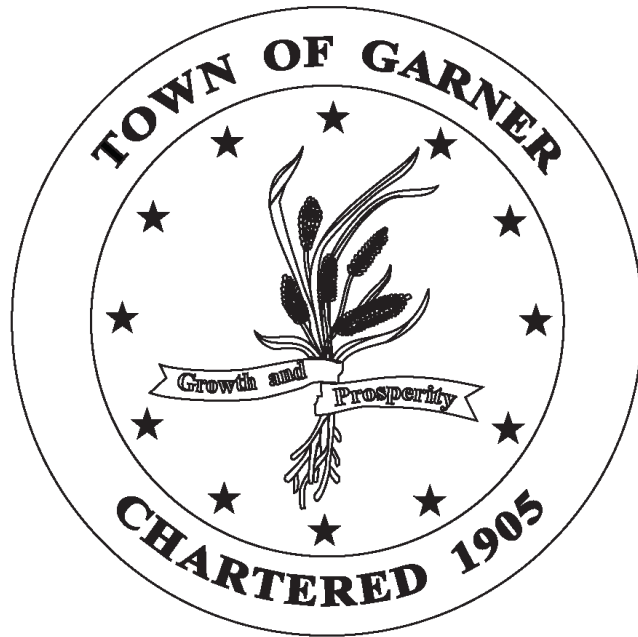


Town of Garner



Town Council Meeting
July 16, 2024

Garner Town Hall
900 7th Avenue
Garner, NC 27529

Town of Garner
Town Council Regular Meeting Agenda
July 16, 2024

The regular meeting of the Town Council will be conducted at 6:00 p.m. in Ronnie S. Williams Council Chambers located in Garner Town Hall, 900 7th Avenue, Garner.

- A. CALL MEETING TO ORDER/ROLL CALL: Mayor Buddy Gupton
- B. PLEDGE OF ALLEGIANCE: Council Member Kathy Behringer
- C. INVOCATION: Council Member Kathy Behringer
- D. PETITIONS AND COMMENTS
- E. ADOPTION OF AGENDA
- F. PRESENTATIONS
- G. CONSENT
 - 1. Kroger Opioid Settlement..... Page 6
Presenter: Terri Jones, Town Attorney

The Attorney General has requested that each NC municipality adopt a new Resolution authorizing designated local officials to sign onto the Kroger Opioid Settlement and the Second Supplemental Agreement for Additional Funds Part 2 (SAAF-2) so that the State and Wake County will receive its full share of the settlement payments.

Action: Consider adoption of Resolution (2024) 2591.
 - 2. Council Meeting Minutes..... Page 9
Presenter: Stella Gibson, Town Clerk

Minutes from the May 21, May 28, June 4, June 18 and June 25, 2024 Council meetings.

Action: Consider approving minutes.
 - 3. Surplus Property Donation to Garner Fire-Rescue..... Page 33
Presenter: David Beck, Finance Director

Resolution to declare a 2008 Chevrolet Impala surplus property and authorize donation of the vehicle to Garner Volunteer Fire & Rescue, Inc. for use in their operations.

Action: Consider adoption of Resolution (2024) 2592.

4. Voluntary Contiguous Annexation Petition
ANX-24-002, 2311 Parkway Drive..... Page 35
Presenter: Jeff Triezenberg, Planning Director

Voluntary contiguous annexation petition (ANX-24-002) submitted by Beth Blackmon to bring 0.28 +/- acres into the corporate limits of the Town of Garner. The property is generally located at 2311 Parkway Dr and may be otherwise identified as Wake County PIN 0790516878.

Action: Consider motion to set public hearing for August 6, 2024; approve Resolution (2024) 2593.

5. No Parking Zone - Bellarose Lake Way..... Page 38
Presenter: Leah Harrison, Town Engineer

Request to obtain Council approval of one new No Parking Fire Lane Zone (Bellarose Lake Way).

Action: Consider authorizing modification of Ordinance 10-84 to include a new no-parking zone; adopt Ordinance (2024) 5281.

6. Adoption of a Supplemental/Seasonal Part-time Classification and Pay Plan..... Page 41
Presenter: Virginia Jones, Interim Human Resources Director

An ordinance providing for the adoption of a Classification and Pay Plan for the Supplemental and Seasonal Part-time employees of the Town of Garner.

Action: Adopt the Classification and Pay Plan for Supplemental and Seasonal Part-time Employees, Ordinance (2024) 5282

H. PUBLIC HEARINGS

1. Garner - Raleigh Annexation Agreement..... Page 45
Presenter: Jeff Triezenberg, Planning Director

The Town of Garner last adopted an annexation agreement with the City of Raleigh in August of 1996. Although this agreement technically expired on August 5, 2016, both municipalities have been informally conducting their annexation programs as if the original agreement were still in effect. Since its expiration in 2016, there have not been any annexations that would have conflicted with the previous agreement. Minor adjustments are now proposed; however, the line of agreement remains largely the same.

Action: Consider motion to adopt Ordinance (2024) 5283.

2. A Voluntary Contiguous Annexation Petition
 # ANX-24-005, Spring Drive Townhomes..... Page 63
 Presenter: Jeff Triezenberg, Planning Director
 Voluntary contiguous annexation petition (ANX-24-005) submitted by Rehab Hamad to bring 2.23 +/- acres into the corporate limits of the Town of Garner. The property is generally located at 0 Spring Drive and may be otherwise identified as Wake County PIN 1701625974.
 Action: Consider adopting Ordinance (2024) 5284.

3. Voluntary Contiguous Annexation Petition
 # ANX-24-004, Cambria..... Page 69
 Presenter: Jeff Triezenberg, Planning Director
 Voluntary contiguous annexation petition (ANX-24-004) submitted by Beth Blackmon to bring 128.02 +/- acres (plus 7.09 +/- acres in adjacent right-of-way for 135.11 acres total) into the corporate limits of the Town of Garner. The property is generally located at 0, 2121, 2437, 2425 New Bethel Church Road and may be otherwise identified as Wake County PIN(s) 1629805447, 1629803590, 1629806354, 1629827686, 1629518996, 1629716106 and 1629807955.
 Action: Consider adoption of Ordinance (2024) 5285.

4. Tier 2 Conditional Rezoning
 # CZ-MP-23-04, Homestead at Bryan Farm..... Page 79
 Presenter: Erin Joseph, Assistant Planning Director

 Tier 2 conditional rezoning request submitted by the Lennar Corporation to rezone 99 +/- acres from Rural Agricultural (RA) to Residential 8 (R8 C306) Conditional for a collective maximum of 265 dwelling units (note: down from 291 in the original application) including individual maximums of 107 townhouse units and 167 single-family detached units. The site is generally located on the northwestern corner of Hebron Church and Clifford roads and may be further identified as Wake County PIN 1629568117 and 162958117 (portion of).

 Action: Consider closing public hearing to refer case to Planning Commission for consistency review and recommendation.

5. Special Use Permit # SUP-SP-22-10
 Bennett Assemblage Apartments North..... Page 123
 Presenter: Alison Jones, Development Review Manager

 Continued Special Use Permit request submitted by RST Development LLC. to establish the development of a multifamily (triplex and higher, including apartment) residential community of 177 dwelling units on a 9.86 +/- acre portion of a larger 64.92 +/- acre site where the overall density shall not to exceed 9.8 dwelling units/acre. The site is located

at 7100 Fayetteville Road and may be further identified as Wake County PIN # 0790118607

Action: Consider motion to approve Special Use Permit with conditions.

I. NEW/OLD BUSINESS

- 1. Zoning Text Amendment # ZTA-23-02
 Garner Forward Implementation..... Page 147
 Presenter: Jeff Triezenberg, Planning Director
 Zoning text amendment request (ZTA-23-02) submitted by the Town of Garner Planning Department to add and/or revise regulations aimed at implementing the 2023 Garner Forward Comprehensive Plan. General topics include, but are not limited to: regulatory adjustments to nonconforming site elements, special use permits, transportation overlay zones, table of permitted uses, townhouse and two- to four-family dwelling unit definitions, research and development uses, open space, block faces, building materials, shared parking, perimeter buffers on small lots, administrative modifications, MF-B district uses and standards, and building heights.
 Action: Consider motion to adopt Ordinance (2024) 5286.

II. COMMITTEE REPORTS

III. MANAGER REPORTS

- 1. Quarterly Capital Project Report
- 2. Quarterly Financial Report
- 3. Talk of the Town

IV. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. CLOSED SESSION

NCGS 143-318.11(a)(3) and (5) to consult with attorney regarding condemnation litigation and to discuss the acquisition of property.

O. ADJOURN

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024 ▼		
Subject: Kroger Opioid Settlement		
Location on Agenda: Consent ▼		
Department: Legal		
Contact: Terri Jones, Town Attorney		
Presenter: Terri Jones, Town Attorney		
Brief Summary: The Attorney General has requested that each NC municipality adopt a new resolution authorizing designated local officials to sign onto the Kroger Opioid Settlement and the Second Supplemental Agreement for Additional Funds Part 2 (SAAF-2) so that the State and Wake County will receive its full share of the settlement payments.		
Recommended Motion and/or Requested Action: Consider adoption of Resolution (2024) 2591		
Detailed Notes: As with prior opioid settlements, the Town of Garner will not receive a direct payment; however, if all NC municipalities with populations of more than 30,000 sign onto the settlement with Kroger by the August 12, 2024, deadline, then the State of North Carolina will receive the full \$40 million. Wake County is expected to receive \$1,914,231.13 which includes Cary's and Raleigh's portion of the settlement. This resolution will authorize the Town Manager to execute the necessary documents with the Settlement Administrator, Rubris.		
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:		
Finance Director:		
Town Attorney:	TJ	
Town Manager:	JM	
Town Clerk:		

RESOLUTION (2024) 2591

RESOLUTION BY TOWN OF GARNER AUTHORIZING EXECUTION OF KROGER OPIOID SETTLEMENT AND APPROVING SECOND SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS

WHEREAS, the opioid overdose epidemic has taken the lives of more than 37,000 North Carolinians since 2000; and

WHEREAS, the COVID-19 pandemic has compounded the opioid overdose crisis, increasing levels of drug misuse, addiction, and overdose death; and

WHEREAS, the Centers for Disease Control and Prevention estimates the total economic burden of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers, pharmaceutical distribution companies, and chain drug stores to hold those companies accountable for their misconduct; and

WHEREAS, a settlement has been reached in litigation against the Kroger Co. (“Kroger”) as well as its subsidiaries, affiliates, officers, and directors named in the Kroger Settlement; and

WHEREAS, representatives of local North Carolina governments and the North Carolina Department of Justice have negotiated and prepared a Second Supplemental Agreement for Additional Funds (SAAF-2) to provide for the equitable distribution of the proceeds of these settlements; and

WHEREAS, by joining the settlements and approving the SAAF-2, the state and local governments maximize North Carolina’s share of opioid settlement funds to ensure the needed resources reach communities, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments to sign onto the settlements and SAAF-2 to demonstrate solidarity in response to the opioid overdose crisis and maximize the share of opioid settlement funds received by state and local governments to help abate the harm; and

WHEREAS, the SAAF-2 directs substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis.

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Garner hereby authorizes the Town Manager to execute all documents necessary to enter into opioid settlement agreements with Kroger, to execute the SAAF-2, and to provide such documents to Rubris, the Implementation Administrator.

Adopted this the ____ day of July, 2024.

Buddy Gupton, Mayor

ATTEST:

Stella Gibson, Town Clerk

SEAL

Approved as to form:

Terri Jones, Town Attorney

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024 ▼		
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 May 21, May 28, June 4, June 18 and June 25, 2024 Council meetings.		
Recommended Motion and/or Requested Action: Consider approving minutes		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		

**Town of Garner
Town Council Regular Meeting Minutes
May 21, 2024**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7th Avenue, Garner.

CALL MEETING TO ORDER/ROLL CALL: Mayor Buddy Gupton

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

Staff Present: Jodi Miller-Interim Town Manager, John Hodges-Assistant Town Manager, Jeff Triezenberg-Planning Director, Terri Jones-Town Attorney, Max Harris-Legal Intern, Erin Joseph-Assistant Planning Director, Maria Munoz-Blanco-PRCR Director, Leah Harrison-Engineering Director, Sara Warren-Budget Director

PLEDGE OF ALLEGIANCE: Council Member Phil Matthews

INVOCATION: Council Member Phil Matthews

PETITIONS AND COMMENTS

None

ADOPTION OF AGENDA

Motion: Vance
Second: Matthews
Vote: 5:0

PRESENTATIONS

None

CONSENT

FY24 Pavement Maintenance Change Order

Presenter: Forrest Jones, Public Works Director

In order to complete the FY24 Pavement Maintenance Project, Public Works needs to process a change order to cover additional work related to crack sealing. This increase is based on the unit price provided in the original agreement.

Action: Authorize the Interim Manager to execute the change order for the additional crack sealing.

Bid Award - Solar-Powered Trash Compactors (Impact EcoVision Environmental Inc.)

Presenter: Katie Lockhart, Parks & Recreation Superintendent

On April 11, 2024, two vendors submitted proposals to the Solar-Powered Trash Compactors Project RFP, one of which met all the specifications set forth in the RFP. The apparent low responsive, responsible bidder is Impact EcoVision Environmental Inc. with a bid of \$16,420.

Action: Award project to Impact EcoVision Environmental Inc. and authorize the Interim Manager to execute contract.

FY24 PRCR Sponsorships, Donations, and Grant Budget Amendment

Presenter: Maria Munoz-Blanco, PRCR Director

The Parks, Recreation and Cultural Resources Department received sponsorships, donations, and a grant with a combined total of \$4,718.53 to support programming and the memorial bench program. A budget amendment is required to appropriate the funds to cover FY24 expenses.

Action: Approve the acceptance of the sponsorships, donations, and grant and the FY24 budget amendment Ordinance (2024) 5268.

White Deer Park Splash Pad Design Build Contract - Bar Construction Company, Inc

Presenter: Mariz Munoz-Blanco, PRCR Director

Consider approval of Bar Construction Company, Inc. for Design Build Services for the White Deer Park Splash Pad and authorize the Interim Manager to negotiate and execute the contract in an amount not to exceed \$1,431,000 for design and construction services including the establishment of a Guaranteed Maximum Price (GMP).

Action: Approve Bar Construction Company, Inc. & authorize the Interim Manager to negotiate and execute contract.

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Minutes from the April 16, April 30, and May 7, 2024 Council Meetings.

Action: Approve minutes.

Motion: Matthews
Second: Singleton
Vote: 5:0

PUBLIC HEARINGS

Mayor Gupton explained the procedures to be followed during this quasi-judicial hearing and asked Council to disclose any bias, ex parte communications, any close familial, business or other associational relationships with an affected person, or have a financial interest in the outcome. Hearing none, the Clerk administered the Oath to Harrison Cole, Chris Sandifer, Jeremy Keeny, Rich Kirkland, Erin Catlett, Joe Linsky and Jeff Triezenberg.

Special Use Permit Modification # SUP-SP-15-05 M23-01, Creech Road Solar

Presenter: Joe Linsky, Planner

Dogwood Creek Land Holdings, LLC is requesting approval of a modification to their original special use permit approval for solar farm use located on a tract of land at 816 Delta Street which may be further

identified as Wake County PIN 1711687465. The modification would reduce the area of the site to which the special use permit would apply.

Mr. Linsky presented the staff report.

Erin Catlett, Attorney for the applicant, shared a presentation of the plans being requested by the developer.

Harrison Cole, of Cypress Creek Renewables, stated that the proposed use will not endanger public health or safety. Any significant adverse impacts resulting from the use will be mitigated or offset including impacts on the natural environment and adequate assurances of continuing maintenance would be provided.

Jeremy Keeny, Licensed Professional Engineer and Land Surveyor, stated that the proposed use is consistent with the Town's adopted transportation plans.

Rich Kirkland, with Kirkland Appraisals, stated that this project will not have any impact on the adjoining property values, that it is compatible with the adjacent area and the proximate neighborhood.

Chris Sandifer, a Licensed Professional Engineer and Licensed Electrical Contractor, stated that there will be a small amount of traffic and that the project is compatible with the neighborhood.

There were no public comments. The applicant's presentation, staff report, and appraisal report were accepted as evidence in the record.

Action: Deny motion to approve modification of special use permit SUP-SP-15-05 M23-01.

Motion: Singleton
Second: Dellinger
Vote: 3:2 (motion passes)

Mayor ProTem Vance and Council Member Matthews voted nay.

FY25 Recommended Budget Public Hearing

Presenter: Sara Warren, Budget Director

Ms. Warren presented a brief recap of the process and citizen comments received to date.

This is the second of two public hearings for the FY25 Recommended Budget. This public hearing provides an opportunity for residents to provide feedback and ideas for the Town's FY25 Recommended Budget. The FY25 Recommended Budget was presented during the May 7, 2024 Council meeting. The first public hearing on the recommended budget was held during the regular Council meeting on April 2, 2024.

Citizens Rex Whaley and Troy Crawford provided their feedback regarding the Town budget.

Action: Hold a public hearing and receive public comment on the FY25 Recommended Budget.

NEW/OLD BUSINESS

Creech Road Transportation Update

Presenter: Leah Harrison, Engineering Director

Ms. Harrison provided an update of Creech Road transportation improvements.

Action: Provide information and presentation to Planning Commission and receive feedback from the Commission.

Motion: Singleton
Second: Vance
Vote: 5:0

COMMITTEE REPORTS

None.

MANAGER REPORTS

- Mr. Hodges provided the May Talk of the Town report.
- Ms. Miller shared that the Boat House will be open Friday, May 24th through Sunday, May 26th from 7:30 a.m. to 5:00 p.m. and Monday, May 27th from 8:30 a.m. to 6:00 p.m.
- The ETJ expansion request has been submitted to Wake County. We have now moved into the public comment and education phase. Information regarding this can be found on the Tows website.

ATTORNEY REPORTS

Ms. Jones introduced the Town's summer Legal Intern, Max Harris. Mr. Harris addressed the Council and gave his background.

COUNCIL REPORTS

Vance

- Thanked staff for preparing the Creech Road transportation report so quickly.

Dellinger

- Asked for a timeline on the completion of the VA Clinic. Mr. Hodges responded that they are targeting the complete construction at the end of the year and open in Spring 2025. Council Member Dellinger asked for a timeline of 540. Council Member Singleton shared that he found out via the radio that they plan to open within 90 days.
- Requested updates on any projects that have been approved and not started within 12 months of approval.

Behringer

- Shared that she and the Mayor attended the ribbon cutting of the next phase of 540. She was excited to see it open.

Singleton

- Thanked Ms. Harrison for the transportation information and thanked Ms. Warren for her work with the budget.

Matthews

- Shared that Monday is Memorial Day and that there will be a Memorial Day ceremony at Lake Benson Park at 9:00 a.m. Additional information can be found on the Town's website.

CLOSED SESSION

A closed session was requested pursuant to North Carolina General Statute 143-318.11A5 to establish terms of a proposed employment contract 143-318.11A6 to consider conditions of appointment of an employee.

Motion: Vance
Second: Behringer
Vote: 5:0

RETURN TO REGULAR SESSION

Council met in Closed Session to discuss a personnel matter. No action was taken.

ADJOURN: 9:45 p.m.

**Town of Garner
Town Council Work Session Meeting Minutes
May 28, 2024**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7th Avenue, Garner.

CALL MEETING TO ORDER/ROLL CALL:

Present: Mayor Buddy Gupton, Mayor ProTem Elmo Vance, Council Members Gra Singleton, Phil Matthews, and Demian Dellinger

Council Member Behringer was absent. A motion was made to excuse her absence.

Motion: Singleton
Second: Matthews
Vote: 4:0

Staff Present: Jodi Miller-Town Manager, John Hodges-Assistant Town Manager, Terri Jones-Town Attorney, Paul Padgett-Inspections Director, David Beck-Finance Director, Nate Groover-Economic Development Director, Jeff Triezenberg-Planning Director, Rebecca Murray-Deputy Town Clerk

ADOPTION OF AGENDA

A motion was made to adopt the agenda with an amendment to include the appointment of the Town Manager in the presentation portion.

Motion: Vance
Second: Matthews
Vote: 4:0

PRESENTATIONS

Action: Appoint Jodi Miller as the Town Manager.

Motion: Vance
Second: Matthews
Vote: 4:0

DISCUSSION/REPORTS

Economic Development Quarterly Update

Presenter: Nate Groover, Economic Development Director

Economic Development staff provided a quarterly report.

Points of Access to Development Projects

Presenter: Paul Padgett, Inspections Director; Jeff Triezenberg, Planning Director; and Leah Harrison, Town Engineer

Presentation to discuss requirements within the Town UDO, NC State Fire Code and NDCOT as related to points of access into development projects.

Council Member Dellinger requested an inventory of problem spots in Garner.

MANAGER REPORTS

- Ms. Miller provided the pending agenda report.

ATTORNEY REPORTS

None.

COUNCIL REPORTS

Singleton

- Congratulated Ms. Miller on her new role as Town Manager.

Matthews

- Remarked about the great turnout at the Memorial Day event and thanked the Town of Garner for their continued support and recognition of the Military.

ADJOURN: 7:45 p.m.

DRAFT

**Town of Garner
Town Council Regular Meeting Minutes
June 4, 2024**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7th Avenue, Garner.

CALL MEETING TO ORDER/ROLL CALL: Mayor Buddy Gupton

Present: Mayor Buddy Gupton, Mayor ProTem Elmo Vance, Council Members Kathy Behringer, Phil Matthews, and Gra Singleton

Council Member Dellinger was absent. A motion was made to excuse his absence.

Motion: Vance
Second: Behringer
Vote: 4:0

Staff Present: Jodi Miller-Town Manager, John Hodges-Assistant Town Manager, Terri Jones-Town Attorney, David Beck-Finance Director, Sara Warren-Budget Director, Ian Johnson- Budget Analyst, Paul Padgett- Inspections Director, Jeff Triezenberg- Planning Director, Stella Gibson- Town Clerk.

CALL MEETING TO ORDER/ROLL CALL: Mayor Buddy Gupton

PLEDGE OF ALLEGIANCE: Council Member Gra Singleton

INVOCATION: During the invocation, Council Member Singleton shared some reflections of events that occurred over the last days, some happy and some sad, and offered a message of hope.

PETITIONS AND COMMENTS

Grace Izzard shared that her home was destroyed in the tornado on December 10th. The lot behind her home has quite a bit of debris and she inquired as to would be cleaning up that debris. Town Manager Miller shared that the clean would begin at the end of the month.

Carol Holloway asked how Citizens could find out when new businesses are coming into the Town. She also asked for more children’s activities in the Town. Mr. Hodges provided her information on how to sign up for the Town’s e-newsletter and the garnerinfo app as well as encouraging her to get involved with the Garner Chamber of Commerce.

ADOPTION OF AGENDA

Motion: Matthews
Second: Singleton
Vote: 4:0

PRESENTATIONS

Mayor Gupton read the Proclamation recognizing June 19, 2024 as Juneteenth Freedom Day.

CONSENT

Recognition of Disposable Property

Presenter: Lorie Smith, Police Chief

Recognize the service weapon and badge of Deputy Chief Mike McIver as disposable property, so they can be awarded to him in recognition of his retirement from the Town after 30 years of creditable service.

Action: Approve Resolution (2024) 2579.

Surplus Property

Presenter: David Beck, Finance Director

The Public Works Department has equipment and vehicles including a dump truck, mower, and tractor that have been replaced as part of the VERT program. Approval is sought to surplus the old items and allow them to be sold. The proceeds will supplement the VERT budget to purchase replacement equipment.

Action: Approve Resolution (2024) 2580.

CAMPO Memorandum of Understanding

Presenter: John Hodges, Assistant Town Manager

The Executive Board of the Capital Area Metropolitan Planning Organization (CAMPO) has approved a new Memorandum of Understanding (MOU) to be adopted by member organizations. The MOU changes include the addition of the newest members (Lillington, Coats and Chatham County) as well as administrative updates to reflect current codes and practices.

Action: Adopt CAMPO Memorandum of Understanding.

Town Hall Annex Bid Award

Presenter: Leah Harrison, Engineering Director

Award construction contract for renovation of Town Hall Annex to the lowest responsive, responsible bidder, CMC Building, Inc.

Action: Authorize bid award to CMC Building, Inc in the amount of \$3,185,055 contingent upon approval by the LGC.

Action: Approve Consent Agenda

Motion: Vance

Second: Matthews

Vote: 4:0

PUBLIC HEARINGS

Town Hall Annex Financing

Presenter: David Beck, Finance Director

Public hearing regarding a proposed financing transaction of \$6.2 million to fund the Town Hall Annex project was held, with no public comments. Council was requested to adopt a preliminary findings Resolution which includes selection of the winning bidder for the financing transaction.

Action: Adopt Resolution (2024) 2581.

Motion: Vance
Second: Singleton
Vote: 4:0

Special Use Permit # SUP-SP-23-02, Swift Creek Apartments

Presenter: Alison Jones, Development Review Manager

Special use permit request submitted by Bass, Nixon and Kennedy, LLC to construct a mixed use multifamily and retail development consisting of a maximum of 613 apartment units and 23,245 square feet of commercial space on a 40.91 +/- acre site located at 6201, 6301 and 6355 Fayetteville Road which may be further identified as Wake County PINs 0790654255, 0790559818 and 0790559977.

Mayor Gupton explained the procedures to be followed during this quasi-judicial hearing and asked Council to disclose any bias, ex parte communications, any close familial, business or other associational relationships with an affected person, or have a financial interest in the outcome. Hearing none, the Clerk administered the Oath to Worth Mills, Rich Kirkland, Garry Walston, Marty Bizzell, Kenyan Burnham, Rynal Stephenson, James Anthony, Jeff Triezenberg, and Alison Jones.

Worth Mills, with Longleaf Law Partners, gave a presentation on behalf of the applicant.

Rynal Stephenson, Professional Engineer, shared a presentation on the traffic and transportation conditions tied to the property.

Marty Bizzell, Professional Engineer, shared a presentation regarding the stormwater and environmental protection.

Rich Kirkland shared a presentation on impact analysis of the site.

Garry Walston, Professional Landscape Architect, responded to Council Member Singleton's concerns regarding the limited play area for children. Kenyan Burnham reminded Council that the greenway would connect to this property, for more outdoor open space.

James Anthony, an adjoining landowner, spoke in support of the project but commented that the site plan does not show the correct location of the access easement.

There were no other public comments.

Attorney Mills noted an objection to testimony as to the transportation network and extension of Vandora Springs Road because no evidence was presented by a transportation expert. The staff report was accepted into the record.

Action: I find that application # SUP-SP-23-02 meets the Town's eight (8) criteria for special use permits as identified in Article 4.7.4.D.; therefore, I move that the Town Council approve SUP-SP-23-03, Swift

Creek Apartments with the nine (9) site-specific conditions recommended by the TRC to be listed on the permit that will be prepared by staff.

Motion: Vance
Second: Matthews
Vote: 3:1

Council Member Singleton voted nay.

NEW/OLD BUSINESS

Tier 2 Conditional Rezoning # CZ-MP-23-02, Wall Store Road

Presenter: Erin Joseph, Assistant Planning Director

Tier 2 conditional rezoning request submitted by Capital Partners of NC, LLC to rezone 8.95 +/- acres from Rural Agricultural (RA) and Multifamily B (MF-B C258) to Multifamily B (MF-B C277) Conditional for the development of a maximum of 60 townhouses. The site is generally located on the south side of Wall Store Road, west of Rock Quarry Road, and may be further identified as Wake County PIN(s) 1731610922, 1731518872 and a part of 1731607909.

Beth Blackmon spoke on behalf of the applicant regarding the changes made to the plans.

Action: Approve Ordinance (2024) 5269.

Motion: Matthews
Second: Behringer
Vote: 3:1

Mr. Singleton voted nay.

FY25 Budget Continued Discussion

Presenter: Sara Warren, Budget Director

Ms. Warren provided Council with updated information related to the FY25 Recommended Budget after the May 23, 2024 Budget Work Session.

Action: Adopt a tax rate of 5-cents to be included for the FY25 Adopted Budget.

Motion: Vance
Second: Behringer
Vote: 3:1

Mr. Singleton voted nay.

COMMITTEE REPORTS

Mr. Matthews shared that the Veterans Committee is meeting on Monday, June 10th at 9:00 a.m. at White Deer Nature Center.

MANAGER REPORTS

Mr. Hodges shared an update on the Pulte project at Cambria with respect to monitoring open burning and the blasting permit being approved.

ATTORNEY REPORTS

- Ms. Jones shared that she will be following-up with Council regarding affiliations with nonprofits in order to ensure everyone is in compliance with the Transparency Act during the budget adoption process.
- Commitment to Civility virtual training is on June 20th from 1:00 p.m. to 3:00 p.m.

COUNCIL REPORTS

Singleton

- Reiterated the losses that our Town has suffered in the last few weeks of former Mayor Joe Creech, Grayson Murray, Tyler, Susan and Miles Campbell.

Gupton

- Thanked Rick Mercier for the great work he did in sharing about Joe Creech and his many accomplishments.

Mayor ProTem Vance, Council Members Delling, Behringer, and Matthews had nothing to report.

CLOSED SESSION

None.

ADJOURN: 9:00 p.m.

**Town of Garner
Town Council Regular Meeting Minutes
June 18, 2024**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7th Avenue, Garner.

CALL MEETING TO ORDER/ROLL CALL: Mayor Buddy Gupton

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

Staff Present: Jodi Miller-Town Manager, John Hodges-Assistant Town Manager, Terri Jones-Town Attorney, David Beck-Finance Director, Erin Joseph-Assistant Planning Director, Sara Warren-Budget Director, Ian Johnson- Budget Analyst, Jeff Triezenberg- Planning Director, Maria Munoz-Blanco-PRCR Director, Forrest Jones-Public Works Director, Chris Adams-Interim Deputy Police Chief, Stella Gibson-Town Clerk

CALL MEETING TO ORDER/ROLL CALL: Mayor Buddy Gupton

PLEDGE OF ALLEGIANCE: Mayor ProTem Elmo Vance

INVOCATION: Mayor ProTem Vance asked Reverend Pastor Carlton McDaniel, Sr. to provide the invocation.

PRESENTATIONS

Deputy Chief Mike McIver was recognized for his 25 years of dedicated service to the Town of Garner.

Action: Adopt Resolution (2024) 2582.

Motion: Matthews
Second: Singleton
Vote: 5:0

The Garner Magnet High School softball team was recognized for winning the 2024 Girls Softball Championship game.

PETITIONS AND COMMENTS

Reverend Ben Acton of the First Presbyterian Church of Garner spoke regarding the need for affordable housing in Garner.

Marcia Timmel shared her concerns about the number of older homeless people and their needs.

Katie de Cardenas shared her concerns regarding affordable housing.

ADOPTION OF AGENDA

Motion: Vance
Second: Behringer
Vote: 5:0

CONSENT

Budget Amendment - Fiscal Year End

Presenter: David Beck, Finance Director

Budget Amendment to align revenues and expenditures to approximated actuals as part of the fiscal year close out. Some expenditure lines are being increased to ensure departments have adequate funding to finish out the year. Funding is from revenues that have exceeded estimates as well as anticipated surpluses in some expenditure lines.

Action: Approve Ordinance (2024) 5270.

Cleanup of Town Property at 0 Stonecutter Ct.

Presenter: Forrest Jones, Public Works Director

This Budget Amendment will support the cleanup of the Town Property at 0 Stonecutter Court from the recent tornado in December 2023. Town staff consulted with the NC Forestry Service to ensure this approach is following best practices and have received confirmation from NCDEQ that the Town is complying with all regulatory requirements. The current timeline is to start work in June 2024, and anticipated completion date is August 2024.

Action: Approve Ordinance (2024) 5271.

White Oak Roundabout Bid Award

Presenter: Leah Harrison, Town Engineer

Award construction contract for White Oak Roundabout to Fred Smith, Inc., the lowest responsible, responsive bidder.

Action: Approve Resolution (2024) 2588 and award bid, and authorize Town Manager to execute contract with Fred Smith, Inc. contingent concurrence of NCDOT.

Renewal of Governmental Services Relations Agreement

Presenter: Jodi Miller, Town Manager

Request to approve updated Governmental Services Relations agreement with Samuel L. Bridges for FY24-25.

Action: Approve the agreement and authorize the Town Manager to execute.

Downtown Development Project with LMG Garner LLC

Presenter: Terri Jones, Town Attorney

The Amended and Restated Memorandum of Understanding for the downtown development project adjacent to the Garner Recreation Center requires that a Master Development Agreement will be finalized within 120 days after the developer, LMG Garner LLC, delivers the development plan. Town Council is asked to formally acknowledge the presentation of the development plan.

Action: Authorize the Town Manager to execute the Acknowledgement of Development Plan Delivery.

Annexation Ordinance Correction for #ANX-23-10, Golden Trace

Presenter: Alex Bone, GIS Analyst

Correction to annexation Ordinance (2024) 5240, addressing errors in the original legal description which do not impact the validity of the public notice, public hearing or request of the applicant. The original Ordinance partially used a previous legal description which is no longer valid. A newer and more accurate description is included instead.

Action: Adopt Ordinance (2024) 5278.

Annexation Ordinance Correction for #ANX-23-15, Dougher Light Industrial

Presenter: Alex Bone, GIS Analyst

Correction to annexation Ordinance (2024) 5255, addressing errors in the original legal description which do not impact the validity of the public notice, public hearing or request of the applicant. The legal description in the original Ordinance omitted a part of the necessary legal description.

Action: Adopt Ordinance (2024) 5279.

Annexation Ordinance Correction for #ANX-23-08, Timber Drive Associates LP

Presenter: Alex Bone, GIS Analyst

Correction to annexation Ordinance (2024) 5243, addressing errors in the original legal description which do not impact the validity of the public notice, public hearing or request of the applicant. One of the legal descriptions for a portion of PIN # 1720738299 was omitted originally and is now included.

Action: Adopt Ordinance (2024) 5280.

Garner - Raleigh Annexation Agreement

Presenter: Jeff Triezenberg, Planning Director

The Town of Garner last adopted an annexation agreement with the City of Raleigh in August of 1996. Although this agreement technically expired on August 5, 2016, both municipalities have been informally conducting their annexation programs as if the original agreement were still in effect. Since its expiration in 2016, there have not been any annexations that would have conflicted with the previous agreement. Minor adjustments are now proposed; however, the line of agreement remains largely the same.

Action: Approve Resolution (2024) 2583, setting a date of public hearing for July 16, 2024.

Voluntary Contiguous Annexation Petition # ANX-24-005, Spring Drive Townhomes

Presenter: Alex Bone, GIS Analyst

Voluntary contiguous annexation petition (ANX-24-005) submitted by Rehab Hamad to bring 2.23 +/- acres into the corporate limits of the Town of Garner. The property is generally located at 0 Spring Drive and may be otherwise identified as Wake County PIN # 1701625974.

Action: Approve Resolution (2024) 2584 to set public hearing for July 16, 2024.

Voluntary Contiguous Annexation Petition # ANX-24-004, Cambria

Presenter: Alex Bone, GIS Analyst

Voluntary contiguous annexation petition (ANX-24-004) submitted by Beth Blackmon to bring 128.02 +/- acres (plus 7.09 +/- acres in adjacent right-of-way for 135.11 acres total) into the corporate limits of the Town of Garner. The property is generally located at 0, 2121, 2437, 2425 New Bethel Church Road and may be otherwise identified as Wake County PIN(s) 1629805447, 1629803590, 1629806354, 1629827686, 1629518996, 1629716106 and 1629807955.

Action: Approve Resolution (2024) 2585 to set public hearing for July 16, 2024.

Caddy Road Public Safety Station

Presenter: Terri Jones, Town Attorney

Wake County has requested that the Town execute a Utilization Agreement regarding the Caddy Road Public Safety Facility which houses Garner Fire-Rescue and the Police Department.

Action: Approve Resolution (2024) 2586 authorizing the Town Manager to execute the Utilization Agreement.

Town Hall Annex Financing

Presenter: David Beck, Finance Director

Council was requested to consider adopting a final findings Resolution which authorizes the Town Hall Annex capital project financing to move forward.

Action: Approve Resolution (2024) 2581.

Authorization for Wake County to Levy and Collect Town of Garner

Presenter: David Beck, Finance Director

Resolution authorizing the Wake County Tax Administrator to levy and collect property taxes for the Town of Garner during the 2024-2025 fiscal year.

Action: Approve Resolution (2024) 2587.

Oak Manor Phase 3 Stop Conditions

Presenter: Leah Harrison, Town Engineer

The Engineering Department is seeking approval of fourteen stop conditions in Oak Manor Subdivision Phase 3.

Action: Approve recommended stop conditions, Ordinance (2024) 5272.

Georgia's Landing Ph 4 & 5 Stop Conditions

Presenter: Leah Harrison, Town Engineer

The Engineering Department is seeking approval of five stop conditions in Georgia's Landing Subdivision Phase 4 & 5.

Action: Approve recommended stop conditions, Ordinance (2024) 5273.

No Parking Zone - Amber Acorn Avenue

Presenter: Leah Harrison, Town Engineer

To obtain Council approval of one new No Parking Zone (Amber Acorn Avenue between Ten Ten Road and Misty Pike Drive).

Action: Authorize modification of Ordinance 10-84 to include a new no-parking zone; adopt Ordinance (2024) 5277.

Action: Approve Consent Agenda

Motion: Singleton

Second: Vance

Vote: 5:0

PUBLIC HEARINGS

Tier 2 Conditional Rezoning # CZ-MP-23-04, Homestead at Bryan Farm

Presenter: Erin Joseph, Assistant Planning Director

Tier 2 conditional rezoning request submitted by the Lennar Corporation to rezone 99 +/- acres from Rural Agricultural (RA) to Residential 8 (R8 C306) Conditional for the development of approximately 291 townhouse and single-family detached units - now reduced to 247 units. The site is generally located on the northwestern corner of Hebron Church and Clifford roads and may be further identified as Wake County PIN 1629568117 and 162958117 (portion of).

Action: Continue public hearing to July 16, 2024.

Motion: Singleton

Second: Behringer

Vote: 5:0

Special Use Permit # SUP-SP-22-10, Bennett Assemblage Apartments North

Presenter: Alison Jones, Development Review Manager

Mayor Gupton explained the procedures to be followed during this hearing and asked Council to disclose any bias, ex parte communications, any close familial, business or other associational relationships with an affected person, or have a financial interest in the outcome. Hearing none, the Clerk administered the Oath to Tim Hess, Rich Kirkland, Nil Ghosh, Brenda Compton, Cliff Lawson, Scott Copeland, Alison Jones and Jeff Triezenberg.

Special use permit request submitted by RST Development LLC. to establish the development of a multifamily (triplex and higher, including apartment) residential community of 177 dwelling units on a 9.86 +/- acre portion of a larger 64.92 +/- acre site where the overall density shall not exceed 9.8 dwelling units/acre. The site is located at 7100 Fayetteville Road and may be further identified as Wake County PIN # 0790118607.

Nil Ghosh from Morningstar Law Group presented the project on behalf of the applicant.

Tim Hess, landscape architect, Cliff Lawson, Transportation Engineer, and Rich Kirkland, Appraiser shared expertise in their respective areas and how the project as presented met the Town's guidelines.

Council was particularly concerned about the aesthetics of project and the lack of elevators and workforce housing. Mr. Ghosh responded that 3-story buildings did not require installation of elevators,

however, the developer would agree to install them. Council asked the developer to meet with staff to improve the aesthetics of the project.

There were no public comments.

Action: Continue hearing to July 16, 2024 to allow for further discussion after staff has provided guidance to the applicant on aesthetics, elevators and long term financial sustainability.

Motion: Dellinger
Second: Singleton
Vote: 5:0

Town Attorney Jones advised Council that they would need to disclose ex parte communications when the public hearing resumes.

Tier 1 Conditional Rezoning # CZ-23-02, 3412 & 3508 Benson Road

Presenter: Erin Joseph, Assistant Planning Director

Tier 1 conditional district rezoning request submitted by Collier Marsh with Parker, Poe, Adams & Berstein LLP, to rezone 48.51 +/- acres from Highway District (HD) and Residential-30 (R-30) (Wake County) to Commercial Mixed Use (CMX C310) Conditional. The site is located at 3412 Benson Rd. and may be further identified as Wake County PIN 1618455504 and 1618553160. Use conditions are proposed.

Mark Frederick spoke on behalf of the applicants and shared a presentation regarding their proposed project. Jim Schaafsma, Developer of the project, clarified several areas of the project.

Tammy Germiller spoke in opposition of this project due to density and congestion issues, environmental impacts and safety. She also mentioned that she and her neighbors were not invited to the neighborhood meetings.

Edward Purdle spoke in opposition of this project due to the impacts it will have on the ecological area and asked about an environmental impact study.

Tom Rains stated that he was concerned about the businesses across the street from his subdivision near Hwy 50 (Southern Trace and Turner Farms).

John Cavallaro and Amy Hartsell spoke in opposition to this project due to increased traffic.

Jody Lewis answered questions regarding the traffic signal being proposed for this site.

Action: Close public hearing to refer case to Planning Commission for consistency review and recommendation.

Motion: Matthews

Council Member Singleton asked to amend the motion to require that an additional neighborhood meeting be held before coming back to Council. Council Member Matthews agreed.

Council Member Dellinger asked to amend the motion to include the developer meeting with staff to discuss workforce housing and options for improving the aesthetics of the project. Council Member Matthews agreed.

Motion: Matthews
Second: Singleton
Vote: 4:0

Council Member Vance was recused from this vote.

NEW/OLD BUSINESS

FY24-25 Budget Adoption

Presenter: Sara Warren, Budget Director

Adoption of the FY2024-2025 Operating Budget Ordinance, Capital Projects Ordinance and Fee Schedule. The Budget Ordinance has been prepared based on the approval Council provided during the June 4th, 2024 Council Meeting.

Mayor ProTem Vance requested recusal on voting on appropriations to the Community of Hope Ministries and the MLK Celebration Committee.

Motion: Matthews
Second: Behringer
Vote: 5:0

Action: Adopt Budget Ordinance (2024) 5274 including all anticipated expenditures, except for the portion of Special Appropriations allocated to Community of Hope Ministries and the MLK Celebration Committee.

Motion: Matthews
Second: Behringer
Vote: 3:2 (motion passes)

Council Members Singleton and Dellinger voted nay.

Action: Move to approve the anticipated expenditures to Community of Hope Ministries, a local nonprofit organization that Mayor ProTem Vance is affiliated with as a board member and the MLK Celebration Committee for which Mayor ProTem Vance is affiliated with as a member.

Motion: Matthews
Second: Behringer
Vote: 4:0

Council Member Vance was recused from this vote.

Action: Adopt Project Ordinance (2024) 5275.

Motion: Matthews
Second: Behringer
Vote: 3:2 (motion passes)

Council Members Singleton and Dellinger voted nay.

Action: Adopt the FY24-25 Fee Schedule with the exception of maintaining the current fee structure and amounts for boat rentals.

Motion: Dellinger
Second: Vance
Vote: 5:0

Tier 2 Conditional Rezoning # CZ-MP-22-14, Vintage Garner

Presenter: Jeff Triezenberg, AICP, GISP; Planning Director

Tier 2 conditional rezoning request (CZ-MP-22-14) submitted by Thomas H. Johnson, Jr. (Williams Mullen) to rezone approximately 43.26 +/- acres from Light Industrial (LI) and Rural Agricultural (RA) to Commercial Mixed Use (CMX C274) Conditional for a mixed-use development of a maximum of 654 multi-family units and 40,000 square feet of commercial space. The site is located on the west side of US Highway 401 (Fayetteville Road) between Farm Road and Transport Drive and may further be identified as Wake County PIN #'s 1701046088 and 0791932831.

Tom Johnson, Attorney for the developer, presented the project.

Council Member Dellinger stated he felt this project was out of place sitting in the middle of light industrial zoning. He also had questions regarding stormwater retention and workforce housing.

Action: Move that the Town accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, as our own; and I further move that the Town Council adopt Ordinance No. (2024) 5276 approving rezoning CZ-MP-22-14, as the request is reasonable and in the public interest because it will likely promote multi-family housing in select areas.

Motion: Matthews
Second: Vance

Council continued to debate the areas mentioned above.

Action: Call the question to end debate.

Motion: Matthews
Second: Behringer
Vote: 3:2 (motion passes)

Council Members Singleton and Dellinger voted nay.

Action: Vote on original motion made by Council Member Matthews.

Motion: Matthews
Second: Vance
Vote: 3:2 (motion passes)

Council Members Singleton and Dellinger voted nay.

COMMITTEE REPORTS

Council Member Dellinger thanked everyone who participated in the Juneteenth Celebration. The first ever Garner Cultural Heritage Award was presented to Ms. Lena Perry. Mayor Gupton, Mayor ProTem Vance, and Council Member Singleton agreed that it was a wonderful program.

Council Member Matthews reported that the Veterans Committee met last week and there are great events coming up. The Wall that Heals will be in Asheboro June 20-23.

MANAGER REPORTS

- Talk of the Town
- Reported that Town Hall and the Town's other public facilities will be closed on Wednesday, June 19th in recognition of the Juneteenth holiday.

ATTORNEY REPORTS

- NCLM Commitment to Civility Training is scheduled for Thursday, June 20th from 1:00 p.m. to 3:30 p.m.
- The Legal Team will be providing a presentation at the Work Session on Tuesday, June 25th regarding the Code of Conduct and Ethics.

COUNCIL REPORTS

Vance

- Shared that the Juneteenth Celebration was well done. He also thanked everyone for their hard work in preparing the budget and meeting with citizens.

Singleton

- Shared that the Town needs to update our signs to reflect the 2024 Girls Softball Championships. He recommended the boys basketball signs that are currently up be distributed to the high school, GPAC and Rec Center.

Matthews

- Commended the great reception for Town Manager Miller.

Mayor Gupton and Council Members Behringer and Dellinger had nothing to report.

CLOSED SESSION

None.

ADJOURN: 10:39 p.m.

**Town of Garner
Town Council Work Session Meeting Minutes
June 25, 2024**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7th Avenue, Garner.

CALL MEETING TO ORDER/ROLL CALL:

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

Staff Present: Jodi Miller-Town Manager, John Hodges-Assistant Town Manager, Terri Jones-Town Attorney, David Beck-Finance Director, Jeff Triezenberg-Planning Director, Rebecca Murray- Deputy Town Clerk.

ADOPTION OF AGENDA

Motion: Matthews
Second: Vance
Vote: 5:0

PRESENTATIONS

None

DISCUSSION/REPORTS

Council Board and Committee Appointments

Presenter: Terri Jones, Town Attorney

Ms. Jones presented recommendations from the Council's Human Resources Committee for the following Board and Committee appointments: Planning Commission: Ralph Carson, Michael Voiland, Phillip Jefferson, and Mariah Bishop to serve a 2-year term, ending June 30, 2026. PRCR Committee - Tim Montgomery, Matt Davis, and LaPonda Edmonson to serve a 3-year term, ending June 30, 2027. Senior Citizens Advisory Committee - Jo Cici and Joan Jackson to serve a 3-year term, ending June 30, 2027.

Action: Approve recommendations for appointments.

Motion: Vance
Second: Behringer
Vote: 5:0

Appointment of Affordable Housing Task Force and Housing Resources Webpage Preview

Presenter: Jodi Miller, Town Manager

Candidates for the Affordable Housing Task Force were presented for consideration. Staff presented a preview of the newly developed Housing Resources webpage.

Action: Appoint Task Force members.

Motion: Matthews

Second: Behringer
Vote: 5:0

Revised Cost of Services Report

Presenter: Matt Noonkester, City Explained, Inc. President & Founding Principal

Mr. Noonkester revised the 2023 Town of Garner Cost of Services study to reflect new data from the 2024 revaluation and the Town's 2023 pay and class compensation study.

Council asked questions and discussed aspects of the report. A final version of the report will be completed after Wake County final revaluation data is available.

Council Code of Conduct

Presenter: Terri Jones, Town Attorney

The Legal Department, at Council's direction, drafted a proposed Garner Town Council Code of Conduct to address interactions between and among Council members, interactions with the public including use of personal and Town social media accounts, and interactions with Town employees. Council will provide comments to the Legal Department by the end of July and a revised draft will be presented at a subsequent meeting.

White Oak Roundabout Acquisition Report

Presenter: Terri Jones, Town Attorney

Acquisition of necessary right-of-way and easements for the White Oak Roundabout began in January 2021 and was completed on May 21, 2024 with filing of the final consent judgment. A report of the total costs of acquisition and legal services were presented.

Action: For information purposes.

MANAGER REPORTS

- The pending agenda report was discussed with Council.
- Mr. Triezenberg provided a development update. Neighborhood meetings will be identified with a pre-submittal category on the Development Activity Map.
- July 3rd Celebration will be held at Benson Park, gates open at 5:00 p.m.
- James R. Stevens Award nominations are currently being accepted.

ATTORNEY REPORTS

None

COUNCIL REPORTS

None

ADJOURN: 8:24 p.m.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: Surplus Property Donation to Garner Fire-Rescue		
Location on Agenda: Consent <input type="button" value="v"/>		
Department: Finance		
Contact: David Beck, Finance Director		
Presenter: David Beck, Finance Director		
Brief Summary: This Resolution declares a 2008 Chevrolet Impala surplus property and authorizes donation of the vehicle to Garner Volunteer Fire & Rescue, Inc. for use in their operations.		
Recommended Motion and/or Requested Action: Adopt Resolution (2024) 2592		
Detailed Notes: Normally, items of this value would be sold at State Surplus or through an online auction site for local governments. Because we are giving this property to a non-profit organization for continued public purpose, we have to complete a resolution stating such facts.		
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:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	JM	
Town Clerk:		

Resolution No. (2024) 2592

Resolution Approving Conveyance of Property Pursuant to NCGS 160A-279

Whereas, the Town of Garner owns a 2008 Chevrolet Impala (VIN # 2G1WB58K881201211); and

Whereas, the Town has determined that these items of personal property have become surplus for its current needs; and

Whereas, North Carolina General Statute 160A-279 authorizes a municipality to convey personal property by private sale to a nonprofit corporation, if the municipality is authorized by law to appropriate money to the corporation; and

Whereas, Article 14 of North Carolina General Statute 160A authorizes a municipality to undertake fire protection for its citizens and properties, and to contract and appropriate funds in order to carry out such duties; and

Whereas, the Town of Garner has negotiated with Garner Volunteer Fire & Rescue, Inc. (hereafter, GVFR, Inc.), to convey the 2008 Chevrolet Impala described above to GVFR, Inc., in order that GVFR, Inc. may continue to support fire protection services to the residents and properties of Garner.

Now therefore, the Garner Town Council resolves that:

1. The town manager and finance director of the Town of Garner are authorized to execute all documents necessary to convey the title of the 2008 Chevrolet Impala to GVFR, Inc.
2. The consideration for the conveyance is the continued support of fire protection and rescue services provided to residents of the Town of Garner.
3. The surplus vehicle shall be put to a public use by GVFR, Inc. and may not be resold or disposed of without prior written permission of the Town.

Adopted this 16th day of July 2024.

