cape Fear Prop of NC, LLC	Kinton Wood Way	CR & OI to MF-1 (C208)
CZ-SP-20-13	Carl T. Williams	Evolve Drive	CR (C152) to CR (C237)
CZ-21-11	Raleigh North Development	Rezoning Site	R-20 to MF-1 C252 (withdrawn)

**Adjacent Zoning and Land Use:**

- North:** R-12/R-9/R-20  
Open Space-  
Staunton Meadows,  
Residential and  
Vacant
- South:** R-12  
Van Story Hills  
Subdivision
- East:** CR  
Vacant
- West:** R-20/R-9/R-12  
Vacant, Malibu  
Valley Subdivision



#### IV. COMMUNITY INFORMATION

**Overall Neighborhood Character:** This site is located near the intersection of Timber Drive, Harth Drive and Nicholson Road. Timber Drive is classified as a thoroughfare on the *Garner Transportation Plan* and handles high volumes of traffic during the morning and afternoon peak hours. The area around this site consists of single-family residential and retail commercial uses. There are also undeveloped lots to the North and West of the site

**Traffic:** For general context only, the NCDOT average daily traffic count history in this area is as follows:

(NOTE: These entire day average counts are conducted every two years BY NCDOT across the entire state and differ from TIAs which focus on peak hour only counts conducted primarily by privately-contracted traffic engineers):

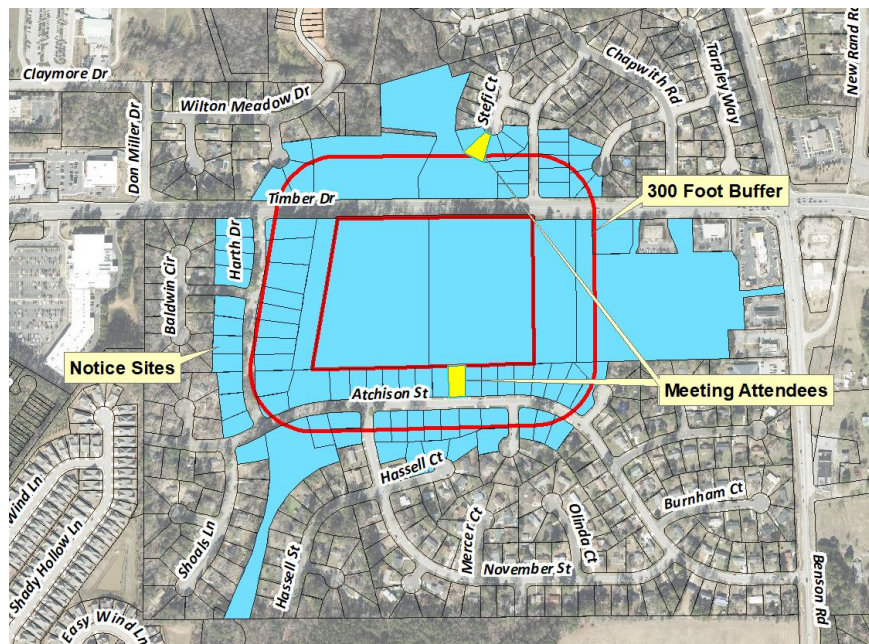
##### ***Timber Drive (East of Aversboro Rd)***

- Year 2009 – 14,000
- Year 2011 – 15,000
- Year 2013 – 19,000
- Year 2015 – 20,000
- Year 2017 – 20,000
- Year 2019 – 22,000

##### ***Timber Drive (West of NC 50)***

- Year 2009 – 13,000
- Year 2011 – no data
- Year 2013 – 16,000
- Year 2015 – 19,000
- Year 2017 – 19,000
- Year 2019 – 20,000

**Neighborhood Meeting:** Staff identified about 83 properties within the notification radius as shown below and provided the list below to the applicant for first class mailed notices. The neighborhood meeting was held on February 17, 2022, at 6 PM at the Avery Street Recreation Center at 125 Avery Street with 2 persons in attendance.



OWNER	ADDR1	ADDR2
WANG, FENG	1407 HARTH DR	GARNER NC 27529-4816
NIXON, LINDA L	17 AVOCET LN	CLAYTON NC 27520-6788
RIEBER, ALISON JEANNE	101 SHOALS LN	GARNER NC 27529-4825
BUSTOS, ESPERANZA NAVARRO SOTO, JEOVANI AVELINO	616 ATCHISON ST	GARNER NC 27529-4912
HORTON, WALTER C	601 ATCHISON ST	GARNER NC 27529-4911
GOFF, ANGELA	PO BOX 961	GARNER NC 27529-0961
CANNON, A WAYNE DETOMA, PAUL G	612 ATCHISON ST	GARNER NC 27529-4912
MCDANIEL, MICHAEL	104 NICHOLSON RD	GARNER NC 27529-4844
PENNY, SETH E TRUSTEES, NELLIE T	1302 COLONY DR	RALEIGH NC 27603-4606
JOHNSON, DARRELL LEE JOHNSON, IVY JEAN	613 ATCHISON ST	GARNER NC 27529-4911
PENNY, WILBER RAY HEIRS	614 ATCHISON ST	GARNER NC 27529-4912
EDGE, AMY EDGE, TONYA D	103 NICHOLSON RD	GARNER NC 27529-4857
BLALOCK, BARRY HINSON, KEVIN H	218 EAGLE TAVERN DR	GARNER NC 27529-4889
STOCKS, TIA M	1504 HARTH DR	GARNER NC 27529-4819
JAMES, LLOYD N SR JAMES, LLOYD N JR	611 ATCHISON ST	GARNER NC 27529-4911
BLAGROVE, MARTIN B	603 HADRIAN DR	GARNER NC 27529-5181
CRIGLER, TARA	607 NOVEMBER ST	GARNER NC 27529-4938
CARROLL, LEE F CARROLL, ALICE S	728 HILLANDALE LN	GARNER NC 27529-4607
GRAHAM, ASHLEY N	602 ATCHISON ST	GARNER NC 27529-4912
MURPHY, ROBERT DEAN MURPHY, PRISCILLA JOY	104 WARE CT	GARNER NC 27529-4942
GARCIA, MOLLY WHITE GARCIA, SETH LUIS	1508 HARTH DR	GARNER NC 27529-4819
FAULKNER, MICHAEL T	605 NOVEMBER ST	GARNER NC 27529-4938
HALE, STACEY K	604 ATCHISON ST	GARNER NC 27529-4912
JO CE ASSOCIATES LP	2714 SAINT MARYS ST	RALEIGH NC 27609-7641
CUNNINGHAM, KATHRYN A	1506 HARTH DR	GARNER NC 27529-4819
THOMPSON INVESTMENT COMPANY	104 LOCH STONE LN	CARY NC 27518-9600 FUQUAY VARINA NC 27526-9340
MEDLIN, REBECCA H	716 HOLLAND RD	
WILLIAMS, ERNEST	606 ATCHISON ST	GARNER NC 27529-4912
JOHNSON, CAMERON T	102 NICHOLSON RD	GARNER NC 27529-4844
SARGENT, LISA J	106 NICHOLSON RD	GARNER NC 27529-4844
MACKEY, ROBERT L HEIRS	C/O BEVERLY MACKEY	PO BOX 1433
CHICAIZA, ALEXANDRA P	506 ATCHISON ST THE TARHEEL	GARNER NC 27529-4910
TIMBER PROPERTIES LLC	COMPANIES OF NC INC	7424 CHAPEL HILL RD
THREEWITTS, WILLIAMSON T III THREEWITTS, DEBRA M	608 ATCHISON ST	GARNER NC 27529-4912
NORMAN, BARBARA BURR	618 ATCHISON ST WILSON INVESTMENT	GARNER NC 27529-4912
TIMBER CROSSINGS WIP LLC	PROPERTIES	PO BOX 20969
FLORES, IZCANDER A PARKER, JOSEPH	609 ATCHISON ST	GARNER NC 27529-4911
BAKER, ELBERT D BAKER, ROSE S	103 HASSELL CT	GARNER NC 27529-4920
DYSON, LILLIE E DYSON, CLARENCE E	704 ATCHISON ST	GARNER NC 27529-4802
KENNEDY, JOHN EVERETTE SR KENNEDY, HELEN P	603 ATCHISON ST	GARNER NC 27529-4911

