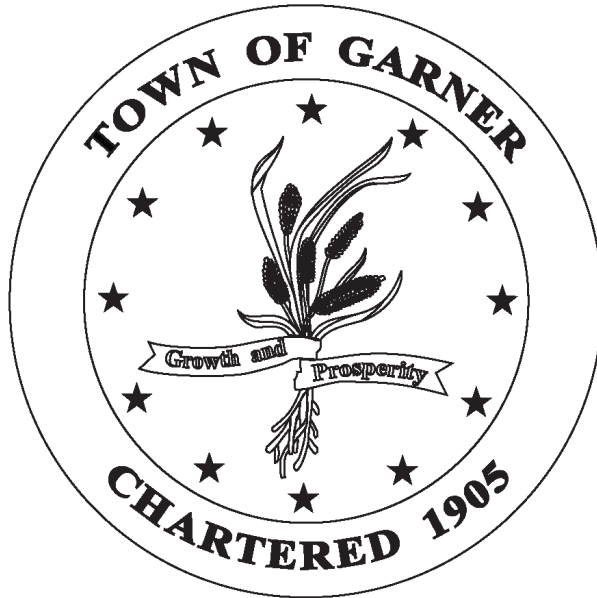


TOWN OF GARNER



Town Council Regular Session

July 21, 2020
7:00 p.m.

Garner Town Hall
900 7th Avenue
Garner, NC 27529

Town of Garner
Town Council Regular Meeting Agenda
July 21, 2020

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

Seating Capacity: To comply with COVID-19 distancing requirements, audience seating in the Council Chambers is restricted to approximately 25 seats, with another 25 seats available in an overflow room upstairs. Once those seats are filled, visitors may be asked to wait outside until space is available in the building. The Mayor will attempt to provide time during the meeting for residents and visitors whose item has been heard to leave and make room for those with items still on the agenda.

Mask Policy: In keeping with the Governor's Executive Order requiring masks in public, staff and audience members must wear face coverings during Council meetings unless they are exempted from the Governor's order.

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

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

- B. PLEDGE OF ALLEGIANCE: Mayor Ken Marshburn
- C. INVOCATION: Mayor Ken Marshburn
- D. PETITIONS AND COMMENTS

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

- E. ADOPTION OF AGENDA
- F. PRESENTATIONS
- G. CONSENT

- 1. Nuisance Abatements.....Page 4
Presenter: David Beck, Finance Director

Resolution declaring certain delinquent nuisance abatements as a lien on property.
This resolution authorizes Wake County to add these abatement costs to Wake County property tax bills.

Action: Consider approving Resolution (2020) 2416

- 2. Council Meeting Minutes.....Page 8
Presenter: Stella Gibson, Town Clerk

Council meeting minutes from June 30, 2020

Action: Consider approving minutes

H. PUBLIC HEARINGS

- 1. CUP-SP-20-01, White Oak Business Park Lot 13.....Page 12
Presenter: Alison Jones, Planner II

Conditional Use Site Plan (CUP-SP-20-01) application submitted by DP Investment Properties, LLC, to develop a flex building with outdoor laydown yard on a 2.79 +/- acre lot. The property is located at 701 Bricksteel Lane in White Oak Business Park and may be further identified as Wake County PIN# 1730-51-0081.

Action: Consider granting the Conditional Use Permit with conditions

- 2. CUD-Z-19-11 & CUP-SB-19-04, Rand Village.....Page 23
Presenter: David Bamford, Planning Services Manager & Stacy Harper, Principal Planner

Conditional use district zoning (CUD-Z-19-11) and associated subdivision plan (CUP-SB-19-04) request submitted by Cambridge Properties, LLC to subdivide and rezone approximately 54.5-acres from Service Business (SB C197) Conditional Use and Single-Family Residential (R-40) to Service Business (SB C224) Conditional Use and Multifamily 2 (MF-2 C224) Conditional Use for commercial retail and multi-family development. The site is located along US 401 and Caddy Road and may be further identified as Wake County PIN#'s 0699-08-0104, 0689-98-4402, 0699-08-2470, 0689-87-9987 and 0699-18-3059.

Action: Consider adopting of Ordinance (2020) 4067

I. NEW/OLD BUSINESS

- 1. Economic Development Strategic Plan and COVID-19 Survey Results.....Page 57
Presenter: Joe Stallings, Economic Development Director and Mari Howe, Downtown Development Manager

The Economic Development Department will present the department's strategic plan along with economic development partner agencies plans of work. The department will also present the data that was collected from the COVID-19 survey that was conducted and outline initiatives that has come from the survey data.

Action: No action required/information only

2. 2020 Resurfacing Contract – Change Order #3 (Buffaloe Road and Timber Drive Pedestrian Crossings).....Page 83
Presenter: Chris Johnson, Town Engineer

To present final design and construction costs to upgrade pedestrian crossings on Timber Drive and Buffaloe Road.

Action: Consider approving and authorizing theTown Manager to execute change order #3 to add work to the Annual Resurfacing Contract

J. COMMITTEE REPORTS

K. MANAGER REPORTS

1. Garner info
2. Quarterly Financial Report

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. CLOSED SESSION

N.C. General Statutes Section 143-318.11(a)(4) to discuss economic development.

O. ADJOURN

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 21, 2020		
Subject: Nuisance Abatements		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck, Finance		
Presenter: David C. Beck, Finance		
Brief Summary: Resolution declaring certain delinquent nuisance abatements as a lien on property. This resolution authorizes Wake County to add these abatement costs to Wake County property tax bills.		
Recommended Motion and/or Requested Action: Consider adopting Resolution (2020) 2416		
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:	RD	
Town Clerk:		

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

RESOLUTION NO. (2020) 2416

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

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

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

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

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

LOCATION	PROPERTY OWNER(S)	REAL ESTATE ID	COST
808 Barefoot St	Kenneth Smith	79319	162.16
124 Bingham Creek Dr	Betty Cartwright	435765	80.90
205 Bournemouth Ln	Roydell Doss Jr.	113493	232.46
1612 Cane Creek Dr	Abel E. McLean Jr.	213913	80.90
3711 Cranston Rd	Donald Pugh	46033	200.00
111 Johnston St	Patsy Lowe	42846	302.20
111 Johnson St	Patsy Lowe	42847	302.20
1304 Lakeside Dr	Jerry Bryant	9348	299.26
1201 Meadowbrook Dr	CAB Alexander Properties LLD	4170	299.26
322 Montague St	Russell Stanley Jr.	25862	227.38
1113 Northview St	Charles W. Evans	21092	100.00
3915 Randell Rd	Marc William Goldberg	16744	100.00
112 Rolling Ridge Cr	Minnie Lockley	84229	100.00
101 Stowe Pl	Claire E. Fleming	114746	100.00
1321 Sycamore Dr	Joseph Cotton	44998	100.00
203 Tarpley Way	Ralph Lott	157512	80.90
1300 Timber Dr	Diana Huynh	92164	299.26
1305 Timber Dr	Conrex ML Portfolio	91399	299.26
108 Upton Cr	Tatum Briele	93312	100.00
1504 US 70 Hwy	Garner Hotel LLC	182824	456.90
1517 Wiljohn Rd	Jimmy Johnson & Mary E. Johnson	18488	100.00

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

Duly adopted this the 21st day of July 2020.

(Town Seal)

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 21, 2020		
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 June 30, 2020 work session.		
Recommended Motion and/or Requested Action: Consider approving minutes		
Detailed Notes:		
Funding Source: n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner
Work Session Agenda Minutes
May 30, 2020**

The Council met in regular session at 6:00 p.m. in the Garner Town Hall located at 900 7th Avenue.

CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn

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

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Development Services, Matt Roylance-Asst. Town Manager-Operations, Rick Mercier-Communications Manager, Jeff Triezenberg-Planning Director, David Beck-Finance Director, BD Sechler – HR Director, Joe Binns – Interim Police Chief, Mike Mclver – Acting Captain Operations, Stella Gibson-Town Clerk, and Ashley Knotts-Deputy Town Clerk.

Attorney Fred Baggett was not in attendance.

ADOPTION OF AGENDA

Motion: Matthews
Second: Behringer
Vote: 4:0

Council Member Gra Singleton arrived at 7:01pm.

PRESENTATIONS

Chief Matt Poole and the Garner Fire Rescue staff came before Council to express their appreciation for approving additional staff positions and funding.

DISCUSSION/REPORTS

Adoption and Use of Legislative Conditional Zoning

Presenter: Jeff Triezenberg, Planning Director

The state laws are reorganizing and streamlining the enabling statues for planning and zoning, the planning department is bringing to council the zoning and subdivision ordinances (in the Town of Garner – our Unified Development Ordinance) into compliance with the newly created NCGS 160D. The deadline is no later than July 1, 2021.

Action: Council consensus is to bring a complete package to a future meeting

GAHS MOU Agreement

Presenter: Rodney Dickerson, Town Manager

Mr. Dickerson presented the contract between the Town of Garner and GAHS for operation of the historic depot as a museum. The GAHS would be responsible for inside items which include janitorial services, building exhibits, displays, shelving, etc. The Town of Garner would maintain the outside, which includes landscaping, electric, utilities, fire alarm, and inspections.

GAHS requested permission to allow the sale and consumption of beer and wine in and around the Garner Historic Depot museum during promotional and fundraising events.

Mr. Dickerson will speak with the Town Attorney regarding the need to have an Ordinance or Resolution, and to clarify the area.

Action: Council consensus is to bring the Ordinance to a future meeting

Animal Control Ordinance

Presenter: Joe Binns, Interim Chief of Police

Interim Chief Binns recommended changes to Ordinance sections dealing with nuisance and dangerous animals. By combining Section 3-14 and 3-15 of the Ordinance it would create one specific Section to be called Prohibited Actions. Also, Section 3-17, for confinement and control of dangerous animals as well as penalties for those violations.

Council Member Singleton stated picking up nuisance animals and holding in animal shelter for 5 days should be written in the Ordinance.

Council Member Dellinger expressed concern about some specific nuisance criteria not being included in the revised Ordinance.

Interim Chief Binns will make the requested changes and bring a revised Ordinance to a future Council meeting.

Action: Consider approving changes to the Ordinance at a future meeting

Extension of COVID-19 Pay

Presenter: BD Sechler, Human Resources Director

COVID-19 pay was approved for sworn police officers and GVFR firefighters through June 30, 2020. Net costs are roughly \$27,000 a month. We have since learned that through the CARES Act, Wake County will reimburse the Town for 75% of the costs going forward. As a result, we recommend continuing the practice of providing hazard pay until Wake County discontinues its EOC or Council determines it should end.

Action: Continue hazard pay beyond June 30, 2020.

Motion: Vance
Second: Behringer
Vote: 5:0

Review Draft Job Description and Recruitment Process for Town Attorney

Presenter: Matt Roylance, Asst. Town Manager – Operations

The Town has been operating with an Interim Town Attorney since the previous Town Attorney's retirement. Council has indicated they are ready to fill this position with a full-time employee rather than a contract position. The creation of the Town Attorney position will be included on the July 7, 2020 meeting agenda for formal action.

Action: Discussion and feedback on the draft job description and recruitment process.

MANAGER REPORTS

COUNCIL REPORTS

Vance

- Stated he appreciated the quickness that Public Works showed in solving a street complaint.