Buddy Gupton, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

Approved as to form:

Terri Jones, Town Attorney

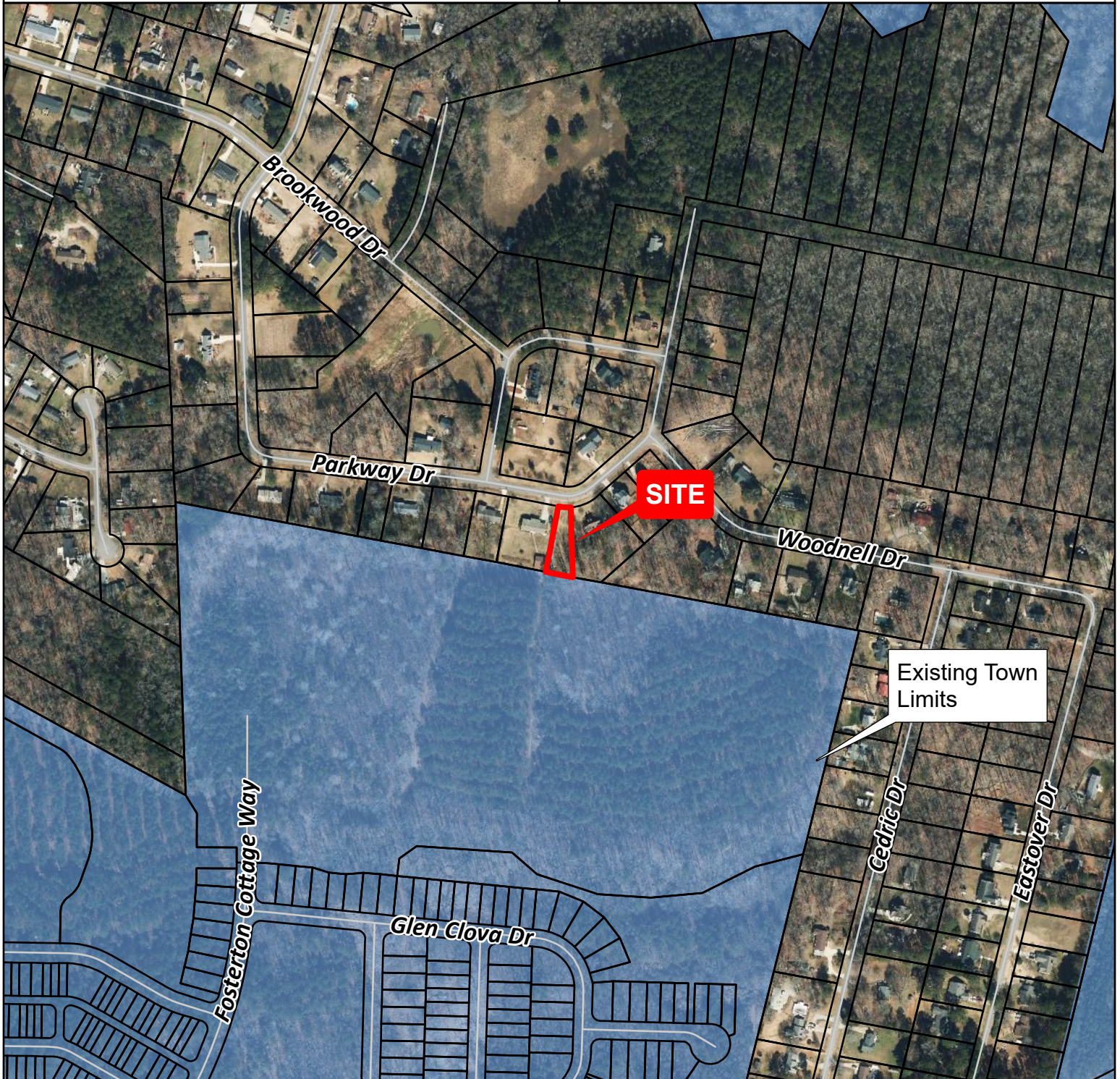
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: Voluntary Contiguous Annexation Petition # ANX-24-002, 2311 Parkway Drive		
Location on Agenda: Consent		
Department: Planning		
Contact: Alex Bone; GIS Analyst		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
<p>Brief Summary: Voluntary contiguous annexation petition (ANX-24-002) submitted by Beth Blackmon to bring 0.28 +/- acres into the corporate limits of the Town of Garner. The property is generally located at 2311 Parkway Dr and may be otherwise identified as Wake County PIN 0790516878.</p>		
<p>Recommended Motion and/or Requested Action: Consider motion to set public hearing for August 6, 2024; approve Resolution (2024) 2593.</p>		
<p>Detailed Notes: This annexation is for a parcel to be used as an emergency fire access related to the Planned Residential Development # PD-MP-20-01, 401 Assemblage, approved by Town Council on September 8, 2020. Upon the advice of the Town's Legal Department, annexation is recommended to ensure that the Town can enforce proper maintenance of the access into the future.</p>		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		

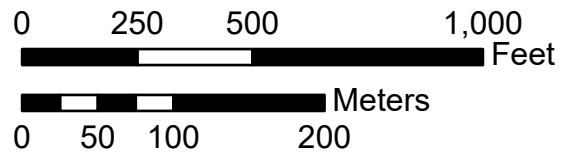


Town of Garner Planning Department

Annexation ANX-24-002



Owner: Pulte Home Company, LLC
Location: 2311 Parkway Dr
Pin #: 0790-51-6878
Area: 0.28 +/- Acres



Scale: 1:5,000

RESOLUTION NO. (2024) 2593

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION
PURSUANT TO G.S. 160A-31, AS AMENDED**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

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

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made.

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

Section 1. That a public hearing on the question of annexation of the area described herein will be held at the Town Hall at 6:00 p.m. on the 6th day of August 2024.

Section 2. The area proposed for annexation is described as follows:

Case # ANX-24-002, 2311 Parkway Drive (Contiguous)
0.28 +/- acres generally located at 2311 Parkway Dr and may be otherwise identified as Wake County PIN 0790516878.

Section 3. Notice of said public hearings shall be published at least ten (10) days prior to the date of said public hearings.

Duly adopted this 16th day of July 2024.

ATTEST:

Buddy Gupton, Mayor

Stella L. Gibson, Town Clerk

APPROVED AS TO FORM:

Terri A. Jones, Town Attorney

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: No Parking Zone - Bellarose Lake Way		
Location on Agenda: Consent		<input type="button" value="v"/>
Department: Engineering		
Contact: Leah Harrison, Town Engineer		
Presenter: Leah Harrison, Town Engineer		
Brief Summary: To obtain Council approval of one new No Parking Fire Lane Zone (Bellarose Lake Way).		
Recommended Motion and/or Requested Action: Consider adoption of Ordinance (2024) 5281.		
Detailed Notes: See attached memo.		
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:	LH	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		

ENGINEERING
MEMORANDUM

DATE: July 16, 2024
TO: John Hodges, Assistant Town Manager
FROM: Leah Harrison, Engineering Director
SUBJECT: No Parking Fire Lane Zone – Bellarose Lake Way

Staff recommends the addition of a no parking zone on the north side of Bellarose Lake Way between NC 50 and the terminus of public maintenance. The width of Bellarose Lake Way is insufficient to allow parking on both sides and still have sufficient space to accommodate emergency vehicles. On-street parking is common in the area due to the proximity to Centennial Park. Bellarose Lake Way is the single access to the BellaRose Nursing and Rehab center and access for emergency vehicles to the facility is critical. Therefore, staff recommends adding one new no-parking fire lane zone as follows:

- Bellarose Lake Way – on its north side, beginning at NC 50 (Benson Road) and extending eastward 235 feet to the terminus (Exhibit A attached for reference)

Following approval of this ordinance, the property owner of the privately maintained portion of Bellarose Lake Way will be asked to install No Parking Fire Lane signs and enforce a no parking fire lane zone in accordance with the fire code.

STAFF RECOMMENDATION

Approve the new no-parking fire lane zone and authorize Ordinance 10-84.1 to be modified accordingly.

EXHIBIT A



ORDINANCE NO. (2024) 5281

AN ORDINANCE AMENDING THE TOWN CODE

RELATING TO NO PARKING FIRE LANE ZONES

WHEREAS, pursuant to G.S. Section 160A-301, a municipality may by ordinance regulate, restrict, and prohibit the parking of vehicles on the public streets and alleys within the municipality; and

WHEREAS, on-street parking in certain areas may threaten the public health, safety, and welfare of Town residents and adjacent public and private property.

NOW THEREFORE, BE IT ORDAINED by the Garner Town Council as follows:

Section One. That Sec. 10-84.1, No parking and fire lanes, of the Town Code shall be amended by adding the following designated "No Parking Fire Lane" zone:

Bellarose Lake Way, at its north side, beginning at NC 50 (Benson Road) and extending eastward 235 feet to the terminus of public maintenance.

Section Two. This Ordinance is effective upon adoption, and any ordinance or a portion thereof in conflict with this ordinance is hereby repealed.

Adopted this the 16th day of July, 2024.

Buddy Gupton, Mayor

ATTEST:

Stella Gibson, Town Clerk

APPROVED AS TO FORM:

Terri Jones, Town Attorney

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: Adoption of a Supplemental/Seasonal Part-time Classification and Pay Plan		
Location on Agenda: Consent <input type="checkbox"/>		
Department: Human Resources		
Contact: Virginia Jones, Interim Human Resources Director		
Presenter: Virginia Jones, Interim Human Resources Director		
Brief Summary: An ordinance providing for the adoption of a Classification and Pay Plan for the Supplemental and Seasonal Part-time employees of the Town of Garner.		
Recommended Motion and/or Requested Action: Adopt the Classification and Pay Plan for Supplemental and Seasonal Part-time Employees, Ordinance (2024) 5282		
Detailed Notes: The Interim Human Resources Director has worked collaboratively with Town staff to identify current supplemental and seasonal part-time positions and to draft a comprehensive classification and pay plan. The effective date shall be July 15, 2024. This will allow the Finance Department to process end of year changes and update affected staff pay rates at the beginning of a new pay period. It is recommended that the proposed Supplemental and Seasonal Part-time Classification and Pay Plan be updated during subsequent pay and class study cycles.		
Funding Source: Supplemental pay increase for supplemental staff recommended in the FY2024-25 Budget - Adopted June 18, 2024.		
Cost:	One Time: <input type="radio"/>	Annual: <input checked="" type="radio"/> No Cost: <input 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:	VHJ	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		

Effective 7/15/2024
Classification & Pay Plan
Supplemental/Seasonal Positions

	Pay Grade	Step 1	Step 2	Step 3
Inspections Department				
Code Enforcement III - Plan Review (Residential)	SS6	\$30.00	\$31.20	\$32.45
Code Enforcement III - Plan Review (Commercial)	SS7	\$39.92	\$41.52	\$43.18
Fire Inspector	SS6	\$30.00	\$31.20	\$32.45
PRCR				
Assistant Camp Director	SS3	\$15.37	\$15.98	\$16.62
Box Office Attendant	SS3	\$15.37	\$15.98	\$16.62
Boathouse Operator	SS3	\$15.37	\$15.98	\$16.62
Boathouse Supervisor	SS4	\$16.14	\$16.79	\$17.46
Bus Driver	SS4	\$16.14	\$16.79	\$17.46
Event Assistant	SS3	\$15.37	\$15.98	\$16.62
Lighting and Sound Technician	SS5	\$20.60	\$21.42	\$22.28
Recreation Activities Specialist	SS5	\$20.60	\$21.42	\$22.28
Recreation Assistant	SS2	\$14.64	\$15.23	\$15.83
Recreation Assistant II	SS3	\$15.37	\$15.98	\$16.62
Recreation Center Front Desk Attendant	SS3	\$15.37	\$15.98	\$16.62
Scorekeeper	SS1	\$13.94	\$14.50	\$15.22
Summer Camp Counselor	SS2	\$14.64	\$15.23	\$15.83
Police Department				
School Crossing Guard	SS4	\$16.14	\$16.79	\$17.46
Public Works Department				
Administrative Specialist	SS5	\$20.60	\$21.42	\$22.28

** This pay plan will be updated during the next pay and class study cycle. Positions are not subject to market adjustments, or the evaluation schedule otherwise adopted by the Garner Town Council.

Effective 7/15/2024
Classification & Pay Plan
Supplemental/Seasonal Positions

<u>Pay Grade</u>	<u>Classification Title</u>	<u>FLSA</u>
<u>Status</u>		
SS1	Scorekeeper	NE
SS2	Recreation Assistant	NE
	Summer Camp Counselor	NE
SS3	Assistant Camp Director	NE
	Box Office Attendant	NE
	Boathouse Operator	NE
	Event Assistant	NE
	Recreation Assistant II	NE
	Recreation Center Front Desk Attendant	NE
SS4	Boathouse Supervisor	NE
	Bus Driver	NE
	School Crossing Guard	NE
SS5	Administrative Specialist – PW	NE
	Lighting and Sound Technician	NE
	Recreation Activities Specialist	NE
SS6	Code Enforcement Officer III – Plan Review (Residential)	NE
	Fire Inspector	NE
SS7	Code Enforcement Officer III – Plan Review (Commercial)	NE

ORDINANCE NO. (2024) 5282

AN ORDINANCE PROVIDING FOR THE ADOPTION OF A CLASSIFICATION AND PAY PLAN FOR SUPPLEMENTAL AND SEASONAL PART-TIME EMPLOYEES OF THE TOWN OF GARNER

WHEREAS, Town Council appropriated funding for a pay increase for Town of Garner supplemental and seasonal part-time staff in its Fiscal Year 2025 Operating Budget.

NOW THEREFORE, BE IT RESOLVED by the Council of the Town of Garner pursuant to Article IV., Section 4.2(E) of the Code of Ordinance of the Town of Garner:

1. That the Town Manager is hereby authorized to develop, administer, and implement the Classification and Pay Plan for all supplemental and seasonal part-time classes of Town of Garner employees effective July 15, 2024, and thereafter.

2. All supplemental and seasonal part-time employees of the Town of Garner shall be included in the classification plan with the exception of the following:

(a) Officials elected by the people and persons appointed to fill vacancies in elective offices;

(b) Members of boards and commissions, and other positions appointed by Town Council; and

(c) Persons temporarily employed in a professional capacity, or to conduct a special inquiry, investigation, or examination if the Council or the Town Manager certifies that such employment is temporary.

3. The Town Manager is authorized to promulgate and administer all provisions which govern salary and classification adjustments for all supplemental and seasonal part-time employees made necessary through the implementation of the Classification and Pay Plan.

4. The Town Manager is responsible for the overall development and implementation of the Town's Supplemental and Seasonal Part-time Classification and Pay Plan and for promulgating policies and procedures for the equitable administration of the plan.

Adopted this the 16th day of July, 2024.

Buddy Gupton, Mayor

ATTEST:

Stella Gibson, Town Clerk

APPROVED AS TO FORM:

Terri Jones, Town Attorney

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: Garner - Raleigh Annexation Agreement		
Location on Agenda: Public Hearings <input type="button" value="v"/>		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
Brief Summary: The Town of Garner last adopted an annexation agreement with the City of Raleigh in August of 1996. Although this agreement technically expired on August 5, 2016, both municipalities have been informally conducting their annexation programs as if the original agreement were still in effect. Since its expiration in 2016, there have not been any annexations that would have conflicted with the previous agreement. Minor adjustments are now proposed; however, the line of agreement remains largely the same.		
Recommended Motion and/or Requested Action: Consider motion to adopt Ordinance (2024) 5283.		
Detailed Notes: Raleigh and Garner staff concur that the new agreement is ready to move forward. To do so, each municipality must hold a public hearing before adoption. The City of Raleigh conducted a public hearing on July 2, 2024, and approved the new agreement. See Raleigh's attached memo for additional information. Attachments referenced in City of Raleigh memo are replaced with ordinance and agreement. If approved, the new annexation agreement would be in effect until 2044.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: No:		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		

To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Matthew Burns, CZO, Senior Planner
Department	Planning and Development
Date	May 31, 2024
Subject	City Council consent agenda item for June 18, 2024 – Annexation Agreement Between the City of Raleigh and Town of Garner

Summary

North Carolina state law allows adjacent cities to enter into agreements concerning future annexations they undertake. Typically, these agreements are meant to promote the orderly planning of the participating cities and to avoid potential conflicts. Under North Carolina Statute, agreements last 20 years. The most recent of Raleigh’s agreements was executed in 2020 with the Town of Cary in 2020.

The City of Raleigh had an annexation agreement with the Town of Garner that was adopted by both municipalities in August of 1996 and expired on August 5, 2016. Staff from both jurisdictions have been in ongoing conversation about the renewal of the agreement.

While Raleigh and Garner have been operating without a formal agreement, both municipalities were informally conducting their annexation programs as if the original agreement were still in effect. Since its expiration in 2016, there have not been any annexations that would have conflicted with the previous agreement.

Adoption Process

Raleigh and Garner concur that the new agreement is ready to move forward. To do so, each municipality must hold a public hearing before adoption. Staff expects to place the new agreement on City Council’s consent agenda on June 18, 2024, recommending a public hearing on July 2, 2024. The corresponding Garner Town Council public hearing is anticipated to be held on July 16, 2024. If approved, the new annexation agreement would be in effect until 2044.

Raleigh-Garner Boundary Line

Based on collaboration with the Town of Garner, the latest version of the agreement defines the areas where Raleigh and Garner will consider annexation requests by establishing a boundary line (see Exhibit A). This line is similar to the previous line, except for four (4) changes that pertain to adjustments for subdivisions,

recombinations, right-of-way dedications, and a relinquishment of ETJ that shifted property boundaries along the line over the years (see Exhibits B and C).

Changes in the boundary line are the following:

1. **Location:** [South of 4321 Inwood Drive](#) (PINs 0791886527, 0791886425, 0791886334, 0791886253, 0791886162, 0791886041, 0791876950, 0791876779, 0791877618)
Change: Move the existing boundary line east to follow the rear property lines of 9 lots created in 2022 as part of the Inwood Forest subdivision. Currently, the boundary line bisects those 9 lots.

2. **Location:** [1400 East Tryon Road](#) (PIN 1722048230)
Change: Move the existing boundary line south to follow the southern property line of 1400 East Tryon Road. Currently, the boundary line crosses several property lines and portions of Tryon Road right-of-way.

3. **Location:** [0 Rock Quarry Road](#) (PIN 1731805246)
Change: Move the existing boundary line northeast to follow the northwestern, northeastern, and southeastern boundary lines of 0 Rock Quarry Road. Currently, the boundary line follows the centerline of Rock Quarry Road and bisects the property.

4. **Location:** [0 Old Baucom Road](#) (PIN 1740979732)
Change: Move the existing boundary line north to follow the northern property lines of 0 Old Baucom Road. Currently, the line bisects the property.

Agreement Language

The version to be considered during public hearings has been updated to give direction for how municipalities will notify each other about annexation and rezoning petitions near the boundary line. There are also acknowledgements that transportation improvements, land use policy, and utility provision should be coordinated between the two municipalities. These changes align with language in the current annexation agreements with other jurisdictions bordering Raleigh.

Attachments:

- ~~1. Draft Raleigh-Garner Annexation Agreement~~
- ~~2. Exhibit A: Raleigh-Garner Annexation Boundary Description~~
- ~~3. Exhibit B: Existing/Proposed Annexation Boundary Map~~
- ~~4. Exhibit C: Boundary Focus Area Maps~~

TOWN OF GARNER ORDINANCE NO. (2024) 5283

**AN ORDINANCE APPROVING THE ANNEXATION AGREEMENT
BETWEEN THE CITY OF RALEIGH, NORTH CAROLINA, AND
THE TOWN OF GARNER, NORTH CAROLINA**

WHEREAS, the governing boards of the City of Raleigh (“Raleigh”) and the Town of Garner (“Garner”) seek to carry out plans for future land uses; plans for provision of important public facilities such as sewer and water services, roadways, and recreation; and plans for the protection of open space and other sensitive areas; and,

WHEREAS, potential conflict and confusion may occur along the interface between Raleigh and Garner when the future municipal boundaries between the two are unclear; and,

WHEREAS, Chapter 160A, Article 4A, Part 6 “Annexation Agreements” of the General Statutes of North Carolina (hereinafter referred to as the “Act”) authorizes municipalities to enter into binding agreements concerning the future extension of the corporate limits of the municipalities in order to enhance orderly planning by such municipalities, residents, and property owners in areas adjacent to such municipalities; and

WHEREAS, Raleigh and Garner entered into an Annexation Agreement on August 5, 1996 (“1996 Annexation Agreement”), which was amended in 1997 and 2001; and

WHEREAS, the 1996 Annexation Agreement expired in 2016; and

WHEREAS, Raleigh and Garner desire to enter into a new annexation agreement; and

WHEREAS, pursuant to G.S. 160A-58.24(c), the Town of Garner and the City of Raleigh held public hearings on July 16, 2024, and July 2, 2024, respectively, authorizing the adoption of this ordinance and Annexation Agreement;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GARNER:

The Town Council hereby approves the attached “Annexation Agreement” (“Agreement”), authorizes the Mayor to execute the Agreement, and authorizes the Town Manager to provide such notices and take such actions as Agreement contemplates.

Adopted this the 16th day of July 2024.

Buddy Gupton, Mayor

ATTEST:

Stella Gibson, Town Clerk

APPROVED AS TO FORM:

Terri A. Jones, Town Attorney

Annexation Agreement

This Annexation Agreement (“Agreement”), is made as of the last date signed by the Town of Garner (“Garner”), a North Carolina municipal corporation and the City of Raleigh (“Raleigh”), a North Carolina municipal corporation. Garner and Raleigh are sometimes referred to individually as “Party” and jointly as “Parties.”

Section 1. Boundary Line

The Boundary Line, more particularly described in Exhibit A and depicted on Exhibit B, both of which exhibits are attached hereto and incorporated herein by reference (hereinafter "Boundary Line"), delineates the boundary line for annexations and utilities extensions between Raleigh and Garner for the Term of this Agreement.

Section 2. Raleigh Annexation Area

The area within Wake County, North Carolina north of the Boundary Line (hereinafter "Raleigh Annexation Area") is subject to future annexation by Raleigh and no portion of the Raleigh Annexation Area is subject to annexation by Garner during the Term of this Agreement.

Section 3. Garner Annexation Area.

The area within Wake County, North Carolina south of the Boundary Line (hereinafter "Garner Annexation Area") is subject to future annexation by Garner and no portion of the Garner Annexation Area is subject to annexation by Raleigh during the Term of this Agreement.

Section 4. Notice of Adjacent Annexations

Each Party which proposes any annexation of property within their perspective Annexation Area within one thousand (1,000) feet of the Boundary Line that is established by this Agreement must give written notice to the other municipality of such annexation, at least 60 days before the adoption of any such annexation ordinance. The notice shall be in compliance with N.C.G.S. §160A-58.24(a) (5) and (b) and shall be sent by mail to the Manager of the other Party. The recipient Party will be deemed to have waived the 60 day period, unless within 10 days from receiving such notice it provides written notice that it is exercising its right not to so waive the 60 day period.

Section 5. Utility Service Areas

Raleigh will provide water and sewer service in the Garner Annexation Area, ETJ, and future annexed areas as provided in the Merger Agreement between the two municipalities. The Merger Agreement was entered on July 17, 2000 and will be applied in this agreement as it reads, as amended, at the time of each separate annexation. Consistent with the terms of the Merger Agreement, Raleigh sets fees, rates, and charges for access to and service by the water and sewer utility in all areas that it serves, including Garner. The fees include System Development Fees as that term is used in Article 8 of N.C. General Statute Chapter 162A.

Section 6. Evaluation of Urban Service Area (USA) Boundary

Raleigh and Garner agree to review the Urban Service Area boundary within 12 months after the adoption and execution of this Agreement. The purpose of the review will be to address specific areas of the current adopted boundary and determine if adjustments are amenable between both municipalities. If after such review no changes to the boundary agreement are agreed upon, the current Urban Service Agreement herein adopted and executed shall remain in force for the remainder of the time prescribed by this agreement provided in Section 10 herein. If changes to the Urban Service Agreement are proposed, the changes must be determined to comply with the requirements of the Merger Agreement for water and sewer service in any new Urban Service Area added to Garner’s existing Urban Service Area.

Section 7. Effective Date

This Agreement shall become effective upon that day it is signed by the last of the two Parties (“Effective Date”). This Agreement constitutes the entire agreement between the Parties with respect to its general subject matter.

Section 8. Modifications and Amendments

This Agreement may be modified or amended only by a subsequent agreement signed by both participating Parties pursuant to G.S. §160A- 58. 24(d). Any amendments to this Agreement shall be approved by ordinance and adopted after public hearings by both Parties.

Section 9. Term of Agreement

The term of this Agreement shall be for a period of 20 years beginning on the Effective Date of this Agreement (“Term”).

Section 10. Termination of Agreement

This Agreement may be terminated by either Party only in the manner prescribed by G.S. §160A- 58.24(f)

Section 11. Notices

Unless otherwise provided, all notices provided for herein shall be in writing and shall be sent properly addressed by first class mail to the Parties at the addresses shown below:

Town of Garner
Planning Department
900 7th Ave
Garner, North Carolina 27529
Attention: Planning Director

City of Raleigh
Department of City Planning 2410
PO Box 590
Raleigh, NC 27602
Attention: Planning Director

All notices shall be effective three (3) days after having been deposited, properly addressed and postage prepaid, in the US Postal Service. Any Party hereto may change the person to whom or the address to which notices should be provided by giving written notice to the other Parties of the change.

Section 12. Dispute Resolution

In the event of conflict or default that might arise for matters associated with this Agreement, the Parties agree to informally communicate to resolve the conflict. If any such dispute cannot be informally resolved, then such dispute, or any other matter arising under this Agreement, shall be subject to resolution in a court of competent jurisdiction. Such disputes, or any other claims, disputes or other controversies arising out of and between the Parties shall be subject to and decided exclusively by the appropriate general court of justice of Wake County, North Carolina.

Section 13. No Waiver of Non-Compliance

No provision of this Agreement shall be deemed to have been waived by any Party hereto unless such waiver shall be in writing and executed by the same formality as this Agreement. The failure of any Party hereto at any time to require strict performance by the other of any provision hereof shall in no way affect the right of the other Party to thereafter enforce the same. In addition, no waiver or acquiescence by a Party hereto of any breach of any provision hereof by the other Party shall be taken to be a waiver of any succeeding breach of such provision or as a waiver of the provision itself.

Section 14. Governing Law

The Parties intend that this Agreement be governed by the law of the State of North Carolina.

Section 15. Execution in Counterparts/Electronic Version of Agreement

This Agreement may be executed in two counterparts, each of which shall be an original and each of which shall constitute but one and the same instrument. Either Party may convert a signed original of the Agreement to an electronic record pursuant to a North Carolina Department of Natural and Cultural Resources approved procedure and process for converting paper records to electronic records for record retention purposes. Such electronic record of the Agreement shall be deemed for all purposes to be an original signed Agreement.

Section 16. Verification of Work Authorization

The Parties shall comply with Article 2, Chapter 64, of the North Carolina General Statutes.

Section 17. No third-Party Beneficiaries

There are no third-party beneficiaries to this Agreement.

IN TESTIMONY WHEREOF, the Parties, pursuant to ordinances of their respective governing boards spread upon their minutes, have caused this Agreement to be executed and attested by their Mayors and their official seals affixed, the day and year written below.

CITY OF RALEIGH

Adopted this the 2nd day of July 2024.

Mary-Ann Baldwin, Mayor

ATTEST:

Louis Buonpane, City Clerk

IN TESTIMONY WHEREOF, the Parties, pursuant to ordinances of their respective governing boards spread upon their minutes, have caused this Agreement to be executed and attested by their Mayors and their official seals affixed, the day and year written below.

TOWN OF GARNER

Adopted this the 16th day of July 2024.

ATTEST:

Buddy Gupton, Mayor

Stella Gibson, Town Clerk

APPROVED AS TO FORM:

Terri A. Jones, Town Attorney

Exhibit A – Boundary Line Legal Description

BEGINNING at a point in the existing (09-01-2017) Raleigh and Garner Extraterritorial Jurisdiction lines, said point being the intersection of the centerline of Lake Wheeler Road (SR 1375) and the centerline of Steep Hill Creek, 172± feet north of the centerline of Penny Road; thence northerly along the centerline of Lake Wheeler Road 4,700± feet to its intersection with the centerline of Inwood Road (SR 1373); thence easterly and southerly along the centerline of Inwood Road 4,070± feet to its intersection with the northern line extended of the property with Wake County PIN 0791770870, said property also being shown in Wake County Registry Book of Maps 1980 Page 935; thence easterly with said northern line extended 1,860± feet to the northeastern corner of said tract; thence southerly along the eastern line of said tract 400± feet to its intersection with the southern line of the property with Wake County PIN 0791872648, said property also being a lot labelled as "Lot 1" shown in the Wake County Registry Book of Maps 2022 Page 1968; thence easterly with said southern line 443± feet to its intersection with the western right-of-way of Inwood Forest Drive; thence easterly with said right-of-way 60± feet to its intersection with the southern line of the property with Wake County PIN 0791877618, said property also being a lot labelled as "Lot 17" shown in the Wake County Registry Book of Maps 2022 Page 1968; thence easterly with said southern line extended 394± feet to the southeastern corner of said tract, said point also being shared with the southern corner of the property with Wake County PIN 0791981045, said property also being labeled as "Lot 17" shown in the Wake County Registry Book of Maps 1997 Page 173; thence following courses and distances with said property, northwesterly 154± feet, northerly 248± feet, northeasterly 163± feet to the northwestern corner of said tract, said point also being shared with the southern corner of the property with Wake County PIN 0791888498, said property also being labeled "OS" shown in the Wake County Registry Book of Maps 2022 Page 1968; thence following courses and distances with said property, northwesterly 250± feet, northerly 232± feet, easterly 211± feet, to a point on the northern line of said property, said point also being the southeast corner of the property with Wake County PIN 0791895038; thence north 850± feet on the eastern line of said property to its northeastern corner and its intersection with the southern line of the property with Wake County PIN 0791993503; thence easterly with said southern line 550 feet± to its intersection with the western right-of-way of the Norfolk and Southern Railway; thence northerly with said western right-of-way 1,800± feet to its intersection with the northern line extended of the property with Wake County PIN 1702011143, said property also being Lot 1 shown in Wake County Registry Book of Maps 2021 Page 399; thence easterly with said northern line extended 445± feet to its intersection with the northeastern corner of the property with Wake County PIN 1702015193, said property also being Lot 2 shown in Wake County Registry Book of Maps 2021 Page 399; thence easterly 27± feet on the northern line of said property until its intersection with the southern right-of-way of The Arts Drive; thence easterly 2,400± feet with said southern right-of-way becoming the southern right-of-way of Broomfield Hunter Lane to its intersection with the southern right-of-way of Tryon Road; thence southerly 71± feet with said southern right-of-way to its intersection with the northwest corner of the property with Wake County PIN 1702301850, said property also being Lot 3 shown in Wake County Registry Book of Maps 1986 Page 1995; thence southerly 79± feet along said western boundary line of said property to its intersection with the eastern line of the property with Wake County PIN 1702201920; thence southerly with said eastern line 1,580± feet to the southeastern corner of said tract, said point also being the southwestern corner of the property with Wake County PIN 1701391659, also being labelled "R/W to be dedicated" shown in Wake County Registry Book of Maps 2023 Page 207; thence easterly with the southern line of said property 368± feet

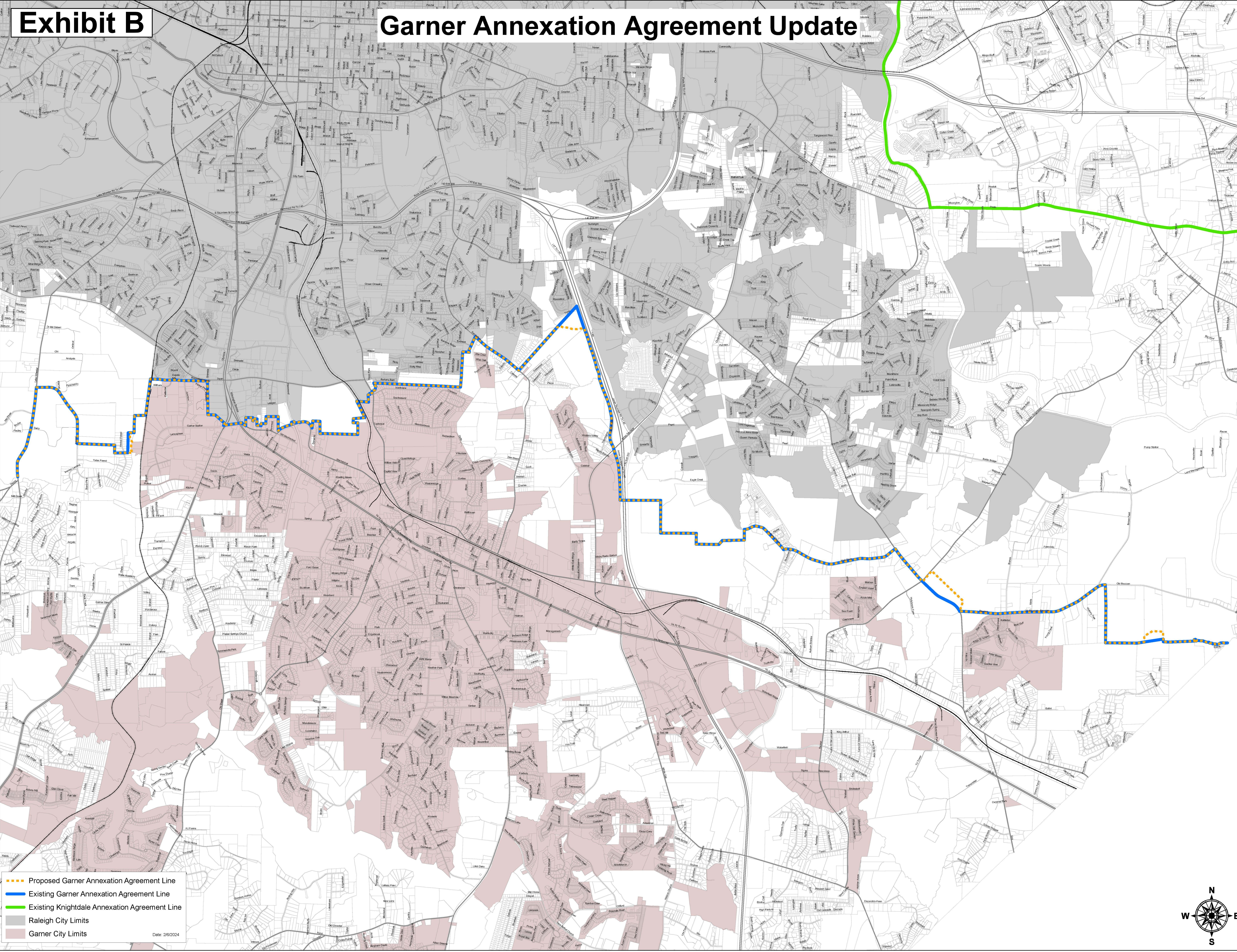
to its intersection with the southwestern line of the property with Wake County PIN 1701394348; thence southeasterly with said southwestern line 630± feet to its intersection with the western right-of-way of U.S. 401 South/U.S. 70 East; thence southwesterly with said right-of-way 75± feet to its intersection with the northern right-of-way extended of Mechanical Boulevard (SR 2538) as it crosses U. S. 401 South/U. S. 70 East, said right-of-way line also being the location of the Raleigh City Limits line; thence easterly along said line extended 940± feet to its intersection with the eastern right-of-way of U.S.70 East; thence southeasterly with said eastern right-of-way and the northern right-of-way of Mechanical Boulevard 250± feet to its intersection with the western line of the property with Wake County PIN 1701497135, said property also being Lot 1 shown in Wake County Registry Book of Maps 1980 Page 1067; thence northerly with said western line 415± feet to the northwestern corner of said tract; thence easterly with the northern lines of said tract and the property with Wake County PIN 1701498099 also being Lot 2 shown in Wake County Registry Book of Maps 2000 Page 1606, a distance of 350± feet to the northeastern corner of said tract, said point also being in the western line of the property with Wake County PIN 1701591628 also being Lot 1 shown in Wake County Registry Book of Maps 2008 Page 484; thence southerly with said western line 163± feet to the southwestern corner of said tract; thence easterly with the southern line of said tract 30± feet to the southeastern corner of said tract, said point also being in the northeastern corner of the property with Wake County PIN 1701489954; thence northerly 108± feet to the point also being the northwestern corner of the property with Wake County PIN 1701590268 also being Lot 2 shown in Wake County Registry Book of Maps 1957 Page 39; thence easterly 184± feet to the northwestern corner of the parcel with Wake County PIN 1701592246; thence southerly with the western lines of said tract and the properties with Wake County PINs 1701592145 and 1701592044 a distance of 324± feet to the southwestern corner of the property with Wake County PIN 1701592044; thence easterly with the southern line extended of said property 215± feet to its intersection with the centerline of Durham Drive (SR 4153); thence northerly with said centerline 120± feet to its intersection with the southern line extended of the property with Wake County PIN 1701594049 also being Lot 1-C-1 shown in Wake County Registry Book of Maps 1988 Page 1707; thence easterly with said southern line 141± feet to the southeast corner of said tract, said point also being the southwest corner of the property with Wake County PIN 1701595140 also being Lot 1-C-2 shown in Wake County Registry Book of Maps 1988 Page 1707; thence easterly along the southern line of said property 91± feet to the southeastern corner of said tract, said point also being in the western line of the property with Wake County PIN 1701596360 also being Lot B shown in Wake County Registry Book of Maps 1992 Page 1062; thence northerly with said western line 350± feet to the northwestern corner of said tract; thence easterly with the northern lines of said tract and the property with Wake County PIN 1701680963 a distance of 605± feet to the northeastern corner of said property with Wake County PIN 1701680963 also being Lot 2 shown in Wake County Registry Book of Maps 2004 Page 296; thence southerly with the eastern lines of said property and the property with Wake County PIN 1701599371 also being Lot 1 shown in Wake County Registry Book of Maps 2004 Page 296, a distance of 710± feet to the northern right-of-way line of Mechanical Boulevard; thence easterly along said northern right-of-way 1,930± feet to a common corner with the southwestern corner of the property with Wake County PIN 1701789987 also being Lot 14 shown in Wake County Registry Book of Maps 1988 Page 54; thence northerly with the western line of said property 358± feet to the northern corner of said tract, said corner being in the southern line of the property with Wake County PIN 1702806512, said property belonging to the State of North Carolina; thence the following courses and distances with said State Property: easterly 360± feet, southerly 610± feet, easterly 1,900± feet, northerly 590± feet, westerly 234 feet±, northerly 206± feet, and easterly 580±

feet to an intersection with the western right-of-way of the Norfolk and Southern Railway; thence northwesterly with said right-of-way 910± feet to its intersection with the northern line extended of the property with Wake County PIN 1711097854, said property belonging to the State of North Carolina; thence easterly with said northern line extended 595± feet to its intersection with the western line of the property with Wake County PIN 1712008231; thence northerly with the western lines of said tract and the properties with Wake County PINs 1712008321, 1712008321, 1712008422, and 1712008510 a distance of 358± feet to the northwestern corner of the property with Wake County PIN 1712008510; thence easterly with the northern line of said property 96± feet to its intersection with the western line of the property with Wake County PIN 1712008547; thence northerly with said western line 50± feet to the northwestern corner of said property; thence easterly with the northern line extended of said property 150± feet to its intersection with the Centerline of Garner Road (SR 1004); thence northerly with said centerline 65± feet to its intersection with the northwestern line extended of the property with Wake County PIN 1712100617 also being Lot 3 of Block F shown in Wake County Registry Book of Maps 1954 Page 70; thence northeasterly with said northwestern line extended 180± feet to the northern corner of said tract, said point also being in the western corner of the property with Wake County PIN 1712101715 also being Lot 4 of Block F shown in Wake County Registry Book of Maps 1954 Page 70; thence northerly with the western line of said tract 156± feet to its intersection with the southwestern line of the property with Wake County PIN 1712101859 also being Lot 5 of Block F shown in Wake County Registry Book of Maps 1954 Page 70; thence northwesterly with said southwestern line 212± feet to its intersection with the southern line of the property with Wake County PIN 1712110145 also being Lot 3 shown in Wake County Registry Book of Maps 2005 Page 1148; thence easterly with said southern line extended approximately 4,350± feet to the western line of the property with Wake PIN 1712517577 also being New Tract 2 shown in Wake County Registry Book of Maps 2003 Page 1225; thence northerly with the western line of said property 1,760± feet to the northwestern corner of the property with Wake County PIN 1712526413 also being New Tract 2 shown in Wake County Registry Book of Maps 2003 Page 1225; thence the following courses and distances with said property: easterly 337± feet, northwesterly 100± feet, northeasterly 750± feet along the northwestern line extended until its intersection with the centerline of SR 2564 (Sanderford Road); thence southeasterly along the centerline of SR 2564 (which becomes Creech Road after the Creech Road intersection) 2,750± feet to its intersection with the northwestern line extended of the property with Wake County PIN 1712814815; thence northeasterly with the northwestern lines extended in both extremes of said property and the properties with Wake County PINs 1712827013 and 1712926835 2,780± feet until its intersection with the southern line of the property with Wake County PIN 1722048230; thence easterly 1,300± feet along the southern line of said parcel, to its intersection with the western right-of-way of Interstate-40; thence southerly with said western right-of-way 8,800± feet to its intersection with the southern line extended of the property with Wake County PIN 1721550804 also being Lot 7 shown in Wake County Registry Book of Maps 2023 Page 274; thence easterly 2,033± feet along the southern line extended of said property to a point on the southern line of said property, said point also being its intersection with the northeastern corner of the property with Wake County PIN 1721446485 also being labelled "Martin Marietta Materials, Inc." shown in Wake County Registry Book of Maps 2023 Page 274; thence southerly 1,650± feet on the eastern line of said property to its southeastern corner and its intersection with the southern line of the property with Wake County PIN 1721742327 also being Lot 6 shown in Wake County Registry Book of Maps 2023 Page 274; thence the following courses and distances with said property: easterly 1,790± feet, southerly 524± feet, easterly 1,136± feet, northeasterly 268± feet, easterly 1,100± feet, northerly along the eastern

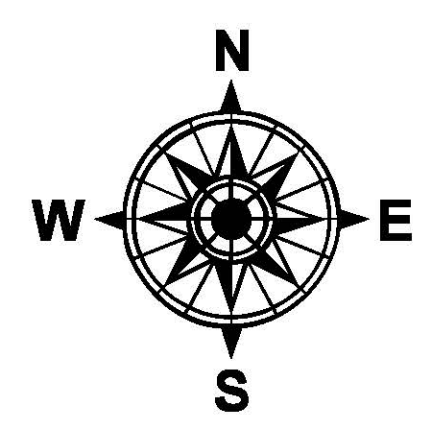
line extended 535± feet to its intersection with the centerline of Auburn Church Road (SR 2548); thence easterly along the centerline of Auburn Church Road 2,460± feet to its intersection with the centerline of Wall Store Road (SR 2549); thence easterly along the centerline of Wall Store Road 5,900± feet to its intersection with the centerline of Rock Quarry Road (SR 2543); thence southeasterly along the centerline of Rock Quarry Road 2,130± feet to its intersection with the northwestern line extended of the property with Wake County PIN 1731805246, said property belonging to Burnette Farms, LLC and being a portion of Tract 1 shown in Wake County Registry Book of Maps 1989 Page 1374; thence the following courses and distances with said property: northeasterly 700± feet, southeasterly 2,170± feet, southwesterly 550± feet to its intersection with the centerline of Old Baucom Road (SR 2542); thence easterly along the centerline of Old Baucom Road 7,660± feet to its intersection with the western line extended of the property with Wake County PIN 1751047213 also being Lot 1 shown in Wake County Registry Book of Maps 1993 Page 306; thence southerly with said western line 2,900± feet to the southwestern corner of said tract; thence easterly with the southern line of said tract 1,584± feet to a point in the southern line of said property, said point being a common corner with two properties to the south; thence continuing easterly with the southern line of said property 363± feet to a point in the southern line of said property, said point being a common corner with the property with Wake County PIN 1740979732; thence northerly along the western line of said property 295± feet to a point in the western line of said property, said point being a common corner with two properties to the west; thence easterly along the northern boundary of said property 1008± feet to a point on the northern line of said property, said point being a common corner with two properties to the east; thence southerly along the eastern boundary of said property 504± feet to a point in the southwestern corner line of the property with Wake County PIN 1751047213; thence easterly with the southern property lines of said property a distance of 3,440± feet to its intersection with the Wake County Line, said point being the END point of the annexation agreement line.

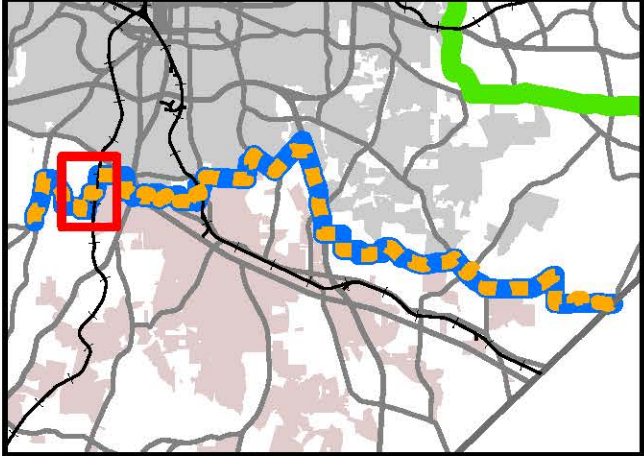
Exhibit B

Garner Annexation Agreement Update

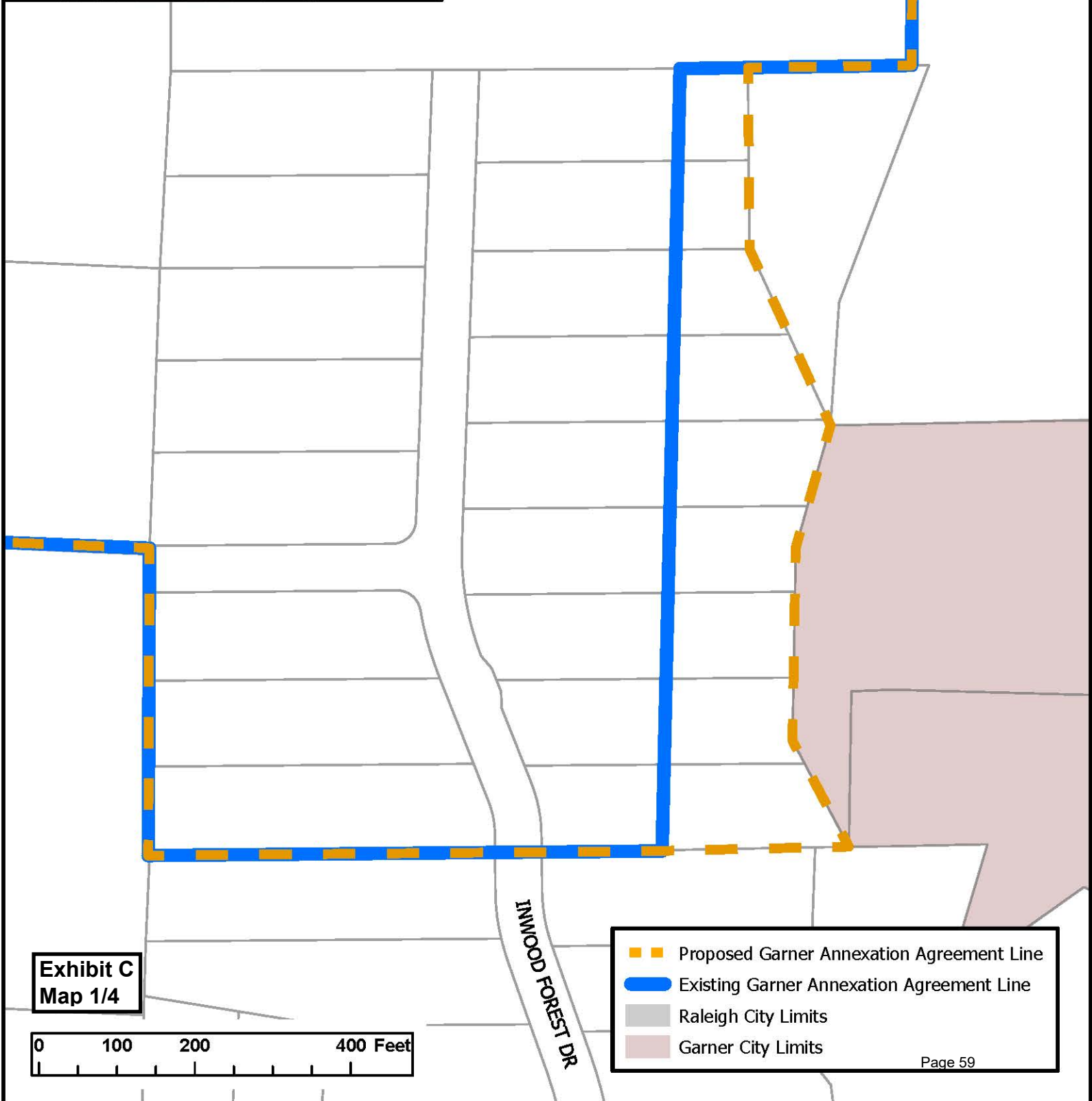


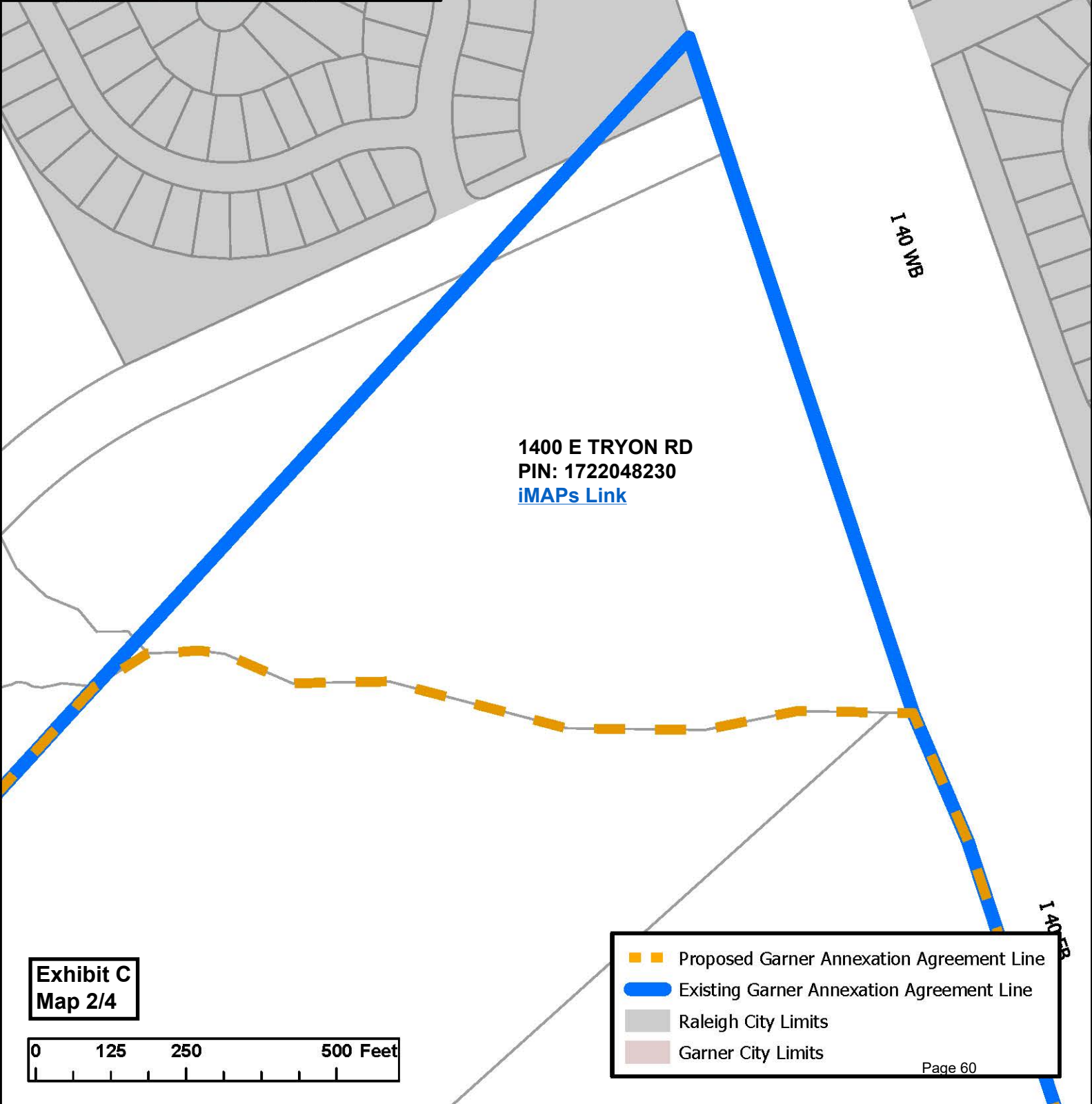
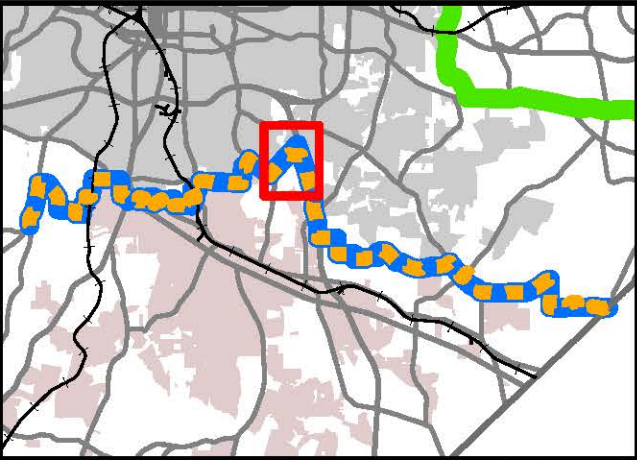
- Proposed Garner Annexation Agreement Line
 - Existing Garner Annexation Agreement Line
 - Existing Knightdale Annexation Agreement Line
 - Raleigh City Limits
 - Garner City Limits
- Date: 2/6/2024





4321 INWOOD DR
PIN: 0791895038
[iMAPs Link](#)



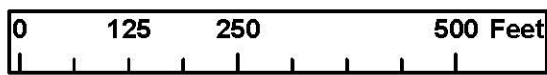






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[iMAPs Link](#)