OWNER	ADDR1	ADDR2
BLAGROVE, MARTIN E JR BLAGROVE, DAWN	603 HADRIAN DR	GARNER NC 27529-5181
HOWARD, TYLER THOMAS CAPERS	103 WALLIS CT	GARNER NC 27529-4941
RICH, RAMONA STEPHENSON	602 MCLELLAN DR	GARNER NC 27529-4822
THOMPSON INVESTMENT CO	104 LOCH STONE LN	CARY NC 27518-9600
GARNER TOWN OF	TOWN CLERK	902 7TH AVE
HAMPTON-BARRETT, AUTRICE M	107 HASSELL CT	GARNER NC 27529-4920
WATSON, SHAUN EVANS, MAGGIE	702 ATCHISON ST	GARNER NC 27529-4802
COLE, MARY C	214 EAGLE TAVERN DR	GARNER NC 27529-4889
REDD, SIECHIEH B	2602 BUFFALOE RD	GARNER NC 27529-5132
RADFORD, NEEDHAM EDGAR RADFORD, PHYLLIS L	510 ATCHISON ST	GARNER NC 27529-4910
TAYLOR, ALISON P	604 NOVEMBER ST	GARNER NC 27529-4939
RIDENOUR, RYAN LEVI RIDENOUR, ASHLEY JUNKINS	105 STEFI CT	GARNER NC 27529-4864
HARRIS, LINWOOD KYLE	6049 RICKER RD	RALEIGH NC 27610-4282
ADAMS, BARBARA ANN	706 ATCHISON ST	GARNER NC 27529-4802
OLAITAN, KEHINDE MICHAEL OLAITAN, OLUWATOYOSI	800 ATCHISON ST	GARNER NC 27529-4804
LIOIO, MATTHEW J WAKE, AMANDA	101 NICHOLSON RD	GARNER NC 27529-4857
PHILLIPS, GAIL P	212 EAGLE TAVERN DR	GARNER NC 27529-4889
MCCALLUM, ROSE L	1509 HARTH DR	GARNER NC 27529-4818
SCHNEIDER PROPERTY SOLUTIONS INC	4801 GLENWOOD AVE STE 200	RALEIGH NC 27612-3857
CROWLEY, MICHAEL C CROWLEY, KIMBERLY A	109 STEFI CT	GARNER NC 27529-4864
MILLER, NATHANIAL A	505 ATCHISON ST	GARNER NC 27529-4909
HAMMERSTROM, REESE HAMMERSTROM, HEATHER	1503 HARTH DR	GARNER NC 27529-4818
TRUITT, THOMAS E TRUITT, MARLETTE B	103 STEFI CT	GARNER NC 27529-4864
RATLIFF, JUANITA	604 HOBSON WOOD CT	GARNER NC 27529-4840
BEST, JUANITA W	502 ATCHISON ST	GARNER NC 27529-4910
GILYAZOVA, NAILYA	216 EAGLE TAVERN DR	GARNER NC 27529-4889
LOVEGREEN, JESSICA	100 NICHOLSON RD	GARNER NC 27529-4844
PIERCE, BENNIE E JR PIERCE, CATHLEEN T	107 STEFI CT	GARNER NC 27529-4864
HALVERSON, GARY MARK	111 STEFI CT	GARNER NC 27529-4864
REYES, EMILIO GABRIEL MARTINEZ, YESSIKA MURGA	503 ATCHISON ST	GARNER NC 27529-4909
PENNY, KEVIE E	4244 LANDSBURG DR	RALEIGH NC 27603-8506
WADDELL, DOUGLAS E TRUSTEE WADDELL, SYBIL M TRUSTEE	21319 TOWN LAKES DR APT 1212	BOCA RATON FL 33486-8859
SMITH, CLAUD LEE	105 HASSELL CT	GARNER NC 27529-4920
SULLIVAN, HARRIETT N	610 ATCHISON ST	GARNER NC 27529-4912
ARCENEUX, PATRICIA W ARCENEUX, PAUL C	1500 HARTH DR	GARNER NC 27529-4819
BRIDGES, MICHAEL DONNELL	1510 HARTH DR	GARNER NC 27529-4819
GARNER TOWN OF	PO BOX 446	GARNER NC 27529-0446
MORRISON, STEVEN C MORRISON, LYN N	2049 AMY GRACE CT	FUQUAY VARINA NC 27526-4639
SMITH, SCOTT ROYAL TRUSTEE 1505 HARTH DRIVE A/B TRUST	2400 E CESAR CHAVEZ ST STE 208	AUSTIN TX 78702-4638
TANT, CURTIS BARNES, MELANIE	703 ATCHISON ST	GARNER NC 27529-4801

OWNER	ADDR1	ADDR2
GARNER OF TOWN LAND PROPERTIES INC	PO BOX 446 104 LOCH STONE LN 206 HYDE PARK CT APT D	GARNER NC 27529-0446 CARY NC 27518-9600 CARY NC 27513-4248
FORD, AARON FORD, CHRISTINA	410 N SCOTTSDALE RD STE 1600	TEMPE AZ 85281-0976
OPENDOOR PROPERTY TRUST I	4801 GLENWOOD AVE STE 200	RALEIGH NC 27612-3857
SCHNEIDER PROPERTY SOLUTIONS INC	505 ATCHISON ST	GARNER NC 27529-4909
WASHINGTON, SHELLEY Y. HAMMERSTROM, REESE HAMMERSTROM, HEATHER	1503 HARTH DR	GARNER NC 27529-4818

### ***Meeting Summary, February 17, 2022***

**Question** about the density of 7 units per acre that is permitted with the O&I zoning and how that might work for the project

**Response:** explained that useable developable area could most likely only support about 40 townhome lots.

**Question** about the area south of the stream buffers being undeveloped

**Response:** explained that there were many issues crossing the stream buffers and at this time he didn't think it was feasible to develop lots in that area

**Question** about the entrance to the project aligning with Nicholson Rd and how that might impact traffic turning into Staunton Meadows

**Response:** explained how aligning the entrance with Nicholson Rd was the best location for an entrance into the proposed project.

**Question** when the public hearing would be scheduled and when the project would get started.

**Response:** planned to submit the rezoning application the week of 2/21/2022 and if everything went as hope development could start in the spring of 2023.

## **V. PLAN CONSISTENCY**

When considering a rezoning request, the Planning Commission is required by state statute to make a written recommendation regarding the consistency of the zoning proposal with the Town's current Comprehensive Plan and other applicable adopted plans. Specifically, a comprehensive plan is only advisory in nature and has no independent regulatory effect; nor does it expand, diminish or alter the scope of the Town of Garner UDO. A determination of inconsistency with the Plan does not preclude a rezoning request from being found to be reasonable. In those cases where the request is deemed inconsistent yet reasonable, an amendment to the Comprehensive Plan is automatically made upon approval of the request.

Staff offers that the Planning Commission shall review consistency with the following plans:

- 2018 Garner Forward Comprehensive Plan

- 2010/18 Garner Transportation Plan
- Parks, Recreation, Greenways and Cultural Resources Master Plan

## **VI. REASONABLENESS**

In addition to approving a statement regarding plan consistency upon the advice of the Planning Commission, the Town Council must also approve a statement of reasonableness when making their decision. Sources of reasonableness may include other sections of the 2018 *Garner Forward Comprehensive Plan* providing guidance on keeping the Town's character, living spaces, working places, recreation opportunities and transportation. Other adopted Town plans and policies providing guidance on parks, greenways, cultural resources and more may serve as sources as well. The Town Council may find that a rezoning request furthers the efforts to achieve specific goals and objectives stated within these plans and policies; and thereby render said request a reasonable one. The converse may also apply.

## **VII. RECOMMENDATION**

Staff recommends that once the Town Council has heard comments, concerns and questions from the general public that Conditional Zoning request CZ-22-03 be referred to the Planning Commission for their review and recommendation regarding plan consistency.