Dellinger

- Asked council if COVID gets worse, what would be the plan for meetings. Mayor Marshburn responded Council can connect virtually and asked Council their opinion. All were in favor of in-person meetings with precautions. The Training Room will be used for overflow.

Behringer

- Stated the median at the intersection of Benson and Garner Roads needs to be mowed. The median belongs to NC DOT, but the Town has been maintaining. Mr. Dickerson responded the median is on the Town's rotation.
- Asked the date of the Council Retreat. Mr. Dickerson advised the date is July 29, however no location has been identified yet. The GPAC has tentatively been reserved.
- Asked when the Rec Center will be open. Mr. Dickerson stated the roofers did repairs to the roof and discovered small leaks. We are currently waiting for the pond water samples. We don't have an exact date; progress is being made on items that were outstanding. We want to make sure the project is complete in its entirety before opening.

Singleton

- Asked about the July 3rd celebration. Mr. Dickerson stated the July 3 video will be out on YouTube.

Matthews

- Asked for updates on the Police Chief position. Mr. Dickerson stated the plan is to put the advertisement back out mid-July.

Marshburn

- Stated the Town Manager sent out an email about local citizens wanting to bring people together to have a community vigil which will take place in the parking lot of Town Hall. The event is being called Garner Unites and Lifting our Voices Effectively and is scheduled July 11 from 10:00 a.m. - 11:30 a.m.
- The Town has won 2 excellence and communication awards for doing video work.

ADJOURN: 8:54 p.m.

Motion: Matthews
Second: Behringer
Vote: 5:0

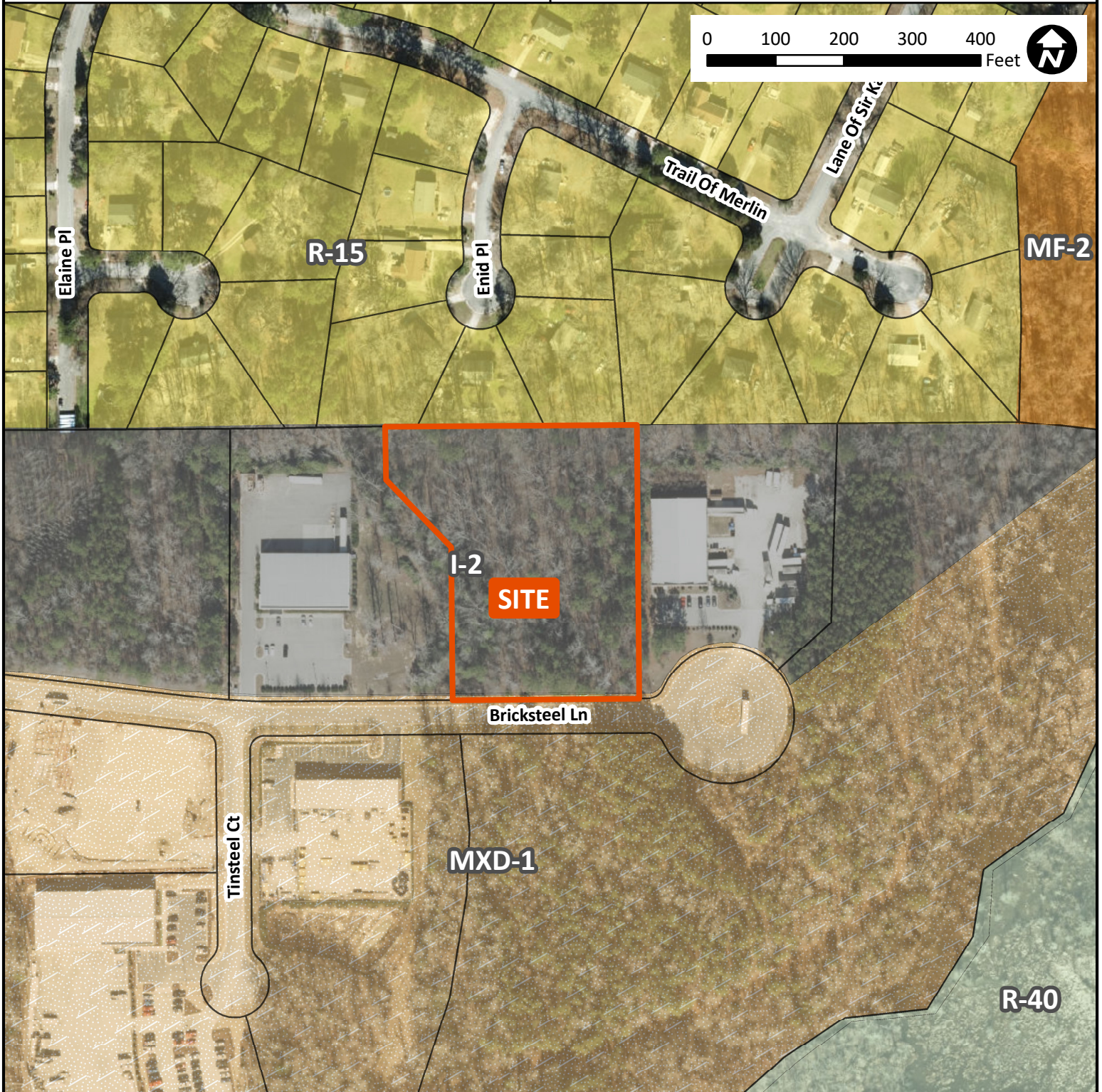
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 21, 2020		
Subject: CUP-SP-20-01, White Oak Business Park Lot 13		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Alison Jones, Planner II		
Presenter: Alison Jones, Planner II		
Brief Summary: Conditional Use Site Plan (CUP-SP-20-01) application submitted by DP Investment Properties, LLC, to develop a flex building with outdoor laydown yard on a 2.79 +/- acre lot. The property is located at 701 Bricksteel Lane in White Oak Business Park and may be further identified as Wake County PIN# 1730-51-0081.		
Recommended Motion and/or Requested Action: Council is asked to grant the Conditional Use Permit with conditions		
Detailed Notes: The site is zoned Heavy Industrial Conditional Use (I-2 C147) and industrial flex space with outside storage is permitted within the zoning district therefore no rezoning is required. Since this project lies within an existing conditional use district no further neighborhood meeting was required.		
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:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



**Town of Garner
Planning Department**

**Conditional Use Applications
CUP-SP-20-01**



Project: DP Electrical - White Oak Lot 13
Applicant: TMTLA Associates
Owner: DP Investment Properties, LLC
Location: 701 Bricksteel Lane
Pin #: 1730-51-0081

Proposed Use: Flex Space (office/warehouse)
Current Zoning: Heavy Industrial (I-2)
Acresage: 2.79
Overlay: N/A

Planning Department Staff Report

TO: The Honorable Mayor Marshburn and Town Council Members

FROM: Alison Jones, Planner II

SUBJECT: *Conditional Use Permit # CUP-SP-20-01, DP Electrical - Lot 13*

DATE: July 21, 2020

I. PROJECT AT A GLANCE

Project Number: CUP-SP-20-01, DP Electrical- Lot 13

Applicant: Chris Rurkowski – TMTLA Associates

Owner: DP Investment Properties, LLC

Plan Prepared by: TMTLA Associates

General Description -

Proposed Use: Flex Space

Project Location: 701 Bricksteel Lane

Wake Count PIN(s): 1730-51-0081

Zoning Classification: Heavy Industrial (I-2) Conditional Use Zoning District 147 (CUDZ -147)

Key Meeting Dates –

Neighborhood Meeting: Not required

Planning Commission: June 15, 2020

Town Council Public Hearing: July 21,2020

II. BACKGROUND / REQUEST SUMMARY



The proposed use of the property is flex space with outdoor laydown area. The request will add one building totaling 11,900 square feet.

The site is currently vacant.

The site is zoned Heavy Industrial (I-2). Industrial flex space with outside storage is permitted within the I-2 zoning district; therefore, this project does not require a rezoning. The project requires a Conditional Use Permit because it is within a Conditional Use Zoning district.

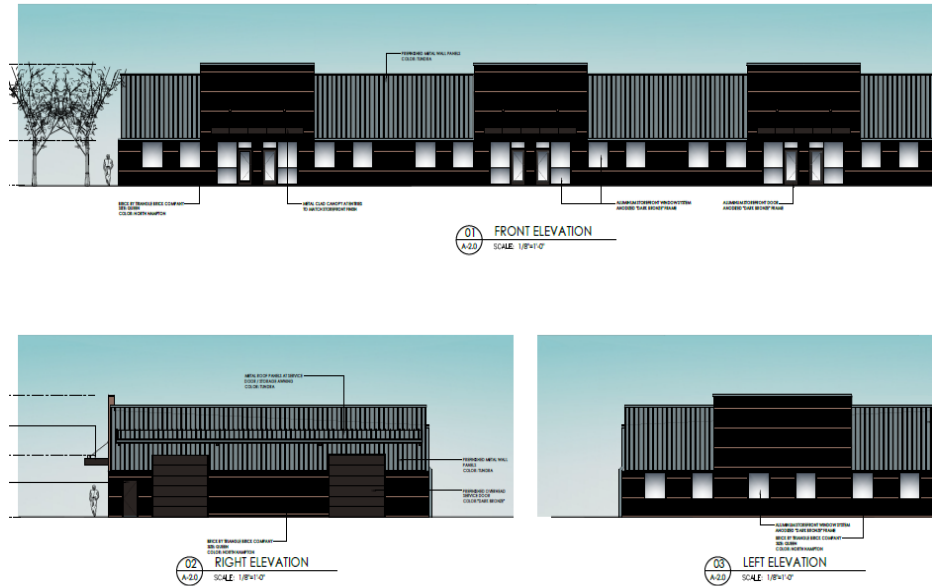
III. COMMUNITY INFORMATION

Overall Neighborhood Character: The predominant land use in this area is non-residential. White Oak Business Park consists of office, warehouse, and flex space uses. This business park and the surrounding commercial areas are zoned CR, MXD-1 and I-2 Conditional Use. Camelot subdivision is also in this vicinity, and this neighborhood is zoned R-15.

Neighborhood Meeting: A neighborhood was not required for this project because the property is located within a conditional zoning district for which a public hearing was previously required.

Building Material and Color:

The building will be constructed of brick and prefinished metal wall panels.



Landscape and Buffer Requirements:

Tree Cover: They required tree coverage area for this project is 10%. They are exceeding this requirement with existing plant material that is to remain. This plan provides for a covered area of 35.7%.

Street Buffers:

- A 15-foot buffer (horizontal distance separation only) along Bricksteel Lane frontage.

Street Trees:

- Bricksteel Lane: 4 required; 4 provided

Perimeter Buffers: Perimeter buffers are 15-feet wide. The eastern buffer has been reduced to 7.5 feet because of an existing evergreen hedge on the adjacent property and the proposed site plan and adjacent use are in the same buffer class.

Vehicular Service Area: VSA plantings are provided as screening in the form of shrubs as well as canopy trees in planted islands.

Building Perimeter: 10% of total plant points required, 19% provided.

Environmental Features:

This site does contain FEMA designated floodplain.



Fire Protection:

The Inspections Department has reviewed the plan for fire protection and given preliminary approval.