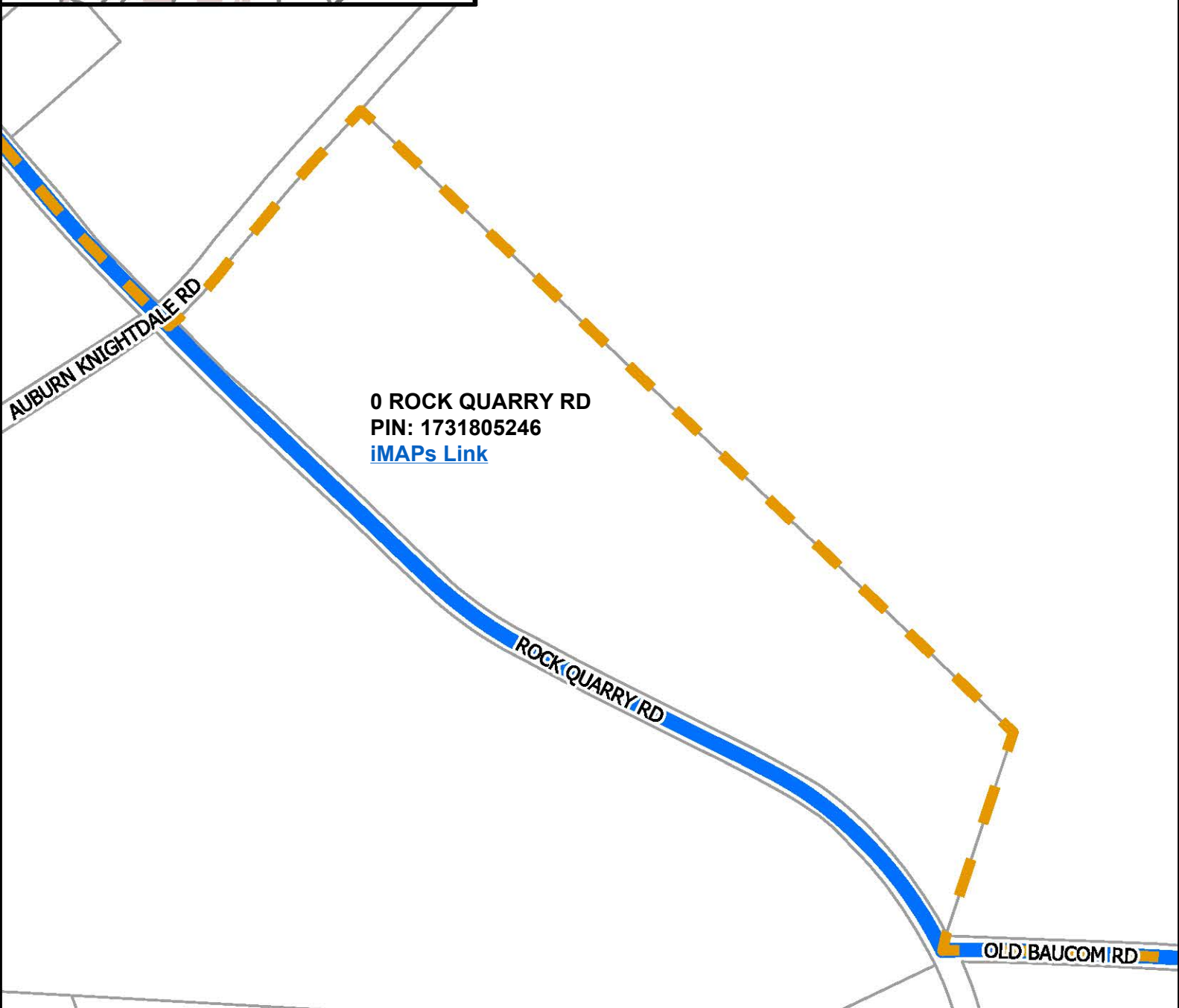
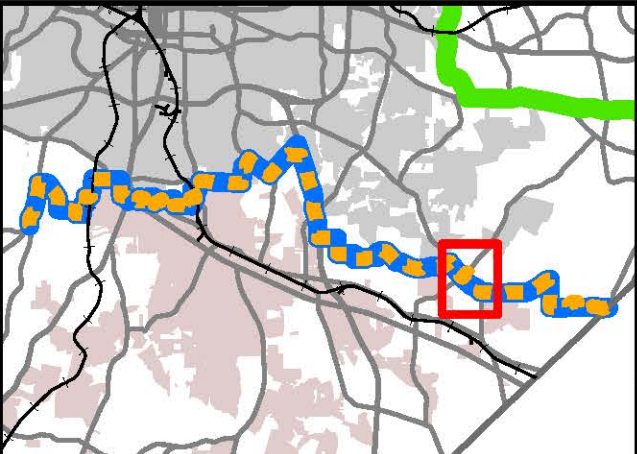
I 40 WB

I 40 EB

Exhibit C
Map 2/4



-  Proposed Garner Annexation Agreement Line
-  Existing Garner Annexation Agreement Line
-  Raleigh City Limits
-  Garner City Limits



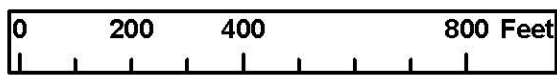
0 ROCK QUARRY RD
PIN: 1731805246
[iMAPs Link](#)

AUBURN KNIGHTDALE RD

ROCK QUARRY RD

OLD BAUCOM RD

Exhibit C
Map 3/4



- Proposed Garner Annexation Agreement Line
- Existing Garner Annexation Agreement Line
- Raleigh City Limits
- Garner City Limits

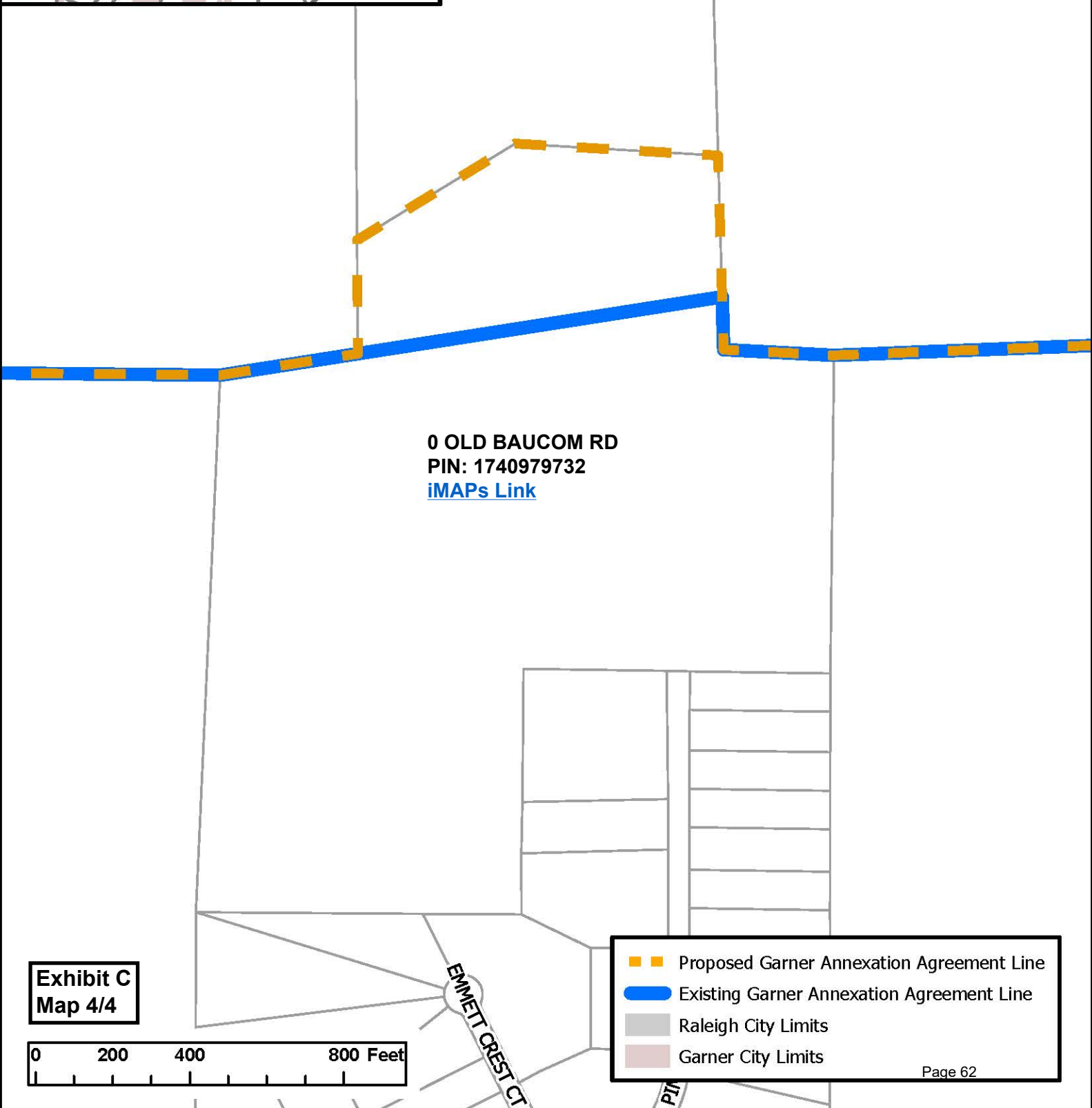
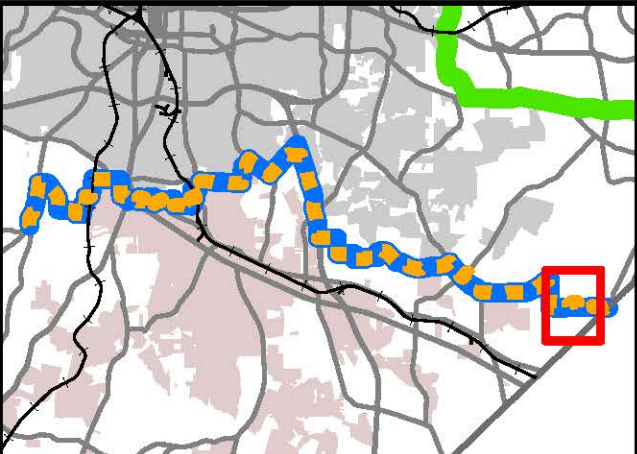


Exhibit C
Map 4/4

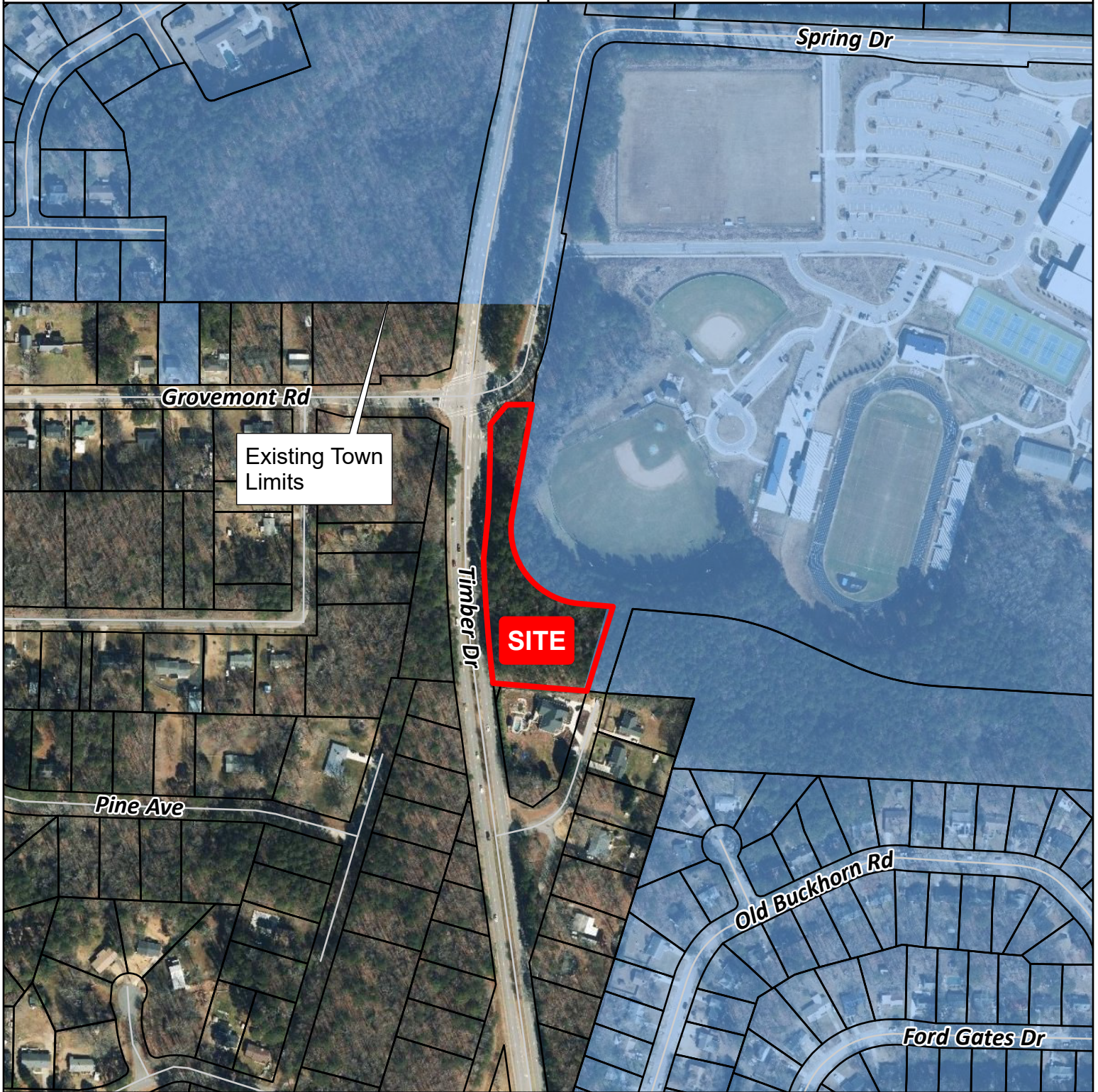
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: Voluntary Contiguous Annexation Petition # ANX-24-005, Spring Drive Townhomes		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Alex Bone; GIS Analyst		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
Brief Summary: Voluntary contiguous annexation petition (ANX-24-005) submitted by Rehab Hamad to bring 2.23 +/- acres into the corporate limits of the Town of Garner. The property is generally located at 0 Spring Drive and may be otherwise identified as Wake County PIN 1701625974.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2024) 5284.		
Detailed Notes: This petition accompanies subdivision rezoning case # CZ-MP-22-11, Spring Drive Townhomes, approved on November 7, 2022. Portions of the properties involved in CZ-MP-22-11 are already within town limits; however, this portion is not. Per the Raleigh-Garner Merger Agreement, an annexation petition is required for the extension of service.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		

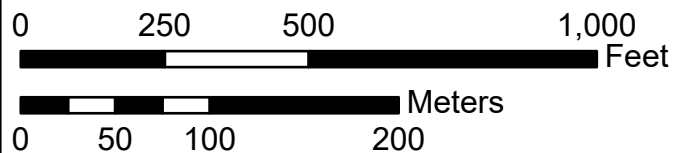


Town of Garner Planning Department

Annexation ANX-24-005



Owner: TRILANDCO, LLC
Project: Spring Drive Townhomes
Location: 0 Spring Dr
Pin #: 1701-62-5974
Area: +/- 2.23 Acres Total



Scale: 1:4,000



Planning Department Memorandum

TO: Honorable Mayor Gupton and Town Council Members

FROM: Alex Bone; GIS Analyst

SUBJECT: *Voluntary Annexation Petition # ANX-24-005, Spring Dr Townhomes*

DATE: July 16, 2024

ANNEXATION APPLICATION: ANX-24-005

OWNERS: Trilandco, LLC

CONTIGUOUS / SATELLITE: Contiguous

LOCATION OF PROPERTY: 0 Spring Dr

WAKE COUNTY PIN #: 1701-62-5974

REAL ESTATE ID #: 0501420

AREA: 2.23 +/- acres

ZONING: Multifamily – A Conditional (MF-A-C267)

ASSOCIATED DEVELOPMENT PLAN: This petition follows a request for public water and sewer with an associated development case – Spring Dr Townhomes (CZ-MP-22-11), approved November 7, 2022; Per the *Raleigh-Garner Merger Agreement*, an annexation petition is required for the extension of service.

RECOMMENDATION: Adopt annexation ordinance.

KEY DATES:

PUBLIC HEARING: July 16, 2024

ANNEXATION EFFECTIVE: July 16, 2024

Return to:
Stella Gibson
Town of Garner
900 7th Avenue
Garner, NC 27529

ORDINANCE NO. (2024) 5284

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF GARNER,
NORTH CAROLINA**

WHEREAS, the Town Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

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

WHEREAS, the Town Clerk has certified the sufficiency of said petition, and a public hearing on the question of this annexation was held at the Town Hall at 6:00 p.m. on July 16, 2024, after due notice was published electronically on the Town's website on July 5, 2024; and

WHEREAS, the Town Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended.

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the Town of Garner as of July 16, 2024:

ANX-24-005, Spring Dr Townhomes – Contiguous annexation:
2.23 +/- acres generally at 0 Spring Dr; Wake County PIN 1701625974.

Legal Description for Annexation

PIN 1701625974 - EAST SIDE OF TIMBER DRIVE.

BEGINNING AT AN EXISTING 3/4" IRON PIPE (POB) LOCATED AT THE INTERSECTION OF THE EASTERN RIGHT OF WAY OF TIMBER DRIVE AND THE SOUTHERN RIGHT OF WAY OF SPRING DRIVE AND HAVING NORTH CAROLINA GRID (NAD83/11) COORDINATES OF NORTH 713,382.129 EAST 2,106,520.865; THENCE FROM THE POB ALONG THE SOUTHERN RIGHT OF WAY OF SPRING DRIVE N89°54'40"E 62.07 FEET TO AN EXISTING NCDOT RIGHT OF WAY MONUMENT, THE COMMON CORNER WITH WAKE COUNTY BOARD OF EDUCATION (DEED BOOK 13625, PAGE 1724, EXHIBIT BB); THENCE ALONG THE COMMON LINE WITH WAKE COUNTY THE FOLLOWING FOUR (4) COURSES: (1) S10° 10' 30"W 277.69 FEET TO AN EXISTING 3/4" IRON PIPE, (2) ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 183.05 FEET WITH AN ARC LENGTH OF 303.59 FEET AND HAVING A CHORD BEARING AND DISTANCE OF S37°41'05"E 269.97 FEET TO AN EXISTING BENT IRON PIPE; (3) S85°04'34"E 82.08 FEET TO AN EXISTING IRON PIPE WITH A CAP AND TACK, (4) S17° 07' 27"W 216.09 FEET TO AN EXISTING BENT IRON PIPE, THE COMMON CORNER WITH MALYNDA MAE YOUNG (DEED BOOK 17384, BOOK 863) AND THE NORTHWEST CORNER OF THE NORTHERN RIGHT OF WAY FOR SPRING ROAD; THENCE ALONG THE YOUNG COMMON LINE N85° 13' 59"W 210.98 FEET TO AN EXISTING 3/4" IRON PIPE THE COMMON CORNER WITH NCDOT (DEED BOOK 5222, PAGE 540); THENCE ALONG THE NCDOT COMMON LINE N85°23'48"W 19.59 FEET TO AN EXISTING 3/4" IRON PIPE LOCATED ON THE EASTERN RIGHT OF WAY OF TIMBER DRIVE; THENCE ALONG SAID EASTERN RIGHT OF WAY THE FOLLOWING FOUR (4) COURSES: (1) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 3,899.17 FEET WITH AN ARC LENGTH OF 304.82 FEET AND HAVING A CHORD BEARING AND DISTANCE OF N04°21'30"W 304.75 FEET TO AN EXISTING 1/2" IRON ROD, (2) N05°43'42"E 105.92 FEET TO AN IRON PIPE SET, (3) ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 3,565.00 FEET WITH AN ARC LENGTH OF 223.78 FEET AND HAVING A CHORD BEARING AND DISTANCE OF N01°28'20"E 223.75 FEET TO AN IRON PIPE SET, (4) N39°51'52"E 63.05 FEET TO THE **POINT OF BEGINNING**; CONTAINING 97,312 SQUARE FEET OR 2.234 ACRES MORE OR LESS.

Section 2. Upon and after July 16, 2024, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Garner and shall be entitled to the same privileges and benefits as other parts of the Town of Garner said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Garner shall cause to be recorded in the office of the Register of Deeds of Wake County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above,

together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Wake County Board of Elections, as required by G.S. 163-288.1.

Adopted this 16th day of July 2024.

Buddy Gupton, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

APPROVED AS TO FORM:

Terri A. Jones, Town Attorney

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: Voluntary Contiguous Annexation Petition # ANX-24-004, Cambria		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Alex Bone; GIS Analyst		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
Brief Summary: Voluntary contiguous annexation petition (ANX-24-004) submitted by Beth Blackmon to bring 128.02 +/- acres (plus 7.09 +/- acres in adjacent right-of-way for 135.11 acres total) into the corporate limits of the Town of Garner. The property is generally located at 0, 2121, 2437, 2425 New Bethel Church Road and may be otherwise identified as Wake County PIN(s) 1629805447, 1629803590, 1629806354, 1629827686, 1629518996, 1629716106 and 1629807955.		
Recommended Motion and/or Requested Action: Consider adoption of Ordinance (2024) 5285.		
Detailed Notes: This petition accompanies rezoning case # CZ-MP-21-12, Walters-Buffaloe (Cambria), which was approved by council on 11/22/2022. Per the Raleigh-Garner Merger Agreement, an annexation petition is required for the extension of service.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		

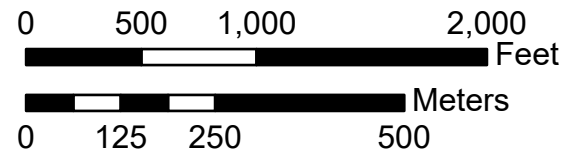


Town of Garner Planning Department

Annexation ANX-24-004



Owner: Pulte Home Company, LLC
Project: Cambria
Location: 0, 2121, 2437, 2425 New Bethel Church Rd
Pin #: 1629-80-5447, 1629-80-3590, 1629-80-6354,
 1629-82-7686, 1629-51-8996, 1629-71-6106,
 1629-80-7955
Area: 128.02 +/- Acres, 7.09 +/- Acres in Right of Way for
 135.11 +/- Acres Total



Scale: 1:10,000

Planning Department Memorandum

TO: Honorable Mayor Gupton and Town Council Members

FROM: Alex Bone; GIS Analyst

SUBJECT: *Voluntary Annexation Petition # ANX-24-004, Cambria*

DATE: July 16, 2024

ANNEXATION APPLICATION: ANX-24-004

OWNERS: Pulte Home Company, LLC

CONTIGUOUS / SATELLITE: Contiguous

LOCATION OF PROPERTY: 0, 2121, 2437, 2425 New Bethel Church Dr

WAKE COUNTY PIN #: 1629-80-5447, 1629-80-3590, 1629-80-6354, 1629-82-7686, 1629-51-8996, 1629-71-6106, 1629-80-7955

REAL ESTATE ID #: 0129686, 0504424, 0504259, 0504285, 0127764, 0191274, 0288470

AREA: 128.02 +/- acres, plus 7.09 +/- acres in Right of Way

ZONING: Multifamily – A Conditional (MF-A-C-265)

ASSOCIATED DEVELOPMENT PLAN: This petition follows a request for public water and sewer with an associated development case – Cambria (formerly known as Walters Buffalo) (CZ-MP-21-12), approved November 22, 2022; Per the *Raleigh-Garner Merger Agreement*, an annexation petition is required for the extension of service.

RECOMMENDATION: Adopt annexation ordinance.

KEY DATES:

PUBLIC HEARING: July 16, 2024

ANNEXATION EFFECTIVE: July 16, 2024

Return to:
Stella Gibson
Town of Garner
900 7th Avenue
Garner, NC 27529

ORDINANCE NO. (2024) 5285

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF GARNER,
NORTH CAROLINA**

WHEREAS, the Town Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

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

WHEREAS, the Town Clerk has certified the sufficiency of said petition, and a public hearing on the question of this annexation was held at the Town Hall at 6:00 p.m. on July 16, 2024, after due notice was published electronically on the Town's website on July 5, 2024; and

WHEREAS, the Town Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended.

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the Town of Garner as of July 16th, 2024:

ANX-24-004, Cambria – Contiguous annexation:

128.02 +/- acres plus 7.09 +/- acres of adjacent intervening right-of-way for a total of 135.11 +/- acres generally at 0, 2121, 2437, 2425 New Bethel Church Dr; Wake County PIN(s) 1629-80-5447, 1629-80-3590, 1629-80-6354, 1629-82-7686, 1629-51-8996, 1629-71-6106, 1629-80-7955

Legal Description for Annexation

All that certain parcel of land situated in the County of Wake, State of North Carolina, being more particularly bound and described as follows:

Beginning at a found 2” bent iron rod at the southeast corner of lands of Joseph P. Cook and spouse Ellen M. Cook (DB 16677, Pg 527) having a North Carolina Grid coordinate value of North 691,725.92 Feet, East 2,128,350.55 Feet; Thence along said lands, passing through a found iron pipe at 2059.98 Feet, North 03 Degrees 14 Minutes 59 Seconds East, 2081.36 Feet (total distance) to a at the centerline of a branch;

Thence along said branch as it meanders for Forty-Three (43) Courses and distances:

1. North 65 Degrees 31 Minutes 50 Seconds East, 6.60 Feet to a point;
2. North 38 Degrees 46 Minutes 39 Seconds East, 27.73 Feet to a point;
3. North 78 Degrees 32 Minutes 24 Seconds East, 12.73 Feet to a point;
4. South 36 Degrees 07 Minutes 48 Seconds East, 20.13 Feet to a point;
5. North 56 Degrees 17 Minutes 06 Seconds East, 31.76 Feet to a point;
6. South 78 Degrees 48 Minutes 42 Seconds East, 18.50 Feet to a point;
7. North 48 Degrees 00 Minutes 09 Seconds East, 8.37 Feet to a point;
8. North 31 Degrees 58 Minutes 04 Seconds West, 27.50 Feet to a point;
9. North 67 Degrees 49 Minutes 56 Seconds East, 14.82 Feet to a point;
10. North 63 Degrees 20 Minutes 00 Seconds East, 17.65 Feet to a point;
11. South 40 Degrees 17 Minutes 40 Seconds East, 19.65 Feet to a point;
12. South 84 Degrees 56 Minutes 32 Seconds East, 34.14 Feet to a point;
13. North 63 Degrees 13 Minutes 37 Seconds East, 35.74 Feet to a point;
14. South 71 Degrees 55 Minutes 28 Seconds East, 14.16 Feet to a point;
15. South 05 Degrees 44 Minutes 42 Seconds West, 43.86 Feet to a point;
16. South 02 Degrees 59 Minutes 22 Seconds West, 27.04 Feet to a point;
17. North 84 Degrees 02 Minutes 50 Seconds East, 32.01 Feet to a point;
18. South 60 Degrees 31 Minutes 15 Seconds East, 52.16 Feet to a point;
19. North 46 Degrees 42 Minutes 43 Seconds East, 39.06 Feet to a point;
20. South 76 Degrees 15 Minutes 52 Seconds East, 17.10 Feet to a point;
21. South 18 Degrees 46 Minutes 48 Seconds East, 37.27 Feet to a point;
22. North 69 Degrees 54 Minutes 59 Seconds East, 10.22 Feet to a point;
23. North 34 Degrees 05 Minutes 10 Seconds East, 24.87 Feet to a point;
24. North 16 Degrees 33 Minutes 16 Seconds East, 28.81 Feet to a point;
25. North 60 Degrees 38 Minutes 12 Seconds East, 16.95 Feet to a point;

26. South 70 Degrees 03 Minutes 17 Seconds East, 6.48 Feet to a point;
27. North 79 Degrees 31 Minutes 16 Seconds East, 23.79 Feet to a point;
28. North 81 Degrees 10 Minutes 07 Seconds East, 46.98 Feet to a point;
29. South 24 Degrees 27 Minutes 09 Seconds East, 49.62 Feet to a point;
30. South 66 Degrees 43 Minutes 55 Seconds East, 24.61 Feet to a point;
31. South 06 Degrees 29 Minutes 31 Seconds West, 56.69 Feet to a point;
32. South 24 Degrees 32 Minutes 51 Seconds East, 22.87 Feet to a point;
33. South 07 Degrees 27 Minutes 21 Seconds East, 47.47 Feet to a point;
34. North 63 Degrees 21 Minutes 28 Seconds East, 33.16 Feet to a point;
35. South 26 Degrees 04 Minutes 59 Seconds East, 12.76 Feet to a point;
36. South 64 Degrees 13 Minutes 08 Seconds East, 42.17 Feet to a point;
37. South 89 Degrees 28 Minutes 14 Seconds East, 29.22 Feet to a point;
38. South 79 Degrees 13 Minutes 00 Seconds East, 58.26 Feet to a point;
39. South 16 Degrees 41 Minutes 01 Seconds East, 21.21 Feet to a point;
40. South 81 Degrees 05 Minutes 50 Seconds East, 11.95 Feet to a point;
41. South 48 Degrees 57 Minutes 16 Seconds East, 28.40 Feet to a point;
42. North 82 Degrees 02 Minutes 38 Seconds East, 27.96 Feet to a point;
43. South 66 Degrees 00 Minutes 22 Seconds East, 12.23 Feet to a point; on the west margin of I-40, a variable width public right-of-way;

Thence along the west margin of I-40 the following Twelve (12) Courses and distances;

1. South 03 Degrees 39 Minutes 07 Seconds West, 722.82 Feet to a right-of-way monument;
2. South 03 Degrees 46 Minutes 01 Seconds East, 201.67 Feet to a right-of-way monument;
3. South 04 Degrees 34 Minutes 15 Seconds West, 450.07 Feet to a right-of-way monument;
4. South 03 Degrees 19 Minutes 09 Seconds West, 350.00 Feet to a point;
5. South 09 Degrees 01 Minutes 47 Seconds West, 270.49 Feet to a point in the centerline of a branch;
6. South 09 Degrees 01 Minutes 47 Seconds West, 22.13 Feet to a point;
7. South 09 Degrees 02 Minutes 39 Seconds East, 111.38 Feet to a point;
8. South 04 Degrees 43 Minutes 33 Seconds West, 400.10 Feet to a point;
9. South 14 Degrees 58 Minutes 01 Seconds West, 150.54 Feet to a point;
10. South 03 Degrees 19 Minutes 00 Seconds West, 590.59 Feet to a point;
11. South 10 Degrees 43 Minutes 25 Seconds East, 67.64 Feet to a point;
12. South 18 Degrees 37 Minutes 00 Seconds West, 201.88 Feet to a point on the west margin of I-40 and the north margin of New Bethel Church Road (S.R. 2703) a variable width public right-of-way;

Thence, along the north margin of New Bethel Church Road the following Nine (9) courses and distances;

1. Northwest along a non-tangent curve to the left having a radius of 1580.00 Feet, an arc length of 263.77 Feet, with a long chord having a bearing of North 66 Degrees 58 Minutes 50 Seconds West for a distance of 263.47 Feet to a point;
2. South 14 Degrees 04 Minutes 34 Seconds West, 14.79 Feet to a point;
3. North 73 Degrees 12 Minutes 20 Seconds West, 147.87 Feet to a point;
4. North 72 Degrees 51 Minutes 28 Seconds West, 31.31 Feet to a point;
5. Northwest along a non-tangent curve to the right having a radius of 14578.92 Feet, an arc length of 116.66 Feet, with a long chord having a bearing of North 70 Degrees 33 Minutes 53 Seconds West for a distance of 116.66 Feet to a point;
6. Northwest along a non-tangent curve to the right having a radius of 1460.00 Feet, an arc length of 76.52 Feet, with a long chord having a bearing of North 68 Degrees 03 Minutes 21 Seconds West for a distance of 76.51 Feet to a point;
7. North 73 Degrees 51 Minutes 10 Seconds West, 131.51 Feet to a point;
8. South 14 Degrees 02 Minutes 18 Seconds West, 6.93 Feet to a point;
9. South 14 Degrees 02 Minutes 18 Seconds West, 25.42 Feet to a point in the centerline of New Bethel Church Road (S.R. 2703) a variable width right-of-way;

Thence along the centerline of New Bethel Church Road the following Ten (10) courses and distances;

1. North 65 Degrees 30 Minutes 50 Seconds West, 32.13 Feet to a point;
2. Northwest along a tangent curve to the right with a radius of 8569.28 Feet, arc length of 433.88 Feet, with a long chord having a bearing of North 64 Degrees 03 Minutes 49 Seconds West for a distance of 433.83 Feet to a point;
3. North 62 Degrees 36 Minutes 47 Seconds West, 823.82 Feet to a point;
4. Northwest, along a tangent curve to the left with a radius of 6158.31 Feet, arc length of 578.99 Feet, with a long chord having a bearing of North 65 Degrees 18 Minutes 23 Seconds West for a distance of 578.78 Feet to a point;
5. Northwest, along a compound curve to the left with a radius of 6158.31 Feet, arc length of 193.62 Feet, with a long chord having a bearing of North 68 Degrees 54 Minutes 02 Seconds West for a distance of 193.61 Feet to a point;
6. North 69 Degrees 48 Minutes 04 Seconds West, 113.50 Feet to a point;
7. Northwest, along a tangent curve to the right with a radius of 672.48 Feet, arc length of 238.72 Feet, with a long chord having a bearing of North 59 Degrees 37 Minutes 54 Seconds West for a distance of 237.47 Feet to a point;
8. North 49 Degrees 27 Minutes 44 Seconds West, 155.32 Feet to a point;

9. Northwest, along a tangent curve to the left with a radius of 5700.63 Feet, arc length of 296.96 Feet, with a long chord having a bearing of North 50 Degrees 57 Minutes 16 Seconds West for a distance of 296.92 Feet to a point;
10. North 52 Degrees 26 Minutes 49 Seconds West, 138.22 Feet to a point;

Thence leaving the center of New Bethel Church Road (S.R. 2703), Thence North 86 Degrees 45 Minutes 58 Seconds West, 53.24 Feet to a found iron pipe on the southwest margin of said road; Thence along land of The City of Raleigh (Deed Book 12224 Page 149), North 86 Degrees 45 Minutes 58 Seconds West, 313.63 Feet to a found iron pipe on the east margin of Wrenn Road (S.R. 2704) a 60' public right-of-way; Thence North 86 Degrees 45 Minutes 58 Seconds West, 36.23 Feet to a point in the centerline of said road; Thence along the centerline of Wrenn Road, North 01 Degrees 33 Minutes 54 Seconds East, 280.87 Feet to a point at the intersection of Wrenn Road and New Bethel Church Road; Thence North 52 Degrees 26 Minutes 49 Seconds West, 11.73 Feet to a point at the intersection of Hebron Church Road (S.R. 2547) a 60' public right-of-way and New Bethel Church Road;

Thence along the centerline of Hebron Church Road the following Three (3) courses and distances;

1. North 02 Degrees 59 Minutes 46 Seconds East, 531.55 Feet to a point;
2. Northeast, along a tangent curve to the right with a radius of 1581.89 Feet, arc length of 317.16 Feet, with a long chord having a bearing of North 08 Degrees 44 Minutes 24 Seconds East for a distance of 316.63 Feet to a point;
3. North 14 Degrees 29 Minutes 01 Seconds East, 35.21 Feet to a point;

Thence leaving the centerline of said road, South 72 Degrees 53 Minutes 23 Seconds East, 30.03 Feet to an iron rod on the east margin of Hebron Church Road near the centerline of a branch; Thence along the centerline of the branch as it meanders the following Forty-Four (44) courses and distances;

1. South 54 Degrees 41 Minutes 57 Seconds East, 26.27 Feet to a point;
2. South 37 Degrees 54 Minutes 45 Seconds East, 28.14 Feet to a point;
3. South 41 Degrees 01 Minutes 15 Seconds East, 43.41 Feet to a point;
4. South 47 Degrees 08 Minutes 38 Seconds East, 92.99 Feet to a point;
5. South 38 Degrees 08 Minutes 39 Seconds East, 57.28 Feet to a point;
6. South 74 Degrees 41 Minutes 26 Seconds East, 89.84 Feet to a point;
7. South 06 Degrees 06 Minutes 19 Seconds West, 96.94 Feet to a point;
8. South 47 Degrees 24 Minutes 46 Seconds East, 89.86 Feet to a point;
9. North 82 Degrees 11 Minutes 57 Seconds East, 30.28 Feet to a point;
10. South 25 Degrees 11 Minutes 42 Seconds East, 19.64 Feet to a point;
11. South 86 Degrees 45 Minutes 13 Seconds East, 27.72 Feet to a point;
12. South 61 Degrees 22 Minutes 57 Seconds East, 45.45 Feet to a point;

13. South 01 Degrees 02 Minutes 09 Seconds East, 29.87 Feet to a point;
14. South 60 Degrees 26 Minutes 12 Seconds East, 36.42 Feet to a point;
15. South 28 Degrees 00 Minutes 49 Seconds East, 18.93 Feet to a point;
16. South 70 Degrees 30 Minutes 52 Seconds East, 39.84 Feet to a point;
17. South 25 Degrees 24 Minutes 39 Seconds East, 44.63 Feet to a point;
18. South 60 Degrees 14 Minutes 04 Seconds East, 47.90 Feet to a point;
19. South 89 Degrees 28 Minutes 49 Seconds East, 44.10 Feet to a point;
20. South 50 Degrees 44 Minutes 15 Seconds East, 31.33 Feet to a point;
21. South 79 Degrees 47 Minutes 02 Seconds East, 27.12 Feet to a point;
22. North 59 Degrees 09 Minutes 00 Seconds East, 52.67 Feet to a point;
23. North 41 Degrees 37 Minutes 55 Seconds East, 31.53 Feet to a point;
24. South 89 Degrees 31 Minutes 50 Seconds East, 52.48 Feet to a point;
25. South 34 Degrees 30 Minutes 05 Seconds East, 16.84 Feet to a point;
26. South 53 Degrees 33 Minutes 16 Seconds East, 34.84 Feet to a point;
27. North 83 Degrees 51 Minutes 24 Seconds East, 10.93 Feet to a point;
28. South 76 Degrees 10 Minutes 52 Seconds East, 28.76 Feet to a point;
29. South 54 Degrees 10 Minutes 56 Seconds East, 57.07 Feet to a point;
30. South 79 Degrees 11 Minutes 03 Seconds East, 48.65 Feet to a point;
31. North 58 Degrees 03 Minutes 06 Seconds East, 20.26 Feet to a point;
32. North 83 Degrees 49 Minutes 28 Seconds East, 17.29 Feet to a point;
33. South 80 Degrees 51 Minutes 14 Seconds East, 60.46 Feet to a point;
34. South 50 Degrees 48 Minutes 17 Seconds East, 28.25 Feet to a point;
35. South 21 Degrees 58 Minutes 07 Seconds East, 9.54 Feet to a point;
36. South 04 Degrees 24 Minutes 48 Seconds East, 12.09 Feet to a point;
37. South 65 Degrees 06 Minutes 45 Seconds East, 59.12 Feet to a point;
38. South 57 Degrees 37 Minutes 38 Seconds East, 19.18 Feet to a point;
39. North 50 Degrees 49 Minutes 28 Seconds East, 17.70 Feet to a point;
40. North 21 Degrees 03 Minutes 40 Seconds East, 19.12 Feet to a point;
41. North 86 Degrees 03 Minutes 38 Seconds East, 20.67 Feet to a point;
42. South 44 Degrees 23 Minutes 58 Seconds East, 24.28 Feet to a point;
43. South 77 Degrees 06 Minutes 00 Seconds East, 34.98 Feet to a point;
44. South 39 Degrees 52 Minutes 09 Seconds East, 27.20 Feet to a found iron pipe;

Thence along lands of Pattie B. Lee (WB 16-E Page 468 and Deed Book 8842 Page 2467) South 00 Degrees 19 Minutes 05 Seconds West, 537.69 Feet to a found iron pipe; Thence South 87 Degrees 39 Minutes 36 Seconds East, 1376.72 Feet to a found iron pipe; Thence North 89 Degrees 19 Minutes 57 Seconds East, 240.28 Feet to a found iron pipe; Thence North 01 Degrees 47 Minutes 29 Seconds East, 80.65 Feet to a found iron pipe; Thence North 81 Degrees 23 Minutes 19 Seconds East, 205.06 Feet to a found iron pipe being the **Point of Beginning** Being 128.02 +/- acres, and then including 7.09 +/- acres of adjacent intervening right-of-way for a total annexed area of 135.11 +/- acres.

Section 2. Upon and after July 16, 2024, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Garner and shall be entitled to the same privileges and benefits as other parts of the Town of Garner said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

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

Adopted this 16th day of July 2024.

Buddy Gupton, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

APPROVED AS TO FORM:

Terri A. Jones, Town Attorney

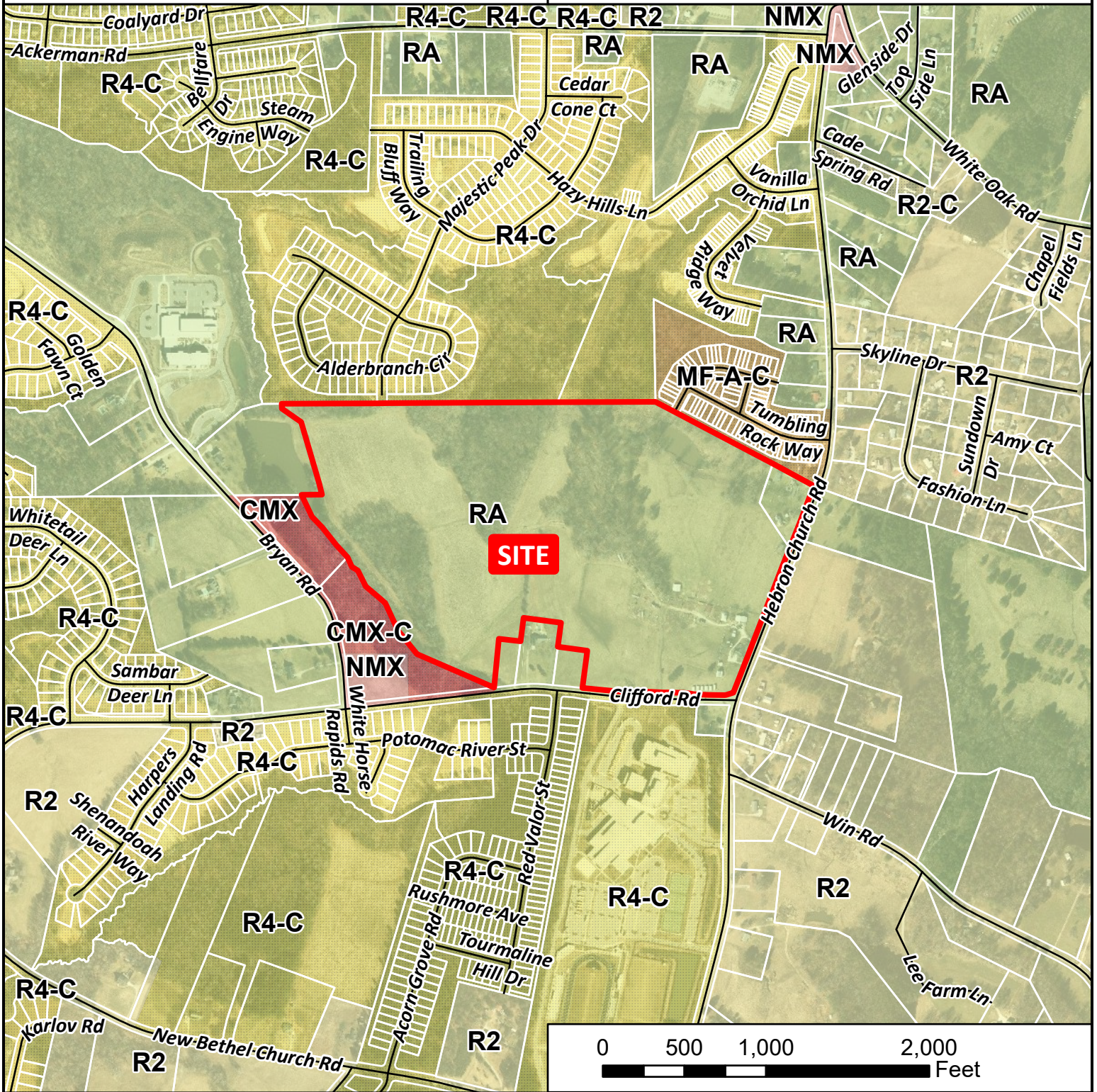
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: Tier 2 Conditional Rezoning # CZ-MP-23-04, Homestead at Bryan Farm		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Erin Joseph, Assistant Planning Director		
Presenter: Erin Joseph, Assistant Planning Director		
Brief Summary: Tier 2 conditional rezoning request submitted by the Lennar Corporation to rezone 99.17+/- acres from Rural Agricultural (RA) to Residential 8 (R8 C306) Conditional for the development of a collective maximum of 265 dwelling units (note: down from 291 in the original application) including individual maximums of 107 townhouse units and 167 single-family detached units. The site is generally located on the northwestern corner of Hebron Church and Clifford roads and may be further identified as Wake County PIN(s) 1629568117 and 162958117 (portion of).		
Recommended Motion and/or Requested Action: Consider closing public hearing to refer case to Planning Commission for consistency review and recommendation.		
Detailed Notes: Zoning conditions are proposed that restrict the range of R8 permissible uses to a list of two and provide architectural commitments that address appearance and quality of materials and construction. The applicant has updated masterplan and written conditions to address architectural and site design commitments expected of new residential subdivisions.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		



Town of Garner Planning Department

Tier 2 Conditional Rezoning CZ-MP-23-04



Project: Homestead at Bryan Farm
Applicant: Lennar Corporation
Owners: R A Bryan Farms LLC;
 Joyce Rose Hagwood & Ben Roger Hagwood
Location: 8100 Hebron Church Rd
PID #: 1629-56-8117, Part of 1629-45-3996

Proposed Use: Single-Family Detached and Townhouses
Current Zoning: RA
Proposed Zoning: R8-C
Acreage: 99.17 +/-
Overlay: Lower Swift Creek Overlay

PLANNING
MEMORANDUM

DATE: July 16, 2024

TO: Honorable Mayor Gupton and Town Council Members

FROM: Ashley Harris, Planner II
Erin Joseph, CZO; Assistant Planning Director

SUBJECT: Tier 2 Conditional Rezoning # CZ-MP-23-04, Homestead at Bryan Farm

I. PROJECT AT A GLANCE

Project Number(s): CZ-MP-23-04

Request: Tier 2 conditional rezoning request submitted by the Lennar Corporation to rezone 99 +/- acres from Rural Agricultural (RA) to Residential 8 (R8 C306) Conditional for a collective maximum of 265 dwelling units (note: down from 291 in the original application) including individual maximums of 107 townhouse units and 167 single-family detached units.

Applicant: Lennar Corporation

Designer: McAdams Co.

Owner: Ben Hagwood, Joyce Hagwood, R A Bryan Farms LLC

Key Meeting Dates:

Public Hearing: May 7, 2024
June 18, 2024 cont.
July 16, 2024 cont.

Planning Commission: TBD

Action: TBD



II. ZONING AND CONTEXT

EXISTING ZONING: The existing zoning of the site is **Rural Agricultural (RA)**.

The Rural Agricultural (RA) District primarily accommodates agriculture, silviculture, and rural residential (aka large-lot single-family residential) uses. Other uses typically found in rural areas, including utility structures and other compatible uses are also found in the district. Properties zoned RA are typically found in areas outside the Town’s corporate limits where public water and sewer services are not readily available.

The following uses are permitted in the RA district by right or by special use permit (see UDO Article 6):

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Single-Family Detached 2. Manufactured Home – Class A 3. Manufactured Home – Class B 4. Other Group Living Uses Not Listed (SUP) 5. Group Care (with 9 or fewer residents) 6. Assembly, Civil, Service Fraternal Clubs, Lodges and Similar Uses 7. Community Center 8. Higher Education (SUP) 9. School, Primary or Secondary 10. Emergency Services 11. Prison, Jail, Detention Facility (SUP) 12. Cemetery 13. Religious Institution 14. Golf Course or Country Club, Private 15. Horse Stables and Related Facilities | <ol style="list-style-type: none"> 16. Other Outdoor Parks and Open Space Uses Not Listed (SUP) 17. Public Park, Passive Open Space, Nature Park 18. Bed and Breakfast Home, 8 rooms or fewer 19. In Home Family Childcare Home 20. Crematorium (SUP) 21. Water Treatment, Wastewater Treatment, Natural Gas, Electric Substation (SUP) 22. Minor Utility 23. Solar Farms (SUP) 24. Telecommunication Facility 25. Other Agricultural Uses Not Listed (SUP) 26. Agriculture or Silviculture 27. Greenhouse, Nursery (commercial), indoor operations 28. Greenhouse, Nursery (commercial), outdoor operations (SUP) |
|---|---|

Contextual Setting:

This site is located on the west side of Hebron Church Rd and north of Clifford Road. The area is undergoing increased development, with several residential projects under construction or in review with town staff.

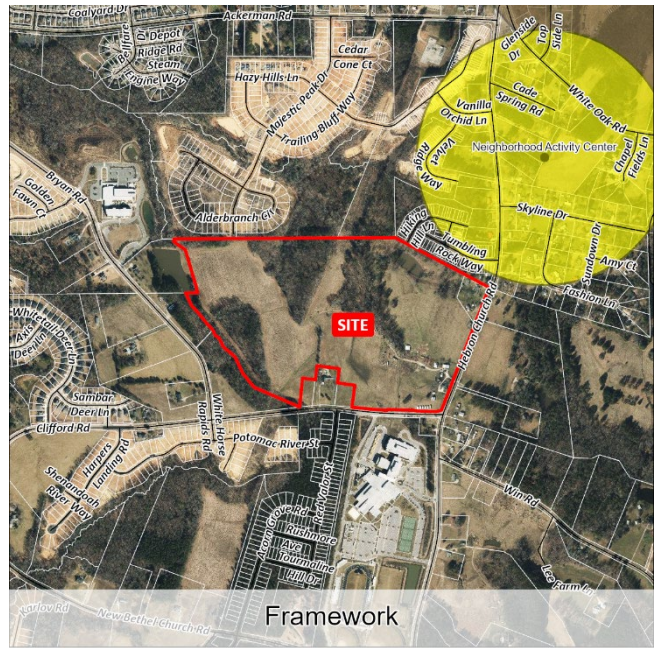
- North: Single-Family Detached and Townhouse (Ridgemoor and Townes of Ridgemoor)
- South: Single-Family Detached (Oak Manor) / South Garner High School
- East: Single-Family Detached (Large Lot) / Vacant / Agriculture
- West: Vacant/ Single-Family Detached (Large Lot)



This area of the community consists of a mixture of vacant tracts, agricultural uses, and single-family neighborhoods. Since 2015 this area has been transitioning from low-density rural agriculture to suburban

developments and densities. The driving force for these development pressures was both the development of South Garner High and Bryan Road Elementary schools; road improvements and the addition of utilities extended to serve this area. Several projects have been approved in this area over the last several years including:

- Oak Park
- Oak Manor
- Magnolia Park
- Clifford Grove
- Ridgemoor
- Cambria
- Towns at Ridgemoor
- Harper’s Landing



Hebron Church Road and Clifford Road are NCDOT-maintained roads, classified as secondary routes. Both roads serve local traffic, connecting several residential subdivisions and schools. They also serve as the primary connectors to larger state roads including White Oak Road and NC 50. The most recent NCDOT traffic count for Hebron Church Road just south of Ackerman Road was 6,681 average daily trips in September 2023. Clifford Road near New Bethel Church Road averaged 3,241 daily trips in September 2023.

PROPOSED ZONING: The proposed zoning of the site is **Residential 8 (R8 C306) Conditional**.

The R8 district is a dense, residential district with urban character and potentially a mix of low-impact nonresidential and mixed-use structures at select locations. House-scale multifamily units are also appropriate and add to the diversity of the neighborhood. These neighborhoods are very walkable and often border or are within a short distance of commercial or mixed-use districts where shopping, retail, and services exist. The R8 district may also provide a transition from more commercially active districts to lower density single-family district.

NOTE: All applicable requirements of the Garner Unified Development Ordinance will be met, including setbacks and dimensional requirements, open space, streets, utilities, building design, parking, lighting, landscaping, stormwater management, nitrogen reduction, water supply watershed protection, floodplain management, and tree conservation/preservation/protection.

Conditions: The applicant has identified the two (of a possible 18) uses that are permitted in the R8 district by right or by special use permit to be part of the proposed C306 district:

1. Permitted Use table:

Use Category	Specific Use	R8 C306
Residential Use*	Townhouse (3 or 4 dwelling units per structure)	P
	Single Family	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. There shall be a maximum of 265 dwelling units total, including a maximum of 107 townhouse units and a maximum of 167 single-family detached units.
3. A Homeowners Association (HOA) shall be established in accordance with the Town of Garner Unified Development Ordinance. HOA documents must be recorded with the first final plat.
4. The developer will share in the costs of the White Oak White Oak/Bryan Road Corridor improvements identified in the Walters Buffaloe Development Agreement approved the Town of Garner on November 22, 2022. The developer's share of the improvement costs shall be calculated consistent with the terms of Section 6 of the Walters Buffaloe Development Agreement. The developer's method of contribution shall also comply with one of options identified in Section 6 of the Walters Buffaloe Development Agreement.
5. The pool shall be a minimum of 1,500 square feet and
6. The main amenity cabana shall be a minimum of 800 square feet.
7. All slab foundations with an exposed height of greater than 12 inches shall be finished with masonry product - applies to front and side elevations with right of way frontage. All slab foundations with an exposed height of 12 inches or less shall be textured with parging - applies to front and side elevations.
8. Garage doors shall have windows and decorative hardware. A minimum of two garage window styles and two garage hardware styles shall be included in the development.
9. All homes shall have a minimum 12" eaves on all sides.
10. A minimum 80 square feet outdoor deck, porch, or patio is required on all dwelling units. If a porch is chosen, it may be an enlargement of the porch required by the preceding condition and this condition does not require two porches.
11. A minimum 5' x 5' covered front porch is required on all dwelling units. All entry areas must include 1 of the following: sidelights, transom windows, craftsman style paneling, glazing in the door.
12. Any non-decorative front porch columns and/or pilasters shall be a minimum of 6" in dimension (width and/or depth). Decorative columns with variable dimensions may be less than 6" in width or depth.
13. Any cantilevered projection shall have cosmetic brackets or shelf supports directly underneath them.
14. All dwelling units shall have at least one window per habitable floor on each side elevation, excluding interior townhomes.
15. All windows of a dwelling unit, with the exception of accent windows and bay windows, shall feature a common muntin pattern.
16. All windows within a street facing façade face utilizing siding materials shall either be set in full trim at least equivalent to 1x4 board or feature decorative sills and pediments. All windows within elevations clad in brick or stone shall include masonry or decorative sill and lintels.
17. The following is required, but not limited to, in the main amenity: swimming pool, cabana, benches, trash receptacles, and bike racks.
18. A decorative light fixture, a minimum of 6" wide and 12" long, shall be included on all garage door façades.
19. Black aluminum picket fencing shall be provided around wet pond SCMs.