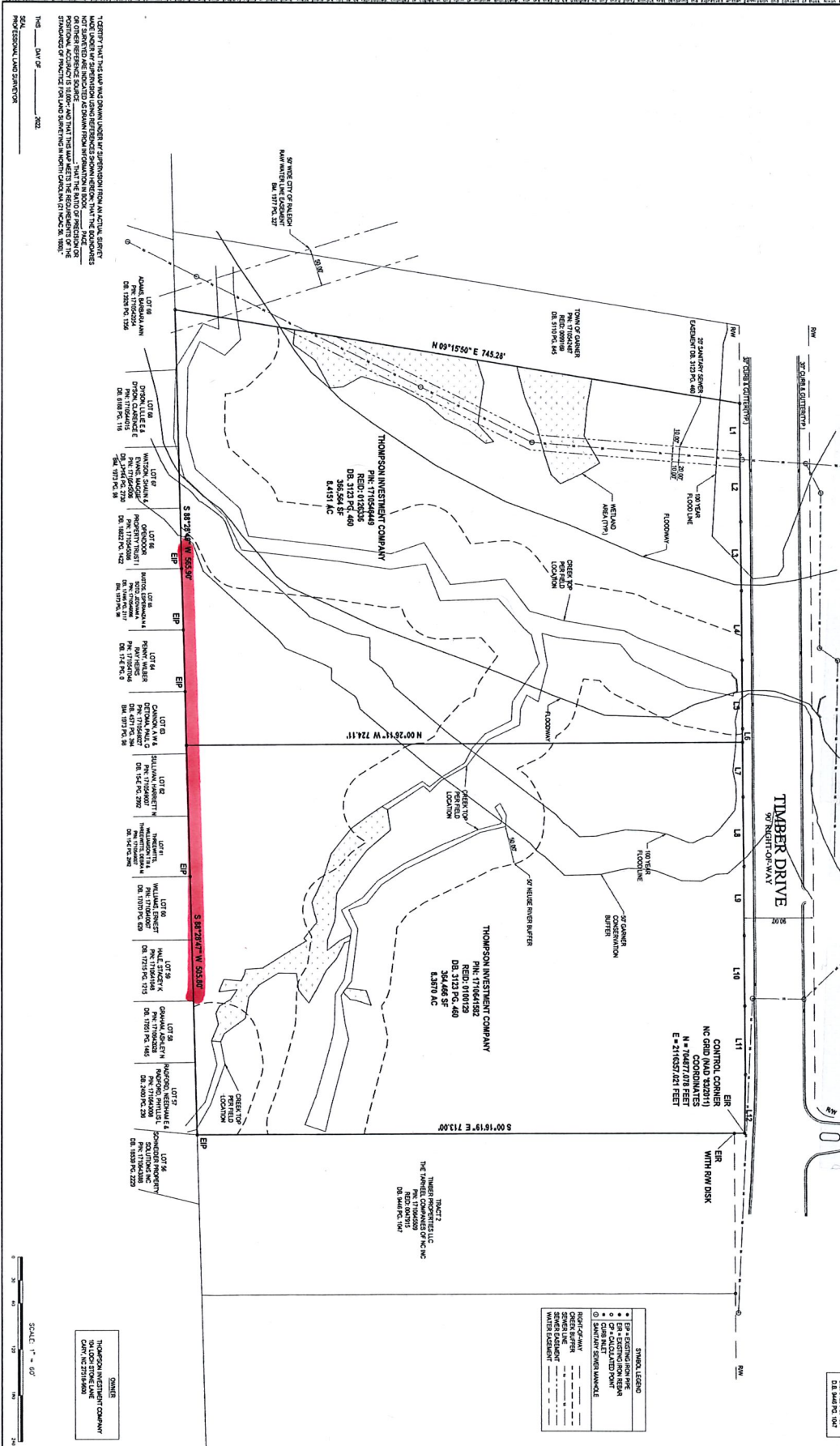
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# 50 Ft. Buffer Location Marked in Red

## EXHIBIT I

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LOT NO.	ACRES	OWNER
LOT 1	0.12	THOMPSON INVESTMENT COMPANY
LOT 2	0.12	THOMPSON INVESTMENT COMPANY
LOT 3	0.12	THOMPSON INVESTMENT COMPANY
LOT 4	0.12	THOMPSON INVESTMENT COMPANY
LOT 5	0.12	THOMPSON INVESTMENT COMPANY
LOT 6	0.12	THOMPSON INVESTMENT COMPANY
LOT 7	0.12	THOMPSON INVESTMENT COMPANY
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LOT 14	0.12	THOMPSON INVESTMENT COMPANY
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LOT 70	0.12	THOMPSON INVESTMENT COMPANY
LOT 71	0.12	THOMPSON INVESTMENT COMPANY
LOT 72	0.12	THOMPSON INVESTMENT COMPANY
LOT 73	0.12	THOMPSON INVESTMENT COMPANY
LOT 74	0.12	THOMPSON INVESTMENT COMPANY
LOT 75	0.12	THOMPSON INVESTMENT COMPANY
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LOT 96	0.12	THOMPSON INVESTMENT COMPANY
LOT 97	0.12	THOMPSON INVESTMENT COMPANY
LOT 98	0.12	THOMPSON INVESTMENT COMPANY
LOT 99	0.12	THOMPSON INVESTMENT COMPANY
LOT 100	0.12	THOMPSON INVESTMENT COMPANY



BOUNDARY SURVEY  
 THOMPSON INVESTMENT COMPANY  
 GARNER WAKE COUNTY NORTH CAROLINA

NO.	DATE	DESCRIPTION	BY

BASS, NIXON & KENNEDY, INC.  
 CONSULTING ENGINEERS  
 4310 CHAPEL HILL ROAD, SUITE 250, RALEIGH, NORTH CAROLINA 27607  
 TELEPHONE: (919) 851-4422 or (800) 256-1879  
 FAX: (919) 851-8999  
 CERTIFICATION NUMBERS: NCCELS (C-2110); NCCLA (C-2087)



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: March 22, 2022		
Subject: NCDOT Resurfacing Contract - Spring Drive and Thompson Road (Bicycle Accommodations)		
Location on Agenda: Old/New Business		
Department: Engineering		
Contact: Chris Johnson, Town Engineer		
Presenter: Chris Johnson, Town Engineer		
<b>Brief Summary:</b>  To provide concepts on bicycle accommodations to be implemented in conjunction with upcoming NCDOT resurfacing projects on Spring Drive and Thompson Road.		
<b>Recommended Motion and/or Requested Action:</b> Approve designs as submitted and authorize staff to engage on-call firm to finalize striping plans for NCDOT approval		
<b>Detailed Notes:</b> NCDOT partners with municipalities to add bicycle accommodations in conjunction with resurfacing contracts. NCDOT will cover construction costs if municipality covers design costs. Staff recommends adding bike lanes to Spring Drive in accordance with Alternative #4 as shown in the agenda packet. Staff recommends partial striping modifications to Thompson Road that can accommodate striped bike lanes once remaining areas of Thompson Road are widened to the ultimate width. If approved by Council, staff will bring back design scope/fee by an on-call firm to finalize striping plans for NCDOT, which can then be included in the resurfacing contract later this year.		
<b>Funding Source:</b> General Fund		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

# ENGINEERING DEPARTMENT MEMORANDUM

TO: John Hodges, Asst. Town Manager

FROM: Chris Johnson, PE - Town Engineer

DATE: March 14, 2022

SUBJECT: **NCDOT Resurfacing Contract - Spring Drive Bicycle Accommodations**

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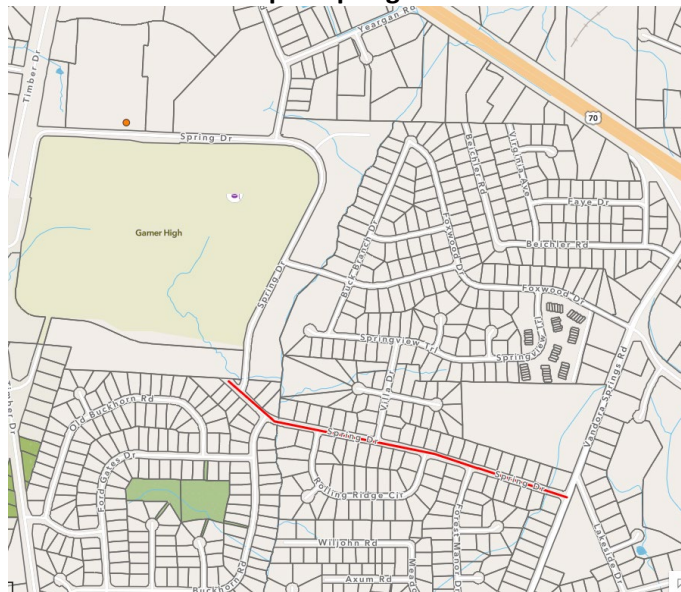
## **BACKGROUND**

It is common practice for NC Department to partner with municipalities when resurfacing streets to look for opportunities to promote complete street concepts by adding bicycle accommodations, when appropriate. This can be done by simply adding bicycle facilities, or by evaluating the possibility of road diets that reduce the number of travel lanes in lieu of adding bicycle facilities. If a municipality provides a new pavement marking design that is approved by NCDOT, then the NCDOT will incorporate the plan into its bid documents and cover the cost of construction for the bicycle accommodations. The NCDOT has funding appropriated to resurface Spring Drive and Thompson Road later this year, therefore, Town staff has reviewed both corridors to provide concepts of new pavement markings to accommodate bicycle traffic. Below is a summary of alternatives for each corridor.