Parking:

Parking is based on 1 space per 500 square feet of gross floor area

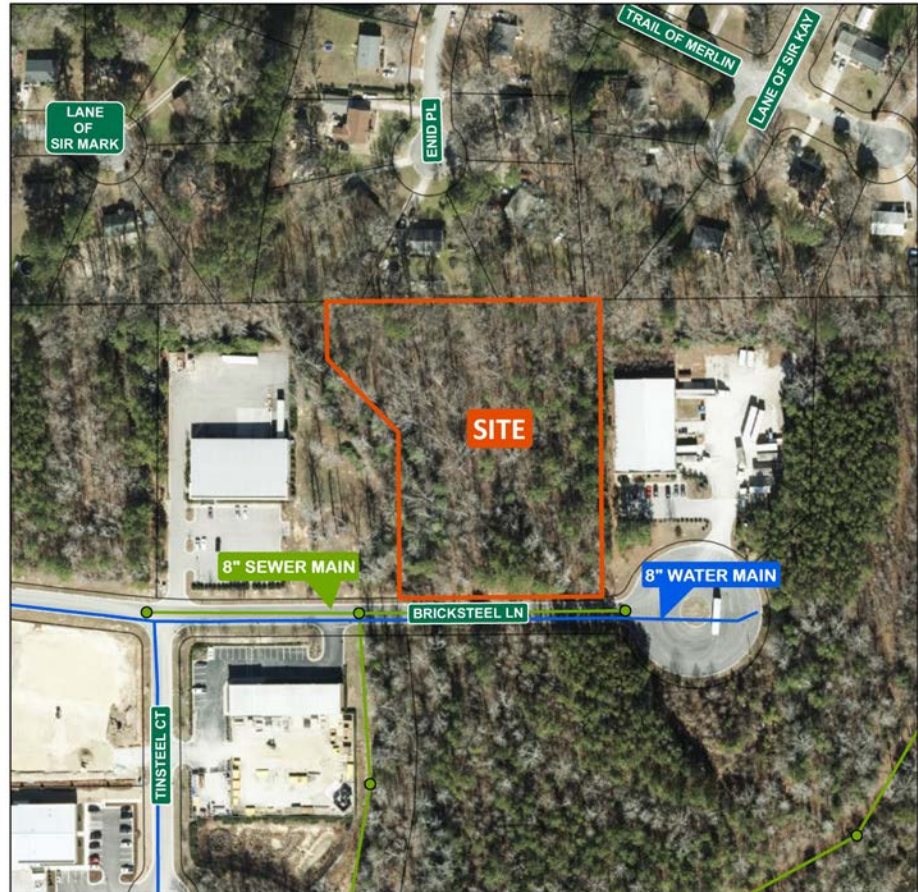
- Required: 24 (1 accessible)
- Proposed: 28 (2 accessible)

Lighting:

Proposed lighting meets the requirements of the Lighting Ordinance as well as meeting staff recommendations for LED fixtures. All fixtures have zero uplight, low glare and a warm white light exhibiting a color temperature of no more than 4,000 K (Kelvin).

Infrastructure:

Water/Sewer - Connection to the City of Raleigh public sanitary sewer and water system will occur through existing infrastructure.



Stormwater Management: DP Electrical is a commercial development site that is not located within the watershed protection area. This site is subject to stormwater water quality requirements for nitrogen only. A previous study was done for White Oak Business Park East to demonstrate that detaining water would be detrimental to the downstream watershed so no water quantity is required at this site. Since this development remains under the 10 pounds per acre per year threshold for nitrogen export after development, only a nitrogen offset payment is required. No stormwater control measure is required.

Site Access: Driveway access to the site is from Bricksteel Lane.

Frontage Improvements: Bricksteel Lane currently has curb & gutter. Sidewalks along the site's frontage will be provided under this plan.

V. SITE PLAN CONFORMITY WITH APPLICABLE ADOPTED TOWN PLANS AND POLICIES

2018 Garner Forward Transportation Plan:

The 2018 Garner Forward Transportation Plan does not have a recommendation for Bricksteel Lane. As currently constructed, Bricksteel Lane is two-lane facility with curb and gutter and built to local Town street standards apart from the provision of

sidewalks. With the addition of a sidewalk, the plans may be considered consistent with the 2018 Garner Forward Transportation Plan.

Parks & Recreation, Open Space & Greenways Master Plan:

A review of the Parks and Recreation, Open Space and Greenways Master Plan revealed no plan recommendations in the project area; therefore, this project, as proposed, may be considered consistent with the Parks & Recreation, Open Space & Greenways Master Plan.

Unified Development Ordinance Regulations:

After sufficient review and plan revisions, staff finds that this project, as now proposed, may be considered consistent with the regulations of the Unified Development Ordinance so long as the following project specific conditions are met:

1. Prior issuance of building permit payment of Engineering Inspection Fees shall be paid to the Town of Garner.
2. Prior to issuance of a building permit, payment of Public Utilities Fees shall be paid to the City of Raleigh.
3. Prior to issuance of a building permit, a nitrogen offset payment is required.

VI. PLANNING COMMISSION NOTES AND RECOMMENDATION

The Planning Commission reviewed this request at their June 15, 2020 meeting. By a unanimous vote, the Planning Commission confirmed staff's findings in Section VII that CUP-SP-20-01, DP Electrical, is in conformity with adopted town plans and policies.

Staff recommendations for site plan request (CUP-SP-20-01) conformity are highlighted in the motion worksheets on the following pages.

CUP-SP-20-01 DP Electrical

Conditional Use Permit Motion Worksheet

Choose one (1) of the following two (2) options: *(staff recommendation is highlighted below)* **If not accepting staff recommendation, please select your own finding from below options.**

1. Find Consistent with Town plans and ordinances and Approve:

2. Find Inconsistent with Town plans and ordinances and Deny:

Please find the correlating motion option below to make your motion (number 1 or 2):

1. Find Consistent with Town plans and ordinances and Approve:

“I move that the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-20-01, Rand Village with the three standard conditions and nine (9) site-specific conditions 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, etc.:

2. Find Inconsistent with Town plans and ordinances and Deny:

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

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

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

and therefore, deny master plan Rand Village – CUP-SP-20-01.

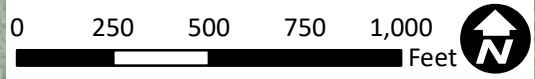
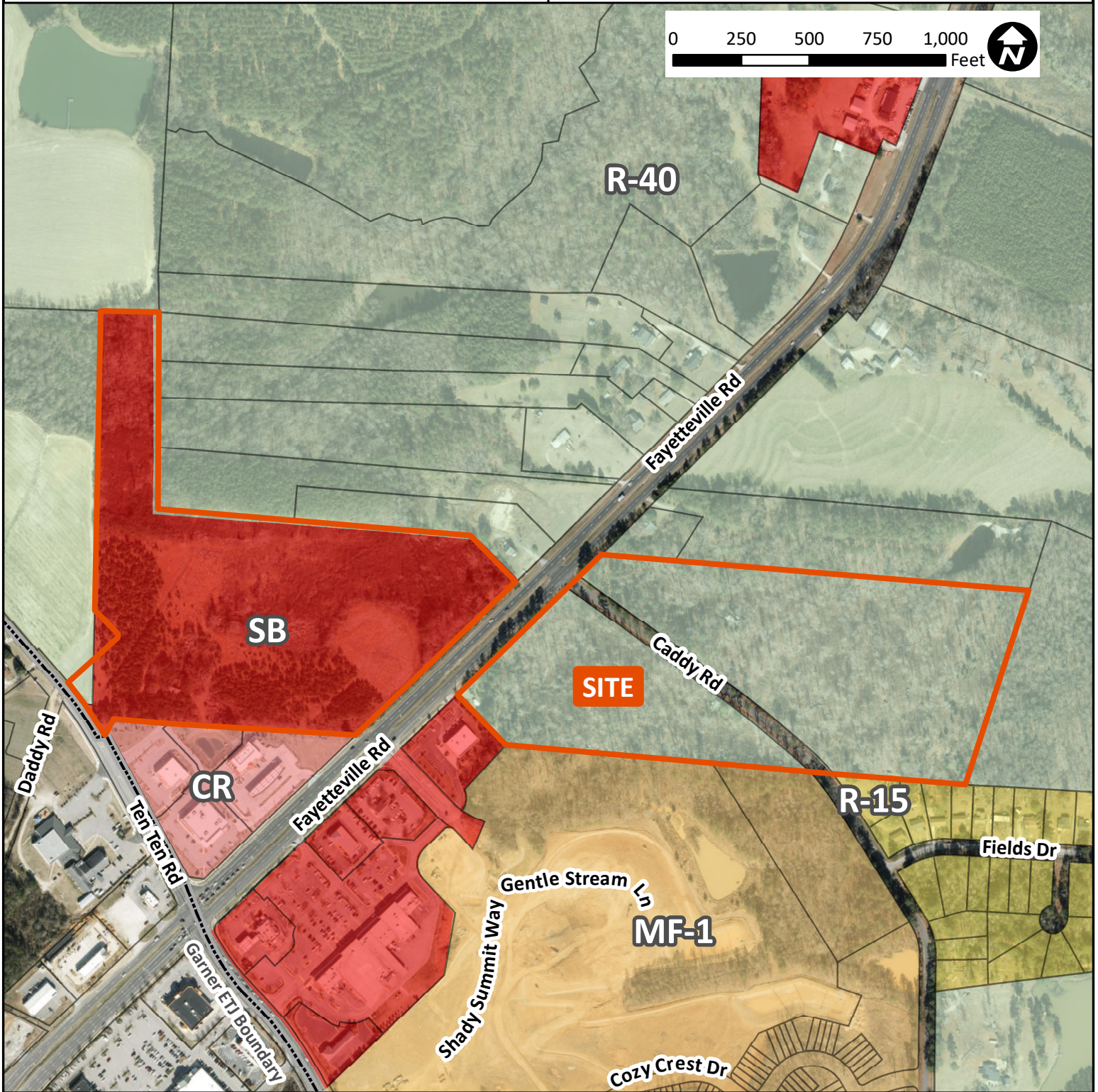
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 21, 2020		
Subject: CUD-Z-19-11 & CUP-SB-19-04, Rand Village		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager & Stacy Harper, AICP; Principal Planner		
Brief Summary: Conditional use district zoning (CUD-Z-19-11) and associated subdivision plan (CUP-SB-19-04) request submitted by Cambridge Properties, LLC to subdivide and rezone approximately 54.5-acres from Service Business (SB C197) Conditional Use and Single-Family Residential (R-40) to Service Business (SB C224) Conditional Use and Multifamily 2 (MF-2 C224) Conditional Use for commercial retail and multi-family development. The site is located along US 401 and Caddy Road and may be further identified as Wake County PIN#'s 0699-08-0104, 0689-98-4402, 0699-08-2470, 0689-87-9987 and 0699-18-3059.		
Recommended Motion and/or Requested Action: Consider adoption of Ordinance (2020) 4067		
Detailed Notes: See attached vicinity map and staff report. The commercial / retail tracts will be on the west side of US 401 while the multi-family tracts will be on the east side. Separate, individual site plans will be submitted later for the shopping center and multi-family developments. A neighborhood meeting was required by ordinance and was held on March 26, 2020. Use restrictions and characteristics are voluntarily offered as zoning conditions. Staff recommends approval of CUD-Z 19-11 & finds CUP SB-19-04 in conformity with the UDO.		
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:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