20. Vinyl siding shall be prohibited. Vinyl trim and decorative details are permitted.
21. Construction of the main amenity shall commence prior to the issuance of the first certificate of occupancy for homes in phase 1 and construction of the main amenity shall be completed within 18 months.
22. Each pocket park (except park B) shall contain a minimum of two of the following site elements: benches, pet waste stations, shade structure, playground, dog park, or paved walking trails.
23. All dwelling units shall have either a 2-car garage or a 1-car garage with a size of at least 12'x20'.
24. Attached Dwelling Units (Townhouses) in a building with a pitched roof shall feature a break in the front facing slope or roof peak (such as a gable, dormer, chimney, cupola, etc.) A minimum of 2 breaks for buildings of 4 units or less. A minimum of 3 breaks for buildings of 5 units or more.
25. Existing farmhouse shall be exempt from all architectural conditions listed above.
26. At least one dog park shall be provided in the development.
27. Two play lawns (minimum 10,000 sq ft) shall be provided within the development. Play lawns shall be bounded loosely by landscaping and/or hardscaping features such as trees, shrubs, benches, decorative fence sections, sidewalks, trails, or similar.
28. At least one playground shall be provided in the development.

Master Plan Condition/Site Data:

Area:

99.17 +/- acres

Units/Bldg Size:

Current illustration shows 158 single-family and 98 townhouses (~2.53 du/acre)

Open Space:

9.92 +/- acres required; 25% must be active

Privately maintained open space areas are a combination of qualifying conservation areas and recreation space. Conservation areas exist on-site in the form of wetlands and buffered streams. Recreation space will include qualifying open areas, amenities, and pedestrian trails with connections to a new segment of public greenway.

Stormwater Notes:



The site is not located within the watershed protection area but is subject to stormwater water quality requirements for nitrogen as well as water quantity requirements for the 1-, 10-, and 25-year storm events. To satisfy these needs, the development plans to use a single stormwater control measure (SCM).

Utility Notes:

The site will be served by City of Raleigh water and sewer infrastructure. Water and sewer will connect to the utility lines in the adjacent Ridgemoor development. Sewer lines will be extended to adjacent and upstream properties per the Raleigh Water policy.

Transportation Notes:

The project will have four points of access: one from Hiking Hill Lane, one from Majestic Peak Drive, one along Clifford Road, and one along Heron Church. A Traffic Impact Analysis (TIA) was required by the Town and NCDOT. The TIA was completed in June of 2023 assuming a maximum of 310 dwelling units (98 single-family detached units and 212 townhouse units), so the numbers generated below will be slightly higher than the current version of the applicant’s proposal. An updated TIA will be generated prior to the meeting of the Planning Commission, but staff estimates the new maximum number of expected daily trips to be approximately 2,411. The TIA highlighted the following:

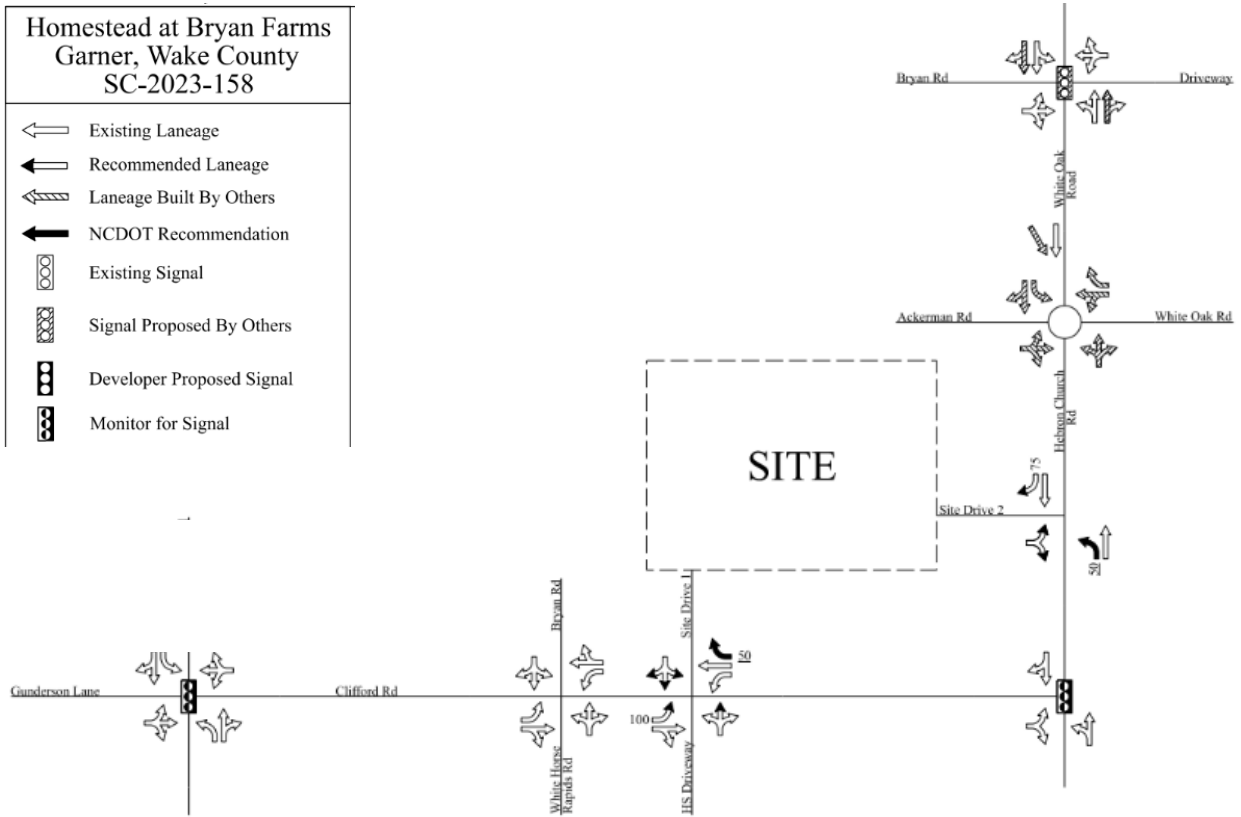
- Expected 2,555 trips on the average weekday;
- Expected 44 inbound trips in the AM peak hour;
- Expected 134 outbound trips in the AM peak hour;
- Expected 134 inbound trips in the PM peak hour;
- Expected 87 outbound trips in the PM peak hour;

No off-site improvements are recommended as needed to reflect the limited proportional impact of the added traffic generated by this proposal; however, the figure below shows the 2027 future build out lane configuration and the requirement for a new 50-foot dedicated northbound left turn lane on Hebron Church Road and a new 50-foot dedicated westbound right turn lane on Clifford Road. Two intersections may be approaching warrants for signalization and will be monitored by the District Engineer, the Division Traffic Engineer, and the Regional Traffic Engineer from NCDOT. These intersections are Clifford Road at New Bethel Church Road and Hebron Church Road at New Bethel Church Road.



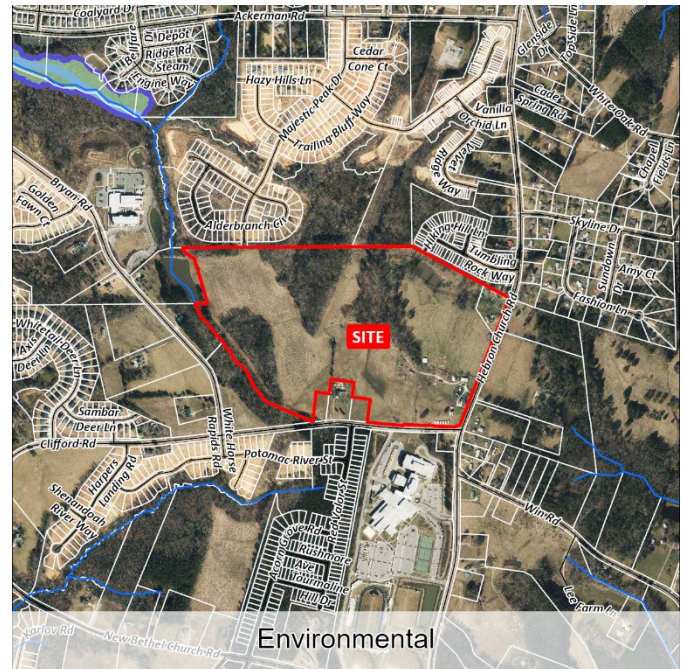
**Homestead at Bryan Farms
Garner, Wake County
SC-2023-158**

- Existing Laneage
- Recommended Laneage
- Laneage Built By Others
- NCDOT Recommendation
- Existing Signal
- Signal Proposed By Others
- Developer Proposed Signal
- Monitor for Signal



Significant Environmental/Cultural Feature Notes:

There are existing streams with associated buffers along the northern boundary of the project. There is also an existing pond in the northeastern portion of the site, which is proposed to be drained. A public greenway is proposed within the utility easement that bisects the site and the historic farmhouse on the corner of Clifford Road and Hebron Church Road is proposed to remain as a single-family home with access from street E within the development.



III. PROPOSAL REVIEW

NEIGHBORHOOD MEETING(S): Staff identified 126 properties and occupants within the notification radius as shown at right and provided the list to the applicant for first class mailed notices. A series of meetings were held as follows:

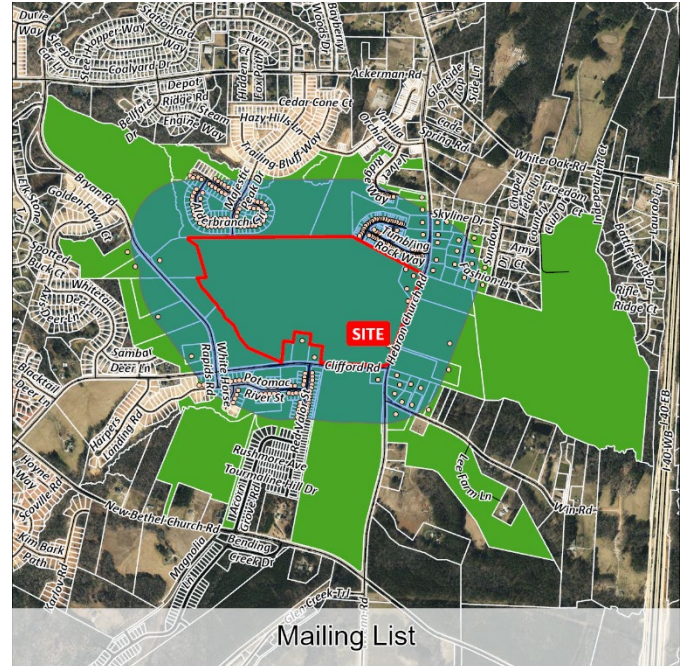
- June 26, 2023, at 6:00 PM in the Omega Multipurpose Center. There were approximately 9 people in attendance.
- January 23, 2024, at 5:30 PM in 6:00 PM in the Omega Multipurpose Center. There were approximately 11 people in attendance.

Full neighborhood meeting information, including a list of questions and concerns, is attached at the end of this report for further detail.

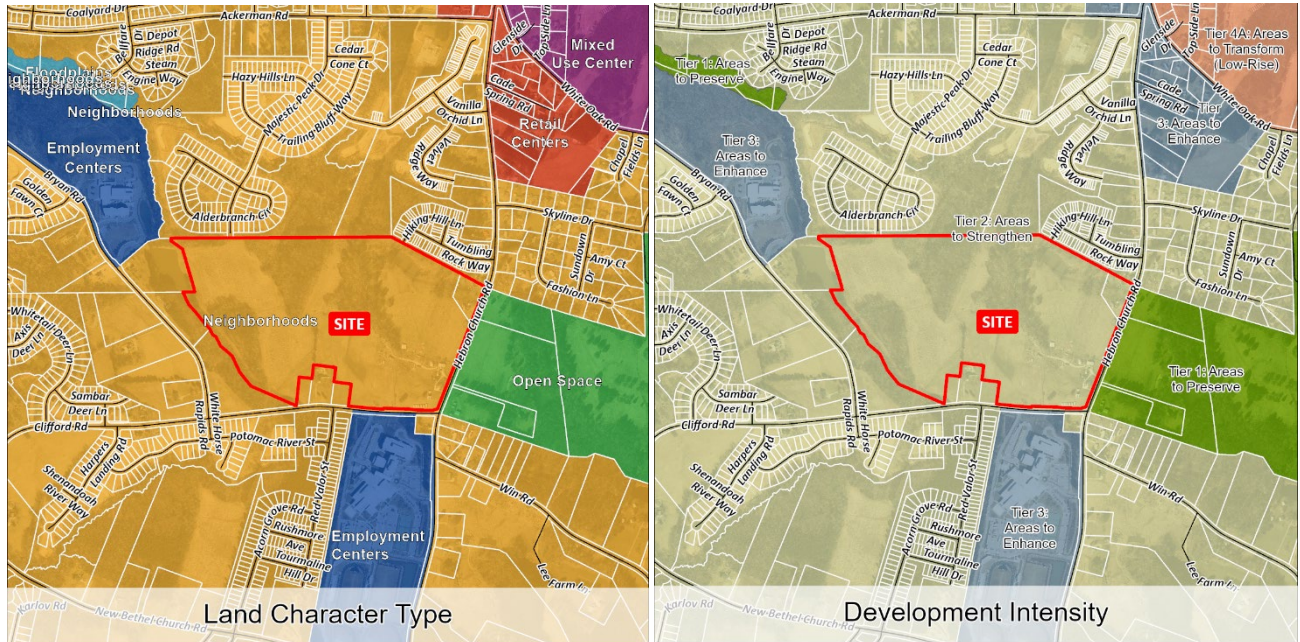
PLAN CONSISTENCY: When considering a rezoning request, the Planning Commission is required by state statute to make a written recommendation regarding the consistency of the zoning proposal with the Town’s current Comprehensive Plan and other applicable adopted plans. Specifically, a comprehensive plan 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 notes that the applicable plans for Tier 2 rezoning requests are typically:

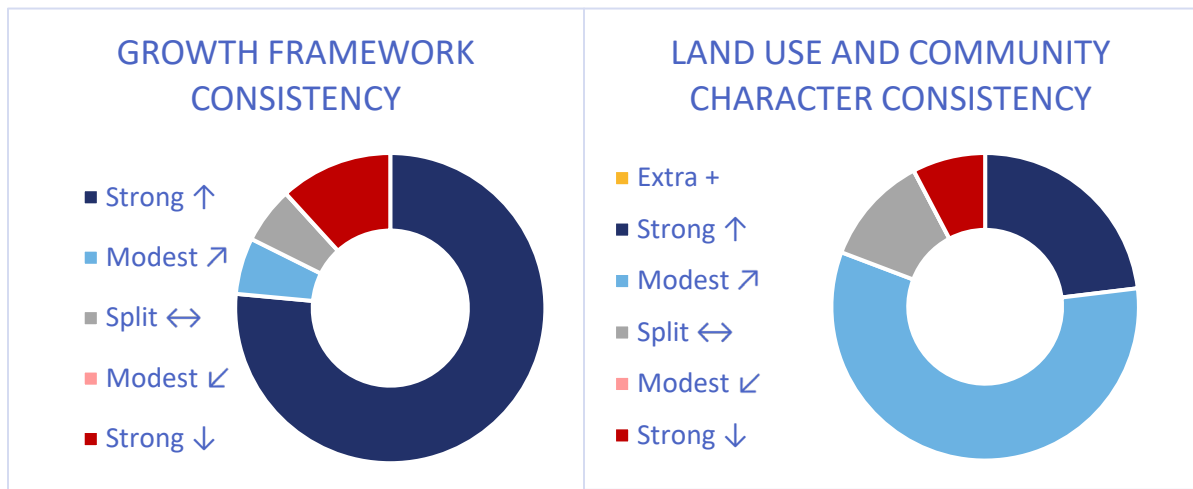
- The 2023 Garner Forward Comprehensive Plan,
- The 2010/2018 Garner Transportation Plan,
- The most recent Parks and Recreation Master Plan, and
- The Swift Creek Land Management Plan (where applicable, *n/a* for CZ-MP-23-04).



2023 Garner Forward Comprehensive Plan Staff Review Summary:



Strong Support	Modest Support	Split Modest	Modest Non-Support	Strong Non-Support
↑	↗	↔	↘	↓



17 growth framework criteria were evaluated using the scale above with favorable support. With the recent adjustments and additions of details to the master plan and written conditions, staff supports a finding of strong consistency. While R8 is a supported zoning district in Neighborhood Areas and the plan proposes single family detached and townhouses, the single-family detached units do not meet the intended form of small lot single family houses and the townhouses are front loaded (non-support). As a result of the improved open space connected network and the addition of a playground, the open and natural spaces feature crosswalk has been updated to a strong support.

26 land use and community character criteria were determined applicable or possible to address in a meaningful way. Consistency has shifted to a modest level. The transition to modest support is primarily attributed to an adjusted emphasis on the public realm. Exploring the use of open space for creating a

stronger central focal point to the neighborhood and proffering additional conditions (or clarifying existing ones) now speaks more directly to specific recommendations of the comprehensive plan.

With some continued fine tuning in response to this evaluation tool and additional public input, staff will likely be able to support a stronger overall finding of consistency.

See full “Staff Consistency Review Item Detail” attached at the end of this report for more information, and staff is available to answer any questions regarding individual ratings.

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 are included in Section 4.6.1.F. of the Garner Unified Development Ordinance. They include:

1. Consistency (or lack thereof) with the Comprehensive Plan and other adopted plans.
2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood.
3. Suitability of the subject property for uses permitted by the current versus the proposed district.
4. Whether the proposed change tends to improve the balance of uses or meets a specific demand in the Town.
5. Availability of sewer, water, transportation infrastructure, stormwater facilities, and other necessary infrastructure generally suitable and adequate for the proposed use.
6. Preservation of key features of the natural environment.

IV. RECOMMENDATION

Staff recommends that once the Town Council has heard any additional comments, concerns and questions from the general public and provided any additional feedback to the applicant in response to the applicant’s updated master plan and zoning conditions, that conditional zoning request # CZ-MP-23-04 be referred to the Planning Commission for review and recommendation regarding plan consistency.



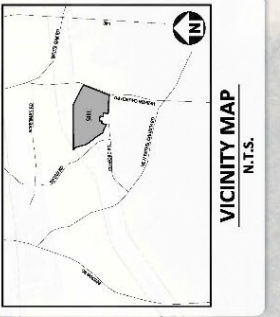
SITE DATA TABLE

PIN(S)	1629452996, 1629566177
Total Site Area	± 99.8 acres
Overlay District	Lowest Swift Creek Overlay
Current Zoning	RA (Rural)
Proposed Zoning	R8 (Rural)
Future Land Use Designation	Residential Neighborhood
Open Space Required (10%)	± 9.98 acres
Open Space Provided	9.97 acres
Improved Park Space Required (25% of Required Open Space)	± 2.48 acres
Improved Park Space Provided (18% of Project Area)	2.48 acres
Tree Coverage Area Required	± 11.76 acres
Tree Coverage Area Provided	± 1.89 acres
SFD 465'x130' Lots	± 138 lots
28' Townhome Units	± 55 units
22' Townhome Units	± 42 units
Total Proposed Dwelling Units	± 97 units
Proposed Density	± 2,388 cu/acre
Required Connectivity Index	1.00
Provided Connectivity Index	± .46

LEGEND

- SIDEWALK
- EXPANDED SIDEWALK (MIN 6-FT)
- EXISTING PUBLIC GREENWAY
- EXISTING PRIVATE GREENWAY
- PUBLIC GREENWAY
- PRIVATE GREENWAY
- FUTURE MULTI-USE PATH
- MAIN AMENITY LOCATION
- TOWNHOMES 28'
- TOWNHOMES 22'
- SINGLE FAMILY DETACHED
- TREE SAVE
- SOM PLANTINGS
- STORMWATER POND
- IMPROVED PARK SPACE

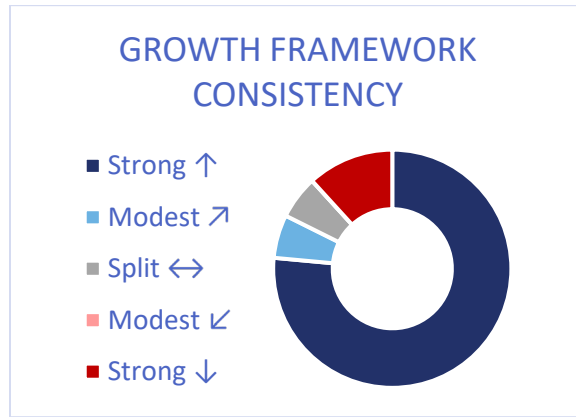
- ### CONCEPT PLAN NOTES
- 01 All site work shall be in accordance with the applicable codes and regulations.
 - 02 All easements and encroachments shall be shown and clearly delineated.
 - 03 All easements shown herein are in accordance with the applicable codes and regulations.
 - 04 All easements shown herein are in accordance with the applicable codes and regulations.
 - 05 All easements shown herein are in accordance with the applicable codes and regulations.
 - 06 All easements shown herein are in accordance with the applicable codes and regulations.
 - 07 All easements shown herein are in accordance with the applicable codes and regulations.
 - 08 All easements shown herein are in accordance with the applicable codes and regulations.



ATTACHMENT: STAFF CONSISTENCY REVIEW ITEM DETAIL

Chapter 2: Framework Maps and Crosswalks Consistency Section

Strong Support ↑ Modest Support ↗ Split Modest ↔ Modest Non-Support ↘ Strong Non-Support ↓



GROWTH FRAMEWORK MAP DESIGNATIONS

General Framework Map: N/A
 Character Typology Map: Neighborhood Areas
 Development Change & Intensity Map: Level Two – Area to Strengthen

Character Area Crosswalk pp.58-59		
<i>Note: Project may include more than one proposed zoning designation – rated Strong Support or Strong Non-Support only.</i>		
Z1	Zoning District #1: R8 – (R8-C) Conditional	↑
Z2	Zoning District #2:	n/a
Development Intensity Metrics pp.64-65		
<i>Note: Rated on full 5-point scale.</i>		
I1	Prevailing Development Pattern: Separated Uses	↑
I2	Prevailing Building Heights: 1-3 Stories (limited to 35 feet)	↑
I3	Building Enclosure Ratio: 3:1	↔
I4	Typical Block Lengths: 300 to 800	↑
I5	Transportation Choices: Bicycle- Walking-Auto	↗
I6	Parking Provisions: Surface	↑
I7	Setbacks or Build-To Lines: Setbacks	↑
I8	Typical Street Cross Section: Suburban	↑

Building Typology Crosswalks pp.66-67 & 72-73		
<i>Note: Rated Strong Support or Strong Non-Support only.</i>		
R1	Residential Building Type 1: Townhouse (3-4 units/structure)	↓
R2	Residential Building Type 2: SFD, Small Lot	↓
R3	Residential Building Type 3:	n/a
N1	Non-Residential Building Type 1:	n/a
N2	Non-Residential Building Type 2:	n/a
N3	Non-Residential Building Type 3:	n/a
Block Sizes and Patterns Crosswalk p.76		
<i>Note: Rated on full 5-point scale.</i>		
P1	Block Size and Pattern: Curvilinear Streets in Modified Grid	↑
Open Space and Natural Features Crosswalk pp.78-79		
<i>Note: Rated Strong Support or Strong Non-Support only.</i>		
O1	Feature 1: 1 Common Green	↑
O2	Feature 2: 4 Pocket Parks	↑
O3	Feature 3: Trails	↑
O4	Feature 4: Natural Areas	↑
O5	Feature 4: Playgrounds	↑

Chapter 3: Strength of Land Use and Community Character Consistency

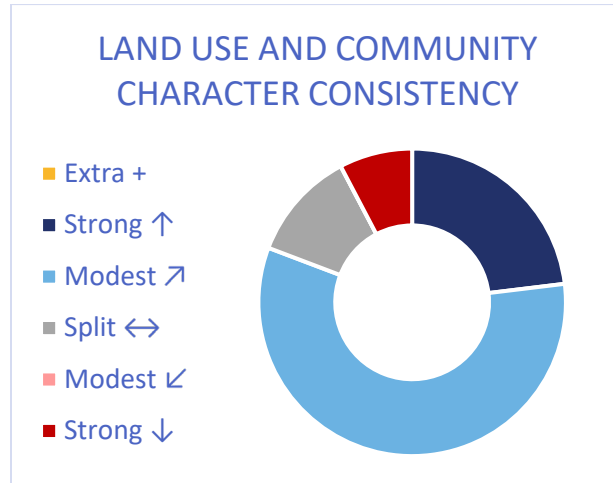
Strong Support
↑

Modest Support
↗

Split Modest
↔

Modest Non-Support
↘

Strong Non-Support
↓



Land Use and Community Character






Note: Projects that fall within one of the six identified Focus Areas may exhibit adherence to the plan's guiding principles as expressed in the table of recommendations below by calling out specific guidance illustrated in pages 146 through 215. Evaluation within these Focus Areas should consider the potential use of the Focus Area's parcels collectively. Decisions about future development on individual parcels can be made in a manner that optimizes the utilization of land while adhering to the community's objectives.

Is project within a Focus Area? If so, specify; if not, "n/a": n/a

THEME 1 - EMPHASIS ON THE PUBLIC REALM		
<i>Note: applicable to all project adjacent to public property or public streets in the absence of an overall public realm master plan.</i>		
1a <i>p.91</i>	Project uses elements of the public realm as organizing features for the neighborhood, district, or activity center.	↗
1b <i>p.91</i>	Project emphasizes consistent design features or treatments for a corridor or destination that creates a common sense of place for users.	↗
1c <i>p.91</i>	Project thinks of streets as linear parks with public spaces and activated private spaces (e.g. outdoor seating) located throughout the corridor.	↗
1d <i>p.91</i>	Project increases minimum open space requirements for private property adjacent to the public realm in terms of size, shape, and location to activate spaces.	↗
1e <i>p.91</i>	Project reimagines the definition of open space adjacent to the public realm to include, but not be limited to, plazas, outdoor seating and pocket parks that activate spaces.	↗




THEME 2 - LAND USE MIX AND DEVELOPMENT INTENSITY




















Note: The following recommendations supplement the maps and broader recommendations of Chapter 2.












<p>2a</p> <p><i>p.95</i></p>	<p>Project emphasizes bringing new employment, retail, and services to town residents; and/or provides greater home choices in the community to support different backgrounds: the creative class, working class, retirees, and children.</p> 	<p>↓</p>
<p>2b</p> <p><i>p.96</i></p>	<p>Project, if located at or near a mixed-use activity center on the General Framework Map, furthers the activity center as a place people can live, work, shop, play, and be entertained, as well as supporting connection to any nearby activity centers via bus circulator, bicycle lanes, sidewalks, or greenways to minimize the number of vehicle trips in the community.</p> 	<p>n/a</p>
<p>2c</p> <p><i>p.98</i></p>	<p>Project's open spaces, if located within the expanded civic center area, provide order in the landscape and provide opportunities for informal community gathering.</p> 	<p>n/a</p>
<p>2d</p> <p><i>p.98</i></p>	<p>Project, if located within the expanded civic center area, provides an opportunity to increase the number of residents living in or near the area (e.g. integrates new housing through infill development or redevelopment of existing sites) in a manner that established a stronger relationship to the surrounding community character and context (e.g. building orientation to streets, public spaces, and surrounding non-residential development).</p> 	<p>n/a</p>
<p>2e</p> <p><i>p.99</i></p>	<p>Project, if located within the downtown area, promotes the vision of a more traditional, small-town downtown area with activity on both sides of the railroad with neighborhoods surrounding the historic downtown that provide stability for the area along with recreation uses in, and leading into, the historic downtown.</p> 	<p>n/a</p>
<p>2f</p> <p><i>p.100</i></p>	<p>Project, if located within the downtown area along Main Street or Garner Road, adds buildings that face the railroad corridor with building heights of at least two stories.</p> 	<p>n/a</p>
<p>2g</p> <p><i>p.101</i></p>	<p>Project does not seek to reclassify activity centers, character areas, or development intensities (as shown on the maps in Chapter 2) to residential unless it is part of a mixed-use development and plays a subservient role to the non-residential components of the same development.</p> 	<p>n/a</p>















THEME 3 - HOME & NEIGHBORHOOD CHOICES

Note: Applicable to projects proposing the addition of dwelling units of any type.

<p>3a</p> <p><i>p.108</i></p>	<p>Project further diversifies the Town's mix of housing options for lease and for ownership alike: variety in price points, variety in sizes of single-family houses, variety in multi-family types (duplexes, triplexes, quadplexes, townhouses, multifamily condominiums, apartment buildings and live/work buildings), allows or provides accessory dwelling units.</p> 	<p>↔</p>
<p>3b</p> <p><i>p.109</i></p>	<p>Project offers homes that include architectural details that provide visual interest along the street, including façade treatments, front porches, roof eaves, roof pitches, and windows.</p> 	<p>↑</p>
<p>3c</p> <p><i>p.109</i></p>	<p>Project offers a scale of homes and the spaces between them that conveys a welcoming environment that includes maximum fence heights and minimum materials, landscaping, or driveway placement.</p> 	<p>↗</p>

<p>3d</p> <p><i>p.109</i></p>	<p>Project provides similar home types and styles that face each other on a street, meaning transitions between home types occur at the rear lot line or along an alleyway.</p> 	
<p>3e</p> <p><i>p.109</i></p>	<p>Project provides a connected network of streets and sidewalks to serve the neighborhood; limiting cul-de-sacs to areas with environmental concerns or steep slopes.</p> 	
<p>3f</p> <p><i>p.109</i></p>	<p>Project provides street trees that can provide tree canopy over neighborhood streets when trees reach maturity.</p> 	
<p>3g</p> <p><i>p.109</i></p>	<p>Project provides garages, and especially garage doors, that are secondary in size, scale, and design as compared to the principal structure.</p> 	
<p>3h</p> <p><i>p.109</i></p>	<p>Project provides different types of open spaces with the neighborhood and are located as prominent features (e.g. a central green as a focal point and small neighborhood parks in close proximity to residential blocks).</p> 	
<p>3i</p> <p><i>p.109</i></p>	<p>Project emphasizes a neighborhood design that has a defined center and edges in terms of mixing home densities or housing types.</p> 	
<p>3j</p> <p><i>p.115</i></p>	<p>Project provides a product mix that is aimed at workforce housing (small homes, townhomes, duplexes, cluster housing, row homes and small condominium buildings).</p> 	
<p>THEME 4 - SITE DESIGN AND DEVELOPMENT SCALE</p> <p style="text-align: right;"><i>Note: Applicable to specific types and locations of projects as noted.</i></p>		
<p>4a</p> <p><i>p.124</i></p>	<p>Projects with multiple buildings demonstrate architectural unity and use of compatible quality and type of building materials.</p> 	<p>n/a</p>
<p>4b</p> <p><i>p.128</i></p>	<p>Projects on smaller infill or redevelopment sites where existing development patterns are established and expected to remain in the future, propose a massing and scale of new buildings that is similar to nearby surrounding buildings.</p> 	<p>n/a</p>
<p>4c</p> <p><i>p.128</i></p>	<p>Projects on larger infill or redevelopment sites propose new lots or buildings that are significantly different in mass or scale from adjacent development to be located toward the center of the site, and lots or buildings near the perimeter transitioning in massing and scale between the center and the existing surrounding development.</p> 	<p>n/a</p>
<p>4d</p> <p><i>p.128</i></p>	<p>Projects for new commercial, light industrial, or flex space development adjacent to residential areas propose uses and operations that are considered low-intensity, unobtrusive, or at a scale and design compatible with the adjacent residential neighborhoods.</p> 	<p>n/a</p>
<p>4e</p> <p><i>p.128</i></p>	<p>Projects for new activity centers exhibit effective transitions between the project's residential and non-residential uses and include safe and convenient pedestrian and bicycle access for nearby residents.</p> 	<p>n/a</p>

<p>4f</p> <p><i>p.128</i></p>	<p>Projects in large activity centers focus density and intensity around existing or new street intersections on or adjacent to the site and provide appropriate transitions to less intense edges of the site compatible with adjacent existing development.</p> 	<p>n/a</p>
<p>4g</p> <p><i>p.128</i></p>	<p>Projects opposite a street from existing development exhibit complementary lot sizes, building mass and building placement. Changes in scale and massing take place along streets rather than across streets, or at rear lot lines/alleyways.</p> 	<p>n/a</p>
<p>4h</p> <p><i>p.128</i></p>	<p>Project recognizes a significant building character in the project area that is expected to remain and proposes new buildings and site design elements that are similar in size and architectural detail, including roof types windows, doors, awnings, arcades, cornices, façade materials, outdoor furniture, or other building and site details.</p> 	<p>n/a</p>
<p>4i</p> <p><i>p.129</i></p>	<p>Projects with new neighborhoods exhibit a well-formed center, including a civic open space such as a park, square, or plaza, depending on its location within the range of contexts from suburban to urban.</p> 	<p>↗</p>
<p>4j</p> <p><i>p.129</i></p>	<p>Project with new neighborhoods exhibit organization around a pedestrian shed, where all residents are within a short 5-minute walk of a meaningful destination such as mixed-use areas or other civic open spaces. This pedestrian shed is typically circular but may be linear in the case of corridor development.</p> 	<p>↗</p>
<p>4k</p> <p><i>p.131</i></p>	<p>Projects located at activity centers in the General Framework Map promote increased development density and mix of uses.</p> 	<p>n/a</p>
<p>THEME 5 - COMMUNITY CONNECTIONS</p> <p><i>Note: Focus on "systems", including roads, greenways, transit, parks, utilities, natural areas, and floodplains.</i></p>		
<p>5a</p> <p><i>p.132</i></p>	<p>Project connects streets dispersing traffic and limiting congestion, except where there are topographic or ecological constraints, or neighborhood safety concerns (e.g., excessive cut-through traffic or the absence of sidewalks to reduce vehicle-pedestrian conflicts).</p> 	<p>↑</p>
<p>5b</p> <p><i>p.132</i></p>	<p>Project will construct a network of connected sidewalks, side paths and other pedestrian passages that provides more interesting walking and jogging alternatives, access to a variety of neighborhoods and destinations, and more opportunity for social interaction.</p> 	<p>↑</p>
<p>5c</p> <p><i>p.133</i></p>	<p>Projects along an important mobility corridor (US 70, US 401, NC 50, Timber Drive, White Oak Rd, Ten Ten Rd, Creech Rd, Garner Rd, Aversboro Rd, Vandora Springs Rd) promote improved access management (ingress/egress, circulation, stub outs, cross access, connectivity, etc.) for the corridor.</p> 	<p>n/a</p>
<p>5d</p> <p><i>p.138</i></p>	<p>Project exhibits open spaces aimed at maximizing a comprehensive, connected, and continuous larger (Town-wide) open space network that is easily recognizable and accessible to residents.</p> 	<p>↗</p>
<p>5e</p> <p><i>p.138</i></p>	<p>Project demonstrates preservation of the existing hydrological pattern of drainage and percolation, the use low impact or light imprint development strategies, and a consideration of the least technologically complex solutions first.</p> 	<p>↔</p>

<p>5f</p> <p><i>p.139</i></p>	<p>Project demonstrates green street solutions such as small rain gardens, bioretention systems, bioswales, infiltration planters, flow-through planters, and pervious paving materials.</p> 	
<p>THEME 6 - NATURAL CONSERVATION AND HISTORIC PRESERVATION</p> <p><i>Note: Applies to projects where floodplains, mature tree canopy and historic resources are present.</i></p>		
<p>6a</p> <p><i>p.142</i></p>	<p>Project demonstrates efforts to preserve and plant shade trees to assist in the prevention of stream erosion, save energy, and cool streets and buildings.</p> 	
<p>6b</p> <p><i>p.143</i></p>	<p>Projects located along the Swift Creek corridor and its tributaries protects those areas and promotes them as an important part of a comprehensive and connected system of green space integrated into the surrounding built environment.</p> 	
<p>6c</p> <p><i>p.144</i></p>	<p>Project demonstrates efforts to identify and ultimately protect historic structures and other historic resources on the site or relocates a historic structure to another location suitable for its preservation.</p> 	
<p>EXTRA CREDIT SECTION</p>		
<p>E-2a</p> <p><i>p.102</i></p>	<p>Project represents infill development or redevelopment that helps to shorten vehicle trip lengths, minimize expensive infrastructure expansion investments, and avoid the loss of rural areas for future development beyond municipal limits.</p> 	<p>n/a</p>
<p>E-2b</p> <p><i>p.102</i></p>	<p>Project offers land or building space dedicated for new parks, schools or something else to meet future community facility and service needs.</p> 	<p>n/a</p>
<p>E-3a</p> <p><i>p.112</i></p>	<p>Project demonstrates (through research or studies) consideration of vulnerabilities to surrounding neighborhoods such as gentrification or displacement, or it provides evidence of the equitable distribution of benefits associated with the project for the neighborhood in which it is located.</p> 	<p>n/a</p>
<p>E-4a</p> <p><i>p.125</i></p>	<p>Project adaptively reuses existing non-residential buildings that are either abandoned or in decline and exhibits reinvestment in building architecture, parking lot design, landscaping or open space.</p> 	<p>n/a</p>
<p>E-5a</p> <p><i>p.136</i></p>	<p>Project demonstrates an applicant's work with appropriate Town officials to modify street standards that result in a better representation of the conditions for their particular development context.</p> 	<p>n/a</p>
<p>E-5b</p> <p><i>p.139</i></p>	<p>Project dedicates land for a future park or builds a park to be made accessible to the public in an area of interest identified by Town officials.</p> 	<p>n/a</p>

Homestead at Bryan Farm Rezoning

June 26, 2023 Neighborhood Meeting Minutes

The Applicant held a neighborhood meeting for the Bryan Property rezoning at the Omega Multipurpose Center on June 26, 2023. The following members of the project team were in attendance to present and answer questions: Mark Frederick from Parker Poe, Tucker Ennis from Lennar, and Jessie Hardesty, Nick Williamson, and Nate Bouquin from McAdams. Nine neighbors were in attendance. Jessie Hardesty began by introducing the project team and then gave an overview of the proposed rezoning. The floor was then opened to questions from the attending neighbors.

Question: Will the house at the corner of Clifford Road and Hebron Church Road be preserved?

Answer: There are currently no plans to preserve this house, but review of potential historic structures will occur when the rezoning application is formally submitted.

Question: Will Hebron Church Road be widened?

Answer: This project will be responsible for widening half of the public roads that this site has frontage on in order to bring the roads into compliance with the Town's transportation plan. This includes the sections of Hebron Church Road and Clifford Road that are along this property.

Question: Will sidewalks be constructed along Hebron Church Road?

Answer: A sidewalk will be required along Hebron Church Road in order to comply with the town's requirements.

Question: Will this be a rental community.

Answer: No, this will be a for sale community.

Question: What is the price point for the houses?

Answer: These homes will be sold at market rate. If they were sold today, this would be approximately \$500,000 for the single family detached homes, \$380,000 for the 1,900 square foot townhomes, and \$340,000 for the 1,700 square foot townhomes.

Question: What are the lot sizes?

Answer: The minimum size of the single family detached lots will be a little under 6,000 square feet.

Question: Has the property been sold?

Answer: No, the property is under contract.

Question: Will town water and sewer services be extended to this site?

Answer: Yes, the property will be annexed into the town's corporate limits, so town utilities will be extended to the property and serve the homes.

Question: What is the project timeline?

Answer: Assuming the project is approved, the rezoning will take about a year, and the rest of the permits will take about another year. Homes will likely be delivered in about 3 years.

Question: Could a fence be built along the northwest property line to prevent people from crossing property lines and fishing in the pond?

Answer: The development team will look into whether a fence in this location is feasible due to topography. A landscaped buffer is already planned for this location.

Question: What portions of the existing trees will be preserved?

Answer: A large portion of the existing tree stands in the center of the site will be preserved, and a portion of the existing trees along the western property line.

Question: Will there be a buffer along the southern property line in between the development and the existing home?

Answer: Yes, a 35 ft landscaped buffer is required by the town's development standards and will be provided.

Hebron Church Road Rezoning – Neighborhood Meeting Sign-In Sheet

<u>Name</u>	<u>Address</u>	<u>Email</u>
Debra Brown	8110 Hebron Church Rd	tblm@mslbutte.com
James A. Wiering	8117 Hebron Church Road	twilkey.edwnc.com
Rose Hogwood	8110 Hebron Ch Rd	Rose.hogwood@gmail.com
Paul Beckwell	2117 Clifford Rd	thorpaul@hotmail.com
M. Keegan	5231 Beura Rd	Monica, NC 27579
Bobby + Roxanne Hogwood	8110 Beura Hebron Ch. Rd.	"
Mikelens	3024 Raleigh, Dm	mikelens@thelewisgroup.biz
Monica Bryn	8483 Bryn Rd.	bobbymonica@bellsouth.net

NAME	ADDR1	ADDR2	ADDR3
ADAMS, GEORGE	2124 LIGHT HORSE TRL	WAKE FOREST NC 27587-3712	
AG EHC II (LEN) MULTI STATE 2 LLC	LENNAR CAROLINAS LLC	1100 PERIMETER PARK DR STE 112	MORRISVILLE NC 27560-9119
AGARWAL, RAHUL AGARWAL, SONALI	143 TUMBLING ROCK WAY	GARNER NC 27529-3582	
AGUIRRE, HORTENCIA B ZAVALA, LORETO	8017 FASHION LN	GARNER NC 27529-9757	
ALA, KALYAN CHAKRAVARTHY	112 ALDERBRANCH CIR	GARNER NC 27529-6292	
ALIMENTO, JERSON RALPH ALIMENTO, GAYLERIE GUADALUPE	230 VELVET RIDGE WAY	GARNER NC 27529-6428	
ALLA, PUSHPALATHA PEDDI, PRAVEEN	146 ALDERBRANCH CIR	GARNER NC 27529-6292	
ALLAKONDA, RUPESH CHANDRA MASTHA, PRAVEENA	189 ALDERBRANCH CIR	GARNER NC 27529-6292	
AMBATI, ASHOK AMBATI, NIRMALA	16605 SW OREGON JADE CT	BEAVERTON OR 97007-8913	
AOUTLA, DILEEP AKARAM, ANITHA	185 ALDERBRANCH CIR	GARNER NC 27529-6292	
AQUA NORTH CAROLINA, INC.	202 MACKENAN DR	CARY NC 27511-6447	
ARADHYULA, ANIL KUMAR ALA, SARIKA	161 ALDERBRANCH CIR	GARNER NC 27529-6292	
AYALA, ISMAEL AYALA, SARAH RUTH	129 ALDERBRANCH CIR	GARNER NC 27529-6292	
AYODHYA, HEMACHANDRA RACHAMALLA, LAVANYA	23571 PROSPERITY RIDGE PL	BRAMBLETON VA 20148-7662	
BABBURI, SREEMANNARAYANA BODAPATI, SUSHMITHA	116 ALDERBRANCH CIR	GARNER NC 27529-6292	
BADOLA, GAURAV TIWARI, POONAM	2621 MORGANDALE CT	FUQUAY VARINA NC 27526-3897	
BANJARA, BIDUR POU DYAL, WRICHA	291 ALDERBRANCH CIR	GARNER NC 27529-6314	
BATHULA, VENESH GOUD	256 POTOMAC RIVER ST	GARNER NC 27529-3398	
BEASLEY, TAMARA ANGELICA BEASLEY, DISHAN KAWAZ W	264 HIKING HILL LN	GARNER NC 27529-3580	
BENJAMIN, SAMUEL SOLOMON	1200 ANORA DR	APEX NC 27502-5238	
BESANA INVESTMENTS LLC	8009 HEBRON CHURCH RD	GARNER NC 27529-9162	
BESANA INVESTMENTS LLC	8006 HEBRON CHURCH RD	GARNER NC 27529-9113	
BHARDWAJ, RAJESH KAUSHIK, REENA	115 RED VALOR ST	GARNER NC 27529-3196	
BHARGAVA, VINAY SINGH, SAKTI SHANKAR	2317 PINDOS DR	CARY NC 27519-6839	
BHATT, PUSP RAJ PAL, NABITA KUMARI	150 RED VALOR ST	GARNER NC 27529-3196	
BHATTACHARYA, ABHIJIT BHATTACHARJEE, MITALI	134 ALDERBRANCH CIR	GARNER NC 27529-6292	
BHIMIREDDY, SIVA SRUTHI CHILUKA, KARTHEEK REDDY	34605 SHILOH DR	UNION CITY CA 94587-3634	
BISHOP, ERIC XHANI, XHENSILA	120 TUMBLING ROCK WAY	GARNER NC 27529-3582	
BLACKWELL, PAUL DANA BLACKWELL, PATRICIA BRYAN	2117 CLIFFORD RD	GARNER NC 27529-8852	
BOGGAVARAPU, SRINIVAS DEDEEPYA POTHUGUNTI, SRI NAGA	234 ALDERBRANCH CIR	GARNER NC 27529-6314	
BOHARA, KARNA BAHADUR	127 RED VALOR ST	GARNER NC 27529-3196	

BOMMINENI, SRIKANTH CHAVALI, DURGA PRASANNA
BRASCH, WAYNE BRASCH, DARCI
BROWN, RAHSAAN D BROWN, ANJELICA JENINE
BRYAN, CHRISTOPHER HALE BRYAN, ALISON CUNNINGHAM
BRYAN, ROBERT A JR BRYAN, MONICA R
BRYAN, WILLIAM W JR BRYAN, AMANDA
BUCHANAN, AMBER DANIELLE HOWELL, BOYD GRAY
BULUGONDA, SUDHAKAR POREDDY, SASIKALA
CAMPBELL, MICHELLE CAMPBELL, JAMES ROBERT
CARFORA, TRACY E
CARTER-PARKS, KAREN B CARTER, CHARLOTTE
CHANDRASEKARAN, VIJAY NARASIMHAN, RAMYA
CHAWLA, PREMNATH CHAWLA, SUNITA
CHERUPALLI, PRANAV KUMAR KODAM, SAI PRIYANKA
CHINNIAH, MANOJ MANI, GAYATHRI
CHITIRALA, GOKUL SUSHMITA MAJETY, DHANA REKHA
CINDULA, SAI KANDLAGUDURI, SATYA SHANTHI
COOPER, MARK ANTHONY COOPER, JACKIE LYNN
CRENSHAW, HARLAN M
DAHAL, PRADEEP SHRESTHA, BABITA
DARIPALLI, SREEYA POCHAMPALLY, SIDDHARTH
DARLINGTON, DERICE ANNETTE
DAVIS, PAMELA KELLY DAVIS, WILLIE ERIC
DELGADO-ACOSTA, RENAN DELGADO, SULEIMA
DEVIREDDY, JITENDRA REDDY VIDYULLATHA GUDA, VENKATA NAGA
DHAKAL, ANISH KHANAL, INDIRA
DHANOTIYA, MANISH KUMAR DHANOTIYA, NEHA
DHANUK, ASHOK LAMICHHANE, ANJANA
DHUPAR, AARTI OHRI, VISHAL
DODLA, NAVEEN KUMAR MOPURU, HIMASEELA
DORAISWAMY, MOHANKUMAR
DOYTCH, STRATIMIR

27554 CROMWELL RD
205 POTOMAC RIVER ST
8205 HEBRON CHURCH RD
8580 BRYAN RD
8483 BRYAN RD
1709 NEW BETHEL CHURCH RD
147 TUMBLING ROCK WAY
140 RED VALOR ST
105 MURPHY CHAMBERS FARM RD
226 VELVET RIDGE WAY
151 RED VALOR ST
104 RED VALOR ST
113 WEDDINGTON PARK LN
6568 CONTESSA RDG
111 RED VALOR ST
176 ALDERBRANCH CIR
108 RED VALOR ST
8012 HEBRON CHURCH RD
131 RED VALOR ST
217 ALDERBRANCH CIR
267 ALDERBRANCH CIR
167 TUMBLING ROCK WAY
179 TUMBLING ROCK WAY
255 POTOMAC RIVER ST
242 ALDERBRANCH CIR
250 ALDERBRANCH CIR
1908 FERNTREE CT
251 POTOMAC RIVER ST
512 FINNBAR DR
166 ALDERBRANCH CIR
5710 117TH ST
604 SWIFT CREEK XING

NOVI MI 48374-1014
GARNER NC 27529-3398
GARNER NC 27529-9170
GARNER NC 27529-9157
GARNER NC 27529-9156
GARNER NC 27529-8864
GARNER NC 27529-3582
GARNER NC 27529-3196
GARNER NC 27529-7090
GARNER NC 27529-6428
GARNER NC 27529-3196
GARNER NC 27529-3196
APEX NC 27523-5831
EL PASO TX 79912-8176
GARNER NC 27529-3196
GARNER NC 27529-6292
GARNER NC 27529-3196
GARNER NC 27529-9113
GARNER NC 27529-3196
GARNER NC 27529-6314
GARNER NC 27529-6314
GARNER NC 27529-3582
GARNER NC 27529-3582
GARNER NC 27529-3398
GARNER NC 27529-6314
GARNER NC 27529-6314
MORRISVILLE NC 27560-6519
GARNER NC 27529-3398
CARY NC 27519-6687
GARNER NC 27529-6292
LUBBOCK TX 79424-7794
DURHAM NC 27713-7287

DUDDUKURI, SRIDHAR BAPATLA, ANUSHA	137 ALEXANDER ST APT 2413	YONKERS NY 10701-5095	
DURGAVARAM, KUMAR BABU KUMAR, PRANITHA EPA	54 WINDING PINE TRL	CARY NC 27519-0891	
FARZANA, LAILA	3913 DEVAN OAKS WAY	RALEIGH NC 27606-4350	
GADDAM, GOPI KRISHNA DESABOINA, AMULYA	235 MAJESTIC PEAK DR	GARNER NC 27529-6297	
GADDAM, SANJANA	110 MURPHY CHAMBERS FARM RD	GARNER NC 27529-7090	
GARLAPATI, SHANKAR	3030 STABLE BLUFF RUN	CUMMING GA 30040-5970	
GE, DONGLIANG LIU, LI	1637 ANGSLEY LN	SAN RAMON CA 94582-2896	
GRANDE, SANDEEP MADA, SUCHARITHA	142 ALDERBRANCH CIR	GARNER NC 27529-6292	
GUDIPUDI, UMASANKAR KASTURI, MADHAVI	284 ALDERBRANCH CIR	GARNER NC 27529-6314	
GUMMADIDALA, SAILESH	234 MAJESTIC PEAK DR	GARNER NC 27529-6297	
GUNTUPALLI, SRINIVASA R PANGULURI, ANNAPURNA	264 ALDERBRANCH CIR	GARNER NC 27529-6314	
GUNTUPALLY, KEERTHI GUNTUPALLY, SHEELA	179 POTOMAC RIVER ST	GARNER NC 27529-7082	
HAGWOOD, BEN ROGER HAGWOOD, JOYCE	ROSE HAGWOOD	8100 HEBRON CHURCH RD	GARNER NC 27529-9167
HANUMANULA, BHUPESH NADELLA, VENKATA PRATHIBHA	247 ALDERBRANCH CIR	GARNER NC 27529-6314	
HARMEILING, JACQUELYN BISHOP HARMEILING, JAMES MARK	102 SADDLE RIDGE CT	GARNER NC 27529-4969	
HARPER, MICHAEL K HARPER, KIMBERLY D	123 RED VALOR ST	GARNER NC 27529-3196	
HARPERS LANDING COMMUNITY ASSOCIATION INC	4506 S MIAMI BLVD STE 100	DURHAM NC 27703-8001	
HARTSHORN, MICHAEL ALBERT	2317 WIN RD	GARNER NC 27529-9174	
HEATER UTILITES INC	202 MACKENAN DR	CARY NC 27511-6447	
HEGDE, SANJAY A CO-TRUSTEE DESHIKACHAR, PRATHIBHA CO-TRUSTEE	813 GRENADA LN	FOSTER CITY CA 94404-3803	
HERNANDEZ, MARCO ANTONIO RODRI TORIZ, MARITZA MUNIVE	104 TUMBLING ROCK WAY	GARNER NC 27529-3582	
HUDGINS, JASON TYLER	185 TUMBLING ROCK WAY	GARNER NC 27529-3582	
IJJAGIRI, VIVEK RENANGI, SWATHI	271 ALDERBRANCH CIR	GARNER NC 27529-6314	
IMMADISETTY, VENKATA KRISHNA RAO IMMADISETTY, SUREKHA	173 ALDERBRANCH CIR	GARNER NC 27529-6292	
JAGADABHI, CHINA VELUGONDAIAH JAGADABHI, UDAYA LAKSHMI RANI	177 ALDERBRANCH CIR	GARNER NC 27529-6292	
JAIME, VIRGINIO NIETO JAIMES, AGUSTIN NIETO	8021 HEBRON CHURCH RD	GARNER NC 27529-9162	
JAIN, AKASH CHAUHAN, KARUNA	221 POTOMAC RIVER ST	GARNER NC 27529-3398	
JARVIS, JENNIFER DENISE	208 HIKING HILL LN	GARNER NC 27529-3580	
JOGIPARTHI, BHARATH KUMAR JOGIPARTHI, RAJITHA	263 ALDERBRANCH CIR	GARNER NC 27529-6314	
JONES, ROBERT S JONES, EVA JUDY	8024 FASHION LN	GARNER NC 27529-9757	
JOSHI, RABINDRA JOSHI, ANJU BHANTANA	165 ALDERBRANCH CIR	GARNER NC 27529-6292	
KAJJAM, HARISH DARAM, SHILPA	23405 LONGOLLEN WOODS TER	ASHBURN VA 20148-8103	