## **SPRING DRIVE**

Spring Drive between Vandora Springs to the sharp turn at the bottom of the hill (0.50 mile) is a 2-lane street approximately 44' in width (face of curb to face of curb). The street is currently posted at 35 mph. a map is provided below for reference.

**Map of Spring Drive**



The existing street is striped with a single double yellow centerline, providing 2 travel lanes with unmarked on-street parking along both sides of the corridor. Parking is sparse along the corridor during the day, while more heavily used in the evening hours for single family residences along the street. The street also has a straight and continuous downhill grade between Forest Manor Drive and the bottom of the hill, which varies between 3%-5%. The alignment, downhill grade, and absence of pavement striping creates unusually 20' wide travel lanes in each direction, which create an environment conducive to higher speeds along the corridor. An image of Spring Drive looking westward from Rolling Ridge Circle is shown below for reference.

**Spring Drive  
(Looking Westward from Rolling Ridge Circle intersection)**

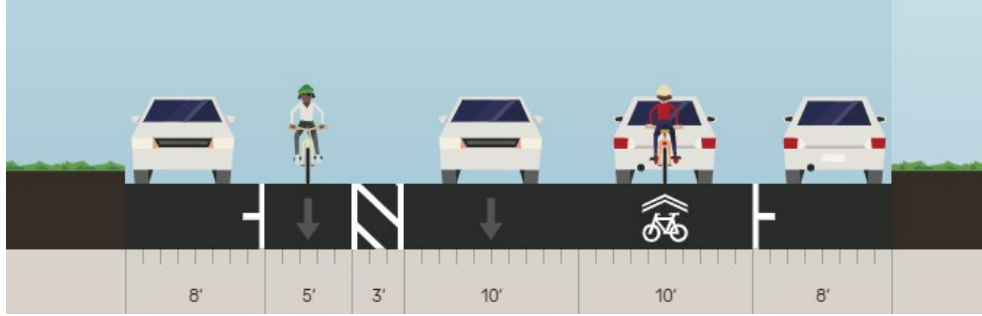


**POTENTIAL SOLUTION TO INCORPORATE NEW BICYCLE ACCOMODATIONS**

Engineering staff has reviewed this corridor and believes the NCDOT resurfacing contract presents an excellent opportunity to provide bicycle accommodations along the corridor, while at the same time providing a natural traffic calming element to the corridor. A similar project was completed by the Town a few years ago along Lakeside Drive. While Lakeside Drive is Town maintained street and only posted at 25 mph it does have many characteristics similar to Spring Drive, including street width, terrain, and adjoining land uses.

Four alternatives were ultimately reviewed by staff. The alternatives considered were as follows:

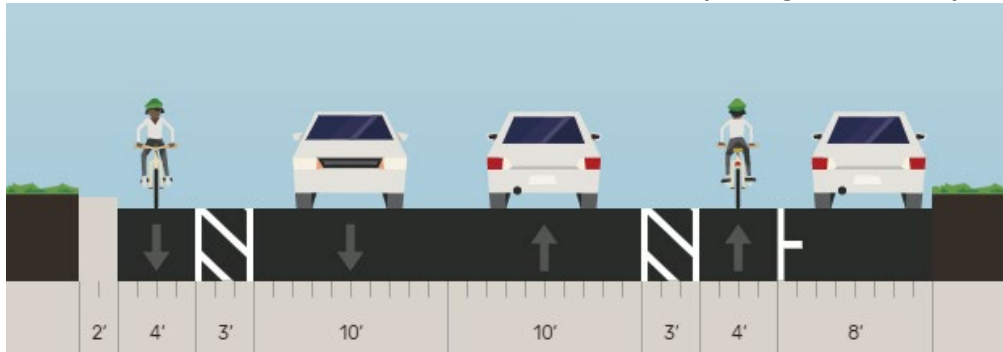
**Alternative 1 – 10’ lanes, uphill 5’ bike lane w/ 3’ buffer, downhill sharrow, 8’ parking both sides**



Pros – Provides 5’ uphill bike lane with buffer, parking both sides

Cons- Downhill sharrows not preferred at 35 mph, would require speed reduction approved by NCDOT,

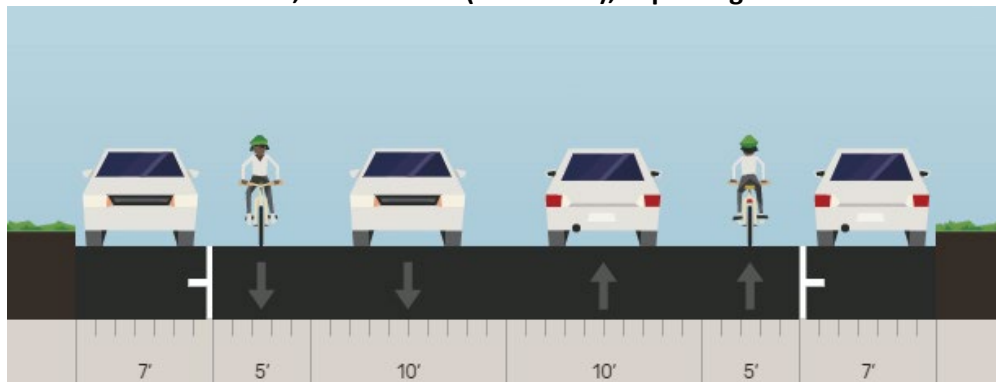
**Alternative 2 – 10’ lanes, dual 4’ bike lanes w/ 3’ buffers, parking one side only**



Pros – Dual bike lanes and buffered from traffic

Cons- Loss of parking on one side

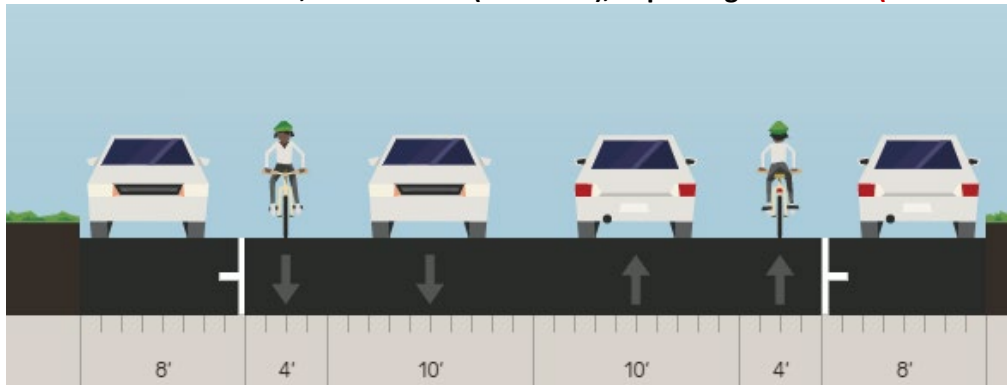
**Alternative 3 – 10’ lanes, 5’ bike lanes (no buffers), 7’ parking both sides**



Pros – Wide bike lanes, maintains parking on both sides

Cons – Narrow parking bays, parked cars more prone to encroaching into bike lane, could lead to “dooring” of cyclists.

**Alternative 4 – 10’ lanes, 4’ bike lanes (no buffer), 8’ parking both sides (matches Lakeside Drive)**



Pros – Dual bike lanes, parking both sides, matches Lakeside Drive opposite side of Vandora Springs Rd

Cons - No buffer between cyclists and travel lanes/parking bays

Staff Recommended Alternative

As can be seen in the images, the width of Spring Drive cannot provide ideal travel lane widths, wide bicycle lanes with buffers, as well as parking along both sides of the street. The primary tradeoff to install full bike lanes with buffers between travel lanes would require the loss of parking along one side of the street. **Given the success of the Town's previous bike lane installation on Lakeside Drive, similarities of the two streets, and the fact that Spring Drive is an extension of the same bike route on Lakeside Drive, staff recommends Alternative 4 for implementation.** While additional buffers between travel lanes, bike lanes, and parking bays would be ideal, this cross section has appeared successful on Lakeside Drive to date. **While Spring Drive is posted at 35 mph, Alternative 4 still provides minimum bicycle accommodations while also adding a natural traffic calming element by reducing the travel lane widths within the residential neighborhood.**

### **THOMPSON ROAD**

Thompson Road between Timber Drive and Thompson Road Park (0.58 miles) is a 2-lane street that consists of a mix of developed and undeveloped tracts. Thompson Road is currently posted at 35 mph. A map is provided below for reference.