**Town of Garner
Planning Department**

**Conditional Use Applications
CUP-SB-19-04 & CUD-Z-19-11**



Project: Rand Village
Applicant: Cambridge Properties, Inc
Owner: Cambridge-Garner, Inc & Joseph Rand Trust
Location: 7768 Fayetteville Rd.
Pin #: 0699080104, 0689984402, 0699082470, 0689879987, & 0699183059

Proposed Use: Commercial Development
Current Zoning: Service Business (SB) & Single-Family Residential (R-40)
Proposed Zoning: Service Business (SB) Conditional Use & Multi-Family (MF-2)
Acres: 54.61
Overlay: US 70/US 401 Overlay District

Planning Department Staff Report

TO: Mayor and Town Council Members

FROM: David Bamford, AICP; Planning Services Manager
Stacy Harper, AICP; Principal Planner

SUBJECT: *Conditional Use Rezoning # CUD-Z-19-11 and
Conditional Use Subdivision # CUP-SB-19-04, Rand Village*

DATE: July 21, 2020

I. PROJECT AT A GLANCE

Project Number(s): CUD-Z-19-11 Conditional Use Rezoning
CUP-SB-19-04 Conditional Use Site Plan

Applicant: Cambridge Properties Inc

Owners: Cambridge Properties Inc / Joseph Rand Revocable Trust

General Description -

Project Area & Location: 54.5 +/- acres located on both sides of US 401, north of its intersection with Ten Ten Rd

Wake Count PIN(s): 0699-08-0104, 0689-98-4402, 0699-08-2470, 0689-87-9987, 0699-18-3059

Current Zoning: Single-Family Residential (R-40) and Service Business Conditional Use (SB C197)

Requested Zoning: Service Business Conditional Use (SB C224) and Multi-Family 2 Conditional Use (MF-2 C224)

Proposed Use(s): Retail shopping center and multi-family

Key Meeting Dates:

Planning Commission: June 15, 2020

Public Hearing & Action: July 21, 2020

II. BACKGROUND / REQUEST SUMMARY

The rezoning (CUD-Z-19-11) and associated subdivision plan (CUP-SB-19-04) applications have been submitted to rezone and subdivide approximately 54.5-acres into commercial retail and multi-family tracts for development. The commercial / retail tracts will be on the west side of US 401, approximately 26.6 acres (currently zoned Service Business SB C197). The multi-family tracts will be on the east side, approximately 27.9 acres (currently zoned Single-Family Residential R-40). Separate, individual site plans will be submitted for the shopping center and multi-family developments.

The applicant is requesting to rezone the commercial portion from Service Business Conditional Use (SB C197) to Service Business Conditional Use (SB C224) and the residential portion from Single Family Residential (R-40) to Multi-Family 2 Conditional Use (MF-2 C224).



III. ZONING ANALYSIS

Existing: The 27.9-acres on the east side of US HWY 401 is **Single-Family Residential 40 (R-40)**. This district allows single-family lots of at least 40,000 square feet (0.91 acres). Under this zoning, the rezoning site could accommodate approximately 21 single-family lots (estimate subtracts 20% of the site area for streets and roads, and 10% for open space).

The following is a list of permitted uses in the R-40 District:

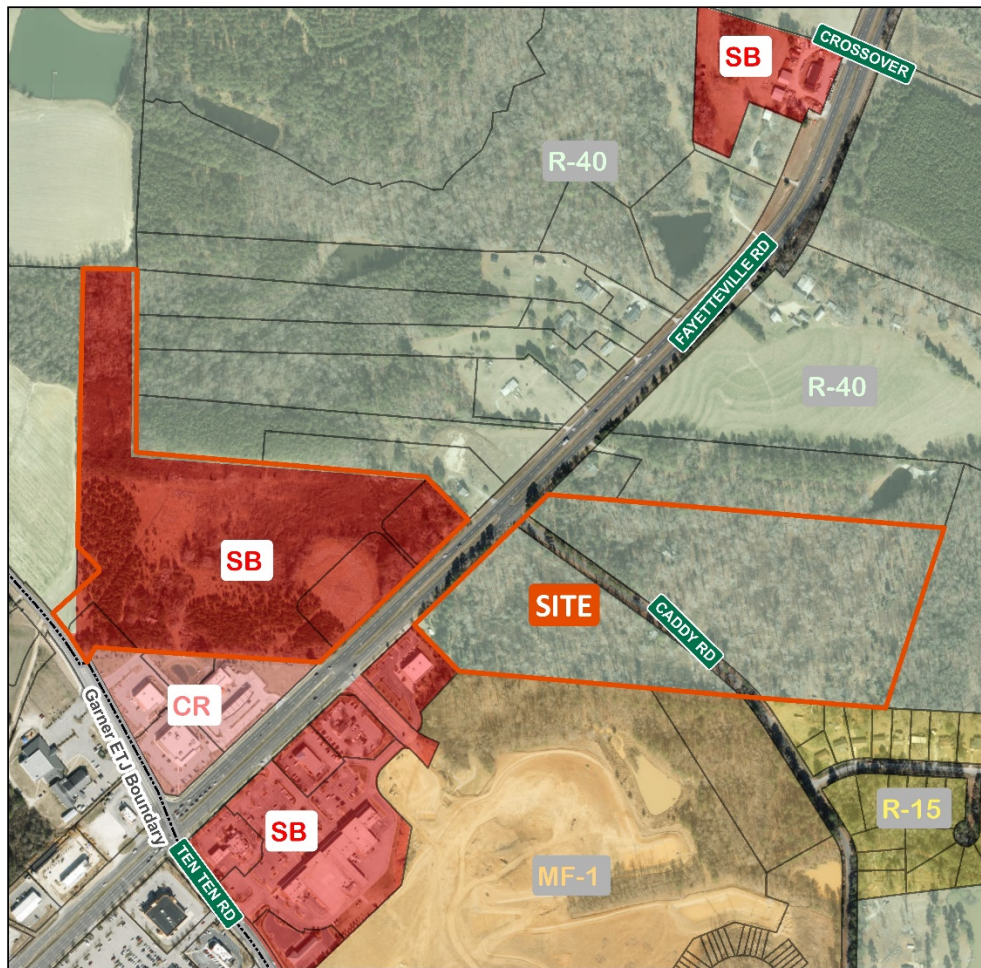
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|--|---|
| 1. Single-family site built and modular homes | 13. Cemetery |
| 2. Residential Cluster | 14. Public parks, swimming pools, tennis and golf courses |
| 3. Manufactured home | 15. Religious institutions |
| 4. Family Care home | 16. Minor utility—elevated water tank |
| 5. Group care home | 17. Solar farms |
| 6. Intermediate care home | 18. Telecommunications facility |
| 7. Community center | 19. Other major utility |
| 8. Lodges and fraternal clubs | 20. Private golf course or country club |
| 9. Child day care up to 3 as home occupation | 21. Horse stables |
| 10. Family child day care up to 8 in home | 22. Bed and breakfast |
| 11. School public or private | 23. Agriculture or silvi-culture |
| 12. Public safety facilities (fire, police, rescue, ambulance) | |

Existing: Approximately 26.8-acres on the west side of US HWY 401 are zoned **Service Business Conditional Use (SB 197)**. The SB zoning district has been established to accommodate commercial activities that are more intense in nature than those permitted in the Neighborhood Commercial (NC) or Community Retail (CR) districts. The SB general use district also allows for the storage of merchandise or equipment and allows operations to be conducted outside of a building. This SB C197 district was rezoned in 2017.

The following is a list of permitted uses for the Service Business Conditional Use (SB C197) district. All SB uses that are also allowed in the Community Retail district are permitted in addition to the 4 exclusive SB uses highlighted below.

- | | |
|---|--|
| 1. Community Center | 11. Ambulance, rescue squad, police, fire station |
| 2. Library, museum, art center | 12. Government office |
| 3. Other Community service | 13. Medical Clinic |
| 4. Civil, service fraternal club, lodges and similar uses | 14. Cemetery |
| 5. Adult Day Care | 15. Funeral home / crematorium |
| 6. Day Care Center | 16. Parks, swimming pools, tennis courts, golf courses |
| 7. Business School, college or university satellite | 17. Religious institutions |
| 8. College / university | 18. Minor utility, elevated water tank |
| 9. Trade / vocational schools | 19. Telecommunication facility |
| 10. Music / dance / art instruction | 20. Bars and nightclubs |

- | | |
|--|---|
| 21. Private golf or country club | through or walk up |
| 22. Private gym, spa, indoor tennis, pool | 36. Convenience store without fuel sales |
| 23. Indoor entertainment facility | 37. Convenience store with fuel sales |
| 24. Electronic gaming center | 38. Repair oriented use (indoor only) |
| 25. Movie Theater | 39. Personal service use (indoor operations) |
| 26. Bank, financial institution | 40. Barber shops / salons |
| 27. Medical office, individual | 41. Banks and financial institutions |
| 28. General office use | 42. Sales oriented use (indoor operations only) |
| 29. Bed and breakfast | 43. Veterinarian/kennel indoor |
| 30. Hotel and motels | 44. Self-service storage |
| 31. Commercial Parking | 45. Car wash |
| 32. Restaurant, curb or drive-in service | 46. Vehicle repair (storage restricted to rear of building, 30-day storage limit) |
| 33. Restaurant, indoor with seating only | 47. Vehicle service-limited |
| 34. Restaurant, indoor with drive-through window | |
| 35. Restaurant, take out only, drive- | |



Proposed: The proposed zoning of the western 26.68-acre tract is **Service Business Conditional Use (SB C224)**. The SB zoning district has been established to accommodate commercial activities that are more intense in nature than those permitted in the Neighborhood Commercial (NC) or Community Retail (CR) districts. The SB general use district also allows for the storage of merchandise or equipment and allows operations to be conducted outside of a building.