KALLEM, RAVICHARAN	116 RED VALOR ST	GARNER NC 27529-3196
KALYANAPU, NAGA VENKATA SATYA ANVESH TALLURI, HASMITHA CHOWDAI	296 HIKING HILL LN	GARNER NC 27529-3580
KANCHANAPALLI, SRIDHAR THODIMALA, SUPRIYA	429 SHATILLA LN	APEX NC 27523-7158
KANDEL, ROSHAN KANDEL, RABITA	264 POTOMAC RIVER ST	GARNER NC 27529-3398
KAPOOR, RAHUL SEHGAL, SWATI	276 POTOMAC RIVER ST	GARNER NC 27529-3398
KARKI, NIRAJAN TRUSTEE SHARMA, NIVEETA TRUSTEE	2443 FILLMORE HALL LN	APEX NC 27523-7120
KASHYAP, SUHAS VENKATESH SHIVASHANKAR, SIRI	2314 CANOE CREEK LN	APEX NC 27523-7132
KASIREDDY, DEERAJ REDDY KATTA, SINDHUJA REDDY	274 ALDERBRANCH CIR	GARNER NC 27529-6314
KATPALLY, SHANTH REDDY GADDAM, SUCHARITHA REDDY	243 MAJESTIC PEAK DR	GARNER NC 27529-6297
KAUFMAN, DEBORAH LAMAY	137 ALDERBRANCH CIR	GARNER NC 27529-6292
KAYAM, NIRANJAN REDDY MOTLA, CHENCHU KEERTHI	292 HIKING HILL LN	GARNER NC 27529-3580
KEECH, LEVORE DAMONT LONG, LEAH DENAYE	112 TUMBLING ROCK WAY	GARNER NC 27529-3582
KEMBA, MURALI SANTOSH KUMAR SOMAYAJI, MALEGI VEENA	138 ALDERBRANCH CIR	GARNER NC 27529-6292
KHAN, JAMAL KHANAM, BUSHRA	239 MAJESTIC PEAK DR	GARNER NC 27529-6297
KING, BEATRICE KING, ROSCOE	8013 FASHION LN	GARNER NC 27529-9757
KISHORE, LAKSHMI TUNUGUNTLA	830 W ROCK RD	RADFORD VA 24141-3356
KNIGHT, COLON R KNIGHT, LAURIE ANN B	6305 MATHESON CT	SUMMERFIELD NC 27358-8315
KODALI, MOHAN KRISHNA KALLURU, KRANTHI	13307 W 181ST CT	OVERLAND PARK KS 66013-4401
KOLLI, HIMAKAR CHOWDARY	251 ALDERBRANCH CIR	GARNER NC 27529-6314
KOMARRAJU, KRANTHI KIRAN PARUPUDI, SAI SITA	193 ALDERBRANCH CIR	GARNER NC 27529-6292
KOMPELLE, PAVAN KUMAR KOPPULA, PRIYANKA	288 HIKING HILL LN	GARNER NC 27529-3580
KONDA, VENKATARAMANA DUDAM, RADHIKA	27 BROOKVIEW RD	FRANKLIN MA 02038-4134
KOTHA, KOTESWARA R KOTHA, RAJITHA	103 RED VALOR ST	GARNER NC 27529-3196
KUMAR, ALOK KARUPPIAH, NACHAMMAI	230 MAJESTIC PEAK DR	GARNER NC 27529-6297
KUMAR, DHIRENDRA GUPTA, JAYA	156 RED VALOR ST	GARNER NC 27529-3196
KUMAR, SACHISH SHARMA, NISHA	521 ALTON WOODS DR	CONCORD NH 03301-7854
KUMAR, TRILOK SHRIVASTAVA, ARPANA	270 ALDERBRANCH CIR	GARNER NC 27529-6314
KUNDETI, NAGARJUNA MUSUNURI, NAVYA	238 ALDERBRANCH CIR	GARNER NC 27529-6314
LA GATEWOOD, SPESHIAL DORSHA	124 TUMBLING ROCK WAY	GARNER NC 27529-3582
LAKEVIEW LOAN SERVICING LLC	5151 CORPORATE DR	TROY MI 48098-2639
LEBURU, JAHNAVI DUDDUGUNTA, RAJASEKHAR REDDY	189 TUMBLING ROCK WAY	GARNER NC 27529-3582
LEE, PAUL ALEXANDER JR LEE, MARY S	PO BOX 39	GARNER NC 27529-0039

LIN, JINDING LIN, ANNING
LINGAMGUNTA, ARCHANA NAMIREDDY, RAMESH REDDY
LINGAMPALLY, ANJALI REDDY
LOKA, PRIYANKA BODA, VISHNU VARDHAN REDDY
LOPEZ HOLGUIN, JONATHAN ENRIQUE
LYNN, SAMANTHA
M3A PROPERTY MANAGEMENT LLC
MADHIREDDY, MADHUSUDHAN REDDY POREDDY, HEMA REDDY
MALLETTE, MICHELE
MANNEY, SHARATH CHANDRA BANKURU, HARIKA
MANNI, NARINDRADAT MANNI, SHEILA
MANTHAPURAM, MOUNIKA KOTHAPALLI, MAHESH BABU
MANTRI, SATHEESH KUMAR MANTRI, DIVYA
MARABOYINA, SUCHIT CIRABOINA, SWETHA
MARQUEZ, EDGARDO GONZALEZ
MATHIS, HANNAH RAE
MAY, ROY J STEVENS, LINDA F
MAYS, PATRICIA ANN
MEHTA, HARDIK JAGDISH MODI, KHYATI DILIPKUMAR
MEKA, UMA MAHESWARA RAO MEKA, VENKATA NAGINI
MERITAGE HOMES OF THE CAROLINAS INC
MISTRY, NILESH NAVNITLAL AGARWAL, DEEPAK KUMAR
MOCANU, TRENT DREWE
MOTUKURU, SRI HARSHA PULIGANDLA, PRANAYA
NALLA, VINAY KUMAR GOURISETTI, PRANITHA
NANIKALVA, JANARDHANA REDDY EPA, PRASUNA
NATARAJ, SOWMYA TRUSTEE NAGARATNAM, NATARAJ TRUSTEE
NATARAJAN, RAKESH
NEPAL, NISHANT POUDEL, SUBANI
NICHOLAS, ORVILLE MILAN NICHOLAS, CHRISTINE
NORRIS, ROY DOUGLAS NORRIS, BARBARA M
PABLO, MIGUEL ANGEL REYES MARTIN, SAMANTHA M

113 WESCOTT RIDGE DR
11206 FLENNIKEN CT
231 ALDERBRANCH CIR
109 MYSTWOOD HOLLOW CIR
210 VELVET RIDGE WAY
201 POTOMAC RIVER ST
2616 ROCKWOOD DR
197 ALDERBRANCH CIR
167 POTOMAC RIVER ST
170 ALDERBRANCH CIR
8344 252ND ST
230 ALDERBRANCH CIR
275 ALDERBRANCH CIR
135 RED VALOR ST
100 MURPHY CHAMBERS FARM RD
108 TUMBLING ROCK WAY
8008 FASHION LN
112 RED VALOR ST
2025 PINEOLA BOG TRL
235 ALDERBRANCH CIR
8800 E RAINTREE DR STE 300
2222 ROCKY BAY CT
116 TUMBLING ROCK WAY
149 ALDERBRANCH CIR
6040 SANFORD PL
2107 HARROW DR
107 ECKLIN LN
115 TUMBLING ROCK WAY
8405 BRODERICK PL
231 MAJESTIC PEAK DR
8012 FASHION LN
8016 FASHION LN

HOLLY SPRINGS NC 27540-5784
CHARLOTTE NC 28277-4949
GARNER NC 27529-6314
HOLLY SPRINGS NC 27540-4471
GARNER NC 27529-6428
GARNER NC 27529-3398
RALEIGH NC 27610-5216
GARNER NC 27529-6292
GARNER NC 27529-7082
GARNER NC 27529-6292
BELLEROSE NY 11426-2117
GARNER NC 27529-6314
GARNER NC 27529-6314
GARNER NC 27529-3196
GARNER NC 27529-7090
GARNER NC 27529-3582
GARNER NC 27529-9757
GARNER NC 27529-3196
APEX NC 27502-8535
GARNER NC 27529-6314
SCOTTSDALE AZ 85260-3966
CARY NC 27519-6689
GARNER NC 27529-3582
GARNER NC 27529-6292
CUMMING GA 30028-2520
WOODSTOCK MD 21163-1433
CARY NC 27519-9520
GARNER NC 27529-3582
CARY NC 27519-8635
GARNER NC 27529-6297
GARNER NC 27529-9757
GARNER NC 27529-9757

PALAKURI, PRAVEEN KUMAR EMIDI, VANI	119 TUMBLING ROCK WAY	GARNER NC 27529-3582
PALANISAMY, GAYATHRI MADESAN, SIVAKUMAR	145 ALDERBRANCH CIR	GARNER NC 27529-6292
PAMIDI, VENKATESH PAMIDI, SWATHI	279 ALDERBRANCH CIR	GARNER NC 27529-6314
PANDERLAPALLI, SURENDRA REDDY	267 POTOMAC RIVER ST	GARNER NC 27529-3398
PANDIAN, ANITH SUBHA	135 TUMBLING ROCK WAY	GARNER NC 27529-3582
PAPPU, SREENIVASA MOHAN KANDALA, SRUTI	133 ALDERBRANCH CIR	GARNER NC 27529-6292
PATIBANDLA, NAGA SREE LAKSHMI SUNKARA, MITHUN	4200 BROOKLET WAY	FUQUAY VARINA NC 27526-3579
PATOWARY, PRITHIVIRAJ BARMAN, CHANDAMITA	144 RED VALOR ST	GARNER NC 27529-3196
PATTERSON, ROBERT LEE HEIRS	8025 HEBRON CHURCH RD	GARNER NC 27529-9162
PEDDI, DURGAPRASAD GUNDA, ANURADHA	2916 WINTER CROP WAY	APEX NC 27502-4409
PEDDI, KARTHIK SUNKARA, NAMRATHA	11609 W 153RD ST	OVERLAND PARK KS 66221-2309
PELAEZ-ALBARRAN, ARGELIA	8005 FASHION LN	GARNER NC 27529-9757
PENUKONDA, SAI THEJA PENUKONDA, VARDHINI	205 ALDERBRANCH CIR	GARNER NC 27529-6314
PENUMADULA, SRIKANTH PASUPULETI, SUSHMA	2117 CHIPLEY DR	CARY NC 27519-6990
PERUMAL, RAVIKUMAR RAVIKUMAR, MUTHULAKSHMI	226 ALDERBRANCH CIR	GARNER NC 27529-6314
PESER, PRAVEEN DAVULURI, RAGHAVENDRA KRISHNA P RADYUMNA	24147 BRYCE RIDGE CT	STONE RIDGE VA 20105-4009
PETTEWAY, SONYA	175 POTOMAC RIVER ST	GARNER NC 27529-7082
PILLAI, NIPUN GOSWAMI, ADITI	259 ALDERBRANCH CIR	GARNER NC 27529-6314
PLANK, KEVIN J	209 POTOMAC RIVER ST	GARNER NC 27529-3398
PODDUTURI, JOSHI REDDY REDDY, SRIVANI KOMATI	287 ALDERBRANCH CIR	GARNER NC 27529-6314
POLA, RAJESH	407 MICKEY LN	CARY NC 27513-3061
PONAKANTI, PHANEENDARA CHARY PONAKANTI, SHIREESHA	217 POTOMAC RIVER ST	GARNER NC 27529-3398
POONGAVANAME, THAMIZHARASI SELVAME	2917 BANKS KNOLL DR	CARY NC 27519-4536
PRASOON, PARIBHAV GUPTA, SHIWANI	104 ALDERBRANCH CIR	GARNER NC 27529-6292
PULICHINTALA, KRANTI KUMAR REDDY KAVUKUTLLA, REKHA	130 ALDERBRANCH CIR	GARNER NC 27529-6292
PULLEN, JOCELYN QUINYON	109 JADE CREEK DR	GARNER NC 27529-3581
PULUSU, SUMAN KUMAR TALLA, SUMALATHA	157 ALDERBRANCH CIR	GARNER NC 27529-6292
PURETI, KOTESWARA RAO KUKUTLA, SIVANAGAMALLESWARI	239 ALDERBRANCH CIR	GARNER NC 27529-6314
R A BRYAN FARMS LLC	8483 BRYAN RD	GARNER NC 27529-9156
RAGAMPETA, RAJESH SRIRAMBHATLA, NITHYA	13720 GILLETTE ST	OVERLAND PARK KS 66221-4137
RAGUNAYAKULA, SHARAT KUMAR BILLA, SADVIKA	227 ALDERBRANCH CIR	GARNER NC 27529-6314
RAHMAN, MD S AFRIN, FATEMA	247 POTOMAC RIVER ST	GARNER NC 27529-3398

RAJPUT, DINESH KUMAR RAJPUT, AMITA	258 VELVET RIDGE WAY	GARNER NC 27529-6428	
RAMAIYAN, RAMESHKUMAR SEKARAN, SUGAPRIYA	252 POTOMAC RIVER ST	GARNER NC 27529-3398	
RAMAKRISHNAN, VISHNUVARDHAN VISHNUVARDHAN, NIVETHA	238 MAJESTIC PEAK DR	GARNER NC 27529-6297	
RANGASWAMY, SRIRAM BALAJI, ARCHANA	221 ALDERBRANCH CIR	GARNER NC 27529-6314	
RAY, AMIT KUMAR RAI, WAGISHA	256 HIKING HILL LN	GARNER NC 27529-3580	
RAYNOR, BC	BOBBY C. RAYNOR	1018 HWY 70 WEST	GARNER NC 27529
REAVES, MARGARET ANN REAVES, RONALD WAYNE HEIRS	604 SARDIS DR	RALEIGH NC 27603-2716	
REDDY KUNREDDY, VIKRANTH KUMAR GAJJALA, CHARITHA REDDY	243 ALDERBRANCH CIR	GARNER NC 27529-6314	
REDDY SURASANI, ANIL KUMAR DANDAM, ASHRITHA	255 ALDERBRANCH CIR	GARNER NC 27529-6314	
REDDY, AMARNATH REDDY SINGI VINJAMARAM, SWATHY	805 POTTERSTONE GLEN WAY	CARY NC 27519-1512	
REDDY, SHARATH SADASIVA CHERUKURU, VISHNU PRIYA	10415 WOODVIEW CIR	CHARLOTTE NC 28277-8799	
REED, DARRYL SR JAMES, KESHIA	101 MURPHY CHAMBERS FARM RD	GARNER NC 27529-7090	
RIDGEMOOR MASTER OWNERS ASSOCIATION INC	ELITE MANAGEMENT	4112 BLUE RIDGE RD STE 100	RALEIGH NC 27612-4652
RIKKALA, SHASHIDHAR REDDY	225 ALDERBRANCH CIR	GARNER NC 27529-6314	
SACHDEV, SHARAD SACHDEV, RITIKA	204 LISTENING RIDGE LN	CARY NC 27519-7561	
SADHU, SRINIVAS RAO CHANDU, VANI PRIYA	181 ALDERBRANCH CIR	GARNER NC 27529-6292	
SADINENI, SRIREKHA KATYAYANI	126 ALDERBRANCH CIR	GARNER NC 27529-6292	
SAHA, PAYAL KUMAR SARKAR, NABADITA BALA	225 POTOMAC RIVER ST	GARNER NC 27529-3398	
SANKRANTHI, KARTHEEK MUNDRA, MOUNIKA	108 ALDERBRANCH CIR	GARNER NC 27529-6292	
SATHI, REDDY ADI SATHI, LAKSHMI VENKATA	504 AZALEA LN	BRIDGEVILLE PA 15017-3802	
SAUCIER, JONATHAN SAUCIER, PATRICIA	113 MURPHY CHAMBERS FARM RD	GARNER NC 27529-7090	
SELVARATHNAM, MAHENDRAN	1136 HOLLAND BEND DR	CARY NC 27519-8221	
SERI, AVINASH LOKURTHI, MOUNIKA REDDY	209 ALDERBRANCH CIR	GARNER NC 27529-6314	
SHARMA, HIMA MOHAN, MUKUL	268 POTOMAC RIVER ST	GARNER NC 27529-3398	
SHARMA, PRIYANKA SHARMA, TARUN	292 ALDERBRANCH CIR	GARNER NC 27529-6314	
SHARMA, TARUN SHARMA, PRIYANKA	104 JADE CREEK DR	GARNER NC 27529-3581	
SHERRILL, PHILIP LEE	204 HIKING HILL LN	GARNER NC 27529-3580	
SHI, ZHE MA, YUNAN	169 ALDERBRANCH CIR	GARNER NC 27529-6292	
SHRESTHA, PRANAB CHANDRA SHRESTHA, PUJA	263 CRESTMONT RIDGE DR	APEX NC 27523-7119	
SIMPSON, MICHAEL JOEL SIMPSON, CARRIE LOUISE	132 CHAPEL FIELDS LN	GARNER NC 27529-7162	
SINDHWANI, NIRAJ SINDHWANI, POOJA KOCHAR	141 ALDERBRANCH CIR	GARNER NC 27529-6292	
SINGH, JATINDER SINGH, SHAKILYA CASHAE	153 ALDERBRANCH CIR	GARNER NC 27529-6292	

SMITH, JACQUELINE B. SMITH, CHARLIE JAMES JR	109 MURPHY CHAMBERS FARM RD	GARNER NC 27529-7090
SMITH, MARGARET L	171 TUMBLING ROCK WAY	GARNER NC 27529-3582
SMITH, SHERWOOD T SMITH, LAURA L	8209 HEBRON CHURCH RD	GARNER NC 27529-9170
STARKS, VIRGINIA R	112 SONOMA VALLEY DR	CARY NC 27518-5300
STEVENS, LINDA FAYE MAY, ROY J	8008 FASHION LN	GARNER NC 27529-9757
STRICKLAND, DANIEL	1040 HICKORY GROVE CHURCH RD	FOUR OAKS NC 27524-9012
SUBBIAH, PREMALATHA	505 WHITE OAK POND RD	APEX NC 27523-8035
SURLES, MALCOLM SURLES, SENECA R	2404 SKYLINE DR	GARNER NC 27529-9758
SYAMALA, VAMSI KRISHNA BOKKA, MANASWINI	201 ALDERBRANCH CIR	GARNER NC 27529-6314
TAM, KING LUNG	1461 BONGATE CT	SAN JOSE CA 95130-1027
TERA, SWETHA BEERAVALLI, SIVASANKAR REDDY	621 ARBOR PRESS CT	GLEN ALLEN VA 23059-5951
THE NAGABHUSHANA R PAPPIREDDI AND UMA PAPPIREDDI R	1102 MACIAS LN	SAN JOSE CA 95120-4283
THOMPSON, SCOTT JOHN	567 BROAD ST	BRIDGEWATER MA 02324-1764
THOTAKURA, MARX MANTENA, NEERAJA	213 ALDERBRANCH CIR	GARNER NC 27529-6314
TIRUNAGARI, SRUJAN KUMAR TIRUNAGARI, SAI MEGHANA	272 HIKING HILL LN	GARNER NC 27529-3580
VADDEPALLY, SOMESHWAR VADDEPALLY, VIJAYABHARATHI	248 POTOMAC RIVER ST	GARNER NC 27529-3398
VARMA RAMA, CHANDRA VARA PRASAD	4 CASEY DR	MONROE TOWNSHIP NJ 08831-5358
VEDAMURTHY, SATISH KUMAR SATISH, VANI	2341 VANDIVER WAY	APEX NC 27523-6171
VENANCIUS, JAMES VENANCIUS, JEBAMINI LOVELY	123 FREHOLD CT	CARY NC 27519-7372
VINJAMURI, JAGADEESH MADDULA, ROJA LALITHA	720 MCRAE RD	CARY NC 27519-0116
VIRIGINENI, PADMAJA NADELLA, GEETA SANDEEP	206 VELVET RIDGE WAY	GARNER NC 27529-6428
VUPPALA, NIHARIKA KATKURI, VIJAYA KUMAR	24617 VIRGINIA DOGWOOD PL	ALDIE VA 20105-5979
VUSIRIKAPELLY, SRIKANTH PONUGOTI, SOWJANYA	283 ALDERBRANCH CIR	GARNER NC 27529-6314
WAKE CNTY BOARD OF EDUCATION	RE SERVICES DIRECTOR	1551 ROCK QUARRY RD
WATLINGTON, MARCUS SEAN WATLINGTON, DANIELLE MARIE	240 POTOMAC RIVER ST	GARNER NC 27529-3398
WHITAKER, DAVID B WHITAKER, PAIGE P	8480 BRYAN RD	GARNER NC 27529-9155
WHITAKER, DAVID EARL TRUSTEE WHITAKER, CYNTHIA BRYAN TRUSTEE	8500 BRYAN RD	GARNER NC 27529-9157
WHITTINGTON, RANDALL MICHAEL	8004 FASHION LN	GARNER NC 27529-9757
WILLIAMS, VIRGINIA B	8200 HEBRON CHURCH RD	GARNER NC 27529-9169
WILLIAMSON, NIKKOL	184 TUMBLING ROCK WAY	GARNER NC 27529-3582
WILSON, LARRY	213 POTOMAC RIVER ST	GARNER NC 27529-3398
YELVERTON, EMMANUEL YELVERTON, MONICA	171 POTOMAC RIVER ST	GARNER NC 27529-7082

RALEIGH NC 27610-4145

ZEENATH, MAHEE ZOHRA SHAIK, MASTANVALI MOHAMMED

ZHANG, YANYAN

ZHOU, JIANJUN TRUSTEE XING, YAN TRUSTEE

Current Resident

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405 ALLIANCE CIR

26645 LAUREL LN

2304 BUENA VISTA AVE

8350 Bryan Rd

2303 Win Rd

8000 Hebron Church Rd

2305 Win Rd

8225 Hebron Church Rd

2301 Win Rd

2309 Win Rd

8020 Fashion Ln

8201 Hebron Church Rd

2400 Skyline Dr

8125 Hebron Church Rd

8013 Hebron Church Rd

8004 Hebron Church Rd

8117 Hebron Church Rd

8102 Hebron Church Rd

8100 Hebron Church Rd

8138 Hebron Church Rd

8140 Hebron Church Rd

8009 Fashion Ln

8110 Hebron Church Rd

176 Potomac River St

244 Potomac River St

2195 Clifford Rd

214 Velvet Ridge Way

218 Velvet Ridge Way

222 Velvet Ridge Way

234 Velvet Ridge Way

238 Velvet Ridge Way

242 Velvet Ridge Way

CARY NC 27519-5559

LOS ALTOS HILLS CA 94022-3303

BELMONT CA 94002-1526

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Current Resident	246 Velvet Ridge Way	Garner, NC 27529
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Current Resident	266 Velvet Ridge Way	Garner, NC 27529
Current Resident	107 Red Valor St	Garner, NC 27529
Current Resident	119 Red Valor St	Garner, NC 27529
Current Resident	139 Red Valor St	Garner, NC 27529
Current Resident	143 Red Valor St	Garner, NC 27529
Current Resident	147 Red Valor St	Garner, NC 27529
Current Resident	162 Red Valor St	Garner, NC 27529
Current Resident	155 Red Valor St	Garner, NC 27529
Current Resident	159 Red Valor St	Garner, NC 27529
Current Resident	271 Potomac River St	Garner, NC 27529
Current Resident	272 Potomac River St	Garner, NC 27529
Current Resident	212 Hiking Hill Ln	Garner, NC 27529
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Current Resident	280 Hiking Hill Ln	Garner, NC 27529
Current Resident	284 Hiking Hill Ln	Garner, NC 27529
Current Resident	103 Tumbling Rock Way	Garner, NC 27529

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Current Resident	131 Tumbling Rock Way	Garner, NC 27529
Current Resident	139 Tumbling Rock Way	Garner, NC 27529
Current Resident	151 Tumbling Rock Way	Garner, NC 27529
Current Resident	155 Tumbling Rock Way	Garner, NC 27529
Current Resident	159 Tumbling Rock Way	Garner, NC 27529
Current Resident	163 Tumbling Rock Way	Garner, NC 27529
Current Resident	175 Tumbling Rock Way	Garner, NC 27529
Current Resident	181 Tumbling Rock Way	Garner, NC 27529
Current Resident	193 Tumbling Rock Way	Garner, NC 27529
Current Resident	197 Tumbling Rock Way	Garner, NC 27529
Current Resident	199 Tumbling Rock Way	Garner, NC 27529
Current Resident	188 Tumbling Rock Way	Garner, NC 27529
Current Resident	192 Tumbling Rock Way	Garner, NC 27529
Current Resident	196 Tumbling Rock Way	Garner, NC 27529
Current Resident	108 Jade Creek Dr	Garner, NC 27529
Current Resident	112 Jade Creek Dr	Garner, NC 27529
Current Resident	116 Jade Creek Dr	Garner, NC 27529
Current Resident	120 Jade Creek Dr	Garner, NC 27529
Current Resident	124 Jade Creek Dr	Garner, NC 27529
Current Resident	113 Jade Creek Dr	Garner, NC 27529
Current Resident	117 Jade Creek Dr	Garner, NC 27529
Current Resident	121 Jade Creek Dr	Garner, NC 27529
Kathy Behringer	206 Penny St	Garner, NC 27529
Demian Dellinger	105 Shore Dr	Garner, NC 27529
Gra Singleton	112 Newhaven Ct	Garner, NC 27529
Elmo Vance	140 Valleycruise Cir	Garner, NC 27529
Phil Matthews	1901 Navan Ln	Garner, NC 27529
Buddy Gupton	153 Luxorwind Dr	Garner, NC 27529

Town of Garner Planning Dept.

ATTN Jeff Triezenberg, Planning Director

900 Seventh Ave

Garner, NC 27529

January 12, 2024

Re: Notice Second of Neighborhood Meeting

Neighboring Property Owners:

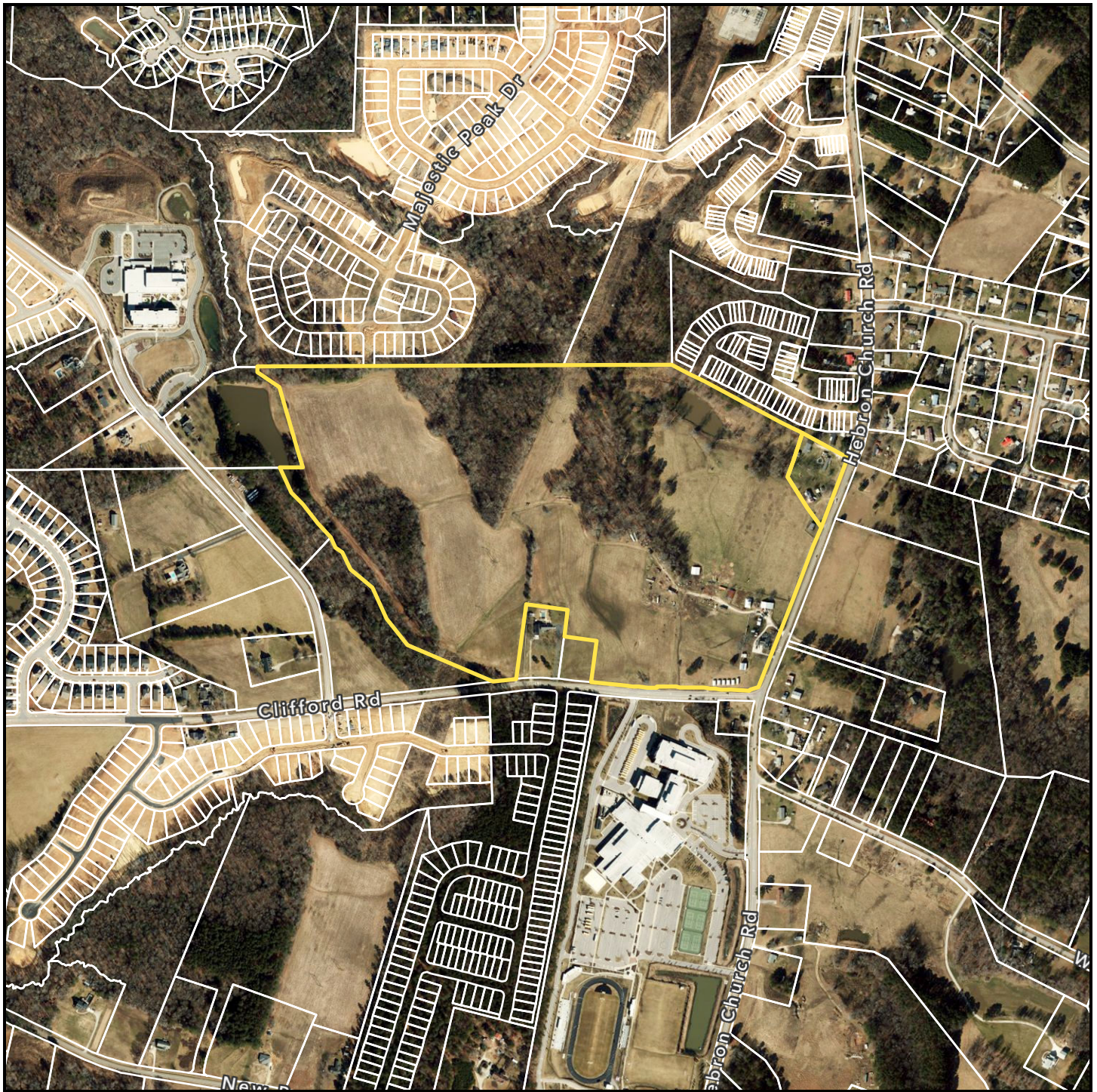
You are invited to attend a second neighborhood meeting on January 23, 2024 from 6:00pm to 7:00pm at the Omega Multipurpose Center, located at 1004 Vandora Springs Road, Garner, NC 27529. The purpose of the meeting is to discuss CZ-MP-23-04, the requested rezoning of two parcels of land located at 8110 Hebron Church Road (PIN 1629568117) and 8140 Hebron Church Road (PIN 1629453996) (the "Property"). Attached is a vicinity map outlining the location of the parcels. The Property is currently zoned Residential Agricultural-w/ Lower Swift Creek Overlay (RA-w/ LSC), and is proposed to be rezoned to Residential-8-w/ Lower Swift Creek Overlay (R8-w/ LSC). At the meeting, the applicant will describe the nature of the proposed rezoning request, provide updates since the first neighborhood meeting, and field any questions from the public.

Per Town of Garner ordinance requirements, we are notifying you of this meeting because your property is located within the written notification area for public hearings. While this meeting is not a public hearing, it is an opportunity for you to meet with the owners and/or applicants to hear about their request to rezone and/or develop the land. You are encouraged to ask questions and express concerns so that we may help you to more fully understand the proposed project.

If you have any questions about this neighborhood information meeting, or if you are unable to attend and would like to speak with someone regarding the proposal, please feel free to contact me at (919) 835-4023 or markfrederick@parkerpoe.com. We look forward to seeing you at the meeting.

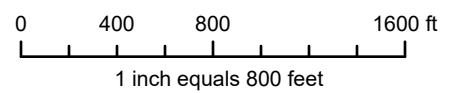
Thank you,

Mark D. Frederick



8110 & 8140 Hebron Church Road

Vicinity Map



Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.
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PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town’s website or disclosed to third parties.

Development Contacts:

Project Name: Homestead at Bryan Farm Zoning: Residential Agricultural w/ Lower Swift Creek Overlay (RA-w/ LSC)

Location: See attached addendum

Property PIN(s): See attached addendum Acreage/Square Feet: See attached addendum

Property Owner: See attached addendum

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Developer: Lennar Carolinas, LLC c/o Mark D. Frederick

Address: 301 Fayetteville Street, Suite 1400

City: Raleigh State: NC Zip: 27601

Phone: (919) 835-4023 Email: markfrederick@parkerpoe.com

Engineer: McAdams

Address: 621 Hillsborough Street, Suite 500

City: Raleigh State: NC Zip: 27603

Phone: (919) 361-5000 Fax: _____ Email: hardesty@mcadamsco.com

Builder (if known): Same as Developer

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Garner Department Contacts	
Planning Department Main Number	(919) 773-4449
Parks, Recreation & Cultural Resources Department	(919) 773-4442
Public Works Service Desk	(919) 772-7600
Solid Waste/Recycling/Streets – Public Works	(919) 772-7600
Water/Sewer Customer Service (Raleigh Public Utilities)	(919) 996-3245

Homestead at Bryan Farm
Ownership Addendum

Owner Information

Parcel 1

Site Address:	8140 Hebron Church Road
Pin:	1629453996
Deed Reference (book/page):	18578/2449
Acreage:	97.95 ac
Owner:	R A BRYAN FARMS, LLC
Owner Address:	8483 Bryan Road, Garner, NC 27529-9156

Parcel 2

Site Address:	8110 Hebron Church Road
Pin:	1629568117
Deed Reference (book/page):	11189/610
Acreage:	2.30 ac
Owner:	Ben Roger Hagwood and Joyce Hagwood
Owner Address:	8100 Hebron Church Road, Garner, NC 27529-9167

WHO TO CALL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Contact Building Inspections at 919-773-4433 for the following:

- Building Permits – HVAC, Mechanical, Electrical, Plumbing
- Additions to home – Interior/Exterior
- Decks
- Garages over 12' x 12'
- New Construction Residential/Commercial permits
- Construction Drawings (after initial approval by Town)
- Fire Inspections
- Footing Inspections
- Change of tenant
- Building up-fit

Contact Engineering at 919-773-4425 for the following:

- Change of tenant
- Building up-fit
- Stormwater questions / concerns
- Erosion Control/ Grading
- Construction Drawings (after initial approval by Town)
- Driveway permits

Contact Planning at 919-773-4449 for the following:

- Preliminary Site/Subdivision plan review
 - Sign permits
 - Plat review – Final, Minor, Exemption
 - Zoning verification
 - Landscaping inspection
 - Tree protection fencing inspection
 - Board of Adjustment - Variance, Special Exception, Appeal
 - Zoning Permits –Accessory Buildings (***Under 12x12***), Fences, Home Occupations, General (New Business, Change of Tenant) this must have a Business Registration accompanying the zoning permit
- * **Code enforcement lookup can be found [here](#)**

Contact City of Raleigh Public Utilities at 919-996-3000 for the following:

- Utility easements
- Water / Sewer questions / concerns

Contact Wake County Register of Deeds at 919-856-5460 for the following:

- Copy of HOA Covenants
- Copy of plat/plot plan
- Copy of Deed

Contact Wake County Tax Office at 919-856-5400 for the following:

- The name and/or address is wrong on my Tax Bill
- I want to appeal my tax value

Homestead at Bryan Farm - Rezoning

January 23, 2024 Neighborhood Meeting Minutes

The Applicant held a neighborhood meeting for the Homestead at Bryan Farm rezoning at the Omega Multipurpose Center on January 23, 2024. The following members of the project team were in attendance to present and answer questions: Mark Frederick from Parker Poe, Tucker Ennis from Lennar, and Jessie Hardesty from McAdams. Fifteen (15) neighbors were in attendance. Jessie Hardesty began by introducing the project team and then gave an overview of the proposed rezoning. The floor was then opened to questions from the attending neighbors.

Question: Will the house at the corner of Clifford Road and Hebron Church Road be preserved?

Answer: The current plan is for the farmhouse to remain in place.

Question: Will Clifford Road and Hebron Church Road be widened?

Answer: Yes, this project will be responsible for widening half of the public roads that this site has frontage on in order to bring the roads into compliance with the Town's transportation plan. This includes the sections of Hebron Church Road and Clifford Road that are along this property.

Question: Is the connection to the Majestic Peak Drive stub required?

Answer: Yes, it is a Town requirement to connect to stub streets on adjacent properties.

Question: Will this project have its own clubhouse and amenity center?

Answer: Yes, the project will have its own amenity center with a pool and cabana.

Question: Is this project an extension of the Ridgemoor subdivision to the north?

Answer: This is a separate development, although it is being built by the same developer, Lennar.

Question: Will the lot sizes be comparable to the Ridgemoor development?

Answer: Yes.

Question: Will there be a buffer between the Ridgemoor development and this project?

Answer: Yes, a 45-foot landscaped buffer is proposed.

Question: Will there be separate turn lanes on to Clifford Rd from Hebron Church? Can I get a copy of the TIA?

Answer: There will not be a separate turn lane on to Hebron Church. Yes, we can send you a copy of the TIA (TIA was sent to this resident).

Question: Who can we talk to about existing construction noise?

Answer: Garner should have a noise ordinance that regulates when construction should be taking place. If that isn't obeyed, you should be able to file a complaint. Lennar will also look into this issue because that is also their development.

Homestead at Bryan Farm (CZ-MP-23-04)

Second Neighborhood Meeting Sign-In Sheet

Name

Address

Email

Rose Hagwood	8100 Hebron Ch. Rd	Rose.hagwood@gmail.com
Bobby + Kathy Hagwood	" " " "	kathy.hagwood@dac.wc.gov
Paul Blackwell	2117 Clifford Rd	therecpaul@hotmail.com
Naveen Dodla	166 Alderbranch cir, Garner	mailto:dodla@gmail.com
Pari bhav Prasanna	104 Alderbranch cir Garner	paribhava1@gmail.com
Anil	161 Alderbranch Cir Garner	aniladhyula5@gmail.com
Rabindra Joshi	165 Alderbranch Cir. Garner	rabindrajoshi.ictm@gmail.com
Surendra Reddy	267 Potomac River St, Garner	surendra266@gmail.com
SUMAN PULUSU	157 Alderbranch Cir Garner NC	sumanpulusu@gmail.com
★ Larry S Korman	181 Tumbling Rock Way, Garner NC	lskorman@gmail.com
Koteswara Reddy P	239 Alderbranch circle Garner	pureti.koteswara@gmail.com
Praveen Peddi	146 Alderbranch circle, Garner	Praveen.peddi@outlook.com
Shashidhar Reddy	225 Alderbranch circle, Garner	Rsr eddy366@gmail.com

★ Send plans

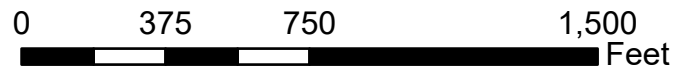
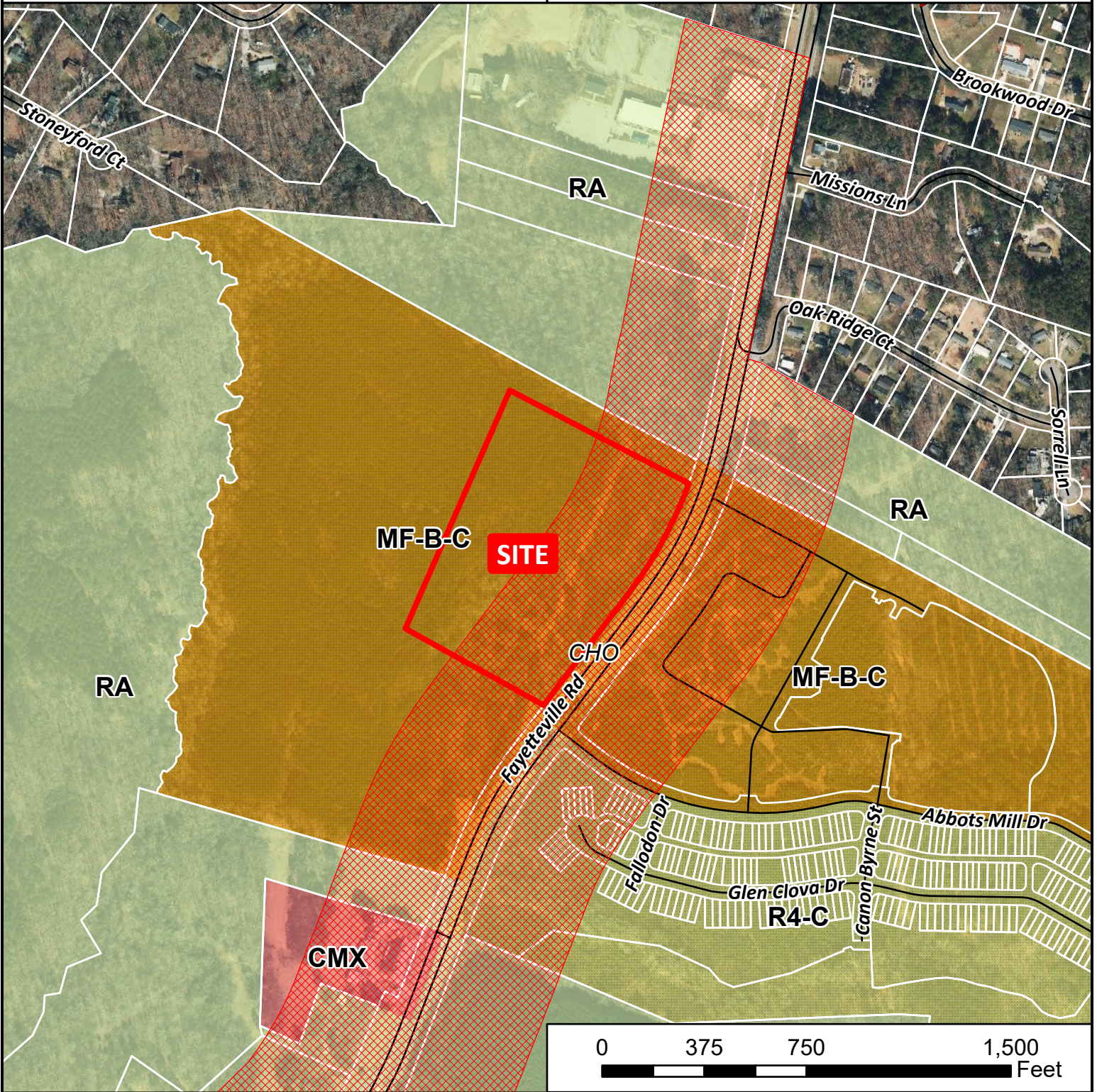
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024 ▼		
Subject: Special Use Permit # SUP-SP-22-10, Bennett Assemblage Apartments North		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Alison Jones, CZO; Development Review Manager		
Presenter: Alison Jones, CZO; Development Review Manager		
Brief Summary: Continued special use permit request submitted by RST Development LLC. to establish the development of a multifamily (triplex and higher, including apartment) residential community of 177 dwelling units on a 9.86 +/- acre portion of a larger 64.92 +/- acre site where the overall density shall not to exceed 9.8 dwelling units/acre. The site is located at 7100 Fayetteville Road and may be further identified as Wake County PIN # 0790118607.		
Recommended Motion and/or Requested Action: Consider motion to approve special use permit with conditions.		
Detailed Notes: The public hearing for this case began on June 18, 2024, where it was continued to July 16, 2024. Updates since June 18, 2024, are highlighted in dark orange/brown text, and include revised apartment elevations and agreed upon conditions in response to Council feedback. This project received conditional zoning approval through CZ-MP-21-10 on August 1, 2022. The neighborhood meeting at which the site plan was presented was held May 23, 2024 at the Garner Senior Center (only one required in the applicable version of the UDO). Ex parte communications since June 18, 2024, between Council members and the applicant are also attached.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		



Town of Garner Planning Department

Site Use Permit SUP-SP-22-10



Project: Bennett Assemblage Apartments North
Applicant: RST Development, LLC
Owner: Bennett Land NC, LLC
Location: 7100 Fayetteville Rd
Pin #: Part of 0790-11-8607

Proposed Use: Multifamily Apartments
Current Zoning: MF-B-C249
Acreage: 15 +/-
Overlay: CHO

PLANNING
MEMORANDUM

DATE: July 16, 2024
TO: Honorable Mayor Gupton and Town Council Members
FROM: Alison Jones, CZO; Development Review Manager
SUBJECT: Special Use Site Plan # SUP-SP-22-10, Bennett Assemblage Apartments North

I. PROJECT AT A GLANCE

Project Number(s): SUP-SP-22-10

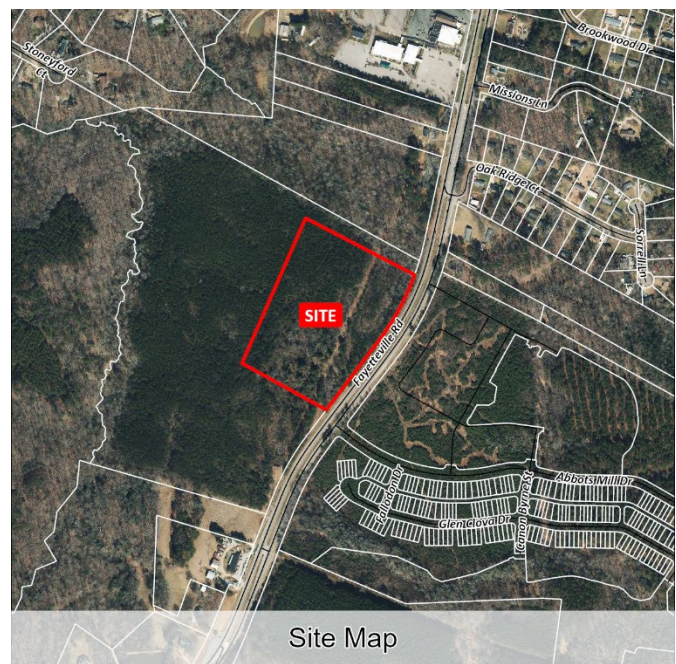
Request: Special use permit request submitted by RST Development LLC. to establish the development of a multifamily (triplex and higher, including apartment) residential community of 177 dwelling units on a 9.86 +/- acre portion of a larger 64.92 +/- site where the overall density shall not to exceed 9.8 dwelling units/acre. The site is located at 7100 Fayetteville Road and may be further identified as Wake County PIN # 0790118607.

Applicant: RST Development, LLC

Owner: Benette Land NC, LLC

Key Meeting Dates:

Public Hearing: June 18, 2024
 July 16, 2024 cont.



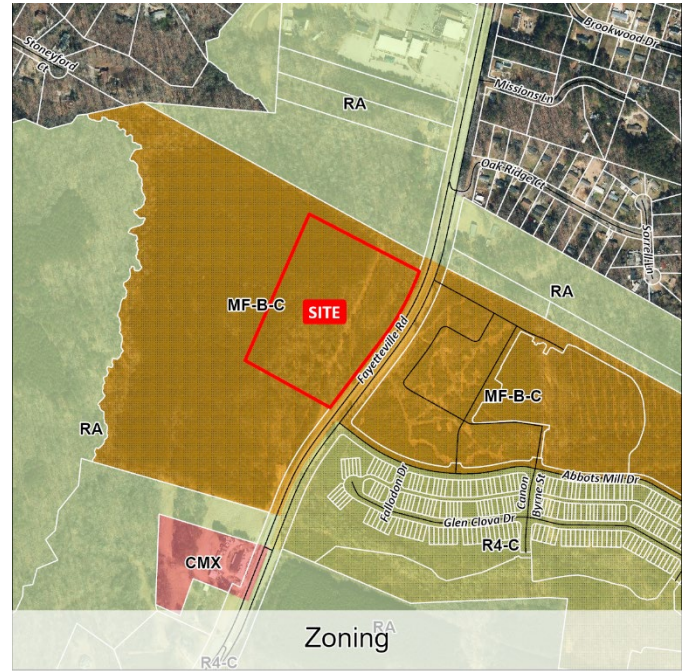
Site Map

II. ZONING AND CONTEXT

ZONING: The zoning is Multifamily B (MF-B C249) Conditional and the zoning was approved via a Tier 2 rezoning case # CZ-MP-21-10 on August 1, 2022.

The MF-B district is intended to primarily accommodate more intense multifamily uses with larger structures that contain more units. Structures are more urban in character and are located closer to the street than in the MF-A District with parking generally in the rear. These multifamily developments generally are clustered around active areas and allow people to live closer to places where they work and play. Some nonresidential or mixed-use structures and uses may also occur.

The conditions of the MF-B C249 conditional district are as follows.



1. Permitted use table:

Use Category	Specific Use	MF-2 C249
Household Living*	Townhouse	P
	Single-family Cluster	P
	Multi-family (including apartments)	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.*

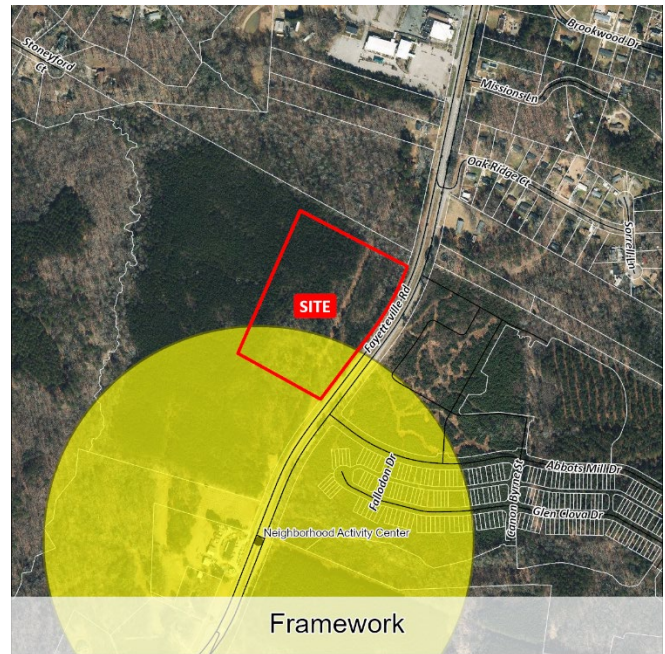
2. A sanitary sewer manhole will be provided on the JDS Farms LLC property located on the west side of Pope Branch prior to first final subdivision plat recordation. JDS Farms LLC will provide the necessary temporary and permanent easement(s) that would be required for construction and acceptance. If this crossing and installation is denied by DWR and/or USACE, a sanitary sewer manhole will be installed as close to Pope Branch/JDS Farms LLC property line as possible and along northern half of the common property line, a design will be completed in order to calculate a fee-in-lieu payment to JDS Farms LLC, and proof of said fee-in-lieu payment having been paid and accepted along with the recordation of easements granted to incorporate construction requirements for the future installation of a connecting sanitary sewer line prior to first final subdivision plat recordation.
3. The development shall include the following amenities:
 - a. Single-family amenity area shall include:
 - i. a minimum 6,000 sf clubhouse with fitness center;
 - ii. a minimum 3,000 sf swimming pool;
 - iii. a minimum 2,000 sf dog park;
 - iv. All to be constructed within 24 months of issuance of first single-family building permit.
 - b. Townhome amenity area shall include:
 - i. a minimum 400 sf shade structure to be constructed within 24 months of issuance of first townhome building permit.

- c. Multifamily amenity area shall include:
 - i. a minimum 3,000 sf clubhouse;
 - ii. a minimum 2,500 sf swimming pool;
 - iii. All to be constructed within 18 months of issuance of multi-family building permit.
- 4. Multi-family apartments shall not use vinyl siding and shall have:
 - a. cementitious siding that shall vary in type and color with brick, shakes, board and batten, or stone accents provided as decorative features - the masonry component shall be a minimum of fifty percent (50%) per building;
 - b. other accessory buildings may only have a masonry wainscot;
 - c. offsets in the plane of each façade for each apartment building;
 - d. either masonry embellishment or 1x4 casing on all windows; and
 - e. slab on grade foundations with masonry extending all the way to the ground with no visible exposed slab.
- 5. Townhomes shall have:
 - a. a minimum of 1,350 heated square feet;
 - b. at least a one car garage either 12 x 20 or 10 x 22;
 - c. cementitious siding;
 - d. turn down slab with 12" exposed on front - front and sides shall be covered - rear slab shall have paint to cover exposed concrete;
 - e. articulation in the side elevations, including two of the following: side entry, windows (two or more), partial masonry, two types of finishes (i.e. horizontal siding with board and batten or shakes in gables), and roofline changes;
 - g. first floor glazing consisting of one or more of the following: garage doors with glass windows, or front doors with windows or sidelights; and
 - h. 8" minimum eaves and rakes on front, rear, and sides.
- 6. Single-family homes shall have:
 - a. a minimum of 1,500 heated square feet;
 - b. cementitious siding;
 - c. two or more types of finishes on the front: lap siding, masonry, shakes, and board and batten;
 - d. turn down slab with 12" exposed on front - front and sides shall be clad with brick or stone veneer - rear slab shall have paint to cover exposed concrete;
 - e. first floor glazing (in the absence of traditional windows) by including front doors with a window or sidelights; and
 - f. 8" minimum eaves and rakes on front, rear, and sides.