The existing street is striped with a single double yellow centerline, providing 2 travel lanes with white edge lines that create unused pavement areas along portions of the street where curb and gutter exist today. On-street parking needs are minimal, if any, since majority of lots front on internal side streets and the few lots that front directly on Thompson Road have adequate parking areas outside the right of way. The travel lanes along Thompson Road vary between 9' to 15' wide due to the mixture of developments and previous road widening in certain sections with curb and sidewalk. An image of Spring Drive looking northward from Breezeway Subdivision is shown below for reference.

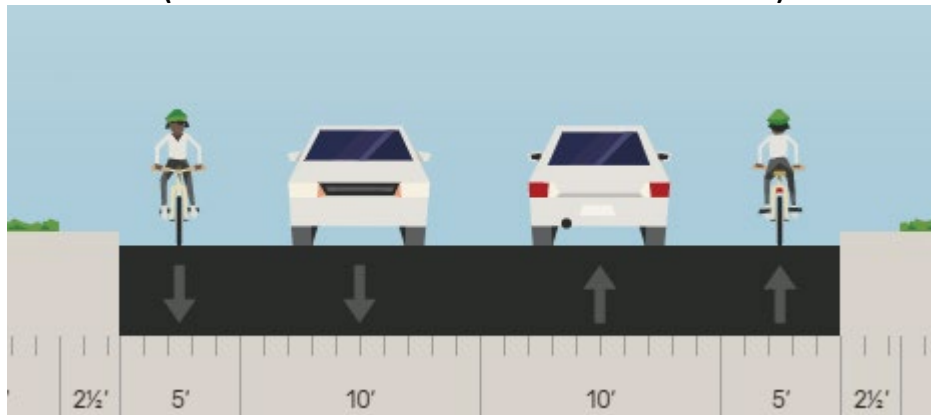
**Thompson Road  
(Looking Northward from just north of Briar Rose Ln/Brookwynd Ct intersection)**



**POTENTIAL SOLUTION TO INCORPORATE NEW BICYCLE ACCOMODATIONS**

The addition of complete bicycle facilities is not really feasible until such time the remainder of road widening is completed on the east side of Thompson Road (at least between Timber Drive and Breezeway Subdivision). Based on an ultimate cross section of 30' EP-EP, 2-10 foot travel lanes and 5 foot striped bike lanes could be provided at a later date as follows:

**Thomson Road  
(Ultimate cross section 10' lanes with 5' bike lanes)**



While complete bike facilities cannot be implemented until such time other undeveloped areas of Thompson Road are fully widened to the ultimate section, staff recommends having the vehicle lane

widths revised to a consistent 10' width by adding white edge lines, which sets up sections of the corridor for a future 5' bike lane. While bike lane symbols are not recommended until a complete section of the street has bicycle accommodations in both directions, the white edge lines can be installed in a fashion that will enable the Town (or developer) to easily complete the bike facility at a later date. Once the remaining road frontages are widened, bike lane symbols can simply be added, as required, without changing pavement striping, which would likely require resurfacing the street again.

**STAFF RECOMMENDATION**

Approve and authorize staff to implement bike facilities on Spring Drive using Alternative #4 and to implement partial striping modifications along Thompson Road to better align with a future bike facility. Staff will procure professional services from one of the Town's on-call design firms to finalize pavement marking plans for NCDOT review/approval. Staff estimates a maximum budget of \$20,000 to cover the design work and will bring the design scope/fee to Council for approval. Final design(s) would then be completed and submitted to NCDOT. Once approved, the new pavement markings would be implemented in conjunction with the NCDOT's resurfacing contract later this year.



# Reports

## Garner Info

Id	Request Type	Description	Current Status	Address	Date Created	Comments
11486288	Playground Problem	There is a broken, parts missing slide at the playground at Lake Benson Park. The big playground the biggest slide there ...its been boarded for safety for months, I was wondering if its on schedule to be fixed and about what the timeline is. Thank you!	In Progress	Lake Benson Dog Park, 961 Buffaloe Rd	2/6/2022	Derek Walsh on 2022-02-24 07:10:42 -0500 commented: We have received back from the manufacturer an estimate for a new slide. They do not make that exact slide anymore so we will have to modify some parts out there to make the new one fit. We have reached out to an installer on providing this service but they have not contacted us back with a price to install the slide. Will keep you posted when we hear from them.
11548741	Misc. - Parks / Town Property	Dog waste container had handle previously broken patched back together. Hinge is almost completely broke off. Time to replace.	In Progress	213 E Garner Rd	2/19/2022	Derek Walsh on 2022-02-28 14:39:45 -0500 commented: A new can has been ordered and waiting for it to be shipped to us. Derek Walsh on 2022-02-23 12:36:17 -0500 commented: We are trying to contact the company where these cans were purchased for a replacement can.
11564491	Misc. - Parks / Town Property	The middle tennis court has a large dip that holds water and the far tennis court also has some surface cracks and a small dip.	In Progress	400 Creech Rd	2/23/2022	Derek Walsh on 2022-02-23 12:38:23 -0500 commented: We are aware of these issues and have started the process of looking into having the courts resurfaced or reconstructed at some point.
11572898	Junk Vehicle (Private Property)		In Progress	505 Kenway St	2/24/2022	Doug Griner on 2022-03-17 15:49:41 -0400 commented: Extension granted to allow purchase of car cover which is on order.Doug Griner on 2022-02-28 16:03:40 -0500 commented: notice sent to owner
11573212	Trash/Solid Waste (Private Property)		In Progress	505 Kenway St	2/25/2022	Doug Griner on 2022-03-17 15:48:54 -0400 commented: Owner requested extension to make use of annual solid waste clean up extension granted to 3/31
11657422	Pothole/ Pavement Repair	Please fix and repave the railroad crossing on Jones Sausage Rd near Cabral Dr. I'm afraid I'm going to get a flat tire every time I cross over those railroad tracks. They handle a lot of traffic everyday, and after this winter the pavement has gotten even more rough.	In Progress	51 Cabela Dr	3/14/2022	Forrest Jones on 2022-03-15 09:31:49 -0400 commented: This issue was reported to NCDOT on 01/28/2022. At this time NCDOT has not shared a specific timeline for repair.

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: March 22, 2022		
Subject: 2021 Annual Progress Report - Garner Forward Comprehensive Plan		
Location on Agenda: Reports		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
<b>Brief Summary:</b>  The Garner Forward Comprehensive Plan and Transportation Plan Update were adopted on June 19, 2018. A recommendation within the plans is for staff to provide annual reports documenting progress on plan goals, objectives and tasks. As such, this is the third report covering the time period of calendar year 2021.		
<b>Recommended Motion and/or Requested Action:</b> Receive as information.		
<b>Detailed Notes:</b> Special thanks to fellow staff members Mari Howe, Gaby Lontos-Lawlor, Brian Godfrey, David Bamford and Maria Munoz-Blanco for their assistance in updating this report.		
<b>Funding Source:</b> n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

## Planning Department Memorandum

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**TO:** Honorable Mayor Marshburn and Members of the Town Council

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

**SUBJECT:** ***Annual Progress Report – Garner Forward Comprehensive Plan***

**DATE:** March 22, 2022

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### I. INTRODUCTION

The Garner Forward Comprehensive Plan and Transportation Plan Update were adopted on June 19, 2018. The process that produced the completely new comprehensive plan and an overhauled and updated transportation plan for Garner took about two (2) years to complete from the execution of the contract to final plan adoption. A recommendation within the plans is for staff to provide annual reports documenting progress on plan goals, objectives and tasks. The previous update covered progress through the end of calendar year 2020. This third report covers progress since then through the end of calendar year 2021. Staff contributing to this report include senior staff from the Parks, Recreation & Cultural Resources, Engineering, Economic Development and Public Works departments as well as the Planning Services team members and Senior Planner for Transportation within the Planning Department.