The following is a list of permitted uses in the SB district:

1. Security or caretaker's quarters
2. Community Center
3. Library, museum, art center
4. Other Community service
5. Civil, service fraternal club, lodges and similar uses
6. Adult Day Care
7. Day Care Center
8. Business School, college or university satellite
9. College / university
10. Trade / vocational schools
11. Music / dance / art instruction
12. Ambulance, rescue squad, police, fire station
13. Government, utility with outdoor storage
14. Government office
15. Medical Clinic
16. Cemetery
17. Funeral home / crematorium
18. Parks, swimming pools, tennis courts, golf courses
19. Bus passenger terminals
20. Taxi or limo operations/facility
21. Religious institutions
22. Minor utility, elevated water tank
23. Telecommunication facility
24. Other major utility
25. Bars and nightclubs (prohibited within 500 feet of residential use/zoning)
26. Private golf or country club
27. Private gym, spa, indoor tennis, pool
28. Indoor entertainment facility
29. Electronic gaming center
30. Outdoor entertainment facility, private athletic
31. Sexually oriented business (prohibited within 1,000 feet of residential use/zoning)
32. Movie Theater
33. Drive-in Theaters
34. Water-slides, golf driving ranges, miniature golf, batting cages or similar uses
35. Bank, financial institution
36. Medical office, individual
37. General office use
38. Bed and breakfast
39. Extended stay facility (prohibited within 500 feet of residential use/zoning)
40. Hotel and motels
41. Commercial Parking
42. Restaurant, curb or drive-in service
43. Restaurant, indoor with seating only
44. Restaurant, indoor with drive-through window
45. Restaurant, take out only, drive-through or walk up
46. Convenience store without fuel sales
47. Convenience store with fuel sales
48. Open air market
49. Repair oriented use (indoor only)
50. Personal service use (indoor operations)
51. Barber shops / salons
52. Sales oriented use (indoor operations only)-including grocery stores
53. Sales oriented use (outdoor operations)
54. Veterinarian/kennel indoor

- 55. Veterinarian/kennel outdoor (prohibited within 500 feet of residential use/zoning)
- 56. Self-service storage
- 57. Car wash (prohibited within 500 feet of residential use/zoning)

- 58. Vehicle repair (storage restricted to rear of building, 30-day storage limit)
- 59. Vehicle sales and rental (storage restricted to rear of building)
- 60. Vehicle service-limited

Proposed: The proposed zoning of the eastern 27.9-acre site is **Multi-Family Residential Conditional Use (MF-2 C224)**. The MF-2 district is designed to create and maintain higher density residential neighborhoods composed primarily of multifamily dwellings. For MF-2 zoning districts emphasis shall be given to the location of the proposed district to adjoining developed property to ensure that such district is carefully located and achieves a satisfactory relationship with surrounding properties. Use restrictions are proposed as part of this request.

The following is a list of generally permitted uses in the MF-2 District, but will only be conditionally permitted as noted in the proposed conditions following this list:

- | | |
|--|---|
| <ul style="list-style-type: none"> 1. Residential Cluster 2. Two-Family Dwelling 3. Townhouse 4. Condominium 5. Multifamily (triplex and higher, including apartment) 6. Family Care Home 7. Group Care Home 8. Intermediate Care Home 9. Community Center (SUP) 10. Other Community Service (SUP) 11. Child Day Care (up to 3 as home occupation) 12. School, Public or Private (SUP) | <ul style="list-style-type: none"> 13. Ambulance Service, Police or Fire Station (SUP) 14. Continuing Care, Retirement Facility (SUP) 15. Hospice 16. Cemetery 17. Public Park, Swimming Pool, Tennis Court, Golf Course (SUP) 18. Religious Institution 19. Minor Utility, Elevated Water Storage Tank 20. Golf Course or Country Club, Private (SUP) 21. Bed and Breakfast (SUP) |
|--|---|

The applicant has proposed the following permissible uses for the proposed C224 (SB and MF-2) district.

- 1. Permitted use table for the Service Business base zoning portion (selected from preceding generally permitted use list):

Use Category	Specific Use	MF-2	SB
Household Living	Townhouse	P*	
	Condominium	P*	
	Multifamily (triplex and higher, including apartment)	P*	
	Residential Cluster	P*	
	Two-Family Dwelling	P*	

Group Living	Family Care Home	P*	
	Group Care Home	P*	
	Intermediate Care Home	P*	
Community Service	Community Center	SUP	
	Other community service	SUP	SUP
	Library, art center, museum		P
	Civil, service, fraternal clubs, lodges, similar uses		SUP
Day Care	Child Day Care up to 3 as home occupation	P*	
	Day Care Center		P*
Educational Facilities and Services	School, public or private	SUP	
	Music, dance, art instruction		P
	Business School, college or university satellite		P
	College / university		P
	Trade / vocational schools		SUP
Government Facilities	Government Office		SUP
Health Care	Continuing care / retirement facility	SUP	
	Hospice	P	
	Medical clinic		P
Religious Institutions	Religious Institutions	P*	P*
Funeral Home	Funeral Home / crematorium		P
Parks and Open Space	Parks, swimming pools, tennis courts, golf courses	SUP	SUP
Passenger Terminal	Bus passenger terminals		SUP
Utilities	Minor utility, elevated water tank	P*	
	Telecommunications facility		SUP
	Other major utility		SUP
Entertainment	Private golf or country club	SUP	SUP
	Gym, spa, indoor tennis court, private pool		P
	Indoor entertainment facility		P*
	Electronic gaming center		P*
	Outdoor athletic / entertainment facility		SUP
	Theater		P
	Water slides, Golf driving range, miniature golf, batting cages and similar uses		SUP
Office	Medical office - individual		P
	Other office		P
Overnight Accommodations	Bed and breakfast	SUP	
	Extended stay facility		SUP
	Hotels and motels		SUP
Commercial Parking			SUP

Retail Sales and Service	Personal service-oriented uses		P*
	Repair oriented use (no outdoor operations)		P
	Sales oriented use (outdoor operations) – including accessory fuel sales with no convenience store		P
	Sales oriented use (indoor operations) -including grocery store		P
	Banks and financial institutions		P
	Convenience store without fuel sales		P
	Convenience store with fuel sales		P
	Veterinarian / kennel indoor only		P
	Open air market		P
	Hair solons / barber shops		P
Restaurants	Restaurants, indoor seating only		P
	Restaurant, indoor seating with drive-thru		P
	Restaurant take out only, walk up or drive thru		P
	Restaurants, curb or drive-in		P
Self Service Storage			SUP
Vehicle Sales and Service	Car wash		P*
	Vehicle general repair		P*
	Vehicle sales and rental		P*
	Vehicle service limited		P*
Light Industrial	Flex Space		P*
	Industrial Use Indoor		P*
Wholesale sales			P*
Manufacturing and Production	Indoor only		P*

2. In the SB District: Exterior building materials shall consist of a combination of masonry brick product and masonry CMU product (Masonry) in up to two (2) different brick product colors for architectural articulation, EIFS, metal panels, stucco or cementitious fiberboard, provided, however, that the elevations of all exterior walls, excluding windows and doors, shall have a minimum of fifty percent (50%) Masonry. Cast in place concrete may be used as required in loading dock areas and may also be used as partial foundation stem walls at the base of exterior walls due to grades.
3. In the SB District: All buildings will use Masonry consistent with one or both of two Masonry brick product colors in order to provide architectural uniformity.
4. In the SB District: The percentage of Masonry used on different sides of buildings may vary above or below the fifty percent (50%) minimum, subject to approval by the Town Planning Director, to allow the use of more Masonry on exterior customer and public roadway facing elevations.
5. In the SB District: Building elevations facing a public right-of-way or customer parking shall have no more than thirty-five percent (35%) EIFS materials.
6. In the SB District: Anchor tenant buildings (Parcel 1) shall be no more than forty feet (40') in height, except where required to screen HVAC rooftop units, as measured from the finished

- floor elevation for such building. Outparcel buildings (Parcels 2-5) shall be no more than thirty-five feet (35') in height as measured from the finished floor elevation for such buildings.
7. In the MF-2 District: An amenity center with a pool shall be incorporated within a multi-family development in the Multi-Family-2 Zoning District if the total multi-family dwelling units within either Parcel 1 or Parcel 2 exceed two hundred fifty (250). If the cumulative number of multi-family dwelling units within both Parcel 1 and Parcel 2 exceed two hundred fifty (250) together, then an amenity center with a pool shall be incorporated within either Parcel 1 or Parcel 2.
 8. In the MF-2 District: A dog park, including a pet play area, shall be included if the total multi-family dwelling units exceed two hundred fifty (250).
 9. In the MF-2 District: No Blank Wall exceeding thirty feet (30') in width will be allowed on any multi-family building larger than 1,500 square feet. Blank Wall is a building elevation that contains no windows and no design or material articulation.
 10. In the MF-2 District: Exterior building materials shall consist of a combination of masonry brick product and/ or masonry stone product (Masonry), with up to two (2) different brick product colors for architectural articulation, EIFS, stucco or cementitious fiberboard, provided, however, that the elevations of all exterior walls, excluding windows, doors and recessed balconies, shall have a minimum of fifty percent (50%) Masonry.
 11. In the MF-2 District: All buildings will use Masonry with one or both of two brick product colors in order to provide architectural uniformity.
 12. In the MF-2 District: Building elevations facing a public right-of-way or customer parking shall have no more than thirty-five percent (35%) EIFS materials.
 13. In the MF-2 District: Roofs on walkways that extend from the front or side elevations of residential buildings shall be constructed of standing seam metal. Doors and windows shall use colors and materials complimentary to the exterior building materials and roofing materials. Pitched roofs on residential buildings shall be constructed with dimensional asphalt shingles and/or standing seam metal.
 14. The following exterior building materials shall be prohibited in all zoning districts:
 - Vinyl siding
 15. Public Street Lighting: All zoning districts in this rezoning shall use similar light poles and light fixtures for all public street lighting.
 16. Public street Landscaping: All zoning districts in this rezoning shall use similar streetscape materials for all public street streetscape landscaping.
 17. All site lighting for parking and private internal drives shall be installed on round, black poles at a height no greater than thirty-seven feet (37') above the ground within the SB-CU Zoning District and twenty-five feet (25') above the ground within the MF-2-CU Zoning District.

Overlay Districts: This property falls within the **US 70/401 Thoroughfare Overlay District**. This overlay district has additional development standards and use restrictions for properties with frontage along these 2 corridors. The overlay is explained in Article 4.11 of the *Unified Development Ordinance*. There are several uses that are prohibited or restricted within the overlay district.

Prohibited uses: None of the prohibited overlay district uses are included in the proposed use list provided above.

Prohibited Overlay uses adjacent to or within 150 feet of existing residential uses: The following may be expressly included in whole or in part in the proposed use list provided above and are prohibited as noted unless more stringently prohibited by the base zone.

- a. Hotel/motels
- b. Pool halls/bowling alleys only
- c. Bars/night clubs/ABC-permitted private clubs

Restricted Overlay uses with additional standards (site layout, screening): The following may be expressly included in whole or in part in the proposed use list provided above and are restricted by additional standards unless more stringent standards are already required by the base zone or they are not permitted by the proposed use list provided above.

- a. Uses with outdoor storage, display, or goods for sale
- b. Manufactured home sales lots
- c. Motor vehicle sales lots
- d. Automobile service centers
- e. Automobile repair and body shops
- f. Veterinarians or kennels
- g. Truck terminals
- h. Car washes

Adjacent Zoning and Land Use:

North:	R-40	Single-family
South:	CR	Commercial / retail
East:	R-40	Forestry / undeveloped
West:	R-40	Agriculture / Single-family



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

Case	Applicant	Location	Zoning Change
CUD-Z-89-02	Curtis Buffaloe	US 401 / Ten Ten Rd.	R-40 to SB C-27
CUD-Z-99-08	Finch / Boney Assoc.	US 401 / Ten Ten Rd.	SB C-27 to SB C-93
CUD-Z-99-10	JSC Centers, LLC	US 401 / Ten Ten Rd.	SB C-27 to SB C-94
CUD-Z-03-03	George & Carolyn Armstrong	US 401 / Ten Ten Rd.	SB C-27 to SB C-94
CUD-Z-05-03	Dealership, LLC	US 401 / Ten Ten Rd.	Wake County HD to SB C-132
CUD-Z-11-01	Mitchener Properties, LLC	US 401 / Ten Ten Rd.	Wake County R-40W to CR C-161
Z-15-02	McCuller’s Walk	Ten Ten Road	SB, R-9 to MF-1
Z-17-01	Town of Garner	ETJ Expansion US 401	Wake County R-30 to Town of Garner R-40, R-20
CUD-Z-17-04	Joseph Rand	Rezoning Site (west side)	R-40 to SB C197

IV. COMMUNITY INFORMATION

Overall Neighborhood Character: 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, the majority of uses are high-intense commercial, retail operations with outdoor storage. The area around the intersection of Ten Ten Road and Fayetteville Road contains a mix of high density residential and retail sales and service.