Contextual Setting:

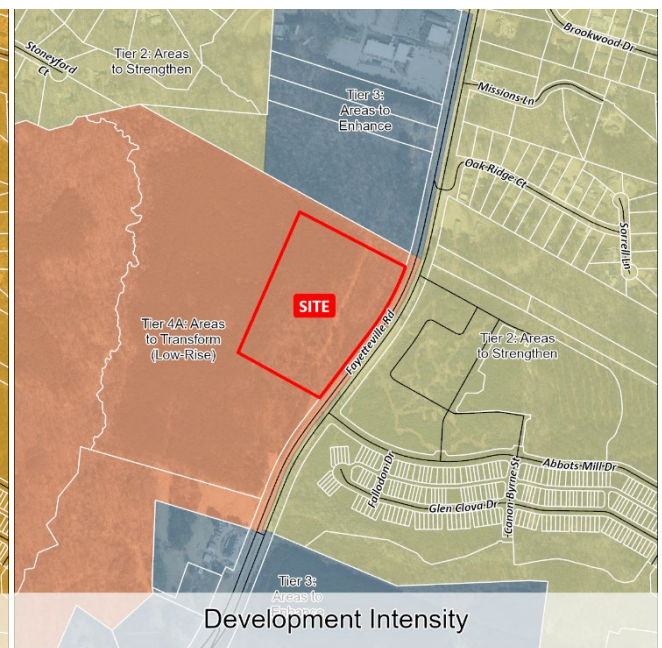
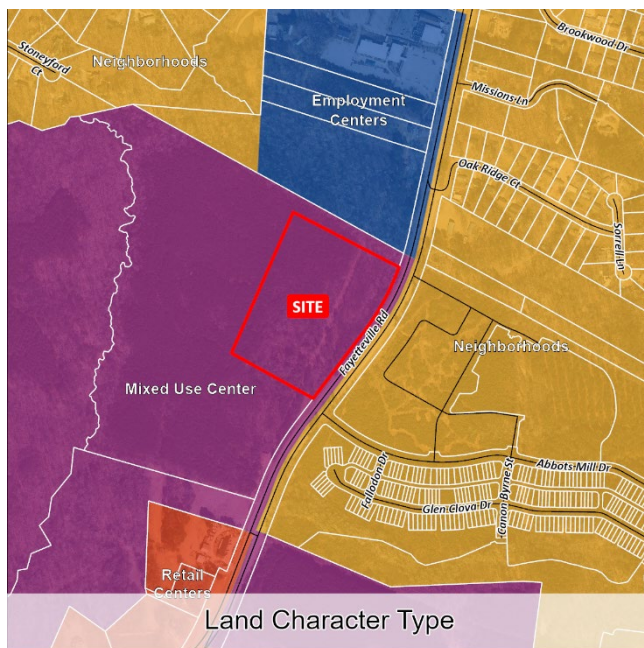
There are large parcels consisting of Fayetteville Road (US HWY 401) is a major corridor with a significant amount of daily traffic. While there are scattered single-family homes along this highway, most of the uses are high-intense commercial, retail operations with outdoor storage. The rezoning site is within 3/4 mile of the commercial activity center around the intersection of Ten Ten Road and HWY US 401.

- North: Vacant Tract
- East: Vacant tract / 401 Exchange Apartments
- South: Vacant tract/ Bennette Assemblage Subdivision
- West: Vacant tract/ Bennette Assemblage Subdivision



This stretch of U.S. 401/Fayetteville Road is primarily 4-lane divided highway. Future transportation plans propose this stretch of U.S. 401/Fayetteville Road to be a 6-lane divided highway.

In the Town’s 2023 Garner Forward Comprehensive Plan, the project area is within an activity center and falls within the Mixed- Use typology, which offers opportunity to serve broader economic, entertainment, and housing needs of the community. This project site is called out as a Level 4: Area to Transform (Low-Rise).



III. PROPOSAL REVIEW

NEIGHBORHOOD MEETING(S): Staff identified 34 properties within the notification radius as shown at right and provided the list to the applicant for first class mailed notices. The one meeting required by the applicable version of the Garner UDO was held:

- May 24, 2024 - held at the Garner Senior Center at 5:30pm with 3 people documented in attendance.

Full neighborhood meeting information, including a list of questions and concerns, is attached at the end of this report for further detail.

DISCLOSURE OF EX PARTE COMMUNICATIONS: See attached emails from Town Council forwarded by staff to the applicant.

GENERAL SITE DATA:

Area:

9.86 +/- acres (total)

Units/Building Size:

- 2 Apartment buildings
 - North Building – 75 units
 - South Building – 102 units
- 1 clubhouse building
- 2 garage buildings

TRC REVIEW AND FINDINGS:

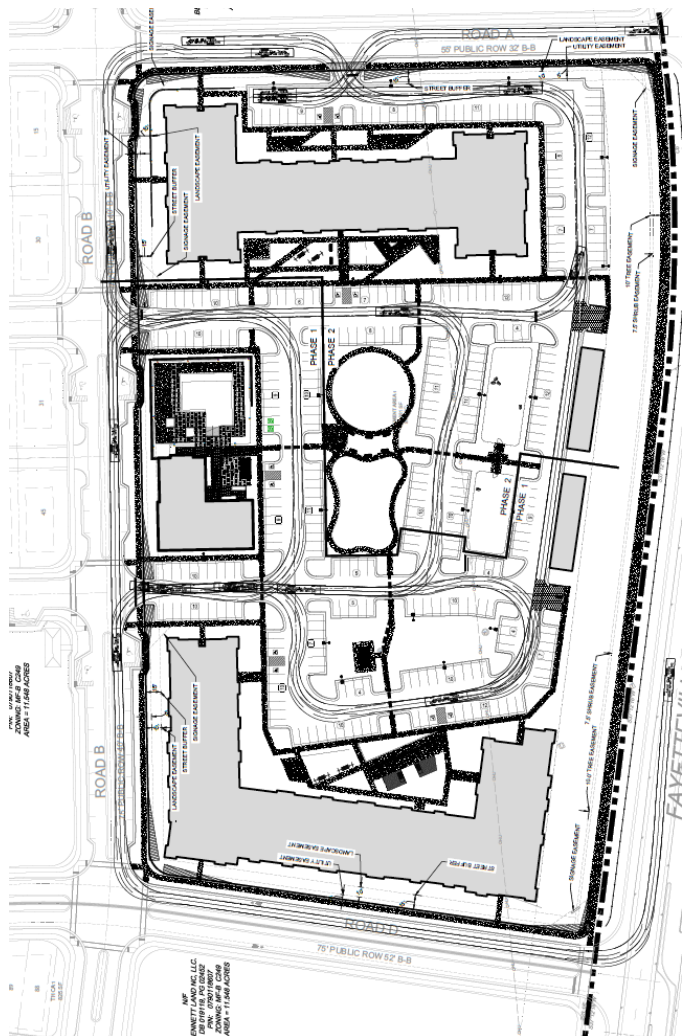
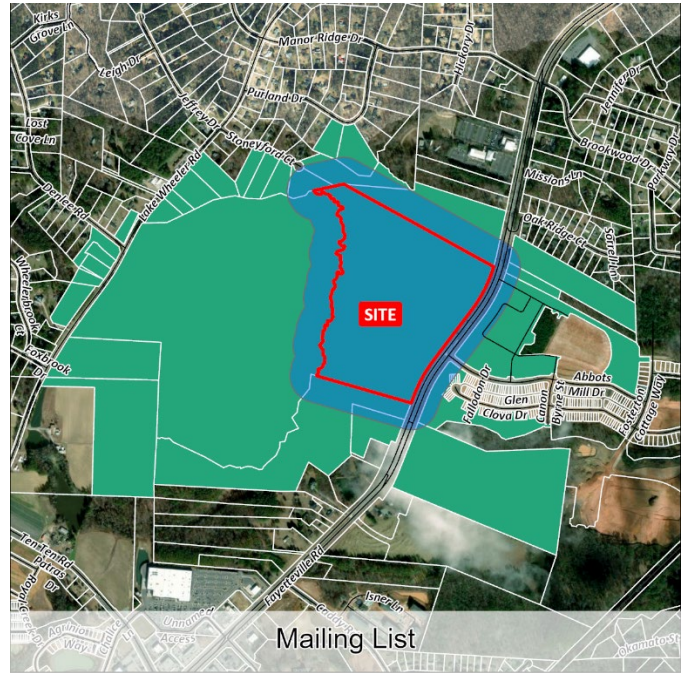
Open Space:

0.99 +/- acres required
2.19 +/- acres proposed

Privately maintained open space areas are recreation spaces. The open spaces include the dog park, fire pit, flexible lawn space, BBQ grill and the clubhouse.

TRC Finding: The open spaces features and sizes are consistent with what is required per the zoning conditions and the requirements of the applicable Unified Development Ordinance.

Stormwater:



Bennett Apartments is a multifamily development site that is located within the watershed protection area. This site is subject to stormwater water quality requirements for nitrogen and total suspended solids (TSS) as well as water quantity requirements for the 1-, 10-, and 25-year storm events. The corresponding subdivision plan proposes wet retention ponds that will treat impervious surface from not only the subdivision plan, but the apartment plan as well. These three wet retention ponds shall satisfy all water quality requirements for nitrogen and total suspended solids as well as water quantity requirements for the 1-, 10- and 25-year storm events at this site. A nitrogen offset payment will be required with the development of this plan.

TRC Finding: Together, the offset payment and installation of SCMs will satisfy all water quality and water quantity requirements at this site for nitrogen and TSS and will detain the 1-, 10-, and 25-year storm events.

Landscape and Buffers:

The landscaping was reviewed for consistency in regard to landscaping in the perimeter and street buffers, around vehicular surface areas, and around each individual building. Landscaping requirements will be met with existing vegetation and supplemented with new plant material where required.

Tree Canopy Coverage:

- Minimum coverage required: 14%
- Provided: 15.5% with new plantings.

Street Trees: Trees provided along public street frontage every 40 feet as required.

Perimeter Buffers:

- All sides of the project are fronting a street; no perimeter buffers

TRC Finding: The landscaping plan meets the requirements of the UDO.

Lighting:

The lighting plan was evaluated for several criteria including light product specifications, pole locations and footcandle distribution.

TRC Finding: The lighting plan meets the requirements of the UDO.

Parking:

Parking requirements are as noted: 1.5 spaces/unit for 43 1-bedroom units, 2 spaces/unit for 86 2-bedroom units and 2.5 spaces/unit for a 48 3-bedroom units, plus 1 additional space for every 4 units in the development for multifamily development.

- Required: 402
- Proposed: 345*

*Project requested 15% parking reduction as noted in Section 7.4.C.

TRC Finding: The orientation and quantity of spaces meets the regulations of the UDO and applicable Engineering Department standards and specifications.

Fire Protection:

The applicant provided turn radius exhibits for emergency vehicles accessing the site and sufficient spacing and provision of hydrants.

TRC Finding: The Fire Department and Fire Marshall have reviewed the plan for fire protection found it in compliance with the State Fire Code and other applicable ordinances and policies.

Utilities:

As depicted at right, the site has access to City of Raleigh water and sewer infrastructure. There is an existing 16" water main along Fayetteville Road and the 8" sewer main will be extended from 401 Exchange Subdivision.

TRC Finding: Raleigh Water staff, as part of the Town's Technical Review Committee, find that current plans satisfy applicable regulations and policies.



Transportation:

The proposed site is located along the west side of US 401 between Manor Ridge Drive and Ten Ten Road. Required improvements along US 401 included construction of an additional lane and 10' multi-use path along the frontage. A new 75' minor collector (two lane divided) is being constructed along the southern end of the site that will provide future connectivity to Lake Wheeler Road. Immediate drive access to the site will be from a new 75' minor collector (two lane divided) along the west side of the property and a new 55' major local (two lane) on the north side of the property. All improvements along US 401 and the new public streets that will provide access to the site are tied to the corresponding subdivision plan.



A Traffic Impact Analysis (TIA) was completed and approved with the associated rezoning case # CZ-MP-21-10.

TRC Finding: Engineering and Planning staff of the TRC find that current plans satisfy applicable regulations and policies.

Significant Environmental/Cultural Features:

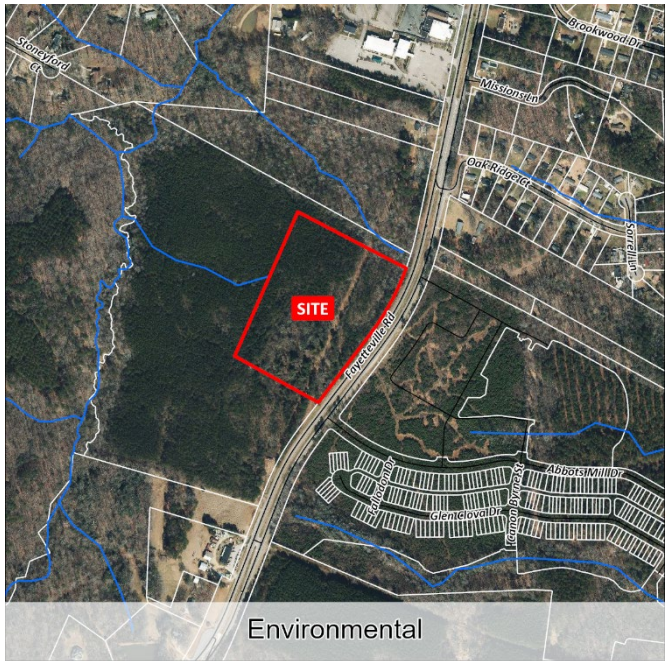
The portion of the site that this project is being proposed does not contain FEMA designated floodplains or any wetlands. Additionally, there have been no significant cultural resources identified.

TRC Finding: The Technical Review Committee finds that current plans satisfy applicable regulations and policies.

Architectural Zoning Conditions:

Elevations were provided for each building façade and each building along with material calculations.

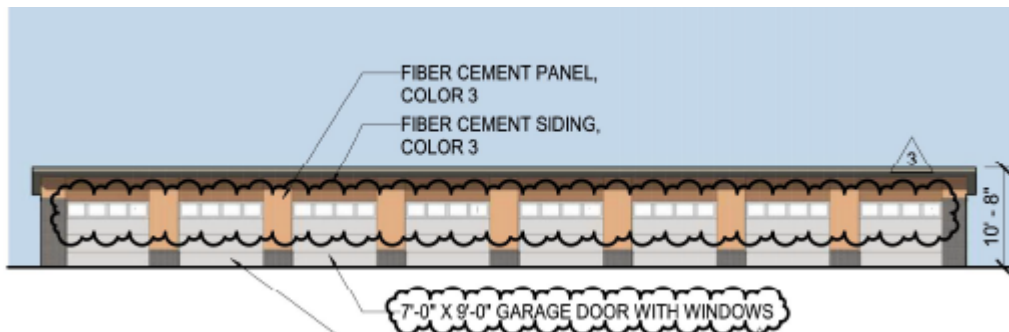
Apartment Building:



Clubhouse:



Garage:



TRC Finding: The Technical Review Committee finds that current plans satisfy the architectural standards of the zoning conditions regarding materials, façade offsets, building orientation and building types.

TRC RECOMMENDED CONDITIONS OF APPROVAL:

1. Infrastructure from Bennett Assemblage Subdivision Plan, that was approved on December 15, 2023, must be completed prior to commencement of work for Bennett Assemblage Apartments North;
2. Prior to issuance of building permit, annexation request must be submitted to the Planning Department;
3. Prior to issuance of building permit, lot must be a lot of record;
4. Prior to issuance of building permit, payment of Engineering Inspection fees shall be paid to the Town of Garner;
5. Prior to issuance of building permit, the Garner Engineering Department shall be in receipt of documentation that a nitrogen offset payment has been made to an approved mitigation bank;
6. A maintenance plan along with a Memorandum of Agreement must be developed for all Stormwater Control Measures (SCMs) installed. This maintenance plan is required to be recorded at the Wake County Register of Deeds prior to construction drawing approval;
7. Construction Drawings must be reviewed and approved by the Engineering Department following site plan approval;
8. Infrastructure Construction Drawings must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions; and
9. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

APPLICANT - COUNCIL RECOMMENDED CONDITIONS OF APPROVAL:

10. All multistory buildings shall provide an elevator.

11. The site shall include a minimum of five (5) EV charging stations.
12. The site shall include a minimum of twenty (20) bicycle parking spaces.
13. A minimum of five percent (5%) of multifamily units constructed with the development shall be provided as Affordable Housing units (the "Affordable Housing Units"). The Affordable Housing Units shall be made available for rental such that at least 2% of the Affordable Housing Units shall have rents which are affordable for households earning 80% AMI, and 3% of the Affordable Housing Units shall have rents which are affordable for households earning 100% AMI; based on their household size, of the U.S. Department of Housing and Urban Development (HUD) Area Median Income (AMI) as stipulated by the most recently published North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) income and rent limits for the Raleigh, NC MSA area, as defined by the U.S. Department of HUD and updated annually. The Affordable Housing Units shall be restricted for an affordability period of thirty years starting from the date of issuance of the first multifamily residential Certificate of Occupancy (the "Affordable Period") for the development. Following completion of the Affordable Period, this Affordable Housing condition shall expire, the property owner shall be relieved of all obligations set forth in this Affordable Housing condition, and the Affordable Housing Units may be freely marketed and leased at market-rate rents.

IV. RECOMMENDATION

MOTION OPTIONS: There are two options the Town Council might consider for a motion on this case outside of a motion to table/continue. Each option is presented below along with the associated draft motion.

① *Meets 8 SUP Criteria and Draft Motion to Approve:* I find that application # SUP-SP-22-10 meets the Town's eight (8) criteria for special use permits as identified in Article 3.9.2.D; therefore, I move that the Town Council approve SUP-SP-22-10, Bennett Assemblage Apartments North with the 13 total site-specific conditions -nine (9) recommended by the TRC, and an additional four (4) agreed to by the applicant and Town Council - and to be listed on the permit that will be prepared by Staff.

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

___ adjoining property,

___ the existing natural and man-made features of the site,

___ off-site and on-site traffic flow,

___ public utilities,

___ such other public services or goals of the Comprehensive Growth Plan or the Transportation Plan that may be negatively impacted by the proposed development (*enumerate plan services/goals*):

Condition #1: _____

Condition #2: _____

Condition #3, etc.: _____

② *Does Not Meet 8 SUP Criteria and Draft Motion to Deny:* I find that application # SUP-SP-22-10 does not meet one or more of the Town's eight (8) criteria for special use permits as identified in Article 3.9.2.D: *(Check and read all that apply – include stated reason/evidence)*

1. The proposed use will endanger the public health or safety because/as evidenced by _____;
2. The proposed use will substantially injure the value of adjoining or abutting property because/as evidenced by _____;
3. If completed as proposed, the development will not comply with all the requirements of this Ordinance because/as evidenced by _____;
4. The proposed use is not consistent with the Town's adopted transportation plan(s), other relevant adopted plans and policies, and the stated purpose and intent of this UDO because/as evidenced by _____;
5. The proposed use is not compatible with adjacent uses and proximate neighborhood in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts) because/as evidenced by _____;
6. Any significant adverse impacts resulting from the use will not be mitigated or offset, including impacts on the natural environment because/as evidenced by _____;
7. The public safety, transportation and utility facilities and services will not be available to serve the subject property while maintaining sufficient levels of service for existing development because/as evidenced by _____;
8. Inadequate assurances of continuing maintenance have been provided because/as evidenced by _____;

therefore, I move that the Town Council deny SUP-SP-22-10, Bennett Assemblage Apartments North.

May 7, 2024

Dear Property Owner or Current Resident,

On behalf of Bennett Land NC LLC, the owner of **7100 Fayetteville Road (“Bennett”)**, I would like to invite you to attend the neighborhood information meeting concerning the development of said property. Specifically, RST Development is requesting a Special Use Permit (SUP) to allow for the development of 178 apartments on the North Multi-Family portion of the property. The meeting details are as follows:

May 23, 2024
5:30 PM
Garner Senior Center – Dining Room
205 E Garner Rd
Garner, NC 27529

RST Development previously held a neighborhood meeting on March 29, 2022, to discuss a conditional rezoning of 7100 Fayetteville Road and master plan for up to 87 single family cluster lots, 96 townhomes and 280 apartments. The Town Council approved the rezoning and master plan on August 1, 2022. RST Development has prepared detailed site plans consistent with the approved master plan for the subdivision and the North Multi-family Apartments. The Town of Garner ordinances require that the applicant present site plans for the apartments to the Town Council for consideration and issuance of a Special Use Permit.

Per Town of Garner ordinance requirements, we are notifying you of this meeting because your property is located within the written notification area for public hearings. While this meeting is not a public hearing, it is an opportunity for you to meet with the owners and/or applicants to hear about their intention to rezone and/or develop the land. You are encouraged to ask questions so that we may help you to more fully understand the proposed project.

Town Planning staff will not be in attendance at this meeting, but if you have additional questions about the project, you may contact the Town’s case manager, Alison Jones at 919-773-4429 or ajones@garnernc.gov. Property owners and residents within the notification area will receive a separate notice from Town Planning staff when a public hearing is scheduled before the Garner Town Council.

If you have any questions about this neighborhood information meeting, or if you are unable to attend and would like to speak with someone regarding the proposal, please feel free to contact me at 919-866-4509 or beth.blackmon@timmons.com. We look forward to seeing you at the meeting.

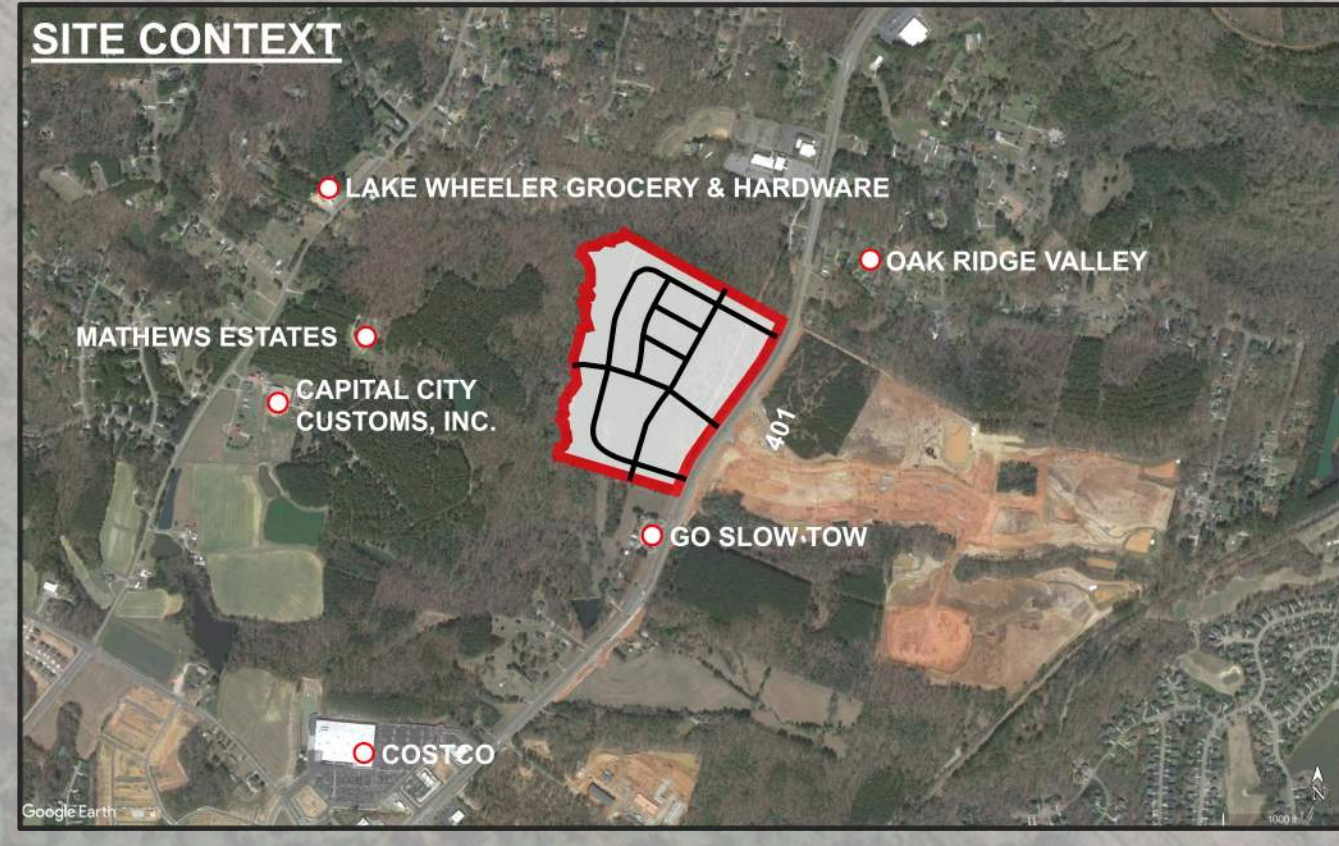
Sincerely,



Beth Blackmon
Sr. Project Manager
Timmons Group

WETLANDS
 LOW POINT
 STREAM
 STORMWATER POND
 PRIVATE GREENWAY TRAIL
 2,100' LF TRAIL
 TREE PRESERVATION AREA
 NEUSE BUFFER

PUMP STATION
 30' LANDSCAPE BUFFER
 35' LANDSCAPE BUFFER
 OVERHEAD POWER LINE
 To be relocated or located underground
 7.5' LANDSCAPE BUFFER
 COVERED GARAGES, TYP.
 DUMPSTERS, TYP.
 AMENITY AREA
 • Clubhouse
 • Mail Kiosk
 • 2,500 sf Swimming Pool
 • Fitness Center
 AMENITY AREA
 • Clubhouse
 • 2,000 sf Dog Park
 • Mail Kiosk
 • 3,000 sf Swimming Pool
 • Fitness Center
 HIGH POINT
 AMENITY AREA
 • Neighborhood Park
 • Shade structure
 • Outdoor seating
 AMENITY AREA
 • Shade structure
 • Outdoor seating
 65' BUILDING SETBACK
 US 401 TO BE IMPROVED TO
 6-LANE SECTION WITH CURB,
 GUTTER, AND SIDEWALK
 AREA RESERVED FOR FUTURE
 NON-RESIDENTIAL DEVELOPMENT
 25' LANDSCAPE BUFFER



Zoning Conditions -

- The development shall include the following amenities:
 - Single family amenity area shall include:
 - a minimum 6,000 sf clubhouse with fitness center;
 - a minimum 3,000 sf swimming pool;
 - a minimum 2,000 sf dog park;
 - all to be constructed within 24 months of issuance of first single family building permit.
 - Townhome amenity area shall include:
 - a minimum 400 sf shade structure to be constructed within 24 months of issuance of first townhome building permit.
 - Multi-family amenity area shall include:
 - a minimum 3,000 sf clubhouse;
 - a minimum 2,500 sf swimming pool;
 - all to be constructed within 18 months of issuance of multi-family building permit.
- Multi-family apartments shall not use vinyl siding and shall have:
 - ceramititious siding that shall vary in type and color with brick, shakes, board and batten, or stone accents provided as decorative features - the masonry component shall be a minimum of fifty percent (50%) per building;
 - other accessory buildings may only have a masonry wainscot;
 - offsets in the plane of each facade for each apartment building;
 - either masonry embellishment or 1x4 casing on all windows; and
 - slab on grade foundations with masonry extending all the way to the ground with no visible exposed slab.
- Townhomes shall have:
 - a minimum of 1,350 heated square feet;
 - at least a one car garage either 12 x 20 or 10 x 22;
 - a minimum .045 gauge vinyl siding;
 - turn down slab with 12" exposed on front - front and sides shall be covered - rear slab shall have paint to cover exposed concrete;
 - articulation in the side elevations, including two of the following: side entry, windows (two or more), partial masonry, two types of finishes (i.e. horizontal siding with board and batten or shakes in gables), and roofline changes;
 - first floor glazing consisting of one or more of the following: garage doors with glass windows, or front doors with windows or sidelights; and
 - 8" minimum eaves and rakes on front, rear, and sides.
- Single family homes shall have:
 - a minimum of 1,500 heated square feet;
 - a minimum .045 gauge vinyl siding;
 - two or more types of finishes on the front: lap siding, masonry, shakes, and board and batten;
 - turn down slab with 12" exposed on front - front and sides shall be clad with brick or stone veneer - rear slab shall have paint to cover exposed concrete; first floor glazing (in the absence of traditional windows)

Site Data
 Pin: 0790118607
 Total Area: 62.9 +/- AC
 Existing Zoning: R-40
 Proposed Zoning: MF-2

Total Units Proposed
 Single Family Cluster: 87 Lots
 Townhomes: 96 Units
 Multi-family Apartments: 280 Units

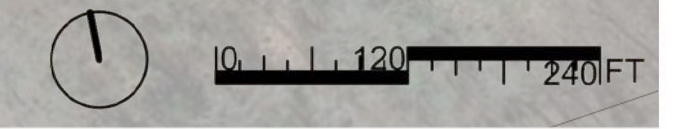
Total Required Parking:

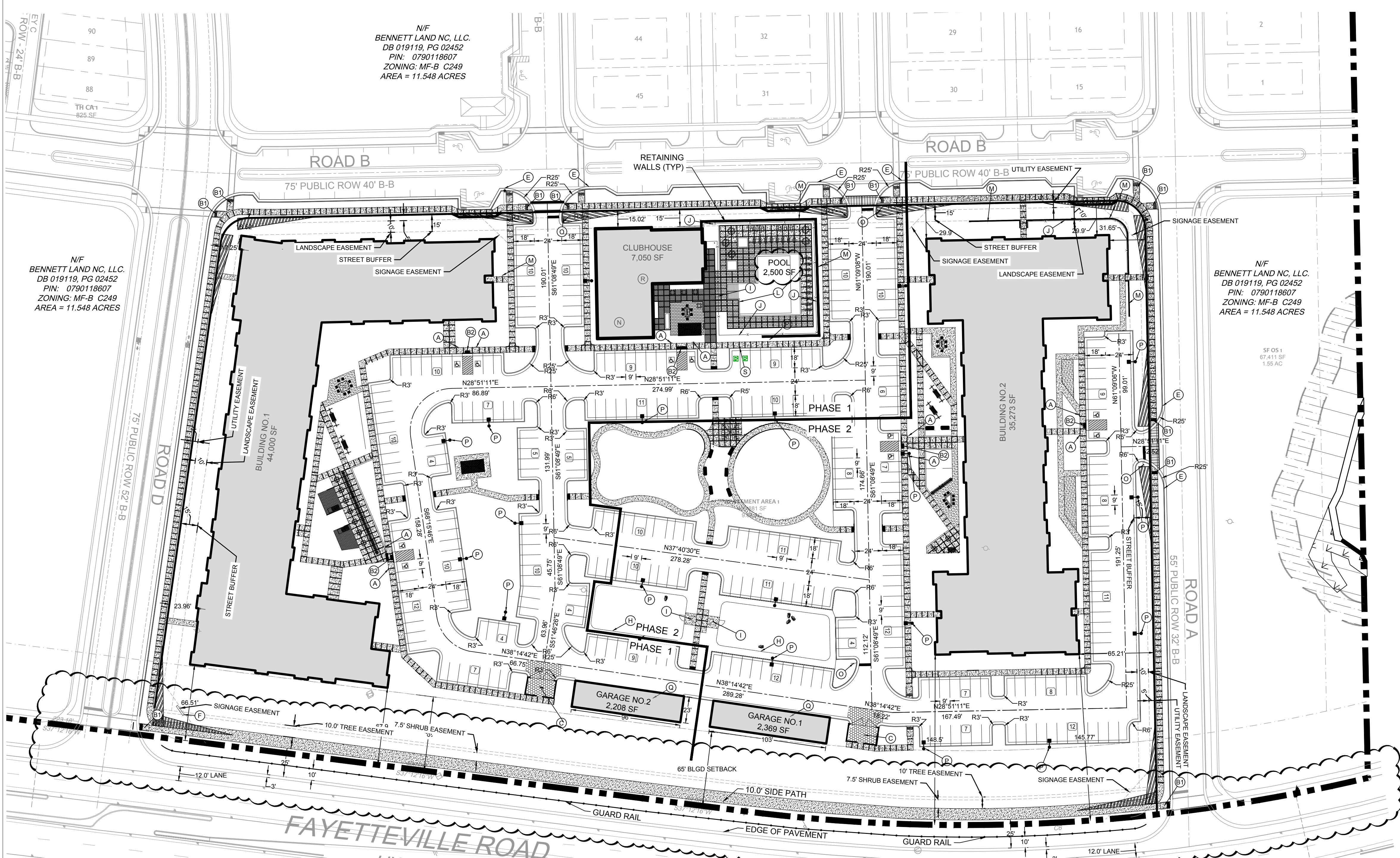
	Single Family Cluster: N/A
	Townhomes: Required Parking: 24 Provided Parking: 35
	North Pad Multi-Family Total Units: 178 Units Required Parking: 378 Surface Parking: 331 Parallel Parking: 23 Garage: 24 Total Provided Parking: 378
	South Pad Multi-Family Total Units: 102 Units Required Parking: 217 Surface Parking: 167 Parallel Parking: 16 Garage: 35 Total Provided Parking: 218

Tree Preservation Area Provided : 12% (7.5 AC.)

Single Family Cluster Required Open Space
 25% of Cluster Area
 Total Cluster Area: 29.5 +/- AC
 Provided: 7.38 +/- AC

Multi-family Required Open Space
 10% of Multi-family Area
 Total Multi-family Area: 33.4 +/- AC
 Provided: 3.34 +/- AC





N/F
BENNETT LAND NC, LLC.
DB 019119, PG 02452
PIN: 0790118607
ZONING: MF-B C249
AREA = 11.548 ACRES

N/F
BENNETT LAND NC, LLC.
DB 019119, PG 02452
PIN: 0790118607
ZONING: MF-B C249
AREA = 11.548 ACRES

N/F
BENNETT LAND NC, LLC.
DB 019119, PG 02452
PIN: 0790118607
ZONING: MF-B C249
AREA = 11.548 ACRES

SITE DATA TABLE

Table with 2 columns: Field Name and Value. Includes Project Name, Property Owner, Developer, Pin Label, Deed Reference, Property Address, Township, Property Zoning, Overlay Zoning District, Current Use, Proposed Use, Total Project Area, River Basin, Bldg. N/A, Watershed, Bldg. N/A, Building SO FT, Parking Required, Parking Provided, Impervious Surface Summary, Disturbed Area, and Key Notes.

KEY NOTES

- List of notes A through T detailing site requirements such as accessible parking, van accessible parking, wheelchair ramps, dumpster enclosures, and signage.

CONTRACTOR NOTES

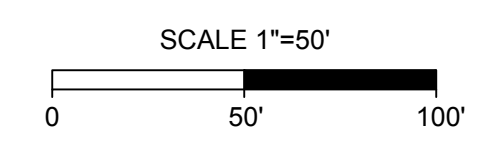
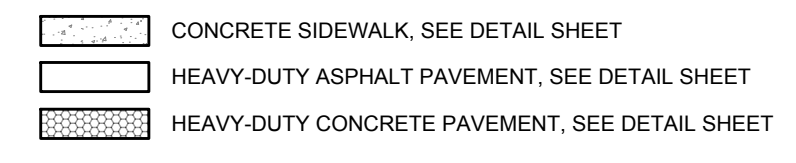
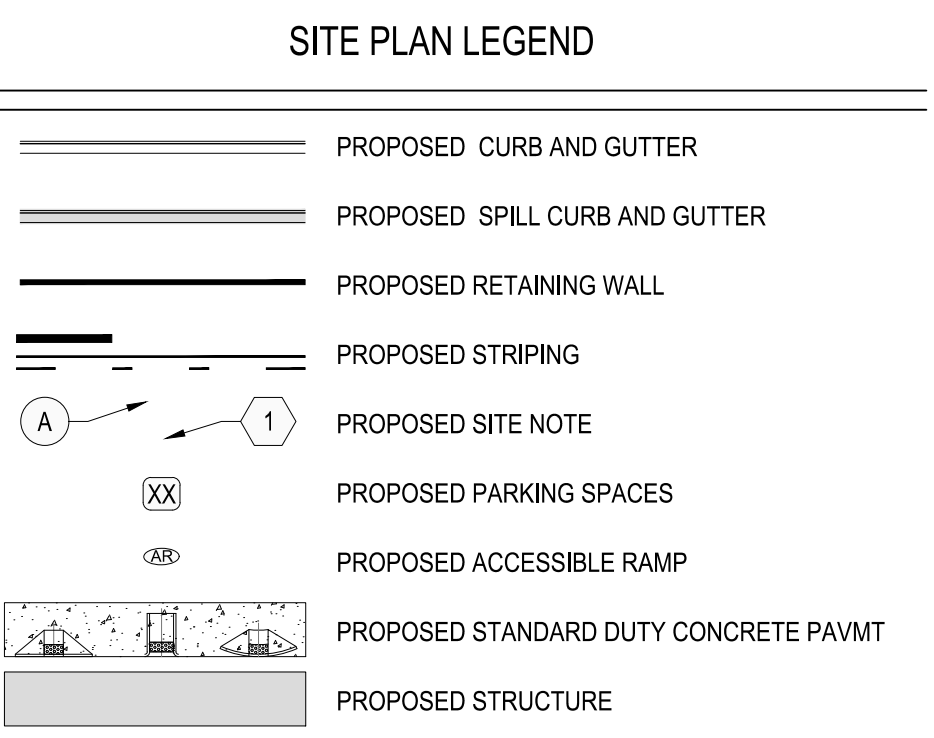
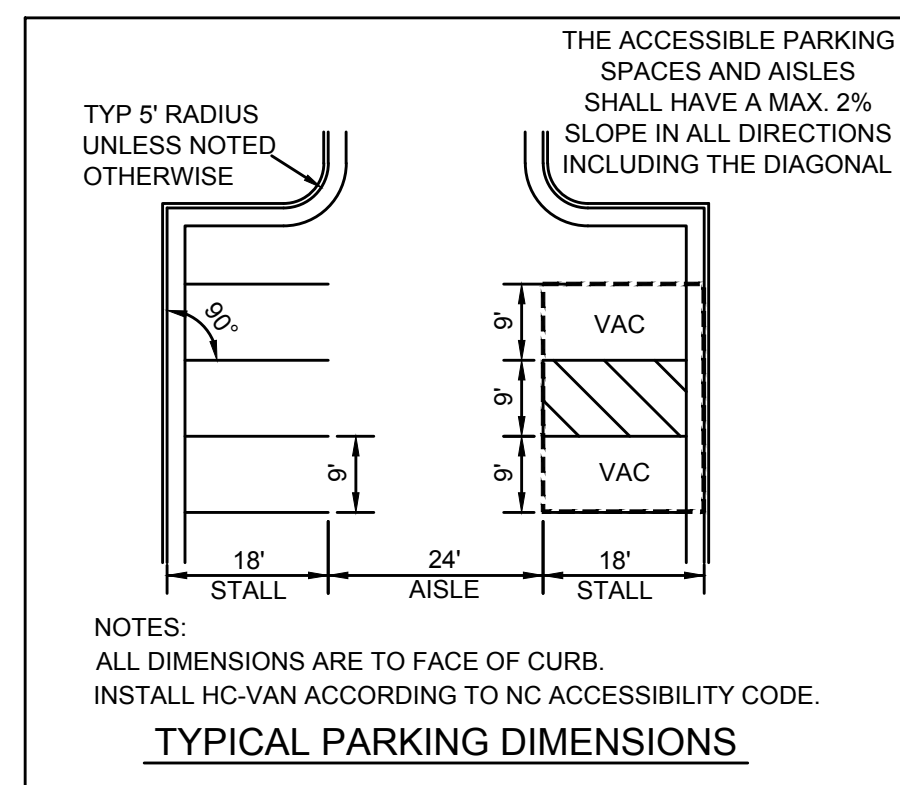
Text block providing instructions for contractors regarding utility providers, improvements, and coordination with the engineer and owner.

TRAFFIC CONTROL NOTES

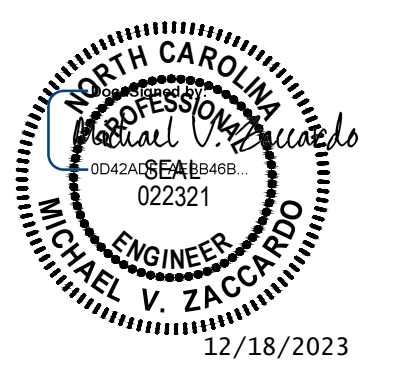
Table detailing traffic control requirements, including sign types (R-1, R-11), sizes, and markings (parking space, no parking, fire lane) with their respective colors and specifications.

GENERAL NOTES: 1. ALL CONSTRUCTION SHALL CONFORM TO TOWN OF GARNER AND CITY OF RALEIGH STANDARDS AND SPECIFICATIONS. 2. ROADS AND DRIVEWAYS SHALL COMPLY WITH NCDOT AND TOWN OF GARNER STANDARDS. 3. PERMANENT AND TEMPORARY SIGNAGE REQUIRES AN APPROVED SIGN PERMIT PRIOR TO INSTALLATION...

USPS NOTE: MAIL KIOSK TO BE LOCATED IN CLUBHOUSE INSTALLED IN PHASE 1. EASEMENT NOTE: 10' PLANTING STRIP TO BE MAINTAINED BY HOA.



ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL TOWN OF GARNER, RALEIGH WATER AND NCDOT STANDARDS, SPECIFICATIONS, AND DETAILS



FOR REVIEW ONLY

THIS DRAWING PREPARED AT THE RALEIGH OFFICE 5410 Trinity Road, Suite 102 | Raleigh, NC 27607 TEL 919.866.9511 FAX 919.933.8124 www.timmons.com

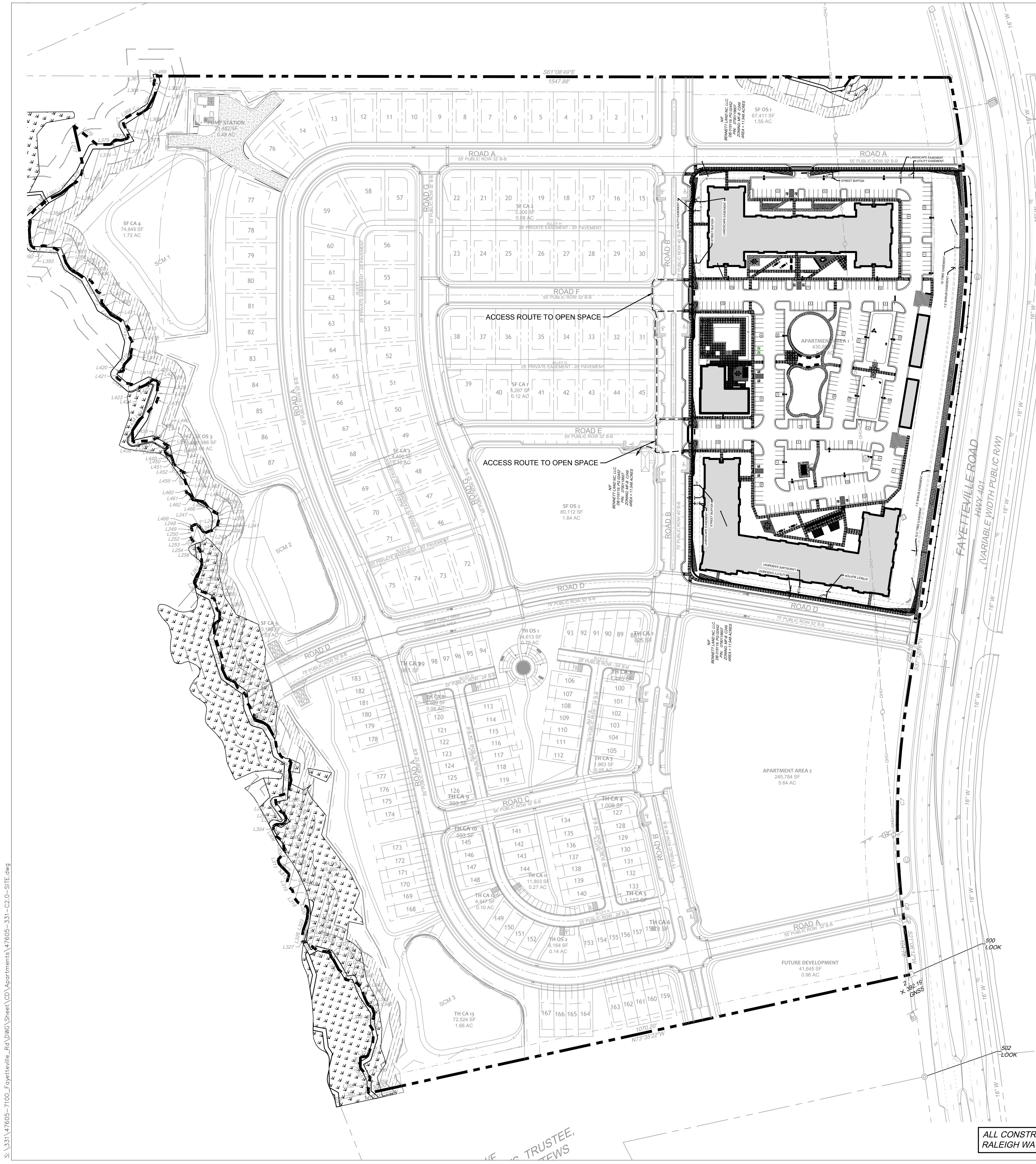
YOUR VISION ACHIEVED THROUGH OURS. DATE: 02/17/2023

DRAWN BY: 331 DESIGNED BY: 331 CHECKED BY: 331 SCALE: 1" = 50'

TOWN OF GARNER - WAKE COUNTY - NORTH CAROLINA

TOWN OF GARNER - WAKE COUNTY - NORTH CAROLINA SITE PLAN BENNETT ASSEMBLAGE APARTMENTS NORTH JOB NO. 47605 SHEET NO. C2.0

PROGRESS DRAWINGS - DO NOT USE FOR CONSTRUCTION



N/F
401 APARTMENT
PHAS 1 LLC.
DB 18573, PG 1736
PIN: 0790310360

N/F
RST VI LLC.
TODD A. COPELAND
DB 18573, PG 1756
PIN: 0790209359

LEGEND

	PROPERTY LINE
	ADJACENT PROPERTY LINE
	PERIMETER BUFFER
	PROPOSED RIGHT-OF-WAY
	PROPOSED LOT LINE
	BUILDING SETBACK
	PROPOSED ROAD CENTER
	PHASE LINE
	DRAINAGE EASEMENT
	FENCE LINE
	SANITARY SEWER EASEMENT
	EXISTING WETLANDS
	NEUSE RIPARIAN BUFFER ZONE 1
	NEUSE RIPARIAN BUFFER ZONE 2
	OPEN SPACE
	COMMON AREA

CONTRACTOR NOTES

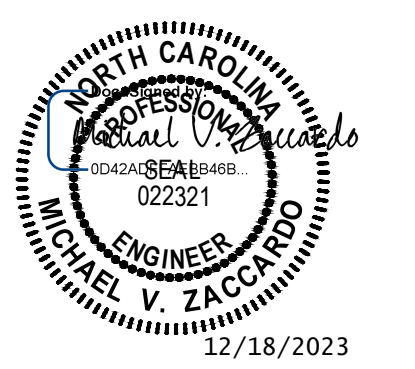
PRIOR TO ANY LAND DISTURBANCE OR IMPROVEMENTS, CONTRACTOR TO NOTIFY AND COORDINATE WITH ALL UTILITY PROVIDERS FOR LOCATION OF UTILITIES, REQUIRED IMPROVEMENTS, OR REMEDIATION IN AFFECTED WORK AREAS. CONTRACTOR IS TO NOTIFY PROJECT ENGINEER OF ANY REQUIRED ADJUSTMENTS TO THE PLANS BASED ON ANY UTILITY PROVIDER'S REQUIREMENTS AND IS TO REMEDIATE OR UNDERTAKE WORK ONLY AFTER CONSULTATION WITH THE UTILITY PROVIDER, OWNER, AND PROJECT ENGINEER.

CONTRACTOR IS TO NOTIFY THE ENGINEER OF ANY CHANGES TO THE PLANS REQUIRED DUE TO APPLICABLE CODES, STANDARDS, AND OR PRACTICES WHICH MIGHT TAKE PRECEDENCE OVER THE DRAWING PLANS PRIOR TO DISTURBANCE AND INSTALLATION OF IMPROVEMENTS. CONTRACTOR WILL BE HELD LIABLE AND WILL INCUR ALL COST ASSOCIATED WITH CORRECTING INSTALLED IMPROVEMENTS IF CONTRACTOR PROCEEDS WITHOUT WITH NOTIFICATION AND/OR IN VIOLATION OF KNOWN CODES, STANDARDS, OR PRACTICES.

CONTRACTOR IS TO NOTIFY THE PROJECT ENGINEER IF CONFLICTS ARE FOUND WITHIN THE PLAN SET PRIOR TO ANY DISTURBANCE AND INSTALLATION OF IMPROVEMENTS. CONTRACTOR WILL BE HELD LIABLE AND WILL INCUR ALL COST ASSOCIATED WITH RECTIFYING IMPROVEMENTS IF CONTRACTOR PROCEEDS WITHOUT WITH NOTIFICATION.



ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL TOWN OF GARNER, RALEIGH WATER AND NCDOT STANDARDS, SPECIFICATIONS, AND DETAILS



FOR REVIEW ONLY

THIS DRAWING PREPARED AT THE
RALEIGH OFFICE
5410 Trinity Road, Suite 102 | Raleigh, NC 27607
TEL 919.866.9511 FAX 919.833.8124 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE: 02/17/2023
DRAWN BY: 331
DESIGNED BY: 331
CHECKED BY: 331
SCALE:

REVISION DESCRIPTION
DATE
12/18/2023 2ND REVISIONS PER COMMENTS #1-A FROM TOG

REVISION DESCRIPTION
DATE
02/17/2023

REVISION DESCRIPTION
DATE
02/17/2023

REVISION DESCRIPTION
DATE
02/17/2023

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02/17/2023

TIMMONS GROUP
BENNETT ASSEMBLAGE APARTMENTS NORTH
TOWN OF GARNER - WAKE COUNTY - NORTH CAROLINA
COMBINED APARTMENT AND SUBDIVISION PLAN

JOB NO. 47605
SHEET NO. C2.01

PROGRESS DRAWINGS - DO NOT USE FOR CONSTRUCTION

NAME	ADDR1	ADDR2	ADDR3
401 APARTMENT PHASE I LLC	168 BUSINESS PARK DR STE 200	VIRGINIA BEACH VA 23462-6532	
ARVIN, JAMES LEE ARVIN, MARY ALICE S	7600 LAKE WHEELER RD	RALEIGH NC 27603-5132	
BENNETT LAND NC LLC	168 BUSINESS PARK DR STE 200	VIRGINIA BEACH VA 23462-6532	
BLUE SKIES MOBILE HOME LIVING LLC	5228 PINE BIRCH DR	RALEIGH NC 27606-8975	
COLBERT, WILLIAM B JR	3200 STONEYFORD CT	RALEIGH NC 27603-5118	
COLBERT, WILLIAM BAXTER JR	3201 STONEYFORD CT	RALEIGH NC 27603-5117	
EXCHANGE AT 401 HOMEOWNERS ASSOCIATION INC	4700 HOMEWOOD CT	RALEIGH NC 27609-0051	
GAMBILL, ALLEN LEE GAMBILL, PHYLLIS HALES	3205 STONEYFORD CT	RALEIGH NC 27603-5117	
HAUSMAN, STEVEN M	3205 PURLAND DR	RALEIGH NC 27603-5115	
HOWELL GARNER LLC	14216 WYNDFIELD CIR	RALEIGH NC 27615-1317	
JDS FARMS LLC	7625 LAKE WHEELER RD	RALEIGH NC 27603-5131	
JONES, GILES HOLDEN BLEW	1942 US HIGHWAY 70A E	SELMA NC 27576-9415	
JONES, ROBERT F JR JONES, PEGGY N	3213 STONEYFORD CT	RALEIGH NC 27603-5117	
KING, ROYAL MARK DAVID	7700 TEN TEN RD	RALEIGH NC 27603-8852	
MATTHEWS, DAN ANDREW	7801 LAKE WHEELER RD	RALEIGH NC 27603-5135	
MIDWAY BAPTIST CHURCH INC OF RAL	6910 FAYETTEVILLE RD	RALEIGH NC 27603-5222	
PULTE HOME COMPANY LLC	JAMIE DAVIS	1225 CRESCENT GRN STE 250	CARY NC 27518-8119
STANLEY, JUSTIN	6624 TEN TEN RD	APEX NC 27539-8316	
STEPHENSON, PAUL KENT SR STEPHENSON, SHIRLEY B	7520 FAYETTEVILLE RD	RALEIGH NC 27603-5426	
THE BETTY T MATTHEWS REVOCABLE TRUST	7408 FAYETTEVILLE RD	RALEIGH NC 27603-5424	
TRANHAM, PAULA B FENTERS, KEVIN E	7410 DENLEE RD	RALEIGH NC 27603-5108	
TUCKER, MARK W TRUDEL, STACY L	3201 PURLAND DR	RALEIGH NC 27603-5115	
TYNDALL, DAVID RAY TYNDALL, PATRICIA M	7209 LAKE WHEELER RD	RALEIGH NC 27603-5123	
TYSINGER, DALE EDWIN NIESTROY, DANA TYSINGER	7325 LAKE WHEELER RD	RALEIGH NC 27603-5125	
UPCHURCH, JAMES H JR	7616 LAKE WHEELER RD	RALEIGH NC 27603-5132	
WHITENACK, MARY WATSON	21 STRATHMORE DR	ARDEN NC 28704-8526	
WIESE, ROBERT S WIESE, PAULA S	3209 STONEYFORD CT	RALEIGH NC 27603-5117	
Town of Garner Planning Dept.	ATTN Jeff Triezenberg, Planning Director	900 Seventh Ave	Garner, NC 27529



Meeting Sign-in Sheet			
Project:	Bennett Apartments SUP	Meeting Date:	May 23, 2024
Faciliator:	Timmons Group	Place/ Room:	Garner Senior Center

Name	Address	Phone	Email
Beth Blackmon	5410 Trinity Rd, Suite 102, Raleigh NC 27607	919-866-4509	beth.blackmon@timmons.com
Jeff Hochandel	5410 Trinity Rd, Suite 102, Raleigh NC 27607	919.866.4511	jeff.hochandel@timmons.com
Danny Copeland	6116 Executive Blvd. Ste. 740, Rockville, MD 20852	240-205-4565	danny@rstdevelopment.com
Tommy Matthews	7512 Fayetteville Rd, Ral, 27607	919-622-5014	tmatthews3rd@gmail.com
Brenda Compton ^{Hartman}	1027 Hwy 70 West Suite 106 Garner NC	919.522.5834	bcomptonhartman@earthlink.net
Donna ^{Fick}	7625 Lake Wanda Rd ²⁷⁵²⁹	919 866 7124	

Bennett Apartments
Neighborhood SUP Meeting

Time May 23, 2024
 5:30 PM to 6:45 PM

Location Garner Senior Center
 205 E Garner Road, Garner NC 27529

Attendees - See Attached – Provided List.