During the planning process, five (5) main categories of issues or were developed and subsequently refined by the Steering Committee and staff: Maintaining Character, Housing and Living Arrangements, Commercial Development, Recreational Opportunities and Transportation. Each of these five (5) topics has an associated vision – repeated in *italics* within this report – and several key objectives towards which progress is reported. Each objective must be framed within a larger context of guiding principles which are highlighted here.

Topic: Keeping Our Character – guided by the principles of:

- Balancing costs with revenues;
- Influencing design to keep with our character and improve value;
- Creating a healthy brand;

- Partnering with civic and other organizations, both public and private; and
- Including recommendations that help address school performance.

Topic: Living Spaces – guided by the principles of:

- Attracting young and old populations;
- Using design and location to create good multi-family places;
- Refocusing on our “centers”, including Downtown Garner and North Garner; and
- Anticipating a surge in redevelopment.

Topic: Working Places – guided by the principles of:

- Attracting unique commercial establishments;
- Aligning the development code with our desired ends;
- Supporting an anticipated increase in office needs;
- Taking advantage of work-in-place trends; and
- Understanding utility demands associated with development.

Topic: Recreation Opportunities – guided by the principles of:

- Identifying and investing in outdoor space;
- Connecting us internally with open space;
- Continuing to add indoor recreational space;
- Connecting us with the larger regional trail/greenway network; and
- Exploring public and private partnerships, including those with neighboring towns.

Topic: Keeping Us Moving – guided by the principles of:

- Increasing knowledge of all the techniques available to us;
- Using the full range of congestion management tools;
- Identifying projects with “bang for the buck” and new funding opportunities;
- Increasing the role of transit, while maximizing benefits of new technologies;
- Prioritizing and defending connectivity;
- Creating streets that include bicycle and pedestrian infrastructure;
- Celebrating our points of entry; and
- Managing 540 as an asset.

## II. PROGRESS – HIGHLIGHTED THEMATIC RECOMMENDATIONS

**A. Keeping Our Character:** *Building on and conserving the existing character will help the Town attract quality development with favorable design qualities and amenities. That development can also build infrastructure to help ensure long-term financial viability in a “virtuous circle” of sustainable improvements. (development activity => more investment => development activity => more investment....)*

### 1. Recommendation – Establish a Regular Evaluation Among Peers

In 2021, Planning Technician, Brian Godfrey, established a baseline metric for evaluating the character and vision topics by using the AARP Livability Index. The AARP Public Policy Institute developed the Livability Index to score and measure neighborhoods and communities across the U.S. for the services and amenities that impact citizens' lives the most. The Livability Index produces a holistic combined score derived from the metrics of seven major livability categories: housing, neighborhood, transportation, environment, health, engagement, and opportunity.

The Town of Garner in 2021 attained a Total Score of 54 on the AARP Livability Index. AARP considers this to be an average score in the middle third of communities in the United States (between Total Scores of 34 - 66). However, among "Small Communities" in the United States (Population 25,000 - 99,999), the most livable City in 2021 was Fitchburg, WI, with a Total Score of 65. This context indicates that Garner performs fairly well among small communities, and that a single point change in a community's Total Score is a significant shift in livability.

Among Garner's nearby peer communities, the 2021 Total Scores were as follows:

Holly Springs = 56  
Apex = 54  
Knightdale = 53  
Clayton = 50

Among larger regional communities, the 2021 Total Scores were as follows:

Chapel Hill = 61  
Durham = 57  
Raleigh = 55  
Wilson = 52

The AARP Livability Index provides insightful metrics that allow comparisons of Garner's livability across time and with respect to peer communities. Going forward, Planning staff will continue to leverage the Livability Index to periodically track changes in Garner and peer communities, with the goal of gaining greater insight into the Town's development and performance.

## 2. Recommendation – Create a Support Network for Public Schools

This recommendation requires a dedicated staff person who can devote 5-10 hours/week on a regular basis once such a network is established. Existing workloads within the Planning Department prevent anyone from taking this task on at this time; however, the Town’s transportation planner has looked for opportunities to partner with other Town departments on specific efforts:

In May of 2021 (National Bike Month), the Garner Planning Department partnered with Garner PAAL, the Parks, Recreation, and Cultural Resources (PRCR) Department, and the Police Department to host the first of a recurring annual bike rodeo event, which was open to elementary and middle school children. The bike rodeo was an educational event, meant to educate children about bike safety considerations. There was a bike helmet giveaway and informational handouts.

In September of 2021, Garner staff from the Planning, Engineering, Public Works, and the Police Department attended a Road Safety Audit (RSA) Training, offered by the NCDOT. This was followed-up with the completion of a RSA for Vandora Springs Elementary School (VSES), which was a pilot project, spearheaded by NCDOT and the Capital Area Metropolitan Planning Organization (CAMPO). The RSA was unique in that it was adapted for specific application to Safe Routes to School, with the goal of supporting safe walking and rolling to/around schools.

The Senior Planner for transportation planning will continue to leverage resources at CAMPO and NCDOT to promote Safe Routes to School initiatives in the Town.

- B. Living Spaces:** *Housing for Garner’s citizens should continue to adapt to changing market influences and should specifically focus on location, quantity and design quality to drive how Garner will look in the future.*

### 1. Recommendation – Improve Design Outcomes with Form-Based Code

This recommendation has been incorporated into the UDO re-write project that is being led by the Planning Department and guided by an appointed Steering Committee. Steering Committee members discussed changes to design regulations for both residential and non-residential development. An important part of that discussion included a review of statutory limitations for regulating design elements of single-family and 2-family residential buildings. As of December 2021, the draft articles of the revised UDO are in their final edits prior to being released for public comment.

## **2. Recommendation – Establish Community Forums**

As written, this recommendation anticipated approximately 60 hours of staff time per year (20-30 per forum). As noted previously, existing workloads and training of new hires have continued to make this task challenging. The COVID-19 pandemic has limited the ability to participate in pop-up Town Halls, but staff continue to discuss options with the Public Information Office. The pandemic brought about an immediate need to broadcast Planning Commission meetings which has been a good means of getting development related information out to the public.

## **3. Recommendation – Promote Multi-Family Housing in Select Areas**

Staff has successfully worked with developers to promote multi-family in existing designated zoning districts and areas identified on the future land use map. In 2021, these have included: apartment communities at the 401 Assemblage and Caddy North – both along US 401 near McCuller’s Crossroads – and another community adjacent to Abberly at White Oak. Other projects in various stages of planning include projects in northwest Garner along Tryon Road and northeast Garner along Creech Road at the future Tryon Road extension.

The Steering Committee for the UDO re-write project has discussed ways to re-structure multi-family zoning districts and discussed design and form regulations to address improved compatibility between lower and higher residential unit densities. As of December 2021, the draft articles of the revised UDO are in their final edits prior to being released for public comment.

## **4. Recommendation – Preserve and Protect Garner’s Existing Housing Stock**

The Planning Department serves as the Town’s liaison to the Wake County Housing Affordability and Community Revitalization consortium which administers the area’s federal HUD funding. One program operated through those funding sources is for housing rehabilitation. Substandard housing is defined as housing lacking adequate plumbing or heat. Overcrowded housing is also considered substandard, and overcrowded refers to having more than one person per room, excluding kitchens and bathrooms. Housing that is in a "substandard condition but suitable for rehabilitation" would refer to housing that needs plumbing or heat but is otherwise in a safe and decent condition. The consortium continues to prioritize this program because:

- Wake County possesses many apartments and houses built before 1980, and a small number built before 1950. Along with aging housing comes the need for rehabilitation;
- Substandard housing that lacks plumbing or heating is in need of rehabilitation to keep residents safe and healthy; and
- Lead-based paint remains a hazard for low-moderate income families living in housing built before 1988.



Planning and Inspections staff continue to publicize this program as needs become known.

Additionally, the UDO re-write Steering Committee discussed potential impacts of infill development on existing neighborhoods and the possibilities of employing tools like Neighborhood Conservation zoning overlays that could help encourage the maintenance of existing homes as opposed to tearing down and rebuilding. As of December 2021, the draft articles of the revised UDO are in their final edits prior to being released for public comment.

## **5. Recommendation – Affordable Housing**

The Town and Planning Department continue to be actively engaged in regional meetings surrounding this issue. Specifically, the Planning Services Section staff are designated as staff liaisons to the Wake County planner's group for housing and community development. The Planning Department continued to work with Habitat of Humanity on subdivision plans for land they own throughout Garner, including nearly 100 acres off Creech Road. A smaller tract on Weston Road was approved for rezoning to develop 24 single-family lots.