Traffic: The project will have about 800 feet of frontage on each side of Fayetteville Rd (US HWY 401) and roughly 230 feet of frontage along Ten Ten Road. The NCDOT average daily traffic count history in this area is as follows:

The NCDOT average daily traffic count history on Fayetteville Road (US 401) is as follows:

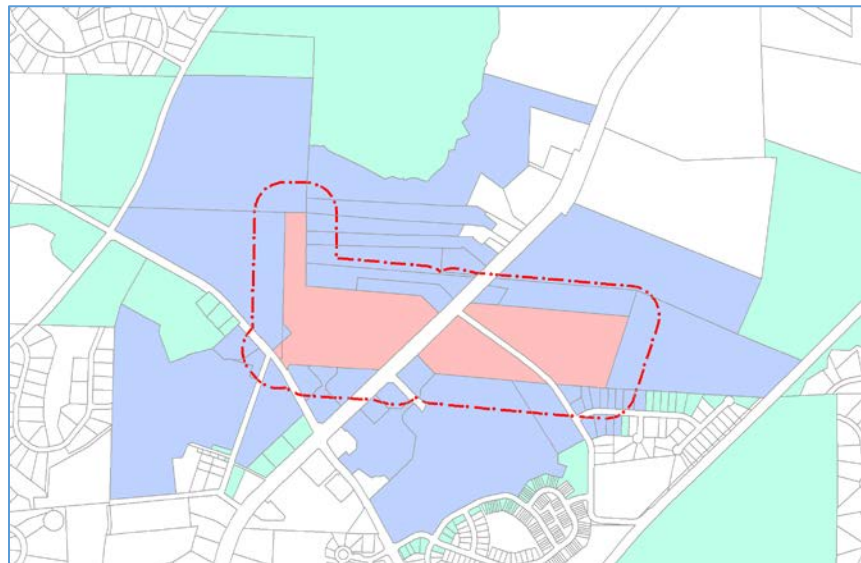
- Year 2007 – 33,000
- Year 2009 – 31,000
- Year 2011 – 31,000
- Year 2013 – 33,000
- Year 2015 – 33,000
- Year 2017 – 32,000

The NCDOT average daily traffic count history on Ten Ten Road is as follows:

- Year 2007 – 15,000
- Year 2009 – 15,000
- Year 2011 – 15,000
- Year 2013 – 16,000
- Year 2015 – 17,000
- Year 2017 – 18,000

Neighborhood Meeting: Staff identified 117 properties (70 after removing exact duplicates) within the notification radius as shown at right and provided the list below to the applicant for first class mailed notices. As of the time of the meeting, three (3) notices had been returned as undeliverable.

Red area = development parcels
 Red line = 300' buffer
 Dk. Blue area = parcels w/in 300'
 Lt. Blue area = parcels +1 rule



The neighborhood meeting was held at Calvary Baptist Church (7900 Ten Ten Road) on March 26, 2020 with no neighbors (0) in attendance. Because there were no attendees, the applicant sent out a follow-up letter, dated April 16, 2020, to the original notification list to invite calls and questions about the project and also offered the options for audio or video conferencing.

OWNER	ADDR1	ADDR2
SORRELL, CHARLES RAY SORRELL, JO ANN N	10029 FANNY BROWN RD	RALEIGH NC 27603-9017
SHAAK, DAVID A SHAAK, SUZETTE D	108 TOWNPARK DR NW	KENNESAW GA 30144-5508
SATYAVOLU, SRIRAM KIRAN ELAPAKURTHI, VENKATA P	1125 COZY OAK AVE	CARY NC 27519-8900
BABINGTON, CHARLES BLUE SKY SERVICES DEVELOPMENT LLC	119 SW MAYNARD RD	CARY NC 27511-4472
BOOKER, JEREMY L BOOKER, KRISTI G	127 INDIGO DUSK WAY	RALEIGH NC 27603-5442
MELINGER, MICHELLE NICKEL, JUSTIN	128 INDIGO DUSK WAY	RALEIGH NC 27603-5442
SAMANIEGO, SHIRA B SAMANIEGO, ANDRES	148 MISTY PIKE DR	RALEIGH NC 27603-5443
GREEN, ALEXANDER WESTON GREEN, GRACE	160 MISTY PIKE DR	RALEIGH NC 27603-5443
GREENSPAN, ROBYN DENA	164 MISTY PIKE DR	RALEIGH NC 27603-5443
ISRAELSON, ALEKSANDRA ISRAELSON, GARY ALLAN	168 MISTY PIKE DR	RALEIGH NC 27603-5443
ANDREWS, KAREN DENISE	172 MISTY PIKE DR	RALEIGH NC 27603-5443
KAJOGO, KARIMI	180 MISTY PIKE DR	RALEIGH NC 27603-5443
PATRICK, RICHARD PATRICK, TRICIA	1801 FOXBROOK DR	RALEIGH NC 27603-5165
HUNT, MARION RAND TRUSTEE ROWLAND, TARA BETH TRUSTEE	1916 CARRINGTON DR	RALEIGH NC 27615-3713
WILLIAMS, MELVIN LEE HARDIN, HALEY A	192 MISTY PIKE DR	RALEIGH NC 27603-5443
KING, BRIDGETTE	196 MISTY PIKE DR	RALEIGH NC 27603-5443
GEOHAGAN, RODNEY E	2000 MOUNTAIN LAUREL DR	CLAYTON NC 27527-8703
MCCULLERS CROSSING II LLC	2709 THORNGROVE CT	FAYETTEVILLE NC 28303-2971

OWNER	ADDR1	ADDR2
ZHAVI, ROM TRUSTEE ZHAVI, RONIT TRUSTEE	2800 DRAY CT	RALEIGH NC 27613-7287
TEN TEN WEH LP	2900 LINDEN LN STE 300	SILVER SPRING MD 20910-1265
MONRO, INC	299 HOLLEDER PKWY	ROCHESTER NY 14615-3809
HOLIDAY, LUCY	3004 FIELDS DR	RALEIGH NC 27603-5414
HICKS, CYNTHIA ROSE	3008 FIELDS DR	RALEIGH NC 27603-5414
WILKINS-LEWIS, SYLVIA	3012 FIELDS DR	RALEIGH NC 27603-5414
LAKESIDE ESTATES HOMEOWNERS ASSOC	3016 FIELDS DR	RALEIGH NC 27603-5414
LOCKLEAR, LYNN	3020 FIELDS DR	RALEIGH NC 27603-5414
COLLINS, ANNIE RUTH	3100 FIELDS DR	RALEIGH NC 27603-5416
RICHARDSON, DEBORAH L	3108 FIELDS DR	RALEIGH NC 27603-5416
MILES, HERBERT L	3116 FIELDS DR	RALEIGH NC 27603-5416
WILLIAMS, MARVIN WILLIAMS, DOROTHY N	3120 FIELDS DR	RALEIGH NC 27603-5416
GARRETT, JIMMY	3124 FIELDS DR	RALEIGH NC 27603-5416
HARRIS, MARSHALL RAY HARRIS, ROSA T	3128 FIELDS DR	RALEIGH NC 27603-5416
BCORE MF VILLAGES LLC	345 PARK AVE FL 42	NEW YORK NY 10154-0039
MCCULLERS BRANCH, LLC	3708B GELDER DR	RALEIGH NC 27603-5608
BUFFALOE, JAMES ATLAS JR	3901 SUMMER BROOK DR	APEX NC 27539-5704
SORRELL, BEVERLY ANN SORRELL, C RAY	4717 SHADY GREENS DR	FUQUAY VARINA NC 27526-8486
BUFFALOE, JULIAN LAWRENCE BUFFALOE, BRENDA MARION	4824 FAYETTEVILLE RD	RALEIGH NC 27603-3672
LORVIS LLC	501 W WILLIAMS ST UNIT 1327	APEX NC 27502-0020
BOWLING, JAMES CARY	5517 PINE DR	RALEIGH NC 27606-8943
JARVIS JOHNSON HOLDINGS LLC	5622 OLD STAGE RD	RALEIGH NC 27603-4718
NVR INC	5734 TRINITY RD STE 200	RALEIGH NC 27607-4163
KNIGHT, O'RESE JOSHUA	59 TIMBER CREEK PATH	CHAPEL HILL NC 27517-9048
CUFFEE, SHARON	600 STEEDMONT DR	HOLLY SPRINGS NC 27540-9476
HUTCHINS, EDWIN H HUTCHINS, EDWIN H TRUSTEE	7112 EASTOVER DR	RALEIGH NC 27603-5218
ROMAN CATHOLIC DIOCESE OF RALEIGH	7200 STONEHENGE DR	RALEIGH NC 27613-1622
THE BETTY T MATTHEWS REVOCABLE TRUST	7408 FAYETTEVILLE RD	RALEIGH NC 27603-5424
STEPHENSON, PAUL K JR	7524 FAYETTEVILLE RD	RALEIGH NC 27603-5426
FOSTER, JOHN LOUIS FOSTER, WILLIAM BARRY	7532 FAYETTEVILLE RD	RALEIGH NC 27603-5426
AREPS LLC	7600 LAKE WHEELER RD	RALEIGH NC 27603-5132
SORRELL, JAMES HAROLD	7612 FAYETTEVILLE RD	RALEIGH NC 27603-5428
JDS FARMS LLC	7625 LAKE WHEELER RD	RALEIGH NC 27603-5131
BOWLING, JAMES CARY	7630 TEN TEN RD	RALEIGH NC 27603-8850
MATTHEWS, DAN ANDREW	7801 LAKE WHEELER RD	RALEIGH NC 27603-5135
RODRIGUEZ, JOSE S RODRIGUEZ, LYDIA G	7804 CRESTWOOD DR	RALEIGH NC 27603-5412
CALVARY BAPTIST CHURCH OF RALEIGH INC	7900 TEN TEN RD	RALEIGH NC 27603-8856
CUMMINGS, BARBARA S KING, ROYAL MARK DAVID	7925 LAKE WHEELER RD	RALEIGH NC 27603-5137
CAMBRIDGE-FV LLC	831 E MOREHEAD ST STE 245	CHARLOTTE NC 28202-2773

OWNER	ADDR1	ADDR2
CARLISLE, JACK J CARLISLE, JEANETTE H	8620 RIVER RD	WILMINGTON NC 28412-3334
SANDY, BILLY L CLOWERS, EVELYN S	9121 RANSELL RD	RALEIGH NC 27603-8911
SPLASH CARWASH, LLC	92 CORNERSTONE DR STE 129	CARY NC 27519-8404
BUFFALOE, JEFFREY SCOTT BUFFALOE, JAMES ATLAS JR	933 RAND RD	GARNER NC 27529-9046
BRITT, BRENDA STEPHENSON	PO BOX 114	MORRISVILLE NC 27560-0114
GARNER ECONOMIC DEVELOPMENT CORPORATION	PO BOX 1956	GARNER NC 27529-1956
BNE RESTAURANT GROUP II LLC	PO BOX 2629	ADDISON TX 75001-2629
J DAVID HOLDINGS LLC	PO BOX 27448	RALEIGH NC 27611-7448
UTICA ASSETS LLC	PO BOX 305	RENO OH 45773-0305
HDP TRILOGY LLC	PO BOX 311	MIDLAND NC 28107-0311
EDEN SERVICES LLC	PO BOX 40067	RALEIGH NC 27629-0067
EXCHANGERIGHT NET LEASED PORTFOLIO 8 DST	PO BOX 60308	PASADENA CA 91116-6308
UTICA ASSETS LLC	PO BOX 901	DEERFIELD IL 60015-0901

The meeting was hosted by:

- Mr. Barrett Blackburn, Cambridge Properties; and
- Mr. Jay Priestler, Cambridge Properties

Questions and answers are listed below.