Began with a presentation by Beth Blackmon - Timmons Group describing the Apartment site plan including the associated Townhouse/Single Family Subdivision Development

- Presentation Boards were exhibits showing the Original Master Plan Rezoning for the entire Development and the latest Apartment Site Plan Layout.

Described Apartment Site as

- 177 Units in 2 3-story walk up buildings with full amenities associated with a market rate apartment community. Amenities include a clubhouse and pool, dog parks, park space with shade structures, picnic shelter, fire pits, grills and seating areas, flexible lawn space with moveable seating and hammocks. 2 Garage buildings included as well.

Questions were asked as follows:

These will be garden style apartments, 3 story?

- Yes, 3 story apartments, walk up.

What about the reserved for nonresidential parcel?

- That is located at the far southern end of the property adjacent to the Matthews parcel. This SUP hearing is just for the northern apartment parcel.

The neighboring Matthews property is being marketed as support services commercial.

- That will be beneficial to the entire area.

What is timeline for development?

- We need to start with the first phase of the subdivision in order to construct roads, pump station and infrastructure needed for the apartment parcel but then focusing on the apartment site.

Do you have construction drawings for the subdivision pump station yet?

- The construction drawings for the subdivision have been started but haven't made our first submittal yet, so haven't reached that level of design.

How much parking will you have?

- Parking meets old UDO requirements with a requested 12% reduction, still more than new UDO requires.

Road improvements to 401? Speed Limit?

- The road improvements will be constructed as part of the subdivision but we're widening, putting in leftovers into the site. Because of the existing speed limit, there won't be curb and gutter, that's not allowed at 55 mph. With the 401 rezoning across the street, we requested a speed limit reduction, but it was denied.

What does the grading look like?

- Only have the apartment plans with us tonight, shared the grading plan for the apartment site.

Can you share colored elevations for building since the ones available were black & white?

- Yes, will email colored elevations.

Erin Joseph

From: Jeff Triezenberg
Sent: Wednesday, July 10, 2024 8:59 AM
To: Erin Joseph
Subject: FW: Bennett Assemblage Apartments

From: Gra Singleton <gsingleton@garnernc.gov>
Sent: Thursday, June 20, 2024 8:21 PM
To: Jodi Miller <jmiller@garnernc.gov>; John Hodges <jhodges@garnernc.gov>; Stella Gibson <sgibson@garnernc.gov>; Terri Jones <tjones@garnernc.gov>; Jeff Triezenberg <jtriezenberg@garnernc.gov>
Cc: Buddy Gupton <bgupton@garnernc.gov>; Kathy Behringer <KBehringer@garnernc.gov>; Demian Dellinger <ddellinger@garnernc.gov>; Phil Matthews <pmatthews@garnernc.gov>; Elmo Vance <evance@garnernc.gov>
Subject: Bennett Assemblage Apartments

To All:

Ms Jones advise us to communicate the changes we would like to see at this proposed apartment complex.

1) elevators

2) they have a color/paint scheme included in the package. Can we please get it changed or something that looks lively and bright and not like a prison? I mean, this looks like the Haunted Hollywood mansion at Disney land. Can we please request some artist renderings with some fresh colors that look nice and bright and colors that don't absorb the heat but might actually reflect the heat on hot days?

That is all for now. Will send more thoughts if they pop in my mind. Thank you for your time.

Gra Singleton

Sent from my iPhone

Erin Joseph

From: Jeff Triezenberg
Sent: Wednesday, July 10, 2024 8:59 AM
To: Erin Joseph
Subject: FW: Bennett Assemblage Apartments

From: Buddy Gupton <bgupton@garnernc.gov>
Sent: Friday, June 21, 2024 2:45 PM
To: Gra Singleton <gsingleton@garnernc.gov>; Jodi Miller <jmiller@garnernc.gov>; John Hodges <jhodges@garnernc.gov>; Stella Gibson <sgibson@garnernc.gov>; Terri Jones <tjones@garnernc.gov>; Jeff Triezenberg <jtriezenberg@garnernc.gov>
Cc: Kathy Behringer <KBehringer@garnernc.gov>; Demian Dellinger <ddellinger@garnernc.gov>; Phil Matthews <pmatthews@garnernc.gov>; Elmo Vance <evance@garnernc.gov>
Subject: RE: Bennett Assemblage Apartments

Thanks for getting this started, Gra.

The two points that Gra lists below were brought up during the meeting and need to be on this list which will go to our Planning Department to be relayed to the applicant.

I suggest expanding on the #2 item to include specific architectural features that would add to the aesthetic appeal and look of "quality"; i.e., 30% or more of stone or masonry exterior finish, at least two other exterior finishes in addition, and other features to be suggested by our Planning Department to maximize the visual impact.

Another characteristic that I mentioned in the Council Meeting/Public Hearing would be item #3, "long-term financial sustainability", which is described in more detail in our current Comprehensive Plan, Garner Forward. I believe that this important principle was also included in the Comprehensive Plan in effect at the time of the original submission of this project. The simplest test of meeting this goal is: "does the expected 'assessed tax value' of these apartments exceed the 'break-even point' of cost of services provided?"

It appears that our consultant will be delivering to us next week the most current calculation of "cost of services" and the break-even point for different classes of property. I think that our Planning Department, using information provided by the applicant, could make a reasonably accurate estimate of the "assessed tax value" of these apartments once completed. This is critical information that Council must consider if we are to make any logical decision about a project's "long-term financial sustainability".

I realize that mastering the use of this data is complicated and challenging, but I believe that we can work together to make "good decisions". Thanks in advance for your help.

Buddy Gupton
Mayor
Town of Garner
900 7th Avenue | Garner, NC 27529
919-773-4404
www.garnernc.gov

-----Original Message-----

From: Gra Singleton <gsingleton@garnernc.gov>

Sent: Thursday, June 20, 2024 8:21 PM

To: Jodi Miller <jmiller@garnernc.gov>; John Hodges <jhodges@garnernc.gov>; Stella Gibson <sgibson@garnernc.gov>; Terri Jones <tjones@garnernc.gov>; Jeff Triezenberg <jtriezenberg@garnernc.gov>

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Subject: Bennett Assemblage Apartments

To All:

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That is all for now. Will send more thoughts if they pop in my mind. Thank you for your time.

Gra Singleton

Sent from my iPhone

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024 <input type="button" value="▼"/>		
Subject: Zoning Text Amendment # ZTA-23-02, Garner Forward Implementation		
Location on Agenda: Old/New Business <input type="button" value="▼"/>		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
Brief Summary: Zoning text amendment request (ZTA-23-02) submitted by the Town of Garner Planning Department to add and/or revise regulations aimed at implementing the 2023 Garner Forward Comprehensive Plan. General topics include, but are not limited to: regulatory adjustments to nonconforming site elements, special use permits, transportation overlay zones, table of permitted uses, townhouse and two- to four-family dwelling unit definitions, research and development uses, open space, block faces, building materials, shared parking, perimeter buffers on small lots, administrative modifications, MF-B district uses and standards, and building heights.		
Recommended Motion and/or Requested Action: Consider motion to adopt Ordinance (2024) 5286.		
Detailed Notes: See attached staff report. Previous discussions of this amendment package occurred at the work sessions of June 27, 2023; July 25, 2023; and March 26, 2024. A public hearing was held on May 7, 2024. The Planning Commission unanimously recommended approval at their regular meeting of June 10, 2024.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		



PLANNING
MEMORANDUM

DATE: July 16, 2024
TO: Honorable Mayor Gupton and Town Council Members
FROM: Jeff Triezenberg, AICP, GISP; Planning Director
SUBJECT: Zoning Text Amendment # ZTA-23-02, Garner Forward Implementation

I. BACKGROUND

This memo sets out proposals for a first round of text amendments to the UDO aimed at better implementing the goals and objectives of the 2023 Garner Forward Comprehensive Plan.

The comprehensive planning project began in earnest in July of 2022, with the contracted consulting team committing to 172 +/- hours of face-to-face engagement with the community as well as producing a project website and online engagement tools for broader outreach. A Steering Committee made up of the entire Garner Town Council and Planning Commission memberships met five (5) times over the course of the project, and select members also participated (along with interested citizens and Town staff) in more focused discussions as part of three (3) strategic advisory groups. Those groups provided specific input and assistance related to public outreach, community character and future land use scenario planning.

A draft of the full plan was first released on February 27, 2023, as the consultant's draft. During the remainder of 2023, the draft was reviewed extensively by the public, Planning Commission and the Town Council. This review culminated in a final draft being adopted on November 21, 2023, with an effective date of February 16, 2024.

II. PROPOSED UDO TEXT CHANGES

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2.7.2. Applicability Matrix

Notwithstanding other portions of this Article, the following table summarizes the minimum requirements that shall be met when there are changes of use or changes to existing nonconforming development and/or to nonconforming structures or uses. A "✓" indicates that compliance with all applicable standards of this UDO is required, unless noted otherwise.

Figure 2.7-A. Required Site Element Upfits

	DIMENSIONAL STANDARDS	BUILDING DESIGN STANDARDS	SIDEWALKS, STREET TREES, CURB & GUTTER	TREE PROTECTION & LANDSCAPING	BUFFERS & SCREENING	PARKING LOT LANDSCAPING	OUTDOOR LIGHTING
EXISTING DEVELOPMENT							
Change of use from residential to nonresidential or mixed use.	✓(d)	✓(d)	✓(d)	✓	✓(d)	✓	✓
...

Notes:

- (a) For expanded/reconstructed portion only. For sidewalks, curb and gutter, this includes any areas of abutting right-of-way.
- (b) Exception: Maximum front setback should be met to the extent practical as determined by the Board of Adjustment (see 2.7.3.).
- (c) For expansions, reconstruction areas and all other walls facing public streets.
- (d) Not required for change of use meeting off-street parking requirements with a shared parking agreement or approved use of public parking.

...

4.7.4. Special Use Permit

Special use permits, as defined in G.S. § 160D-102(30) and described in G.S. § 160D-705(c), are required for uses which in an unmitigated state may create negative impacts to neighboring properties or uses. This process allows each proposed use to be evaluated by its merits and conditions specific to each site.

A. Applicability

Except for those uses listed in subsection 3, in addition to the other special uses listed in the use table in *Article 6. Use Regulations*, the following development types have significant city-wide impacts and require special use permits:

1. Any nonresidential or mixed-use development with an individual building(s) encompassing 100,000 or more square feet of gross floor area or more, except that this threshold shall be 250,000 square feet of gross floor or more for:
 - a. development within the Activity Center (AC) zoning district; or
 - b. development on a tract already within the corporate limits of the Town of Garner at the time of site-specific development application.
2. Any residential development or subdivision involving 200 dwelling units or more, except that this requirement shall not apply to Upper-Story Residential uses.
3. The following development types do not require a special use permit due to their recognized substantial economic and social benefits to the Town:
 - a. Research & Development

- b. Hospital
- c. Ambulatory Health & Emergency Care Facility

...

5.9.1. Nonresidential Development Standards

...

- C. Nonresidential and mixed-use buildings (including those with upper story residential use as noted in Figure 5.9-A) in the CMX district may exceed the designated height limit ~~via a special use permit~~, provided the depth of the required front, rear and side yards shall be increased by a minimum of 0.5 feet for each foot, or fraction thereof, of building height exceeding the standard, or that the building may be designed with a stepped profile to achieve the same outcome.

5.14.2. Commercial Highway (CHO) Overlay District

...

F. Design Standards

1. Building Height

- a. The maximum building height for all buildings in the CHO is 70 feet, unless otherwise specified below.
- b. When a nonresidential use or mixed-use structure directly adjoins an existing residential use, the maximum building height is 24 feet unless an additional setback distance of one foot is provided for every additional foot of building height over 24 feet measured from the property line adjoining the existing residential use.
- c. These building height limitations do not apply to the property within the CHO located east of New Rand Road along U.S. 70.
- d. These building height limitations also do not apply to property within the CHO located west of McCormick Street along U.S. 70 or north of Purser Drive along U.S. 401, unless located within 300 feet of a single-family detached residential use.

...

5.14.3 Limited Access Highway (LHO) Overlay District

...

F. Design Standards

1. Lot Dimensions

All dimensional requirements, including minimum lot area and minimum lot width requirements, are established in the underlying zones, but may be enlarged based on the enhanced setback requirements herein.

2. Building Height

No building shall exceed ~~150~~ 200 feet above grade; other building height restrictions are governed by *Subsection 3. Building Setbacks*, below.

3. Building Setbacks

The required setback for yards not abutting the right-of-way shall be as set forth in the underlying zone. The minimum building setbacks measured from the ~~scenic corridor~~ limited access highway right-of-way, including access ramps and interchanges, shall be 65 feet. as follows:

- a. ~~For buildings up to 35 feet above grade, there shall be a minimum setback of 50 feet from the right-of-way.~~
- b. ~~For buildings extending up to 60 feet above grade, there shall be a minimum setback of 100 feet.~~
- c. ~~For buildings exceeding 60 feet above grade, there shall be an additional setback, measured beyond the initial 100-foot setback, consisting of two feet for each additional one foot in height up to the maximum height of 150 feet.~~

...

6.1. USE TABLES

TABLE OF PERMITTED USES														
P = PERMITTED BY-RIGHT; SEE ADDITIONAL STANDARDS LISTED IN <i>ARTICLE 5.</i> ; S = SPECIAL USE PERMIT														
SPECIFIC USE	RESIDENTIAL DISTRICTS							NONRESIDENTIAL AND MIXED USE DISTRICTS						NOTES
	RA	R2	R4	R8	RMH	MF-A	MF-B	NMX	CMX	TBD	AC	LI	HI	
RESIDENTIAL USE CATEGORY														
...														
Two-Family <u>Two- to Four-Family</u> Dwelling (2 to 4 dwelling units per structure, aka Duplex/ Triplex/ <u>Quadplex</u>)		P	P	P		P								6.4.4.B.
Townhouse (3 or 2 to 4 2 to 4 dwelling units per structure)				P		P	P	P						6.4.4.C.
Townhouse (>4 dwelling units per structure)						P	P	S	P					6.4.4.D.
...														
Multifamily (>4 units per structure or over 2,500 sq ft footprint)						P	P	S	P <u>S</u>					6.4.4.D.
...														
CIVIC AND INSTITUTIONAL USE CATEGORY														
...														
Higher Education	S						P		P		P	P		Includes Business School/Satellite; 6.5.4.E.
...														
RECREATIONAL AND ENTERTAINMENT USE CATEGORY														
...														

Indoor Athletic or Entertainment Facility (not theater)							<u>P</u>	S	P	S	P	P		Including Gym, Spa, Indoor Pool, etc.; 6.6.4.E.
...														
COMMERCIAL, OFFICE, RETAIL, SERVICE USE CATEGORY														
...														
Other Office Uses Not Listed							<u>P</u>	P	P	P	P	P		6.8.4.A.
Medical Office							<u>P</u>	S	P	P	P	P		Includes Medical Clinic or Urgent Care Clinic; 6.8.4.B.
...														
Restaurant, Sit-down Establishment							<u>P</u>	P	P	P	P	P		6.8.4.D.
...														
Day Care Center							<u>P</u>	P	P			P		Includes Adult and Child Day Care, Family Child Day Care; 6.8.4.H.
Gym, Spa or Pool, <u>Private</u>							<u>P</u>	P	P	P	P			SF max for TBD; 6.8.4.I.
...														
Personal or Professional Services (up to 5,000 sqft ground floor footprint)							<u>P</u>	P	P	P	P	P		Including Hair Salons, art studio, dance studio (excludes commercial greenhouses or any use with outdoor operations; 6.8.4.L.
...														
Sales . Retail (no outdoor operations)							<u>P</u>	S	P	P	P	P		6.8.4.N.
...														

All uses added to the MF-B district above would have the following standards added to their respective sections identified in the Notes column:

- In the MF-B district, use is only permitted in buildings with an Upper-Story Residential use.

...

6.1.3. Uses not Listed

The Planning Director shall determine whether or not an unlisted use is part of an existing use category defined in or is substantially similar to an already defined use, using the criteria in *Section 6.2. Use Categories*.

(Table of Permitted Uses begins on next page)

TABLE OF PERMITTED USES (pages 6-2 through 6-7):

Add the following uses as “P” in the Activity Center (AC) district:

- Hospital
- Ambulatory Health & Emergency Care Facility
- Banks or Financial Institution, with Drive-thru or Vehicular ATM

Remove the following use from the “Flex Space, Other Light Industrial, Manufacturing, Warehousing, or Transportation Uses Not Listed” specific use and add as a permitted (“P”) separate and distinct specific use in the CMX, LI and HI districts with a note referring users to subsection 6.9.5.O.:

- Research and Development

...

6.4.4. Specific Uses

...

B. ~~Two-family~~ Two- to Four-Family Dwelling Unit (Duplex/Triplex/Quadplex)

1. Defined

Two to four dwelling units in a single structure on a single lot ~~or on two lots where the dwelling units share a wall.~~

2. Use Standards

(None)

C. Townhouse (Townhome, ~~Rowhome~~ Rowhouse)

1. Defined

A form of single-family attached dwelling in which ~~three~~ two or more units share common side walls and are often designed in rows and have individual entrances on the ground floor. Units are purchased on a fee-simple basis on small individual parcels of land fronting on either a public or private street, and have parking located on each lot or attached to each dwelling unit, although garages may be separated from the dwelling. Yards are typically small or shared, and privacy requires careful protection. ~~A townhouse with only two units is classified as a duplex.~~

...

6.9.5. Specific Uses

...

O. Research and Development

1. Defined

An establishment primarily engaged in nanotechnology and biotechnology research and experimental development, or in conducting research and experimental development in the physical, engineering, cognitive and life sciences, such as agriculture, electronics, ecology, biology, botany, computers, chemistry, food, fisheries, forests, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects.

2. Use Standards

(None)

...

8.2.1. Purpose

- A. ~~Residential~~All development best promotes the public health, safety, and welfare if a portion of the land remains as common open space for purposes including recreational enjoyment, exercise and relaxation, community character, environmental conservation, and aesthetics.
- B. The regulations in this Section seek to benefit the general public – which includes, but is not limited to, residents, workers and visitors – by:
 - 1. Preserving open vistas;
 - 2. Providing relief from an urban landscape;
 - 3. Preserving environmentally sensitive lands vulnerable to encroaching development;
 - 4. Preserving wildlife habitats;
 - 5. Preserving historically or archaeologically significant areas; and
 - 6. Providing areas for active and passive recreation.

8.2.2. Applicability

- A. For purposes of this Section, “open space” refers to an area or areas that meets all of the following requirements:
 - 1. Is not encumbered with any substantial structure, save those structures necessary for the purposes identified herein;
 - 2. is not exclusively devoted to use as a roadway, parking area, or sidewalk;
 - 3. is not part of any privately owned lot that is used or intended for use for residential purposes, except as noted in subsection 8.2.2.C.;
 - 4. If private, is legally and practicably accessible to the residents of the subdivision and/or development it is designed to serve; and
 - 5. If publicly dedicated, is legally and practicably accessible to the general public.
- B. Narrow strips of common area that separate lots within a development from other lots, streets, or adjoining tracts shall generally not be regarded as open space, unless these areas meet one of the following requirements:
 - 1. Are at least 50 feet in width and are capable of functioning as a substantial visual buffer meeting or exceeding the requirements of a Type A buffer as described in *Article 10. Lighting and Landscaping*.
 - 2. Are configured and improved in ways conducive to actual use for passive recreational purposes (e.g., walking, jogging, gathering, pet exercise) by the residents of the development.
- C. The following areas shall be regarded as open space where such areas satisfy the criteria in this Section:
 - 1. Utility easements greater than 50 feet in width and located outside of street rights-of-way;
 - 2. Cemeteries located on a tract prior to its development;
 - 3. Areas used for the growing of crops and under the control of a homeowners association; and
 - 4. Golf courses as private open space.

5. Indoor recreational amenities (see subsection 8.2.3.C.).
- D. The term “primary conservation areas” shall mean any of the following:
1. Areas shown as greenways on the adopted Garner Open Space and Greenways Plan or other applicable policies or plans; or
 2. ~~Neuse River buffers; or~~
 3. ~~Areas containing slopes greater than 25 percent.~~
- E. The term “secondary conservation areas” shall mean any of the following:
1. Lakes and ponds;
 2. Wetlands as defined pursuant to Section 404 of the Clean Water Act;
 3. Areas containing slopes greater than 15 percent but not more than 25 percent;
 4. Other areas containing unique vistas or unusual natural features (such as major rock formations); or
 5. Other unique areas of documented environmental, historical, or archaeological significance.
- F. Except as otherwise provided herein, every proposed residential land use or development with residential uses shall be developed so that at least 10 percent of the total area of the development remains permanently as open space, and every development composed exclusively of non-residential uses shall be developed so that at least 5 percent of the total area of the development remains permanently as passive open space. To emphasize consistency with the open and public character of certain portions of the town, wherever a proposed development boundary is within ¼ mile of a parcel boundary containing public park land or a Town operations facility, the required percentage of open space shall be increased by 50 percent.
1. Smaller developments may need less open space. Therefore, developments of less than one acre shall be exempt from the open space provisions of this Section.
 2. For purposes of this Section, the term “development” refers to the entire project developed on a single tract or multiple, contiguous tracts under common ownership or control, regardless of whether the development is phased or subdivided.
- G. If a tract where a residential land use or residentially zoned development is proposed and contains any areas defined above as primary or secondary conservation areas, then such areas shall be designated as passive open space, subject to subsection 8.2.3.B. and the following:
1. in no case shall the developer be required to set aside more than the minimum required percentage of passive open space specified herein;
 2. if the tract contains primary or secondary conservation areas, then the specific areas to be set aside as passive open space shall be determined by the permit issuing authority, with priority given to primary conservation areas over secondary conservation areas; and
 3. if the total of primary and secondary conservation areas on a development tract is less than the minimum required percentage of passive open space specified, then the choice of additional passive open space areas to be set aside to satisfy this minimum percentage shall remain with the developer, provided the location is acceptable to the permit-issuing authority as meeting the goal of establishing a discernible center for the development in the form of a common green or public square.

- H. Notwithstanding the other provisions of this Section, where a developer agrees to dedicate land to the Town that is intended to be used by the Town for open space purposes such dedication shall be credited to the developer in satisfaction of the open space requirements.

8.2.3. Private Open Space Structure

Provided private open space shall meet the following requirements for passive and active space:

- A. Required tree preservation and/or conservation buffers area may account for up to 30 percent of a development's required open space and shall be considered passive open space.

- B. Passive Open Space

For proposed residential land uses or development with residential uses, up to 75 percent of the required open space shall be provided for passive recreation purposes such as walking, jogging, relaxation, etc. Preservation of cultural or natural resources such as steep slopes, rock outcroppings, mature woodlands, or water resources may also be counted towards passive recreation provided there is access for the public to these resources.

- C. Active Space

For proposed development with 25 dwelling units or more, at least 25 percent of the required open space shall be provided as improved park active space. Improved park active space must be centrally-located so as to establish either a vista (i.e. street terminus) within the development or to establish a discernible center for the development or phase of a development, and be primarily grassed and properly maintained, and contain the minimum amenities described below. Additionally, one-third of the required active Active space must be completely designed for active recreation purposes such as playgrounds, tennis courts, ball fields, volleyball courts, open play fields (minimum 50' x 100' of grass area with no more than a 2% cross slope), etc. ~~Constructed private multi-use paths (paved and 8 feet wide) which could reasonably connect to a planned public greenway shown in an adopted plan, while passive in nature, shall be credited as active recreational open space for an area equivalent to a 20-foot corridor along the path.~~ Indoor recreational facilities, including but not limited to indoor pools and fitness centers, as well as permitted rooftop amenities may also count towards active space requirements but may not comprise more than 30% of the active space required.

- D. Supplemental active space requirements include:

- 1. Public Seating

- Provide seating areas appropriate to the intended use of the space (e.g., park benches and durable theft/vandalism-resistant chairs in formal/active spaces and garden wall seats in informal spaces). Seating must be provided at a minimum rate of one seating area per 10,000 square feet.

- 2. Tree Requirement

- A minimum of one tree (two-inch caliper minimum) or one preserved existing canopy tree a minimum of 12 inches DBH for every 2,500 square feet of required park space.

- 3. Trash Receptacles

- Garbage receptacles and recycling receptacles shall be required for each park space at a minimum rate of one per 20,000 square feet of space. Receptacles shall use a metal, decorative design and shall be placed in close proximity to gathering spaces. Park spaces less than 10,000 square feet, where no more than two public seating areas are provided, are exempt from this requirement.

4. Bicycle Parking

At least two bicycle parking spaces shall be required for every one-quarter acre of park space (minimum 0.25 acre).

5. Paved Walkways

All park spaces shall incorporate hard-surface (non-gravel), 6-foot-wide walkways into the overall design so that they are accessible from adjacent sidewalks, streets, and parking areas.

8.2.4. Private Ownership and Maintenance

- A. Private recreational facilities or open space shall remain under the ownership and control of the developer, their successor, or a homeowners' association or similar organization.
- B. Recreational facilities and open space shall be available to all residents, workers or visitors of the development. The responsible party shall establish reasonable rules and regulations to govern the use of facilities and open space by the residents. There shall be no separate fees or optional fees for use, other than homeowners' association or similar organization membership fees.
- C. In residential developments, persons not residing in the development may be allowed access to the facilities and open space on a limited basis, as long as this practice does not render the facility or open space a principal use. Access fees may be instituted.
- D. Maintenance of the facilities and open space shall be the owner's responsibility.
- E. Homeowners' associations or similar legal entities responsible for the maintenance and control of common areas shall be established as follows:
 - 1. The association or similar legal entity shall be established prior to the sale or occupancy of any lot or building in the development.
 - 2. The association or similar legal entity shall have the authority to compel residents to contribute funds to cover their shares of costs associated with the maintenance and upkeep.
 - 3. The association shall establish a capital fund for the maintenance and upkeep of common areas and devise a funding method to spread maintenance and upkeep costs to the residents over a number of years.

...

8.3.3. Layout and Coordination Connectivity

...

B. Block Face Lengths

1. Applicability

These regulations shall apply to any side of a local or collector street on which buildings front.

2. Maximum Lengths

A block face is regularly defined as one side of a street between two intersections of other streets. For purposes of this UDO, a block face may also be defined as one side of a street between two spaces equivalent to the width of the Town's narrowest local street right-of-way and associated building corner side setbacks. Such spaces may be used for alleyways, off-street parking, open

space, greenways, etc; but should focus on increasing pedestrian connectivity throughout the development.

ZONING DISTRICT	BLOCK FACE MAXIMUM LENGTH
<u>HI, LI, RA</u>	<u>n/a</u>
<u>R2</u>	<u>1,500 feet</u>
<u>R4, MFA, RMH, NMX</u>	<u>1,000 feet</u>
<u>R8, MF-B, CMX, TBD</u>	<u>800 feet</u>
<u>AC</u>	<u>600 feet</u>

BC. Connectivity Index

...

8.3.4. Coordination with Surrounding Streets

...

D. Local Streets

1. Local streets shall be designed to provide parking unless an alley is provided. See Town’s Engineering Manual.

Remove subsection 2.

...

9.2.5. Material Requirements

- A. No metal lap siding or vinyl siding on nonresidential buildings shall be permitted.
- B. At least 50 percent of the primary building materials shall consist of brick, stone, or decorative/scored concrete masonry units.
- C. Buildings shall be limited to a maximum of three types of materials and colors. This excludes decorative and functional elements such as fastenings and trim. No more than 10 percent of the structure’s exterior materials may be metal. Metal fastenings and trim shall not count toward this standard.
- D. All primary structures on a single non-residentially zoned parcel, or within a subdivision (one and two-family structures excluded) shall feature one primary building material that is common between all structures. For purposes of this section, a primary building material shall cover at least 15 percent of the structure’s exterior on facades facing a public right-of-way, internal private drive, or parking drive aisle.

...

9.3.3. Administrative Modifications

- A. Strict adherence to the parking standards contained herein may result in inadequate or excessive parking; therefore, the Administrator shall permit modifications from the requirements of up to ~~20~~ 15 percent upon written request and a parking study certified by an engineer showing that:
 1. Any such modification shall not reduce the required number of accessible parking spaces, bicycle parking or electrical vehicle charging stations.
 2. No reduction shall be granted for uses in the Residential Use Category as defined in Article 6. *Use Regulations.*

- B. Nonresidential development in the AC district shall be permitted a 25 percent reduction in off-street parking requirements.
- C. In the TBD District:
 - 1. Nonresidential uses shall be permitted a 20 percent reduction in off-street parking requirements.
 - 2. Parking on the street in front of property lines may be counted toward parking requirements. However, this parking is not proprietary to the establishment.

...

9.3.5. Off-Street Parking Requirement

...

TABLE OF PARKING REQUIREMENTS	
USE	MINIMUM NUMBER OF VEHICLE SPACES
...	
INDUSTRIAL, MANUFACTURING, WAREHOUSING, WASTE SERVICES, AND TRANSPORTATION USE CATEGORY	
...	
Research and Development	1.0 spaces per 1,000 square feet of gross floor area
...	

...

9.3.8. Shared Parking Standards

...

- A. Applicability
 - 1. Shared parking shall be considered only for new developments or significant increases in building size or additions.
 - 2. Shared parking may not include a reduction in accessible parking spaces.
 - 3. Shared parking is only permitted in the NMX, TBD, AC, CMX, LI, and HI districts, as well as for any non-residential uses in residential zoning districts where both uses participating in the shared parking agreement are non-residential where the non-residential use for which an application is made for shared parking is also in a conservation overlay district.
 - 4. A use for which an application is made for shared parking shall be located within 800 feet of the parking facility.

...

10.6.7. Design Requirements

- A. Perimeter Buffer Widths and Types
 - 1. The following tables provide requirements for perimeter buffers between zoning districts. Identify the zoning districts for the proposed use and adjacent property. The required perimeter buffer width in feet and type are listed at the intersection of the respective row and column.
 - 2. For single-family residential, duplex, and townhome subdivisions of 12 lots or fewer, the maximum buffer required is 15 feet wide.

3. For lots in nonresidential or mixed-use zoning districts less than 2 acres in size, the required buffer width shall be half of the width specified herein.

...

13.2.2. B

...

Block Face. A block face is regularly defined as one side of a street between two intersections of other streets. For purposes of this UDO, a block face may also be defined as one side of a street between two spaces equivalent to the width of the Town’s narrowest local street right-of-way and associated building corner side setbacks. Such spaces may be used for alleyways, off-street parking, open space, greenways, etc; but should focus on increasing pedestrian connectivity throughout the development..

...

13.2.18. R

...

Rowhome or Rowhouse. See “Townhouse.”

...

13.2.20. T

...

Townhouse. A form of single-family attached dwelling in which ~~three~~ two or more units share common side walls and are often designed in rows and have individual entrances on the ground floor. Units are purchased on a fee-simple basis on small individual parcels of land fronting on either a public or private street, and have parking located on each lot or attached to each dwelling unit, although garages may be separated from the dwelling. Yards are typically small or shared, and privacy requires careful protection. ~~A townhouse with only two units is classified as a duplex.~~

...

Throughout the UDO – correction of any errors in cross-references, citations, etc. in sections of the original adopted UDO brought about by the amendments within this case.

III. PLAN CONSISTENCY

Following a public hearing and when considering a text amendment request, the Planning Commission is required by state statute to make a written recommendation regarding the consistency of the 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 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:

- 2023 Garner Forward Comprehensive Plan

PLANNING COMMISSION MEETING: The Planning Commission conducted a consistency review of the case at their meeting on Monday, June 10, 2024.

Meeting video may be found: (<https://www.youtube.com/watch?v=MW5EckRrIbc>). The staff presentation begins at the 1:53:30 mark of the video with some discussion happening throughout, but formally beginning at the 2:29:35 mark. There were no members of the public present to speak on this matter.

Questions and comments from the Planning Commission consisted of:

- Clarifying the revised special use permit thresholds and how they apply to certain non-residential scenarios.
- Stating a desire to keep looking at some of the left-over spaces at the edges between development and required conservation areas.
- Noting the comprehensiveness and good work done.

Consistency Statement: We, the Planning Commission, find that ZTA-23-02 directly responds to various needs to align the Unified Development Ordinance with the recommendations of the Town’s Comprehensive Plan, and therefore, this request to amend the Unified Development Ordinance is consistent with the Town’s adopted land use plans.

Motion: I move that the Planning Commission accept the Consistency Statement drafted herein as our own written recommendation regarding the consistency of the request with the Town’s adopted land use plans and recommend approval of Case # ZTA-23-02 to the Town Council as appropriate and in the public interest.

Motion made by Commission Member Carson and seconded by Commission Vice-Chair Jefferson. Motion passed unanimously.

IV. REASONABLENESS

For zoning text amendments, § 160D-605. Governing board statement - does not require the Council to make a statement on reasonableness; only a statement on plan consistency is required.

V. RECOMMENDATION

Motion Options: There are just two options the Town Council might consider for a motion on this case outside of a motion to table/continue. The highlighted option indicates staff’s summary finding of the analysis and review to date, along with the associated draft motion.

Approve	① Consistent	② (n/a)
Deny	③ (n/a)	④ Inconsistent

① **Draft Motion to Find Consistent and Approve:** I move that the Town Council accept the Planning Commission’s written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section III of the staff report, as our own; and I further move that the Town Council adopt Ordinance No. (2024) _____ approving rezoning ZTA-23-02.

The following notes describe the general nature of the proposed amendments with cross-references to the draft language in the planning memorandum for ZTA-23-02, Garner Forward Implementation.

Overall

- Throughout – correction of any errors/omissions in sections of the original adopted UDO that are subject to amendment within this case.
- Section 9.3.3. – In support of ensuring the right-sizing of parking accommodations for the various building typologies on pages 66 to 75, acknowledge appropriate thresholds for staff-approved variability of parking requirements versus those that must be more rigorously scrutinized as part of a conditional zoning process. *See 9.3.3. Administrative Modifications.*

Adaptive Re-Use, Efficient Use and More Intensive Use of Property

- Section 2.7.2. – In support of objective on page 118 “Encourage retrofit and adaptive reuse of existing residential structures for commercial uses in some portions of the planning area”, amend Figure 2.7-A. to only require upfits to Buffers & Screening and Outdoor Lighting for changes of use where the parcel has access to shared and/or public parking. *See 2.7.2. Applicability Matrix.*
 - Section 10.6.7.A. – Add a subsection where small non-residential/mixed use lots are required to install ½ the otherwise required perimeter buffer width and quantities. 2 acres seems to be a critical lot size. Lots still need to meet canopy requirements – allows more of the landscaping to be mixed into the site to help create great commercial open spaces. Would also support challenges with residential to commercial adaptive reuse as most individual residential detached lots do not require buffers. *See 10.6.7. Design Requirements.*
- Sections 4.74. and 6.1. – In support of Level 4-B Mid-Rise Areas to Transform on pages 60 to 65, and in keeping with the stated intent and purpose of the MF-B zoning district, add a limited number of permitted non-residential uses to the MF-B district that are supportive of residents and of vertical mixed use at mid-rise heights, as well as incentivizing Upper-Story Residential (vertical mixed use) by removing a process step. *See 4.7.4. Special Use Permit and 6.1. Use Tables.*
- Section 5.14.2. – In support of Level 4-B on the Development Change and Intensity Map (pages 58-59), expand building height cap exemption in the CHO overlay district to include the corridor west of McCormick Street, north of Purser Drive – unless located within 300’ of single-family detached residential use – to allow for up to 10 stories of development. *See 5.14.2. Commercial Highway (CHO) Overlay District.*
- Section 5.14.3. – In support of Level 4-C on the Development Change and Intensity Map (pages 58-59), raise maximum building height in the LHO to 200 feet above grade, to allow for up to 20 stories of development and establish consistent setback from the highway right-of-way at 65’ to allow for 50’ of vegetative preservation. *See 5.14.3. Limited Access Highway (LHO) Overlay District.*

- Section 9.3.8. – In support of the objective on page 143 to “Protect natural areas and environmental assets throughout the community”, allow nonresidential uses in residential districts to be eligible for shared parking; thereby reducing required impervious surface areas overall and encouraging more efficient use of impervious spaces permitted. *See 9.3.8. Shared Parking Standards.*

Housing and Neighborhoods

- Section 6.1. – In support of the Spotlight on: Small-Format Multifamily Housing on pages 116 and 117, adjust housing type uses and definitions and more clearly define differences between the residential zoning districts in the Use Table itself to emphasize or de-emphasize small-format multifamily housing uses as appropriate. *See 6.1. Use Tables, 6.4.4. Specific Uses, 13.2.18. R, and 13.2.20. T.*

Pedestrian Movement

- Section 8.3.3. – In support of the objective on page 132 to “Improve street connectivity in new and existing neighborhoods, retail areas, employment areas and mixed-use areas”, and specifically to support the language included within that objective to encourage “a network of connected sidewalks, side paths and pedestrian passages...” to make “walking more convenient and enjoyable...” and increase “pedestrian access throughout the community”; adjust the regulation of maximum block lengths to specifically focus on the regulation of maximum block face lengths so that pedestrian passages between long rows of housing are more frequent and accessible. This adjustment also resolves an inherent conflict with minimum street intersection spacing standards required by standard engineering details for safe vehicle movement. *See 8.3.3. Layout and Connectivity and 13.2.2. B.*

Economic Development / Nonresidential Development

- Section 5.9.1. –In support of Level 4-B Mid-Rise Areas to Transform and 4-C High-Rise Areas to Transform on pages 60 to 65, remove the Special Use Permit process requirement for projects exceeding 45’ in height in the CMX zoning district and rely on the existing formula for additional setbacks to self-regulate appropriate separations of taller buildings from adjacent parcels. *See 5.9.1. Nonresidential Development Standards.*
- Section 6.1. – In support of Initiative #4 – Regional Employment Activity Centers, introduce a new research and development use that caters to “technology, creativity, and innovation”, and include associated regulations. *See 6.1.3. Uses not Listed, 6.9.5. Specific Uses and 9.3.5. Off-Street Parking Requirement.*
 - Section 4.7.4. – As well as Initiative #4, also in support of objective on page 100 “Encourage infill development and redeveloping in existing developed areas” and objective on page 101 “Build a community attractive to today’s businesses and their employees”, establish tiered non-residential or mixed-use building size threshold triggering SUP review based on zoning district to incentivize infill, as well as the existing AC district – which does not exist on the zoning map today and should be applied only in conformance with the comprehensive plan’s general framework map (Regional Employment Activity Centers or Regional Transit Activity Centers) – at 250,000 square feet in AC as well as any site already within the Town’s corporate limits. Also establish further incentive through a process exemption for specific uses with considerable economic and/or social impact such as Research and Development, Hospital and Ambulatory Health and Emergency Care Facilities. *See 4.7.4. Special Use Permit.*
 - Section 6.1 – Establish list of permitted uses based on Initiative #4 and introduce new uses where current uses are too broad. *See 6.1.3. Uses not Listed.*
 - Sections 6.4. – 6.11. – Establish definitions and use standards for any new uses. *See 6.9.5. Specific Uses.*

- Section 9.3 – Add any parking standards for any new uses recommended for Section 6.1. *See 9.3.5. Off-Street Parking Requirement.*
- Section 9.2.5. – In support of the objective on page 116 to “Require multiple buildings on the same lot or parcel be architecturally unified”, add requirement for architectural unity within a commercial subdivision or within a parcel with multiple buildings. *See 9.2.5. Material Requirements.*

Open Space

- Section 8.2. – In support of the objective on page 115 to “Amend the town’s UDO to strengthen design standards for non-residential development”, differentiate between residential and non-residential open space requirements in subsections 8.2.1. through 8.2.4., and set open space dedication minimums for non-residential at 5% of project acreage and specify list of acceptable improvements based on Garner Forward Comprehensive Plan definitions of Greenways, Common Greens, Public Squares and Public Plazas. *See 8.2.1. Purpose, 8.2.2. Applicability, 8.2.3. Private Open Space Structure, and 8.2.4. Private Ownership and Maintenance.*
 - Section 8.2.2. – Further, and in support of the objective on page 88 to “Emphasize the public realm as a unifying feature when contemplating new development and redevelopment projects”, increase the open space requirement by 50% for developments within ¼ mile of park land or Town operations facility, and clarify that only utility easements greater than 50 feet wide will count as open space – currently it is all utility easements. *See 8.2.2. Applicability.*
 - Section 8.2.3. – Further, and in support of the objective on page 107 that “Neighborhoods in Garner should reflect the community’s values and preferences toward housing mix, building quality, and neighborhood amenities”, and objective on page 121 “Establish a discernible structure for new neighborhoods in the town’s planning area”, add requirement for residential development to place a qualifying open space element – playground, common green or public square – in the center of the neighborhood. *See 8.2.2. Applicability, and 8.2.3. Private Open Space Structure.*
 - Section 8.2.3. – Further, and in support of the objective on page 120 to “Build support in Garner to use design and development standards that enhance community appearance and maintain a unique sense of place”, and specifically to develop “open space requirements that require minimum size, location and, design qualities to integrate open spaces within a development and activate spaces with people”, add minimum sizes and maximum slopes for active open play fields. *See 8.2.3. Private Open Space Structure.*

ORDINANCE NO. (2024) 5286

**AN ORDINANCE TO AMEND ORDINANCE NO. (2022) 5132 ENTITLED
 “THE ‘GARNER FORWARD’ TOWN OF GARNER UNIFIED DEVELOPMENT ORDINANCE
 FOR THE TOWN OF GARNER AND ITS EXTRATERRITORIAL JURISDICTION”
 REGARDING MATTERS OF IMPLEMENTING THE 2024 GARNER COMPREHENSIVE PLAN**

WHEREAS, the Town Council has conducted a public hearing and received a written recommendation from the Planning Commission regarding zoning text amendment case # ZTA-23-02 in keeping with the requirements of Section 4.6.3. of the Town of Garner Unified Development Ordinance; and

WHEREAS, the Town Council finds that ZTA-23-02 directly responds to various needs to align the Unified Development Ordinance with the recommendations of the Town’s Comprehensive Plan, and therefore, this request to amend the Unified Development Ordinance is consistent with the Town’s adopted land use plans; and

WHEREAS, the Town of Garner Planning Commission reviewed this case at their regular meeting of June 10, 2024, and unanimously recommended approval to the Town Council;

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF GARNER HEREBY ORDAINS:

Section One. That Sections 2.7.2. be amended to read as follows:

2.7.2. Applicability Matrix

Notwithstanding other portions of this Article, the following table summarizes the minimum requirements that shall be met when there are changes of use or changes to existing nonconforming development and/or to nonconforming structures or uses. A “✓” indicates that compliance with all applicable standards of this UDO is required, unless noted otherwise.

Figure 2.7-A. Required Site Element Ufits

	DIMENSIONAL STANDARDS	BUILDING DESIGN STANDARDS	SIDEWALKS, STREET TREES, CURB & GUTTER	TREE PROTECTION & LANDSCAPING	BUFFERS & SCREENING	PARKING LOT LANDSCAPING	OUTDOOR LIGHTING
EXISTING DEVELOPMENT							
Change of use from residential to nonresidential or mixed use.		✓ (d)	✓ (d)	✓ (d)	✓	✓ (d)	✓
...

Notes:

(a) For expanded/reconstructed portion only. For sidewalks, curb and gutter, this includes any areas of abutting right-of-way.

(b) Exception: Maximum front setback should be met to the extent practical as determined by the Board of Adjustment (see 2.7.3.).

(c) For expansions, reconstruction areas and all other walls facing public streets.

(d) Not required for change of use meeting off-street parking requirements with a shared parking agreement or approved use of public parking.

Section Two. That Section 4.7.4. subsection A. be amended to read as follows:

4.7.4. Special Use Permit

Special use permits, as defined in G.S. § 160D-102(30) and described in G.S. § 160D-705(c), are required for uses which in an unmitigated state may create negative impacts to neighboring properties or uses. This process allows each proposed use to be evaluated by its merits and conditions specific to each site.

A. Applicability

Except for those uses listed in subsection 3, in addition to the other special uses listed in the use table in *Article 6. Use Regulations*, the following development types have significant city-wide impacts and require special use permits:

1. Any nonresidential or mixed-use development with an individual building(s) encompassing 100,000 square feet of gross floor area or more, except that this threshold shall be 250,000 square feet of gross floor area or more for:
 - a. development within the Activity Center (AC) zoning district; or
 - b. development on a tract already within the corporate limits of the Town of Garner at the time of site-specific development application.
2. Any residential development or subdivision involving 200 dwelling units or more, except that this requirement shall not apply to Upper-Story Residential uses.
3. The following development types do not require a special use permit due to their recognized substantial economic and social benefits to the Town:
 - a. Research & Development
 - b. Hospital
 - c. Ambulatory Health & Emergency Care Facility

Section Three. That Section 5.9.1. subsection C. be amended to read as follows:

5.9.1. Nonresidential Development Standards

- C. Nonresidential and mixed-use buildings (including those with upper story residential use as noted in Figure 5.9-A) in the CMX district may exceed the designated height limit, provided the depth of the required front, rear and side yards shall be increased by a minimum of 0.5 feet for each foot, or fraction thereof, of building height exceeding the standard, or that the building may be designed with a stepped profile to achieve the same outcome.

Section Four. That Section 5.14.2. subsection F.1. be amended to read as follows:

5.14.2. Commercial Highway (CHO) Overlay District

F. Design Standards

1. Building Height

- a. The maximum building height for all buildings in the CHO is 70 feet, unless otherwise specified below.
- b. When a nonresidential use or mixed-use structure directly adjoins an existing residential use, the maximum building height is 24 feet unless an additional setback distance of one foot is provided for every additional foot of building height over 24 feet measured from the property line adjoining the existing residential use.
- c. These building height limitations do not apply to the property within the CHO located east of New Rand Road along U.S. 70.
- d. These building height limitations also do not apply to property within the CHO located west of McCormick Street along U.S. 70 or north of Purser Drive along U.S. 401, unless located within 300 feet of a single-family detached residential use.

Section Five. That Section 5.14.3. subsections F.2. and F.3. be amended to read as follows:

5.14.3. Limited Access Highway (LHO) Overlay District

F. Design Standards

2. Building Height

No building shall exceed 200 feet above grade; other building height restrictions are governed by *Subsection 3. Building Setbacks*, below.

3. Building Setbacks

The required setback for yards not abutting the right-of-way shall be as set forth in the underlying zone. The minimum building setbacks measured from the limited access highway right-of-way, including access ramps and interchanges, shall be 65 feet.

Section Six. That Section 6.1. "Use Tables" be amended to read as follows:

6.1. USE TABLES

...

TABLE OF PERMITTED USES														
P = PERMITTED BY-RIGHT; SEE ADDITIONAL STANDARDS LISTED IN <i>ARTICLE 5.</i> ; S = SPECIAL USE PERMIT														
SPECIFIC USE	RESIDENTIAL DISTRICTS							NONRESIDENTIAL AND MIXED USE DISTRICTS						NOTES
	RA	R2	R4	R8	RMH	MF-A	MF-B	NMX	CMX	TBD	AC	LI	HI	
RESIDENTIAL USE CATEGORY														
...														

Two- to Four-Family Dwelling (2 to 4 dwelling units per structure, aka Duplex/Triplex/Quadplex)				P	P		P								6.4.4.B.
Townhouse (2 to 4 dwelling units per structure)					P		P	P	P						6.4.4.C.
Townhouse (>4 dwelling units per structure)							P	P	S						6.4.4.D.
...															
Multifamily (>4 units per structure or over 2,500 sq ft footprint)								P	S	S					6.4.4.D.
...															
CIVIC AND INSTITUTIONAL USE CATEGORY															
...															
Higher Education	S							P		P		P	P		Includes Business School/Satellite; 6.5.4.E.
...															
Hospital										P		P	S		6.5.4.K.
Ambulatory Health & Emergency Care Facility										P		P	S		6.5.4.J.
...															
RECREATIONAL AND ENTERTAINMENT USE CATEGORY															
...															
Indoor Athletic or Entertainment Facility (not theater)								P	S	P	S	P	P		6.6.4.E.
...															
COMMERCIAL, OFFICE, RETAIL, SERVICE USE CATEGORY															
...															
Other Office Uses Not Listed								P	P	P	P	P	P		6.8.4.A.
Medical Office								P	S	P	P	P	P		Includes Medical Clinic or Urgent Care Clinic; 6.8.4.B.
...															
Restaurant, Sit-down Establishment								P	P	P	P	P	P		6.8.4.D.
...															
Day Care Center								P	P	P		P			Includes Adult and Child Day Care, Family Child Day Care; 6.8.4.H.

Gym, Spa or Pool, <u>Private</u>							P	P	P	P	P			SF max for TBD; 6.8.4.I.
...														
Personal or Professional Services (up to 5,000 sq.ft. ground floor footprint)							P	P	P	P	P	P		Including Hair Salons, art studio, dance studio (excludes commercial greenhouses or any use with outdoor operations; 6.8.4.L.
...														
Banks or Financial Institution, with Drive- thru or Vehicular ATM								S	P		P			6.8.4.M.
Sales . Retail (no outdoor operations)							P	S	P	P	P	P		6.8.4.N.
...														
INDUSTRIAL, MANUFACTURING, WAREHOUSING, WASTE SERVICES, AND TRANSPORTATION USE CATEGORY														
...														
Research and Development									P			P	P	6.9.5.O.
...														

NOTE: All uses added to the MF-B district above would have the following standards added to their respective sections identified in the Notes column:

- *In the MF-B district, use is only permitted in buildings with an Upper-Story Residential use.*

Section Seven. That Section 6.4.4., subsections B. and C. be amended to read as follows:

6.4.4. Specific Uses

B. Two- to Four-Family Dwelling Unit (Duplex/Triplex/Quadplex)

1. Defined

Two to four dwelling units in a single structure on a single lot.

2. Use Standards

(None)

C. Townhouse (Townhome, Rowhouse)

1. Defined

A form of single-family attached dwelling in which two or more units share common side walls and are often designed in rows and have individual entrances on the ground floor. Units are purchased on a fee-simple basis on small individual parcels of land fronting on either a public or private street, and have parking located on each lot or attached to each

dwelling unit, although garages may be separated from the dwelling. Yards are typically small or shared, and privacy requires careful protection.

Section Eight. That Section 6.9.5. be amended to add a new subsection O. to read as follows:

6.9.5. Specific Uses

O. Research and Development

1. Defined

An establishment primarily engaged in nanotechnology and biotechnology research and experimental development, or in conducting research and experimental development in the physical, engineering, cognitive and life sciences, such as agriculture, electronics, ecology, biology, botany, computers, chemistry, food, fisheries, forests, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects.

2. Use Standards

(None)

Section Nine. That Section 8.2.1. be amended to read as follows:

8.2.1. Purpose

- A. All development best promotes the public health, safety, and welfare if a portion of the land remains as common open space for purposes including recreational enjoyment, exercise and relaxation, community character, environmental conservation, and aesthetics.
- B. The regulations in this Section seek to benefit the general public – which includes, but is not limited to, residents, workers and visitors – by:
 - 1. Preserving open vistas;
 - 2. Providing relief from an urban landscape;
 - 3. Preserving environmentally sensitive lands vulnerable to encroaching development;
 - 4. Preserving wildlife habitats;
 - 5. Preserving historically or archaeologically significant areas; and
 - 6. Providing areas for active and passive recreation.