Additionally, the Planning Department coordinates with apartment developers looking to participate in the North Carolina Housing Finance Agency's tax credit programs, of which there was one (1) known inquiry in 2021.

As noted previously, the Town also participates in the Wake County Housing Affordability and Community Revitalization consortium which has turned considerable focus to the provision of affordable housing in the last year. Among other initiatives, the consortium encourages local public agencies to offer excess property up through their programs for the development of affordable homes before the consideration of other means of property disposal.

- C. Working Places:** *Commercial development should be a reflection of what we in the community of Garner need to have nearer to us, not only what the marketplace wants today. Recognizing changing trends in retail, workplace flexibility, and how work, home and fun can be integrated are important to creating great places within Garner.*

### **1. Recommendation – Create One Co-Work Space**

It should be noted that efforts in this area are better led by economic development staff who are able to function more as recruiters. In 2018, town economic development staff launched Gearworks, a public-private experiment in turning under-utilized town-owned space into a time-limited "bridge space" for small, scalable companies. The concept lies somewhere in between a traditional incubator, a co-working space, and market rate office suites; the town rents slightly subsidized space to growing businesses that contributed to the growth of the creative-class and tech cluster in the historic downtown. In exchange, tenants work with staff to identify opportunities to give back to Garner's youth

entrepreneurs and creative-class economy. A limited two-year lease ensures that companies graduate to market rate space nearby (hence “bridging” into the traditional office market) and that the Gearworks concept remains viable for future tenants. Thus far, one tenant has used and graduated from the space; their company grew from five (5) employees to more than 10. Marketing for new tenants is currently on hold due to the COVID-19 pandemic.

In the private sector, two co-working options have opened in Garner. The Garner Chamber of Commerce has retrofitted their conference space as The Hub, a co-working space for Chamber members to use. Office Ours, a private company that offers a variety of alternative office arrangements for small businesses, has opened next door to the Chamber and has fully leased all their small office suites to local businesses; they also provide some hourly spaces for business meetings as needed.

## **2. Recommendation – Establish a Cooking Studio/Farmer’s Market**

It should again be noted that efforts in this area are better led by economic development staff who are able to function more as recruiters. Currently, the Downtown Garner Association is partnering with a third-party organizer to host monthly Garner Night Market pop up events; however, these are focused more on arts vendors and have some limited food offerings.

## **3. Recommendation – Develop the North**

Private residential development proposals continue to be submitted for consideration in North Garner in the form of both single-family homes and townhomes; however, only two (2) of those - Avenues at White Oak and Vandora West – have thus far come to fruition. Tryon Pointe subdivision off Creech Road just began clearing at the end of 2021. The Habitat for Humanity subdivision is still moving forward with renewed preliminary planning. The non-residential JS Commerce Park project has progressed with the first two (2) buildings going up while other non-residential projects such as the East Wake Innovation (Office) Park and Thompson Business Park appear to be on hold.

The Downtown Garner Association has embarked on a collaborative effort to expand the Main Street business district to a “pad” between Full Bloom and the Garner Recreation Center. In 2021, the town selected the Lansing Melbourne Group as their private development partner to create a mixed use project on the pad. The project will add 70 apartments, 5,500 square feet of commercial space, and over 90 net new parking spaces in downtown. Proximity to downtown Raleigh and the small, quaint nature of downtown Garner are expected to continue attracting more investment in this area – including new residential.

Specific to Planning staff, the Senior Planner for Transportation continues to coordinate efforts with NCDOT to ensure that bridge replacements over US 70 at Benson and Vandora Springs roads – although delayed – will be walkable and

inviting to pedestrians with betterment funds contributed by the Town. A municipal betterment agreement has been executed for the bridge replacement over US 70 at Benson Road, which is expected to begin construction in the Fall of 2022.

#### **4. Recommendation – Revisit and Revise Parking...Comprehensively**

This recommendation was incorporated into the UDO re-write project that is being led by the Planning Department in collaboration with consultants at Stewart, Inc. The project's Steering Committee reviewed the consultant's recommendations to align the Town's parking requirements with listed uses as enumerated in the Table of Permitted Uses (TOPU). Particular attention was given to both residential (too little parking) and retail (too much parking). As of December 2021, the draft articles of the revised UDO are in their final edits prior to being released for public comment.

- D. Recreation Opportunities:** *The recreation opportunities in Garner do more for our community than just provide a place to play: they signify our commitment to being a healthy place; increase property values through association with green space; and connect great places to great neighborhoods along scenic trails.*

#### **1. Recommendation – Secure Open Space and Recreational Areas in the South of Town**

While the Town had already secured the Meadowbrook Golf Course property at the time of this plan's adoption, the Town completed the master plan for the site in May 2021 and began design development for the park.

Planning staff continue to use the park land dedication requirement within the UDO to discuss future needs in the southern areas with potential developers and continue to implement the Town's public greenway plan by formally recognizing these greenway corridors as public park land. Recent site and subdivision approvals along Mahler's and Swift creeks (and their tributaries) include developer-funded construction of sections of public greenway that will serve their residents and link together over time for the benefit of the larger community. To date, public greenway segments slated for construction in the southern reaches of the Town's jurisdiction include Grove at White Oak, Old Stage Townhomes and Oak Manor subdivisions.

In June, the Town of Garner and The Conservation Fund announced the purchase of 86.5 acres of undeveloped wetlands and open space off Old Stage Road for future public access and the protection of drinking water resources. The acquisition could make possible the extension of Garner's greenway system, creating new trails that will connect existing parks and schools throughout southern Wake County.

## 2. Recommendation – Develop a Public Arts Program

It should be noted that efforts in this area are better led by staff from the Parks, Recreation and Cultural Resources (PRCR) Department and would require significant time and effort. PRCR has begun to work with the Downtown Garner Association (DGA) to incorporate art more consistently throughout Downtown and as part of Town facilities. Current efforts have focused on generating proposals for consideration by both groups to embark on programs such as sidewalk activities using stencils/paint, a community mural on the Garner Recreation Center retaining wall and updating pedestrian directional signs along the 2-mile loop.

The Downtown Garner Association also spearheaded two public art initiatives in 2021, adding a new mural that celebrates Garner’s influential Black citizens and creating Art Around Town, a 9-month long public art project that engaged 23 local artists and resulted in a 3-month exhibit of their artwork around the downtown walking loop and in White Deer and Lake Benson Parks.

## 3. Recommendation – Invest in the Maintenance of Current Parks and Recreation Facilities and Increase Programming

In August 2021 PRCR opened the Garner Recreation Center, a long-awaited facility that will provide expanded opportunities for recreation and athletic activities. PRCR began reactivating its programs in May/June 2021 after the COVID closures of 2020. Several grants were secured to support new or expanded programs, including a grant from the Next50 Initiative to develop a gardening and nutrition program at the Garden Senior Center.

## 4. Recommendation – Preserve, Install and Maintain Street Trees

This regulatory language supporting this recommendation has been incorporated into the UDO re-write project that is being led by the Planning Department in collaboration with consultants at Stewart, Inc. The project Steering Committee discussed tree placement, tree species selection and maintenance issues, settling on a recommendation to promote street trees within the public right-of-way at select centers of activity such as Downtown Garner and the future Bus Rapid Transit hub at North/South Station. As of December 2021, the draft articles of the revised UDO are in their final edits prior to being released for public comment.

- E. Keeping Us Moving:** *The transportation system in Garner is crucial to more than just moving traffic: we must be able to move people and business products safely and efficiently. In places where we want to retain a sense of community, walking, biking, and public transportation may provide alternative ways of accessing nearby destinations.*

## 1. Recommendation – Strengthen Access Management

This recommendation has been incorporated into the UDO re-write project that is being led by the Planning Department in collaboration with the consulting team from Stewart, Inc. As of December 2021, the draft articles of the revised UDO are

in their final edits prior to being released for public comment. Additionally, the Capital Area Metropolitan Planning Organization (CAMPO) will update the Southeast Area Study (SEAS) in 2022, which will help define strategies to accommodate existing and future travel needs in the southeastern portions of CAMPO's boundary, including Garner. The study will include access management recommendations for the US 70 corridor. These recommendations can be adapted and applied as appropriate to other thoroughfares in the Town.