1. Jay Priestler received one phone call from an adjacent property owner the morning of March 26, 2020. The caller introduced himself as Avery Geohagan, stating he was an investor and owned a rental property directly behind the Petitioner’s property on Fields Drive. Mr. Geohagan said he was supportive and excited about the proposed plans and felt that it would increase real estate values in the area. Mr. Geohagan said that he was not planning to attend the neighborhood meeting that afternoon, as he felt his questions had been answered. Jay Priestler thanked Mr. Geohagan and offered to meet or have another phone call should he have any further questions.

V. CONSISTENCY WITH THE COMPREHENSIVE PLAN

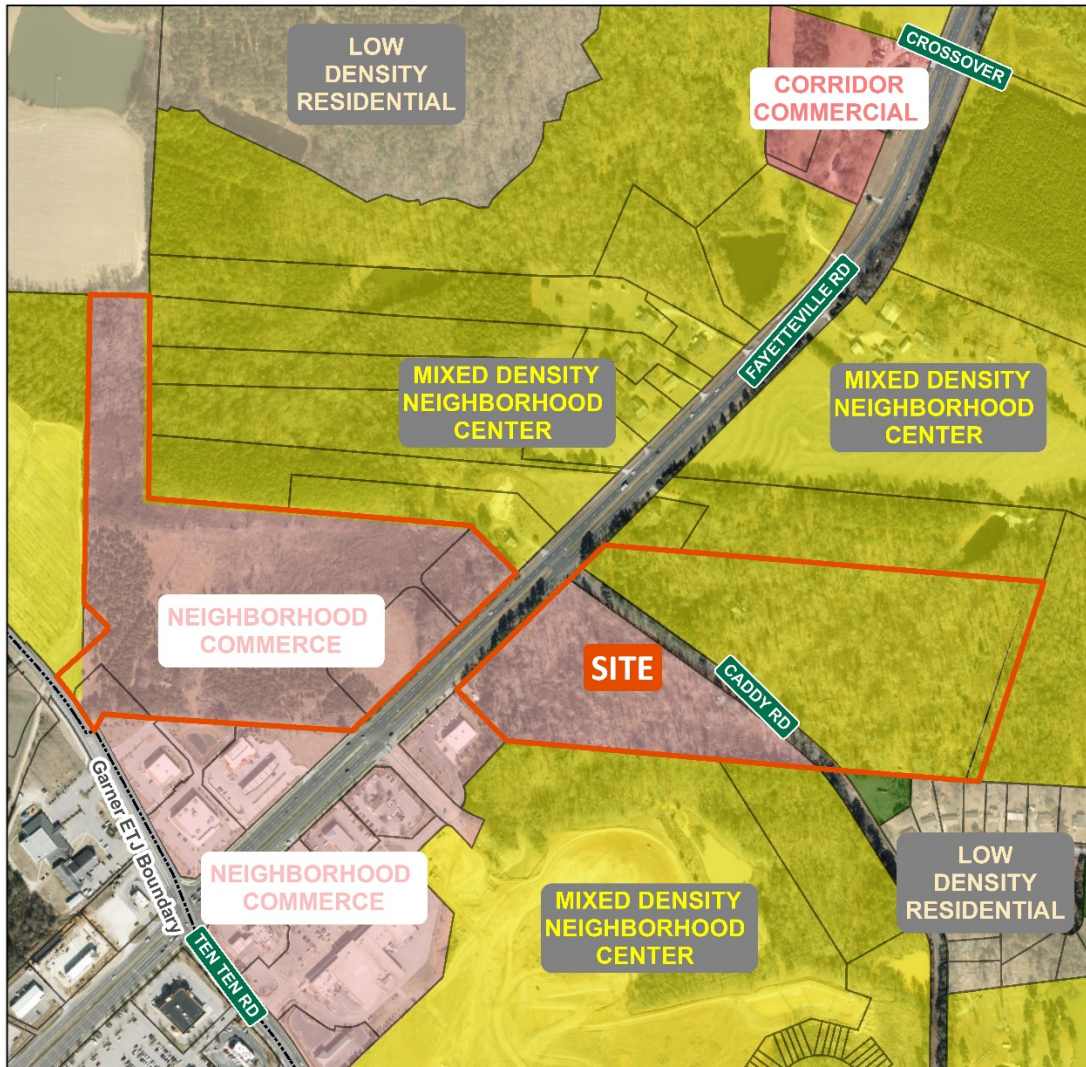
2018 Garner Forward Plan: In addition to land use, the 2018 *Garner Forward Comprehensive Plan* also provides guidance on keeping the Town’s character, living spaces, working places, recreation opportunities and transportation. Applicable sections are analyzed in the following paragraphs.

Land Use:

On the Future Land Use map (below), approximately 36.28-acres of this rezoning site is designated as **Neighborhood Commerce Center (NCC)**. Generally located at the intersection of collectors, highways, and arterials, the NCC category emphasizes smaller commercial centers that are within close walking proximity (1/4-mile to ½-mile) of residential uses. Typical mix of uses would include retail sales, service, convenience stores, restaurants, or

office uses. Uses with outdoor storage and outdoor sales display areas should be discouraged. Some rare exceptions for outdoor operations that would be appropriate may include neighborhood garden centers or agriculture sales stands that are small-scale and compatible with the surrounding land uses.

Approximately 18.32-acres are designated as **Mixed Density Neighborhood Center (MDNC)**. The Mixed-Density Neighborhood Center may include a mix of residential densities (MDR, HDR, MFR) with incidental commercial uses integrated within a community and can be adjacent to the Town Center category (TNC).



Working Places:

The guiding principles and recommendations for commercial development and working spaces are found on pages 69 – 74. Staff finds this commercial rezoning request to SB C224 in support of the following:

1. Attract Unique Commercial Establishments (Page 68). This rezoning could provide a unique mix of retail / service uses together in one convenient location for Garner residents.
2. Don't wait for lightning to strike - proactively seek out the companies and businesses people want to see more of in Garner, e.g., restaurants, industrial (Page 69). This rezoning could provide for new restaurants and other eating options for residents living in this area of Garner.
3. Ensure that existing regulations allow new kinds of hybrid office, retail, industrial, and even housing combinations in commercial areas of town (practice/ policy 69). This rezoning and proposed development could support this goal of mixing and combining different compatible uses, specifically commercial, retail, service, office, and multi-family.

Living Spaces:

The guiding principles and recommendations for living spaces and housing are found on pages 63 – 68. Staff finds this MF-2 C224 request in support of the following:

1. “The younger and older residents – ‘Millennials’ and ‘Boomers’ respectively – share many of the same desires in a living space: proximity to shopping and services; an appreciation for greenways; and fun places to gather” (p. 63). This zone provides a dog park and an amenity center and pool for multi-family development over 250 residential units. This multi-family zone would also be in close proximity to shopping and restaurants at Ten Ten Rd and US HWY 401.
2. “Promote multi-family housing in select areas” (p. 65). This zone will allow multi-family in an appropriate area where high density development has already occurred to the south at McCullers (at Ten Ten Rd).

Recreation Opportunities:

The guiding principles and recommendations for recreation opportunities are found on pages 76 - 82. Staff finds this MF-2 C224 request in support of the following:

1. “Parks play a vital role in neighborhood life, providing a place for children to play and residents to meet.” (p. 76). Parks can be public or private, and this zone provides for amenities including a dog park, an amenity center, and swimming pool for multi-family development over 250 residential units.

Zoning Consistency Statement: The requested zoning from Single-Family Residential (R-40) and Service Business Conditional Use District 197 (SB C197) to Service Business Conditional Use District 224 (SB C224) and Multi-Family 2 Conditional Use District (MF-2 C224) is partially consistent with the 2018 *Garner Forward Comprehensive Plan*. It is consistent with the Plan’s guiding principles and recommendations of the Working Spaces, Living Spaces, and Recreational Opportunities sections of the plan and with the surrounding zonings which include Community Retail (CR), Service Business (SB) and Multi-Family 1 (MF-1) zoning districts; however the 9.58-acre area on the east side of US HWY 401 and south of Caddy Road where the proposed Multi-Family zoning would go is not consistent with the Future

Land Use Map. Therefore, this rezoning will require an amendment to the Future Land Use Map to designate this 9.58-acre area from Neighborhood Commerce Center (NCC) to Mixed Density Neighborhood Center (MDNC).

VI. SUBDIVISION PLAN PROJECT DATA

Acreage: 54.50 acres

Minimum Lot Size: Service Business: 6,000 square feet
Multi-Family 2: 5,000 square feet for the first lot and 3,000 square feet for every subsequent lot

Setbacks: Service Business

Front – 35'

Rear – 0'/25'*

Side – 0'/25'*

Corner Side – 35'