Section Ten. That Section 8.2.2. be amended to read as follows:

8.2.2. Applicability

- A. For purposes of this Section, “open space” refers to an area or areas that meets all of the following requirements:
 - 1. Is not encumbered with any substantial structure, save those structures necessary for the purposes identified herein;
 - 2. is not exclusively devoted to use as a roadway, parking area, or sidewalk;

3. is not part of any privately owned lot that is used or intended for use for residential purposes, except as noted in subsection 8.2.2.C.;
 4. If private, is legally and practicably accessible to the residents of the subdivision and/or development it is designed to serve; and
 5. If publicly dedicated, is legally and practicably accessible to the general public.
- B. Narrow strips of common area that separate lots within a development from other lots, streets, or adjoining tracts shall generally not be regarded as open space, unless these areas meet one of the following requirements:
1. Are at least 50 feet in width and are capable of functioning as a substantial visual buffer meeting or exceeding the requirements of a Type A buffer as described in *Article 10. Lighting and Landscaping*.
 2. Are configured and improved in ways conducive to actual use for passive recreational purposes (e.g., walking, jogging, gathering, pet exercise) by the residents of the development.
- C. The following areas shall be regarded as open space where such areas satisfy the criteria in this Section:
1. Utility easements greater than 50 feet in width and located outside of street rights-of-way;
 2. Cemeteries located on a tract prior to its development;
 3. Areas used for the growing of crops and under the control of a homeowners association; and
 4. Golf courses as private open space.
 5. Indoor recreational amenities (see subsection 8.2.3.C.).
- D. The term “primary conservation areas” shall mean any of the following:
1. Areas shown as greenways on the adopted Garner Open Space and Greenways Plan or other applicable policies or plans; or
 2. Areas containing slopes greater than 25 percent.
- E. The term “secondary conservation areas” shall mean any of the following:
1. Lakes and ponds;
 2. Wetlands as defined pursuant to Section 404 of the Clean Water Act;
 3. Areas containing slopes greater than 15 percent but not more than 25 percent;
 4. Other areas containing unique vistas or unusual natural features (such as major rock formations); or
 5. Other unique areas of documented environmental, historical, or archaeological significance.

- F. Except as otherwise provided herein, every proposed residential land use or development with residential uses shall be developed so that at least 10 percent of the total area of the development remains permanently as open space, and every development composed exclusively of non-residential uses shall be developed so that at least 5 percent of the total area of the development remains permanently as passive open space. To emphasize consistency with the open and public character of certain portions of the town, wherever a proposed development boundary is within ¼ mile of a parcel boundary containing public park land or a Town operations facility, the required percentage of open space shall be increased by 50 percent.
 - 1. Smaller developments may need less open space. Therefore, developments of less than one acre shall be exempt from the open space provisions of this Section.
 - 2. For purposes of this Section, the term “development” refers to the entire project developed on a single tract or multiple, contiguous tracts under common ownership or control, regardless of whether the development is phased or subdivided.

- G. If a tract where a residential land use or residentially zoned development is proposed and contains any areas defined above as primary or secondary conservation areas, then such areas shall be designated as passive open space, subject to subsection 8.2.3.B. and the following:
 - 1. in no case shall the developer be required to set aside more than the minimum required percentage of passive open space specified herein;
 - 2. if the tract contains primary or secondary conservation areas, then the specific areas to be set aside as passive open space shall be determined by the permit issuing authority, with priority given to primary conservation areas over secondary conservation areas; and
 - 3. if the total of primary and secondary conservation areas on a development tract is less than the minimum required percentage of passive open space specified, then the choice of additional passive open space areas to be set aside to satisfy this minimum percentage shall remain with the developer, provided the location is acceptable to the permit-issuing authority as meeting the goal of establishing a discernible center for the development in the form of a common green or public square.

- H. Notwithstanding the other provisions of this Section, where a developer agrees to dedicate land to the Town that is intended to be used by the Town for open space purposes such dedication shall be credited to the developer in satisfaction of the open space requirements.

Section Eleven. That Section 8.2.3. be amended to read as follows:

8.2.3. Private Open Space Structure

Provided private open space shall meet the following requirements for passive and active space:

- A. Required tree preservation and/or conservation buffers area may account for up to 30 percent of a development’s required open space and shall be considered passive open space.
- B. Passive Open Space

For proposed residential land uses or development with residential uses, up to 75 percent of the required open space shall be provided for passive recreation purposes such as walking, jogging, relaxation, etc. Preservation of cultural or natural resources such as steep slopes, rock outcroppings, mature woodlands, or water resources may also be counted towards passive recreation provided there is access for the public to these resources.

C. Active Space

For proposed development with 25 dwelling units or more, at least 25 percent of the required open space shall be provided as improved active space. Improved active space must be centrally-located so as to establish either a vista (i.e. street terminus) within the development or to establish a discernible center for the development or phase of a development, and be properly maintained. Active space must be completely designed for active recreation purposes such as playgrounds, tennis courts, ball fields, volleyball courts, open play fields (minimum 50' x 100' of grass area with no more than a 2% cross slope), etc. Indoor recreational facilities, including but not limited to indoor pools and fitness centers, as well as permitted rooftop amenities may also count towards active space requirements but may not comprise more than 30% of the active space required.

D. Supplemental active space requirements include:

1. Public Seating

Provide seating areas appropriate to the intended use of the space (e.g., park benches and durable theft/vandalism-resistant chairs in formal/active spaces and garden wall seats in informal spaces). Seating must be provided at a minimum rate of one seating area per 10,000 square feet.

2. Tree Requirement

A minimum of one tree (two-inch caliper minimum) or one preserved existing canopy tree a minimum of 12 inches DBH for every 2,500 square feet of required park space.

3. Trash Receptacles

Garbage receptacles and recycling receptacles shall be required for each park space at a minimum rate of one per 20,000 square feet of space. Receptacles shall use a metal, decorative design and shall be placed in close proximity to gathering spaces. Park spaces less than 10,000 square feet, where no more than two public seating areas are provided, are exempt from this requirement.

4. Bicycle Parking

At least two bicycle parking spaces shall be required for every one-quarter acre of park space (minimum 0.25 acre).

5. Paved Walkways

All park spaces shall incorporate hard-surface (non-gravel), 6-foot-wide walkways into the overall design so that they are accessible from adjacent sidewalks, streets, and parking areas.

Section Twelve. That Section 8.2.4. be amended to read as follows:

8.2.4. Private Ownership and Maintenance

- A. Private recreational facilities or open space shall remain under the ownership and control of the developer, their successor, or a homeowners' association or similar organization.
- B. Recreational facilities and open space shall be available to all residents, workers or visitors of the development. The responsible party shall establish reasonable rules and regulations to govern the use of facilities and open space by the residents. There shall be no separate fees or optional fees for use, other than homeowners' association or similar organization membership fees.
- C. In residential developments, persons not residing in the development may be allowed access to the facilities and open space on a limited basis, as long as this practice does not render the facility or open space a principal use. Access fees may be instituted.
- D. Maintenance of the facilities and open space shall be the owner's responsibility.
- E. Homeowners' associations or similar legal entities responsible for the maintenance and control of common areas shall be established as follows:
 - 1. The association or similar legal entity shall be established prior to the sale or occupancy of any lot or building in the development.
 - 2. The association or similar legal entity shall have the authority to compel residents to contribute funds to cover their shares of costs associated with the maintenance and upkeep.
 - 3. The association shall establish a capital fund for the maintenance and upkeep of common areas and devise a funding method to spread maintenance and upkeep costs to the residents over a number of years.

Section Thirteen. That Section 8.3.3. be re-titled and amended to add a new subsection B. to read as follows, and to re-order existing subsection B. to subsection C.:

8.3.3. Layout and Connectivity

B. Block Face Lengths

1. Applicability

These regulations shall apply to any side of a local or collector street on which buildings front.

2. Maximum Lengths

A block face is regularly defined as one side of a street between two intersections of other streets. For purposes of this UDO, a block face may also be defined as one side of a street between two spaces equivalent to the width of the Town's narrowest local street right-of-way and associated building corner side setbacks. Such spaces may be used for alleyways,

off-street parking, open space, greenways, etc; but should focus on increasing pedestrian connectivity throughout the development.

ZONING DISTRICT	BLOCK FACE MAXIMUM LENGTH
HI, LI, RA	n/a
R2	1,500 feet
R4, MFA, RMH, NMX	1,000 feet
R8, MF-B, CMX, TBD	800 feet
AC	600 feet

C. Connectivity Index

...

Section Fourteen. That Section 8.3.4. subsection D. be amended to delete subsection 2. and re-order the preceding subsection to read as follows:

8.3.4. Coordination with Surrounding Streets

D. Local Streets

Local streets shall be designed to provide parking unless an alley is provided. See Town’s Engineering Manual.

Section Fifteen. That Section 9.2.5. be amended to add a new subsection D. to read as follows:

9.2.5. Material Requirements

- D. All primary structures on a single non-residentially zoned parcel, or within a subdivision (one and two-family structures excluded) shall feature one primary building material that is common between all structures. For purposes of this section, a primary building material shall cover at least 15 percent of the structure’s exterior on facades facing a public right-of-way, internal private drive, or parking drive aisle.

Section Sixteen. That Section 9.3.3., subsection A. be amended to read as follows:

9.3.3. Administrative Modifications

- A. Strict adherence to the parking standards contained herein may result in inadequate or excessive parking; therefore, the Administrator shall permit modifications from the requirements of up to 15 percent upon written request and a parking study certified by an engineer showing that:
1. Any such modification shall not reduce the required number of accessible parking spaces, bicycle parking or electrical vehicle charging stations.
 2. No reduction shall be granted for uses in the Residential Use Category as defined in Article 6. *Use Regulations.*

Section Seventeen. That Section 9.3.5.’s Table of Parking Requirements be amended to read as follows:

9.3.5. Off-Street Parking Requirement

TABLE OF PARKING REQUIREMENTS	
USE	MINIMUM NUMBER OF VEHICLE SPACES
...	
INDUSTRIAL, MANUFACTURING, WAREHOUSING, WASTE SERVICES, AND TRANSPORTATION USE CATEGORY	
...	
Research and Development	1.0 spaces per 1,000 square feet of gross floor area
...	

Section Eighteen. That Section 9.3.8., subsection A.3. be amended to read as follows:

9.3.8. Shared Parking Standards

A. Applicability

- 3. Shared parking is only permitted in the NMX, TBD, AC, CMX, LI, and HI districts, as well as for any non-residential uses in residential zoning districts where both uses participating in the shared parking agreement are non-residential.

Section Nineteen. That Section 10.6.7. subsection A. be amended to add a new subsection 3. to read as follows:

10.6.7. Design Requirements

A. Perimeter Buffer Width and Types

- 3. For lots in nonresidential or mixed-use zoning districts less than 2 acres in size, the required buffer width shall be half of the width specified herein.

Section Twenty. That Section 13.2.2., Section 13.2.18. and Section 13.2.20. be amended to add or amend specified definitions to read as follows:

Block Face. A block face is regularly defined as one side of a street between two intersections of other streets. For purposes of this UDO, a block face may also be defined as one side of a street between two spaces equivalent to the width of the Town’s narrowest local street right-of-way and associated building corner side setbacks. Such spaces may be used for alleyways, off-street parking, open space, greenways, etc; but should focus on increasing pedestrian connectivity throughout the development.

Rowhome or Rowhouse. See “Townhouse.”

Townhouse. A form of single-family attached dwelling in which two or more units share common side walls and are often designed in rows and have individual entrances on the ground floor. Units are purchased on a fee-simple basis on small individual parcels of land fronting on either a public or private street, and have parking located on each lot or attached to each dwelling unit, although garages may be separated from the dwelling. Yards are typically small or shared, and privacy requires careful protection.

Section Twenty-One. That throughout the UDO, corrections of any errors in cross-references, citations, etc. in sections of the original adopted UDO brought about by the amendments within this case are made.

Section Twenty-Two. That all ordinances or portions thereof in conflict with this ordinance are hereby repealed.

Duly adopted this 16th day of July 2024.

MAYOR

ATTEST: _____
TOWN CLERK

APPROVED AS TO FORM: _____
Terri Jones, Town Attorney




Reports

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: Quarterly Capital Project Report		
Location on Agenda: Reports		
Department: Engineering		
Contact: Leah Harrison, Engineering Director		
Presenter: Leah Harrison, Engineering Director		
Brief Summary: Quarterly Capital Project report for April 1, 2024 - June 30, 2024.		
Recommended Motion and/or Requested Action: For Information		
Detailed Notes: See attached report.		
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:	LH	
Finance Director:		
Town Attorney:		
Town Manager:	JM	
Town Clerk:		



DATE: July 16, 2024

PROJECT STATUS LEGEND		
On Track 	On Track with Minor Issues <i>Monitor Closely</i> 	Off Track <i>Budget or Schedule Issues</i> 

TRANSPORTATION

Aversboro Road and Garner Road Sidewalks

Description: Install sidewalk along the north side of Garner Rd and along the west side of Aversboro Rd.

Location: Aversboro Rd at Zinnia Ln; Garner Rd at Weston Rd

Status: The Legal Department has mailed initial acquisition letters to affected property owners. Plans are currently in review with NCDOT for encroachment agreements. Once we have all the easements and NCDOT approval, the project is estimated to go out to bid in mid-September.

Current Phase: Design

Project Budget: \$732,916

Construction Start: Fall 2024

Funding Source: 2021 Bonds

Construction Complete: Spring 2025

Project Manager: Branyun Bullard



Bryan Road Improvements

Description: Widen Bryan Road to continue three-lane section from Bryan Elementary School through to Ackerman Rd. Install sidewalk along the east side of Bryan Rd.

Location: Bryan Rd at Ackerman Rd

Status: Staff is currently awaiting 100% design plans for review. Neuse Riparian Buffer Impact Permit and 401 Water Quality Certification Permit were both approved by NCDEQ. Right-of-way and easement exhibits have been submitted for review by the Legal Department. The project is projected to go to bid in early November.

Current Phase: Design

Project Budget: \$1,132,000

Construction Start: Winter 2024

Funding Source: 2021 Bonds

Construction Complete: Summer 2025

Project Manager: Branyun Bullard



Jones Sausage Road – North (TIP HL-0140)

Description: Construct the E Garner Rd and Jones Sausage Rd intersection to the ultimate section with dedicated turn lanes, curb ramps, and pedestrian signals. Add a northbound travel lane on Jones Sausage Rd. Add sidewalk to east side of Jones Sausage Rd and north side of E Garner Rd.

Location: Jones Sausage Rd from Amazon Distribution Center to E Garner Rd.

Status: The 65% plans including hydraulics and utility relocations are being finalized. The environmental impact documents are being finalized. All documents will be reviewed by Town staff and NCDOT. Once those documents are approved, exhibits for right-of-way acquisition can be developed and initial outreach can begin.

Current Phase: Design

Project Budget: \$21,579,096

Construction Start: Spring 2026

Funding Source: 2013 Bonds, 2021 Bonds, LAPP Grant

Construction Complete: Spring 2028

Project Manager: Lisa Rodriguez



Pearl Street and Parker Street Improvements

Description: Pave/widen the west side of Pearl Street with curb, sidewalk, and on-street parking. Widen both sides of Parker Street with curb and sidewalk.

Location: Pearl St south of Main St and Parker Street east of Pearl St

Status: Right-of-way exhibits are being updated then real estate acquisition will resume. Plans have been submitted to the North Carolina Railroad for their review.

Current Phase: Design

Project Budget: \$1,502,099

Construction Start: Fall 2024

Funding Source: 2021 Bonds

Construction Complete: Spring 2025

Project Manager: Lisa Rodriguez



Rand Mill Streetscape and Parking Improvements

Description: Parking lot improvement on Town property to accommodate downtown parking needs. Intersection improvements including streetscape, curb, gutter, and sidewalk additions.

Location: Rand Mill Rd and E Main St

Status: Right-of-way exhibits are being finalized then real estate acquisition will begin. First round of NCRR comments were received, plans have been updated and resubmitted.

Current Phase: Design

Project Budget: \$2,288,364

Construction Start: September 2024

Funding Source: Community Partner Funding Grant

Construction Complete: May 2025

Project Manager: Lisa Rodriguez



Resurfacing 2024

Description: 2024 street resurfacing

Location: Various

Status: Street list and quantities are currently being finalized. Bid documents should be complete by mid-July and the project will then go out to bid.

Current Phase: Design

Project Budget: \$1,300,000

Construction Start: Summer 2024

Funding Source: Powell Bill

Construction Complete: Fall 2024

Project Manager: Leah Harrison



US 70 Street Lighting

Description: Add street lighting along US-70 from Yeargan Road to White Oak Road.

Location: US-70 from Yeargan Road to White Oak Road

Status: Phase 1 street lighting plans and agreement have been approved and signed by the Town. Duke has submitted the NCDOT encroachment agreement for review; once that is approved installation will begin. Phase 2 lighting plan is currently under review.

Current Phase: Design

Project Budget: \$500,000

Construction Start: TBD

Funding Source: 2021 Bonds

Construction Complete: TBD

Project Manager: Branyun Bullard



White Oak Roundabout

Description: Convert an existing intersection of three streets to a partial dual lane roundabout.

Location: White Oak Road, Ackerman Road, and Hebron Church Road

Status: Since last quarter, utility relocations have been underway. Duke Energy completed phase 1 of their work. Telecommunication companies will follow with their relocation and are projected to be complete in September. The construction contract was awarded to Fred Smith. NTP is anticipated in early October to allow utility companies to complete their relocation work.

Current Phase: Design

Project Budget: \$3,944,904

Construction Start: Summer 2024

Funding Source: 2013 Bonds, 2021 Bonds, LAPP

Construction Complete: Spring 2025

Project Manager: Lisa Rodriguez



STORMWATER

Forest Ridge Road Pipelining Repair

Description: Line the existing culvert in place, install new concrete headwall and stabilize and revegetate banks upstream and downstream.

Location: Forest Ridge Rd at Buck Branch

Status: Forest Ridge is currently under construction and on schedule. During construction several field modifications have been made to improve the project, including the replacement of 85 LF of sidewalk, installation of ADA compliant curb ramp, and the installation of handrails on the upstream side of the road.

Current Phase: Construction

Project Budget: \$571,691

Construction Start: May 2024

Funding Source: 2021 Bonds

Construction Complete: Sept 2024

Project Manager: Branyun Bullard



Stormwater Inventory and Assessment

Description: Inventory and condition assessment of drainage infrastructure 36” and smaller. Evaluation of several areas with known drainage problems to identify potential solutions.

Location: Various

Status: Phase II of the study is underway, with survey crews actively collecting location and condition data for the grant-funded portion of the project. Staff is awaiting scope and fee for phase III from the consultant, which will address the work not covered under the grant.

Current Phase: Study

Project Budget: \$586,451

Construction Start: N/A

Funding Source: 2021 Bonds,
LASSII Grant

Construction Complete: N/A

Project Manager: Leah Harrison



PARKS

Centennial Park Playground

Description: Replace existing deteriorated playground and swings and build an accessible pedestrian connection to the picnic shelter from Bellarose Lake Way parking circle.

Location: 1015 New Bethel Church Road

Status: Plan to begin with design in FY25. Researching grants to leverage 2021 Bond Program funds. Design consultant proposal in progress using the PRCR on-call design consultants list.

Current Phase: Design

Project Budget: \$400,000

Construction Start: Summer 2025

Funding Source: 2021 Bonds

Construction Complete: Winter/Spring 2026

Project Manager: Maria Munoz-Blanco, Katie Lockhart



Garner Recreation Center Playground

Description: Install accessible playground and fitness circuit on the multi-purpose field of the Garner Recreation Center.

Location: 215 W Main Street

Status: Design consultant TranSystems has developed 60% design. Equipment selection in progress.

Current Phase: Design

Project Budget: \$404,400

Construction Start: Spring/Summer 2025

Funding Source: 2021 Bonds, NRPA Youth Equity Grant, PARTF Grant

Construction Complete: Fall 2025

Project Manager: Maria Munoz-Blanco, Katie Lockhart



Lake Benson Park Masterplan

Description: Develop updated masterplan for Lake Benson Park, including potential improvements to existing facilities, proposals for new or relocated facilities, and potential relocation/replacement of the boat house.

Location: 921 Buffaloe Rd

Status: Consultant has performed preliminary site and stormwater analysis and began to look at options for location of a boathouse along the park's shoreline. The existence of jurisdictional ponds and wetlands largely limits the location. Next step is seeking input from the PRCR Advisory Committee and further exploring ideas for the boathouse.

Current Phase: Planning/Study

Project Budget: \$66,800

Construction Start: N/A

Funding Source: 2021 Bonds

Construction Complete: N/A

Project Manager: Maria Munoz-Blanco



Meadowbrook Park Dam Improvements

Description: Breach the high hazard earthen dam on the park site and remove the 4-acre lake.

Location: 8025 Country Club Drive

Status: The NCDEQ Dam permit was received. The awarded contractor of phase 1, North State Environmental, will resume work early August and complete the dam breach. Afterwards this site will be inactive to allow for a 6-month drying period which is required to see what natural wetlands develop.

Current Phase: Construction

Project Budget: \$1,944,209

Construction Start: Phase 1A – Summer 2024, Phase 1B – Spring 2025

Funding Source: 2021 Bonds, ARP Funds, Federal Grant

Construction Complete: Phase 1B – Fall 2024, Phase 1B – Late 2025

Project Manager: Lisa Rodriguez, Maria Munoz-Blanco



South Garner Greenway Extension

Description: Ten-foot multi-use path connecting to White Deer Park and Lake Benson Park.

Location: Buffalo Road from Lake Benson Park to Vandora Springs traffic circle.

Status: More challenges are being discovered with further discussion with NCDOT and stormwater. The design team and staff continue to discuss the best approach, the typical section will either require more right-of-way to maintain a standard ditch line or will require relocation of the water line in the area.

Current Phase: Design

Project Budget: \$6,645,050

Construction Start: Fall 2025

Funding Source: 2021 Bonds, LAPP Grant

Construction Complete: Fall 2026

Project Manager: Lisa Rodriguez, Maria Munoz-Blanco



White Deer Park Improvements

Description: New inclusive playground and splashpad at White Deer Park.

Location: 2400 Aversboro Road

Status: Inclusive playground 90% design has been submitted to Town’s Technical Review Committee. Plan to bid project out in Fall 2024. Consultant has been selected for the splash pad project and contract negotiation is underway.

Current Phase: Design

Project Budget: \$2,900,000

Construction Start: Playground: Spring 2025; Splash Pad: TBD

Funding Source: ARP Funds, Fee-in-lieu, N.C. SCIF grant

Construction Complete: Playground: Summer/Fall 2025; Splash Pad: TBD

Project Manager: Maria Munoz-Blanco, Katie Lockhart



Yeargan Park Phase 1

Description: Phase 1 of Yeargan Park includes four athletic fields, playground, main shelter, and restrooms on approximately 23 acres of the park property.

Location: 607 E Garner Road

Status: The first round of comments has been received from TRC, those comments were applied and the plans were resubmitted July 6, 2024. The Town project team continues to review 90% plans and finalize discussions on products.

Current Phase: Design

Project Budget: \$26,366,072

Construction Start: Fall 2024

Funding Source: 2021 Bonds

Construction Complete: Fall 2026

Project Manager: Lisa Rodriguez, Maria Munoz-Blanco



FACILITIES

Garner Senior Center Improvements

Description: Renovations to the Garner Senior Center, including bathroom and HVAC updates.

Location: 205 E Garner Road

Status: RFQ has been awarded to the Wooten Company and we have come to an agreement on the Scope and Fee. We are looking at starting design for the project in mid/late August.

Current Phase: Design

Project Budget: \$580,980

Construction Start: Spring 2025

Funding Source: Community Project Funding Grant, 2021 Bonds

Construction Complete: Fall 2025

Project Manager: Branyun Bullard



Town Hall Annex

Description: Renovations to Town-owned property to provide space for current staff and future growth of Engineering, IT, and Communications departments.

Location: 109 Forest Hills Drive

Status: This construction contract was awarded to CMC Building in June and the Town received the finance approval from LGC on July 9, 2024. Since the approval is confirmed, this construction contract can route. Anticipated start of construction is Aug/September. The demo of the former police building and parking lot will be complete by mid-July.

Current Phase: Design

Project Budget: \$5,112,506

Construction Start: Fall 2024

Funding Source: Other financing

Construction Complete: Fall 2025

Project Manager: Lisa Rodriguez



NCDOT Projects in Garner

Projects in Construction

Project ID	Location	Description	Status
B-4654	NC 50 at US 70	Replace bridge over US 70	Construction will begin July 2024 and is expected to last 18-24 months.

Projects in Planning/Design

Project ID	Location	Description	Let Date
HL-0008C	NC 50 at Timber Dr	Intersection improvements	7/24/2024
HL-0008P	Ten Ten Rd at NC 50	Create dual left turn lanes	6/25/2025
HL-0008F	Ten Ten Rd at Old Stage Rd	Intersection improvements	3/26/2025
U-5302	US 401 from Old Stage Rd to Mechanical Blvd	Convert to reduced conflict intersections	7/15/2025
HL-0008J	NC 50 between Rand Rd and Buffaloe Rd	Intersection improvements, widening of NC 50, and other improvements	4/21/2026
B-5681	Vandora Springs Rd at US 70	Replace bridge over US 70	1/19/2027
BP5-R105	Grovemont Rd near Overhill St	Replace bridge over creek	3/17/2027
P-5738	Vandora Springs Rd at Railroad	Construct grade separation and close crossing	7/20/2027
U-6194	Various	Garner citywide signal system	1/18/2028
B-5987	US 401 near Legend Rd	Replace bridges over Norfolk Southern Railroad and Unnamed Tributary of Swift Creek	4/17/2029
U-5744	US 70 at Timber Drive	Convert at grade intersection to interchange	7/16/2030
U-6116	US 401 from Simpkins Rd to Mechanical Blvd	Widen to 6 lanes with reduced conflict intersections	2040
U-6112	US 401 at Ten Ten Rd	Convert existing signalized intersection to square-loop interchange	2040

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 16, 2024		
Subject: Quarterly Financial Report		
Location on Agenda: Reports		
Department: Finance		
Contact: David Beck, Finance Director		
Presenter: David Beck, Finance Director		
Brief Summary: Quarterly financial report for April 1, 2024 - June 30, 2024.		
Recommended Motion and/or Requested Action: For Information		
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:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	JM	
Town Clerk:		

Memorandum

To: Jodi Miller, Town Manager
From: David C. Beck, Finance Director
Date: July 16, 2024
Subject: Financial Reports for 4th Quarter FY 2023-24
CC: Town Council

Attached is a statement of revenues and expenditures for FY 2024 through June 30, 2024. Fiscal year 2023-24 has ended but work remains to close the books. As a result, the numbers presented here are to be considered preliminary and will change as the year-end closing work proceeds.

Year-to-date, the Town has collected approximately 86.6% of estimated revenues. A few revenue highlights include:

- Most property tax revenues (apart from vehicle taxes) are collected in the months of November, December, and January. At the end of June, we have collected 102.9% of the budgeted property tax revenue for the year.
- Sales tax revenues received through May show a modest growth rate of 3.8% over the prior year.
- PRCR user fees and facility rentals have a growth rate of 9% over the previous year.
- Unrestricted interest on invested and deposited monies have far exceeded our budget estimates as the economy remains in a high interest rate environment.

Please review the attached Analysis of Revenues for additional information on key revenue streams. Two additional documents tracking sales tax revenues and ARPA funding are included for review as well.

Overall, the Town has expended approximately 84.7% of its budget. When encumbrances are added to the actual expenditures that rises to 87.4%. At the same point in the previous fiscal year, the Town had spent 80.5% of its budget. Some of the notable expenditures so far include:

- All debt service payments for the fiscal year have been made.
- Year-to-date personnel costs are 43.3% of all expenditures.
- Purchase order encumbrances will be reviewed over the coming weeks to determine which ones need to be closed out or if any need to roll over to the new fiscal year.
- Leadership in each town department has done an excellent job of administering their budgets and managing resources throughout the fiscal year.

As previously noted, the data presented is preliminary as final results for the fiscal year will not be known until the audit has been completed. Based on these preliminary numbers several categories including building permits, interest earned, and user fees have fueled revenue growth. Revenues remain strong overall which should enable the Town to finish the year in a positive fiscal position. Please reach out if you have any questions.

Town of Garner
Statement of Revenues and Expenditures
For the Period July 1, 2023 - June 30, 2024

	Budget	Actual	Over (Under) Budget	Percentage of Budget	Actual Prior Year
REVENUES					
Ad valorem taxes	\$ 35,728,397	\$ 36,771,573	\$ 1,043,176	102.9%	\$ 29,485,007
Other taxes and licenses	10,029,941	8,283,432	(1,746,509)	82.6%	8,023,006
Intergovernmental revenues	3,407,308	3,738,833	331,525	109.7%	3,282,402
Permits and fees	3,690,283	6,370,609	2,680,326	172.6%	5,513,584
Sales and services	687,251	935,833	248,583	136.2%	848,359
Investment earnings	400,000	1,719,781	1,319,781	429.9%	739,364
Other revenues	277,567	321,139	43,572	115.7%	396,855
Other Financing Sources	13,063,026	143,819	(12,919,207)	1.1%	155,061
Total Revenues	\$ 67,283,773	\$ 58,285,020	\$ (8,998,753)	86.6%	\$ 48,443,638
EXPENDITURES					
Governing body	\$ 1,689,775	\$ 1,524,298	(165,477)	90.2%	\$ 495,819
Administration	2,262,185	2,279,409	17,224	100.8%	1,840,032
Budget Office	270,692	263,831	(6,861)	97.5%	-
Finance	1,268,703	1,197,381	(71,322)	94.4%	950,326
Economic development	626,292	426,036	(200,256)	68.0%	343,607
Economic incentives	-	-	-	0.0%	-
Planning	1,305,508	926,642	(378,866)	71.0%	1,253,264
Inspections	2,218,596	2,094,912	(123,684)	94.4%	1,646,482
Engineering	1,432,194	1,324,951	(107,243)	92.5%	1,057,369
Information technology	1,317,428	1,156,292	(161,136)	87.8%	940,388
Police	12,092,900	11,318,853	(774,047)	93.6%	9,658,319
Fire services	6,981,126	6,671,928	(309,198)	95.6%	5,828,508
Public works	14,684,735	11,778,711	(2,906,024)	80.2%	9,556,645
Parks and recreation	3,532,400	3,205,815	(326,584)	90.8%	3,988,622
Debt service	5,939,342	5,359,839	(579,503)	90.2%	3,727,641
Special appropriations	2,325,468	2,057,203	(268,265)	88.5%	1,865,655
Transfers out	9,300,439	5,394,515	(3,905,924)	58.0%	1,172,486
Contingency	35,990	-	(35,990)	0.0%	-
Total expenditures	\$ 67,283,773	\$ 56,980,615	\$ (10,303,158)	84.7%	\$ 44,325,163
Revenues over Expenditures	\$ -	\$ 1,304,405	\$ 1,304,405		\$ 4,118,475

Town of Garner
 Analysis of Major Revenues
 For the Period July 1, 2023 Through June 30, 2024

Property Tax Collections

(collections compared to budget)

	Through Month Ending	
	6/30/2024	6/30/2023
Collections--Current Year	\$ 36,640,785	\$ 29,406,745

Note:

Collection % Budget	102.92%	99.94%
Collection % Value/Levy (both DMV & Wake Co)	99.56%	99.66%

Property Tax Billings (from Wake County & DMV)

	Through Month Ending		
	6/30/2024	6/30/2023	
Real Property	\$4,828,477,495	\$4,396,887,820	
Personal Property	450,794,326	447,778,784	
Public Service Property	187,077,935	194,829,680	
Vehicles	416,961,863	373,716,344	
			Percent Change
Total	\$5,883,311,619	\$5,413,212,628	8.68%

Sales Tax Distributions

	Through Month Ending		
	6/30/2024	6/30/2023	% Change
Sales Taxes	\$8,021,765	\$7,728,003	3.80%

Note: Sales tax revenues lag three months behind the current calendar month

Building Permit Fees

	Through Month Ending		
	6/30/2024	6/30/2023	% Change
Fees Collected	\$2,961,765	\$2,852,062	3.85%

PRCR Fees

	Through Month Ending		
	6/30/2024	6/30/2023	% Change
Recreation Fees	\$353,104	\$323,935	9.00%
Facility Rentals	\$361,185	\$332,605	8.59%

Town of Garner
Selected Balance Sheet accounts
As of June 30, 2024

FOR INTERNAL USE ONLY

		General
ASSETS		
Cash in Bank	\$	2,318,943
Petty cash and change funds		1,656
NC Cash Management Trust investments		35,790,720
PFM Investments		10,882,267
Police Asset Forfeiture account		112,292
Receivables & Inventory (excluding Taxes & Assessments)		597,684
		\$ 49,703,562
LIABILITIES		
Accounts Payable	\$	698,647
Bonds on deposit for Planning/Engineering		964,369
Rental Deposits		27,166
Deferred Revenue		53,878
		\$ 1,744,061
Current Year Revenues to date		58,285,020
Current Year Expenditures to date		(56,980,615)
Restricted Fund Balance July 1		975,196
Committed Fund Balance July 1		23,489,380
Unrestricted Fund Balance		22,190,521
		\$ 47,959,502
		\$ 49,703,563

Town of Garner
Sales Tax Analysis Actual to Actual and Budget to Actual

Note: Sales tax revenues received from the state run three months behind, for example sales taxes received in October 2023 are for July 2023 taxable sales.

Month	Total Sales Tax					<u>2022-2023</u>	<u>2022-2023</u>	<u>2023-2024</u>	<u>2023-2024</u>
	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>	<u>2023-2024</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Budget</u>
	<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>	<u>Variance %</u>	<u>Variance</u>	<u>Variance %</u>
July	656,314.09	783,239.66	841,430.10	817,205.42	892,055.15	50,625.05	6.02%	74,849.73	9.16%
August	612,156.78	728,176.09	885,976.37	817,205.42	916,611.79	30,635.42	3.46%	99,406.37	12.16%
September	667,569.95	750,342.26	883,536.63	817,205.42	861,660.28	(21,876.35)	-2.48%	44,454.86	5.44%
October	655,336.35	752,819.83	861,072.19	817,205.42	880,122.24	19,050.05	2.21%	62,916.82	7.70%
November	697,235.15	762,124.51	819,711.53	817,205.42	933,133.09	113,421.56	13.84%	115,927.67	14.19%
December	799,729.16	904,831.08	981,871.76	817,205.42	1,013,598.92	31,727.16	3.23%	196,393.50	24.03%
January	667,675.79	630,126.80	818,688.31	817,205.42	793,775.32	(24,912.99)	-3.04%	(23,430.10)	-2.87%
February	535,278.80	668,015.21	629,974.97	817,205.42	776,154.54	146,179.57	23.20%	(41,050.88)	-5.02%
March	755,683.32	816,854.90	925,764.30	817,205.42	954,653.52	28,889.22	3.12%	137,448.10	16.82%
April	720,085.16	836,233.41	771,590.80	817,205.42					
May	753,958.97	809,186.38	904,801.06	817,205.42					
June	806,664.85	879,976.42	941,855.80	817,205.42					
Totals	8,327,688.37	9,321,926.55	10,266,273.82	9,806,465.00	8,021,764.85	373,738.69	-21.86%	666,916.10	-18.20%

Month	Article 39 Sales Tax					<u>2022-2023</u>	<u>2022-2023</u>	<u>2023-2024</u>	<u>2023-2024</u>
	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>	<u>2023-2024</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Budget</u>
	<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>	<u>Variance %</u>	<u>Variance</u>	<u>Variance %</u>
July	288,519.66	341,465.88	365,320.88	377,857.75	388,237.56	22,916.68	6.27%	10,379.81	2.75%
August	266,443.23	318,528.16	388,366.29	377,857.75	398,207.76	9,841.47	2.53%	20,350.01	5.39%
September	297,989.75	337,787.16	393,808.17	377,857.75	382,760.03	(11,048.14)	-2.81%	4,902.28	1.30%
October	292,909.64	341,552.14	386,504.81	377,857.75	392,887.28	6,382.47	1.65%	15,029.53	3.98%
November	316,370.45	328,779.37	360,620.02	377,857.75	422,669.07	62,049.05	17.21%	44,811.32	11.86%
December	363,851.66	407,140.90	438,221.35	377,857.75	448,982.67	10,761.32	2.46%	71,124.92	18.82%
January	301,982.12	266,200.24	363,015.84	377,857.75	349,318.49	(13,697.35)	-3.77%	(28,539.26)	-7.55%
February	234,357.55	301,884.59	265,863.57	377,857.75	345,087.05	79,223.48	29.80%	(32,770.70)	-8.67%
March	323,857.74	350,857.91	412,985.19	377,857.75	426,654.34	13,669.15	3.31%	48,796.59	12.91%
April	313,134.03	371,012.49	330,216.21	377,857.75					
May	342,386.83	352,749.99	399,503.93	377,857.75					
June	352,650.95	384,546.71	408,830.88	377,857.75					
Totals	3,694,453.61	4,102,505.54	4,513,257.14	4,534,293.00	3,554,804.25	180,098.13	-21.24%	154,084.50	-21.60%

Month	Article 40, 42, 44, City HH Sales Tax					<u>2022-2023</u>	<u>2022-2023</u>	<u>2023-2024</u>	<u>2023-2024</u>
	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>	<u>2023-2024</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Budget</u>
	<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>	<u>Variance %</u>	<u>Variance</u>	<u>Variance %</u>
July	367,794.43	441,773.78	476,109.22	439,347.67	503,817.59	27,708.37	5.82%	64,469.92	14.67%
August	345,713.55	409,647.93	497,610.08	439,347.67	518,404.03	20,793.95	4.18%	79,056.36	17.99%
September	369,580.20	412,555.10	489,728.46	439,347.67	478,900.25	(10,828.21)	-2.21%	39,552.58	9.00%
October	362,426.71	411,267.69	474,567.38	439,347.67	487,234.96	12,667.58	2.67%	47,887.29	10.90%
November	380,864.70	433,345.14	459,091.51	439,347.67	510,464.02	51,372.51	11.19%	71,116.35	16.19%
December	435,877.50	497,690.18	543,650.41	439,347.67	564,616.25	20,965.84	3.86%	125,268.58	28.51%
January	365,693.67	363,926.56	455,672.47	439,347.67	444,456.83	(11,215.64)	-2.46%	5,109.16	1.16%
February	300,921.25	366,130.62	364,111.40	439,347.67	431,067.49	66,956.09	18.39%	(8,280.18)	-1.88%
March	431,825.58	465,996.99	512,779.11	439,347.67	527,999.18	15,220.07	2.97%	88,651.51	20.18%
April	406,951.13	465,220.92	441,374.59	439,347.67					
May	411,572.14	456,436.39	505,297.13	439,347.67					
June	454,013.90	495,429.71	533,024.92	439,347.67					
Totals	4,633,234.76	5,219,421.01	5,753,016.68	5,272,172.00	4,466,960.60	193,640.56	-22.35%	512,831.60	-15.27%

**Town of Garner
One-Time Funding Tracker**

<u>ARP Act Funds</u>		<u>Leveraged Funds</u>
Funding Received as of 9/30/2022	\$10,009,331	
Earmarked for Eligible Project per ARP Guidelines	\$9,331	
PFRM Program FY23 Funding	\$400,000	
CLUE Study	\$290,240	
Cost of Municipal Services Study	\$55,000	
Economic Development Site Assessments	\$150,000	
DFI Housing Affordability Workshop	\$10,350	
Employee Retention Bonuses	\$1,018,035	
Meadowbrook Dam Study	\$344,209	\$500,000
Splashpad & Inclusive Playground (Design)	\$133,100	\$1,400,000
Affordable Housing Gap Funding	\$750,000	\$45,950,000
Rebuilding Together	\$100,000	\$12,683
Pay & Class Implementation (FY24 VERT Funding)	\$1,485,000	
Fire Station #5 Gap Funding	\$1,657,193	\$9,520,324
Remaining Balance	<u>\$3,616,204</u>	<u>\$57,383,007</u> Total Dollars Leveraged

Talk of the TOWN



Council Requests & Updates

July 16, 2024

This monthly report provides an update on Council requests, items submitted on the Garner Info app, and quarterly development statistics.

Highway 50 Project on Website (Gupton)

Mayor Gupton suggested adding the Hwy 50 improvement project to our website to help make the public aware of what is planned. Staff is working to update the NCDOT Projects section of our Capital Improvement Program webpage to include this project. Until it is added, you can find project information at this link: [HL-0008J: N.C. 50 at Rand Road - PublicInput](#).

Budget Update (All)

The FY25 adopted budget has been added to the Budget Portal webpage in a new interactive budget book format. The Budget Portal webpage can be accessed at this link [FY25 Budget Portal | Town of Garner, NC \(garnernc.gov\)](#). Click on the FY25 Budget Book tile or you can access the budget book directly at this link [FY 25 Budget Book](#).

HR Director Hiring Process (All)

The application period for the HR Director position has closed. Initial candidate screening and vetting interviews are being conducted.

Assistant Town Manager Hiring Process (All)

The Assistant Town Manager position has been posted and will remain open through the end of the month.

Fire Merger Update (All)

Work has started for Phases 3 & 4 of the fire merger evaluation with NC Fire Chief Consulting. These phases focus on conducting a financial feasibility analysis, developing an implementation plan, and providing guidance during the transition process. A team of Town and GFR staffs has been created to review and provide recommendations on the merging process. The goal is to have an agreement approved in spring 2025 with an effective date of July 1, 2025.

Town Events on Chamber of Commerce Calendar (Behringer, Gupton)

At the request of Council, staff has begun adding Town events to the Chamber of Commerce's events calendar in an effort to have a centralized repository for community events.

Town Hall Annex Financing (All)

The Local Government Commission (LGC) approved the Town's financing package for the Town Hall Annex at their July 9, 2024, meeting. We closed on the financing package on July 11, 2024.

Downtown Food Truck Fridays and Rodeo (All)

The Downtown Garner Association (DGA) has launched a new event series – Food Truck Fridays – that will begin on July 12. Every Friday night from 5-8pm, food trucks will be in the downtown district to provide dining options and encourage visitors to visit our local businesses. On Friday, July 19, over 20 food trucks and 20 vendors will be on hand for the Summer Food Truck Rodeo. The rodeo will be held from 6-10pm. For more information visit www.downtowngarner.com.

Population Estimate (All)

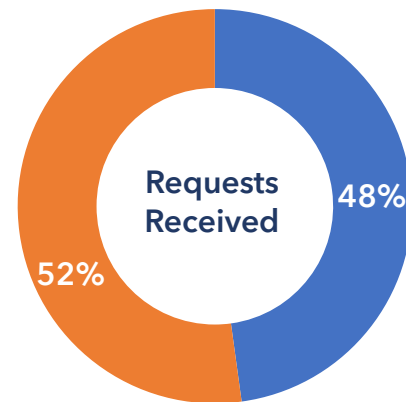
As of July 1, 2024 the Town’s internally estimated population is 40,082. This represents an 8.9% increase over the July 1, 2023 estimated population. The estimated population is calculated by staff monthly based on certificates of occupancy issued and added to the official July 1, 2020 US Census population of 31,159. As a reminder, the Census Bureau and State of North Carolina publish annual population estimates which will often lag behind our internal estimates so you may see other official estimates that differ from this number.

Garner Info Monthly Analytics

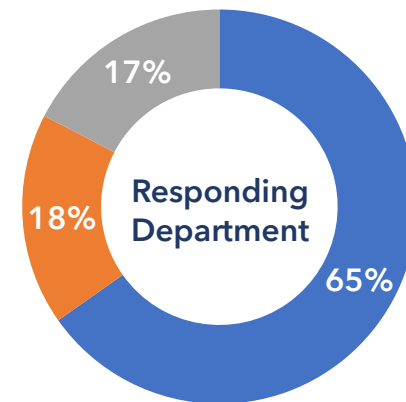
June 12 – July 9, 2024 – 23 Total Requests

Request by Type

Pothole/ Pavement Repair	3	13.0%
Trim Vegetation	3	13.0%
Misc. - Streets	3	13.0%
Pipe and Storm Drain Maintenance	3	13.0%
Streetlight Problem	2	8.7%
Noise (Business)	1	4.3%
Misc. - Parks / Town Property	1	4.3%
Yard Waste/ Loose Leaves	1	4.3%
Junk Vehicle (Private Property)	1	4.3%
Neighborhood Speeding	1	4.3%
Tall Grass/Weeds (Private Property)	1	4.3%
Trash/Solid Waste (Private Property)	1	4.3%
Temporary Sign Violation	1	4.3%
Commercial Vehicles	1	4.3%



■ Completed ■ Received

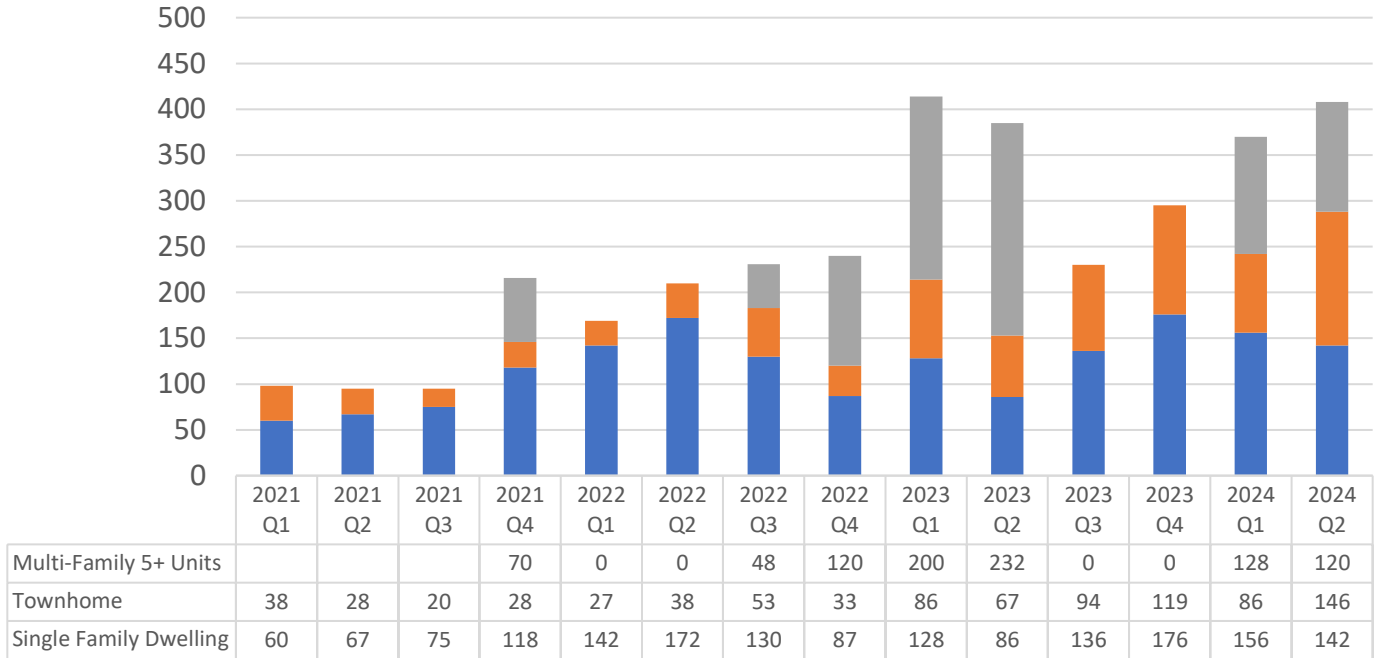


■ Public Works ■ Inspections ■ Police

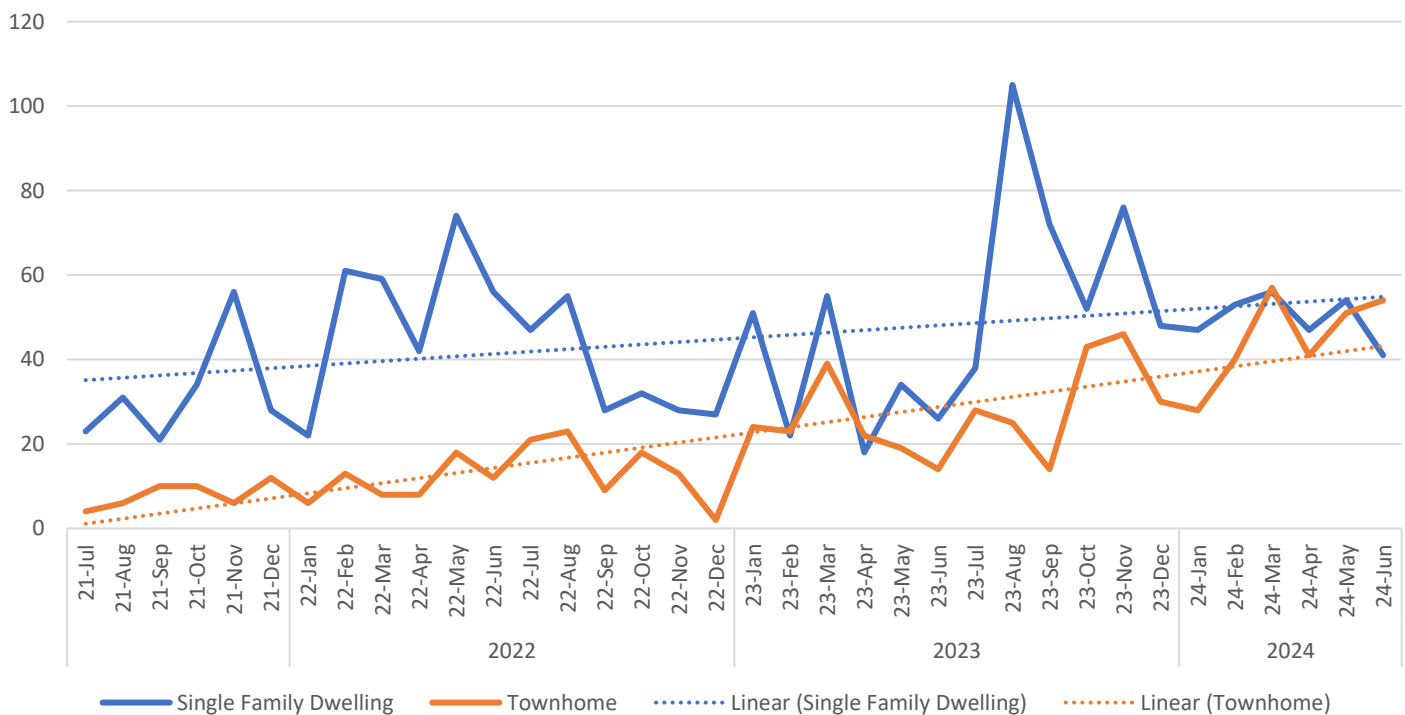
Quarterly Development Statistics

Quarterly COs Issued for New Residential Building

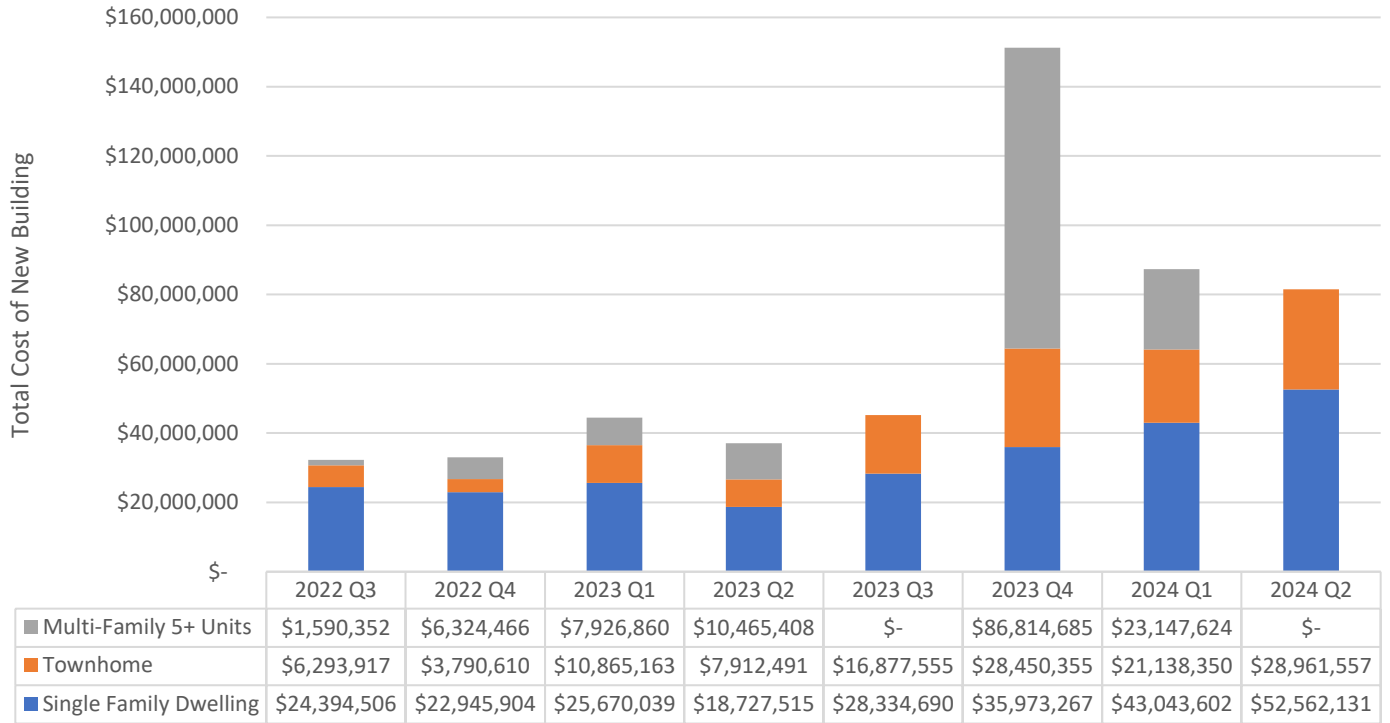
■ Single Family Dwelling ■ Townhome ■ Multi-Family 5+ Units



Trend for COs Issued by Month



Total Cost of New Residential Construction by CO Date



Average Permits Issued & Inspections Conducted Quarterly by Year