## **2. Recommendation – Establish a Connectivity Standard**

This recommendation has been incorporated into the UDO re-write project that is being led by the Planning Department in collaboration with the consulting team from Stewart, Inc. The project Steering Committee discussed this item and settled on a recommendation for a “connectivity index” for new development based on standards that have worked in peer communities. As of December 2021, the draft articles of the revised UDO are in their final edits prior to being released for public comment.

## **3. Recommendation – Conduct Small-Area Plans**

To date, there have been no small area plans identified for budgeting. As noted, each plan would be expected to cost \$80,000 - \$100,000 depending on scale and complexity.

## **4. Recommendation – Adopt a Complete Street Policy and Guidelines**

This recommendation has been incorporated into the UDO re-write project that is being led by the Planning Department in collaboration with the consulting team from Stewart, Inc. Although the project Steering Committee did not review a formal Complete Street Policy, the consulting team did discuss and review elements of complete streets as part of their proposed edits. Additionally, consulting staff worked with Engineering Department staff to draft a new Standard Specification and Details manual for streets and other public infrastructure – a companion policy element of the UDO re-write project. As of December 2021, the draft articles of the revised UDO are in their final edits prior to being released for public comment.

### **III. PROGRESS – IMPACTS TO ROUTINE WORK**

#### **A. Impacting the Work of Town’s Development Services Departments.**

##### **1. Staff Reports.**

The Planning Department routinely consults this document up to four (4) times a month when producing staff reports and recommendations for the approval or denial of projects. These staff reports are written for public hearings, meetings of the Planning Commission and Town Council work sessions.

## 2. Required Background Materials.

In preceding years, the Town undertook several efforts for which these plans are required background materials. These efforts included the re-write of the Unified Development Ordinance and the update of the Parks, Recreation & Cultural Resources Master Plan. The Town continues to incorporate the comprehensive land use and transportation plans, or relevant portions, as required background reading where appropriate.

## 3. Pre-Development / Pre-Application Meetings.

The plans and land use map have been loaded in folders accessible to conference room touchscreen computer displays as well as in readily accessible locations for remote working. The graphics, maps and text are routinely displayed as aids for furthering discussion and conversation regarding private development proposals. Staff continue to conduct an average of four (4) such meetings each and every week. Those meetings occurring in the plan's opportunity sites are documented in the following section.

- B. Opportunity Sites:** *The Garner Forward Steering Committee selected several locations that could substantially change over the life of the plan and create opportunities for excellence. Details of renderings are not important, but are used to suggest density, design and use. The renderings blend existing character with new elements inspired by viable economic and market trends.*

### 1. Garner Station

This rendering is based on ideas for redevelopment that are guiding Bus Rapid Transit (BRT) plans in this area. The planning phase for the Southern Corridor began in 2019, and a preferred route was identified and endorsed by Town of Garner and City of Raleigh councils in the Spring of 2021. GoRaleigh and Town staff continue to work closely to advance design and determine whether a Federal Small Starts ratings application for the Southern Corridor will be submitted to the Federal Transit Administration (FTA) in Fall 2022. The FTA would then determine whether federal funding will be awarded towards completion of the project.

### 2. Northeast Gateway

The vision for this gateway is to both encourage the core industrial purpose of the area as well as entice visitors as a gateway to the rest of Garner. To date, Amazon has completed a large distribution center and the first two buildings of HM Partners' JS Commerce Park are under construction. Staff continues to work with developers on architecture, site layout, landscaping, pedestrian facilities and welcome signage in an effort to bring this complex vision of blending industrial uses with a personal scale forward into reality. Transportation planning and engineering staff are also focused on the completion of Phase 1 of the Jones Sausage Road widening project which will complete the median divided roadway

from I-40 to East Garner Road with accompanying sidewalks and side paths. Engineering staff are overseeing the design for Phase 1, which is at 65% completion.

### **3. Auburn Station**

The vision for this “station” area is guiding discussions for a possible park-and-ride facility for future commuter rail along with commercial and small office development. GoTriangle completed an exploratory study confirming the 37-mile commuter rail corridor, originally identified in the Wake Transit Plan (2016), is feasible. In 2019, GoTriangle initiated a second study to help identify infrastructure required to support any commuter rail operating plans. When completed, this study phase should indicate whether the project is technically, financially, legally and politically achievable. Town of Garner planning staff participate in regular meetings with the commuter rail project team, to provide input from the Town's perspective and aid in development of the study. Environmental features, historic structures and the railroad call for context-sensitive review. In 2021, a master plan was approved for up to 174 age-restricted single-family homes at the northwest corner of E. Garner Road and Auburn-Knightdale Road. In addition to single-family detached homes, pre-development meetings in this area have included ideas for, townhomes, a bank, commercial outparcels, apartments and auto-maintenance uses.

### **4. Fifth Avenue**

Fifth Avenue has the potential to become a commercial center complementing historic Main Street. To date, there have been no discussions related to the public or private redevelopment of this area.

### **5. Downtown**

Downtown Garner is the location to promote our local flavor and flair. With public investments in a new Recreation Center and streetscape improvements, along with a planned commuter rail stop, downtown has begun to see a leveraging of private investment in the renovation of several residential structures and Main Street buildings. Development of the mixed-use project through the public-private partnership with Lansing Melbourne Group will expand the downtown business district and provide new opportunities for downtown living and entertainment. The momentum from the new development, plus the Downtown Garner Association's new events and public art initiatives, continue to drive interest from the private sector around Main Street. Planning staff continue to work closely with the Downtown Development Manager to coordinate on opportunities as they occur. The past year saw the approval of a townhome/redevelopment project, the expansion of Hudson's Hardware and the opening of event space and brewing activities on Rand Mill Road.

## C. Unanticipated Events/Occurrences

### 1. Map Amendments.

While staff was fully aware of the increase in the number of land use map amendments, it was not immediately clear as to just how many there would be in the initial years. From October 2019 to December 2020, the Town amended the land use plan six (6) times. In 2021, it was amended four (4) times, accounting for one (1) out of every three (3) cases:

- Corridor Commercial to Multi-Family Residential (Raynor Meadows)
- Office Center to Multi-Family Residential (1419 Aversboro)
- Medium-Density Residential to Low-Density Residential (Weston Road)
- Medium-Density Residential to Neighborhood Commerce Center (5001 & 5005 Old Stage)

In terms of overall intensity of land use, staff finds that these amendments have largely resulted in minimal increased impacts to overall traffic – although the daily patterns have been more moderately affected (residential traffic vs. non-residential traffic). The parcel-by-parcel designation of future land uses provides less flexibility in interpreting the map; however, it does lead to more deliberate discussions regarding map amendments and decisions to expand or otherwise alter future land use recommendations in specific areas. A challenge is to educate stakeholders regarding this matter so as not to hinder these discussions solely based on the fact that an amendment is needed.

### 2. Retaining 2010 Garner Transportation Plan

An update of the Town's Transportation Plan was added later in the scoping development process for the Garner Forward project. As such, it was anticipated to be an update as opposed to a complete overhaul. However, it was not until nearer the date of plan adoption when staff began to test run the application of this plan to various reports that the utilization of this plan revealed some deficiencies for which the 2010 Plan would still need to be actively referenced. While staff were able to consolidate some map elements from both documents, additional work remains to be completed and are specifically identified in the goals below.

## IV. GOALS FOR NEXT REPORTING PERIOD

- Continue to evaluate ourselves against our peers utilizing the AAPR Livability Index. (Re-structured)
- Build on staff update of sidewalk project list and work with NCDOT Bicycle and Pedestrian Planning grant to achieve a re-prioritization of projects. (Re-structured)
- Consolidate roadway plan recommendations from the 2010 Transportation Plan and the 2018 update into a single map. (Carry over)



- Turn annual report drafting over to Planning Services team to expand annual report to include progress on the detailed lists of practices or policies to be explored and/or implemented and any of the other recommendations found on pages 94-98 of the plan that are not highlighted in the preceding chapters. (Carry over)
- Continue to report on the progress made on a significant number of recommendations that have been incorporated into the scope of work for the re-write of the Unified Development Ordinance. (Renewed)
- Continue to place emphasis on private proposals within opportunity sites and sharing visionary plan information as soon as possible. (Renewed)
- Continue to monitor progress of partnership to expand retail/restaurant and working space in Downtown. (Renewed)
- Engage the public in the UDO re-write adoption process. (Re-structured)