*0' when against non-residential, 25' when against residential

Multi-Family 2

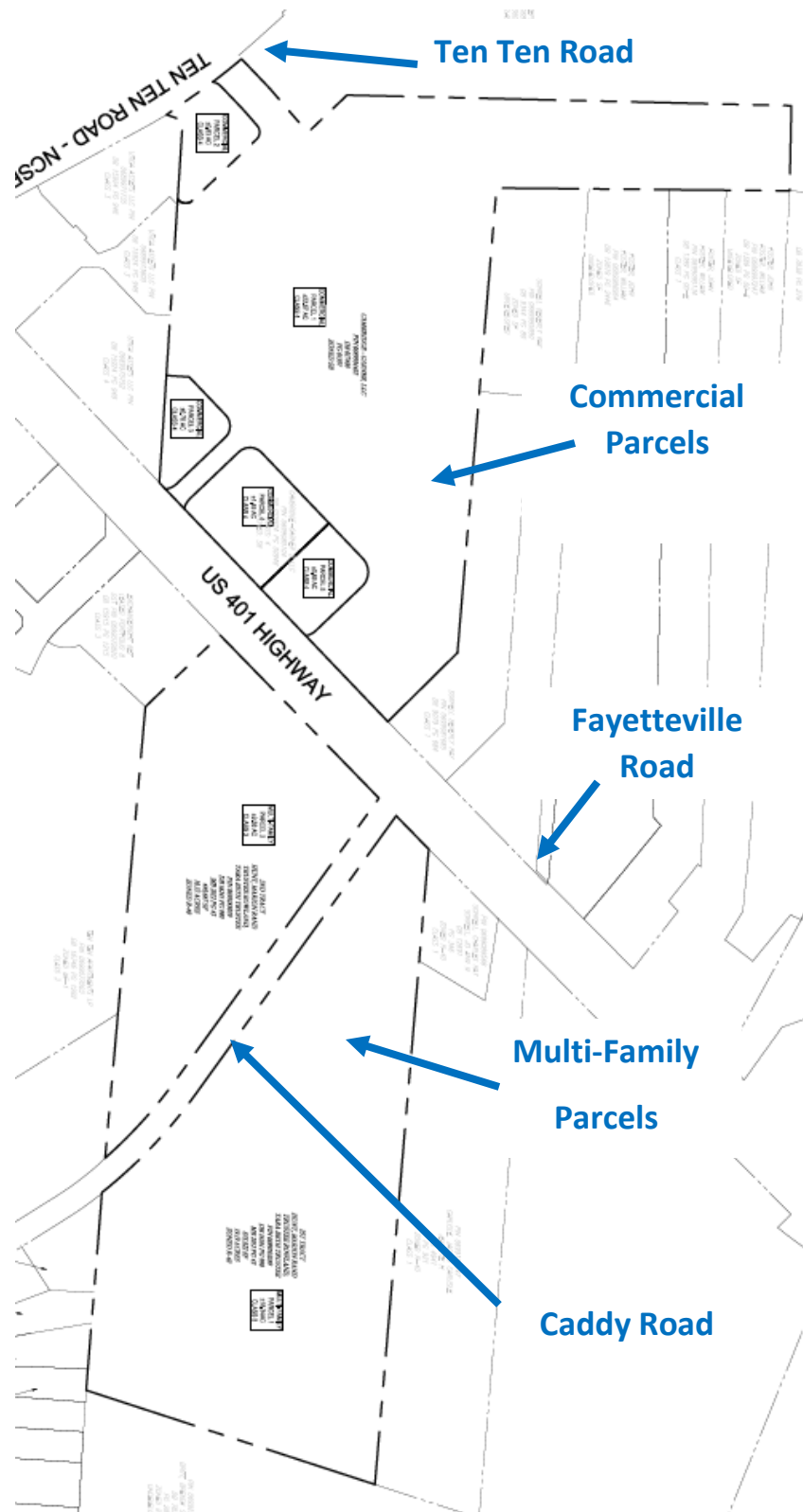
Front – 35'

Rear – 25'

Side – 15'

Corner Side – 25'

Subdivision Plan: This is a commercial subdivision only at this time. Site plans will need to be approved at a later date.



Landscape and Buffer Requirements:

Tree Cover: There is a requirement of 10% tree coverage. This requirement will be reviewed as each site plan comes in for review and approval.

Street Buffers: This project falls within the US70/401 Overlay District which has a requirement of a 7.5-foot street buffer. Trees will be placed every 40 feet along Fayetteville Road, Ten Ten Road and Caddy Road.

Perimeter Buffers: Perimeter buffers will be reviewed as each parcel is submitted for review and approval.

Environmental Features:

This site does not contain FEMA designated floodplain.



Fire Protection:

The Inspections Department has reviewed the plan for fire protection and given their approval.

Parking:

Parking will be evaluated at the time each site plan is reviewed.

Lighting:

Lighting for each parcel will be evaluated as each site is submitted for review and approval.

Infrastructure: **Water/Sewer** – The parcels will be connected to the City of Raleigh public water and sewer systems.



Stormwater Management: The parcels on each side of Fayetteville Road will be evaluated for stormwater during site plan review.

Frontage Improvements: Rand Village Subdivision consists of a commercial area near the northwest corner of Ten Ten Road and US401, and a residential section on the east side of US401 along Caddy Road. The proposed commercial development has approximately 220 linear feet of frontage on Ten Ten Road. Westbound Ten Ten will be widened and curb, gutter, and sidewalk will be installed. Additional right-of-way will be dedicated to accommodate the new road section. A new driveway into the site will be installed across from Chalice Lane. On westbound Ten Ten, a dedicated right turn lane will be provided for the site driveway. On eastbound Ten Ten, a dedicated left turn lane will provide access. The existing left turn lane off of eastbound Ten Ten into the adjacent property to the west will be removed. A traffic separator will restrict this existing driveway to right-in and right-out movements. The commercial development also has approximately 800 linear feet of frontage on southbound US401. This section of US401 will be widened

and curb, gutter, and sidewalk will be installed within the existing right-of-way. Two driveways will be provided into the site. A dedicated right turn lane from southbound US401 will be installed at each driveway. The residential section of this development has approximately 680 linear feet of frontage on northbound US401. This road section will be widened and curb, gutter, and sidewalk will be installed within the existing right-of-way. This development will not have direct access to US401. Access will be onto Caddy Road. A dedicated right turn lane from northbound US401 onto Caddy road will be installed. Caddy Road will be improved to a Town of Garner minor collector street. It will be widened and curb, gutter, and sidewalk will be installed. Additional right-of-way will be dedicated to accommodate the new road section.

Site Access: The commercial area will be accessed via drives on Fayetteville Road and Ten Ten Road. The multi-family portion will be accessed by Caddy Road via Fayetteville Road.

VII. SITE PLAN CONFORMITY WITH APPLICABLE ADOPTED TOWN PLANS AND POLICIES

2018 Garner Forward Transportation Plan:

The 2018 *Garner Forward Transportation Plan* recommends Fayetteville Road as a six-lane divided arterial, and Ten Ten Road as a four-lane divided facility. The Plan does not provide any recommendations for pedestrian or bicycle facilities. With the proposed roadway improvements this project may be considered consistent with the recommendations of the 2018 *Garner Forward Transportation Plan*.

Parks & Recreation, Open Space & Greenways Master Plan:

A review of the Parks and Recreation, Open Space and Greenways Master Plan revealed no plan recommendations in the project area; therefore, this project, as proposed, may be considered consistent with the Parks & Recreation, Open Space & Greenways Master Plan.

Unified Development Ordinance Regulations:

After sufficient review and plan revisions, staff finds that this project, as now proposed, may be considered consistent with the regulations of the Unified Development Ordinance so long as the following project specific conditions are met:

1. Construction Drawing submittal to the Engineering Department and City of Raleigh Public Utilities will be required.
2. All public road improvements (to include sidewalk, curb, gutter, road widening) on Ten Ten Road, southbound US401, and US401 median shall be completed prior to the first commercial (west side) certificate of occupancy being granted.

3. All public road improvements (to include sidewalk, curb, gutter, road widening) on northbound US401 shall be completed prior to the first residential certificate of occupancy being granted.
4. All public road improvements (to include sidewalk, curb, gutter, road widening) on the north side of Caddy Road shall be completed prior to the first residential certificate of occupancy being granted on the north side of Caddy Road.
5. All public road improvements (to include sidewalk, curb, gutter, road widening) on the south side of Caddy Road shall be completed prior to the first residential certificate of occupancy being granted on the south side of Caddy Road.

VIII. PLANNING COMMISSION NOTES AND RECOMMENDATION

The Planning Commission reviewed this request at their June 15, 2020 meeting. By a unanimous vote, the Planning Commission confirmed staff's findings in Section VII that CUP-SB-19-04, Rand Village, is in conformity with adopted town plans and policies. The Commission further accepted staff's statements regarding partial zoning consistency/ inconsistency with the Garner Forward Comprehensive Plan, being detailed in Section V of this report, as their own, and recommended approval of CUD-Z-19-11 to the Town Council by a unanimous vote.

Staff recommendations for rezoning request (CUD-Z-19-11) and subdivision plan (CUP-SB-19-04) conformity are highlighted in the motion worksheets on the following pages.

CUD-Z-19-11 – Rand Village

Rezoning Motion Worksheet

Choose one (1) of the following three (3) options: *(staff recommendation is highlighted below)*
If not accepting staff recommendation, please select your own finding from below options.

1. Find Consistent with the Comprehensive Plan and Approve:
2. Find Inconsistent with the Comprehensive Plan and Deny:

3. Find Partly Inconsistent with the Comprehensive Plan and Approve:

Please find the correlating motion option below to make your motion (number 1, 2 or 3):

1. Find Consistent with the Comprehensive Plan and Approve:

“I move that the Town Council accept staff’s statements regarding zoning consistency with the Garner Forward Comprehensive Plan, detailed in Section V of the staff report, as our own; and I therefore move further that the Town Council adopt Ordinance No. (2020) 4067 approving rezoning request CUD-Z-19-11 as it is reasonable and in the public interest because it will likely select as many reasons as appropriate from below list or provide your own reasoning”

- Allow appropriate types of business and industry at the described location which will provide opportunities for access to goods and/or services useful to the surrounding area.
- Allow development of retail sales, service, convenience stores, restaurants, or office uses as desired ends identified in the Future Land Use.
- Allow household living and supporting day care uses that are attractive to younger families with children as well as older residents looking to maintain private but smaller outdoor spaces.
- Allow the development of an appropriate density of housing in the area in which it is located.

2. Find Inconsistent with the Comprehensive Plan and Deny:

“I move that the Town Council find the rezoning request inconsistent with the Garner Forward Comprehensive Plan for the following reason(s): provide your reasoning and

therefore, I move further that the Town Council reject the recommendation of the Planning Commission and deny rezoning request number CUD Z 19-11.”

3. Find Partly Inconsistent with the Comprehensive Plan and Approve:

“I move that the Town Council find that although the rezoning request is partly inconsistent with the Garner Forward Comprehensive Plan as detailed in Section V of the staff report, it is reasonable and in the public interest because it will likely _____ *select as many reasons as appropriate from below list or provide your own reasoning* _____

- Allow appropriate types of business and industry at the described location which will provide opportunities for access to goods and/or services useful to the surrounding area.
- Allow development of retail sales, service, convenience stores, restaurants, or office uses as desired ends identified in the Future Land Use.
- Allow household living and supporting day care uses that are attractive to younger families with children as well as older residents looking to maintain private but smaller outdoor spaces.
- Allow the development of an appropriate density of housing in the area in which it is located.

and therefore, I move further that the Town Council adopt Ordinance No. (2020) 4067 approving rezoning request number CUD-Z-19-11, and in so doing, also amend the Town’s Comprehensive Growth Future Land Use Map to designate the conflicting 9.58-acre area on Caddy Road from Neighborhood Commerce Center (NCC) to Mixed Density Neighborhood Center (MDNC).”

CUP SB 19-04 Rand Village

Conditional Use Permit Motion Worksheet

Choose one (1) of the following two (2) options: *(staff recommendation is highlighted below) If not accepting staff recommendation, please select your own finding from below options.*

1. Find Consistent with Town plans and ordinances and Approve:

2. Find Inconsistent with Town plans and ordinances and Deny:

Please find the correlating motion option below to make your motion (number 1 or 2):

1. Find Consistent with Town plans and ordinances and Approve:

“I move that the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SB-19-04, Rand Village with the three standard conditions and nine (9) site-specific conditions 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, etc.:

2. Find Inconsistent with Town plans and ordinances and Deny:

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

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

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

and therefore, deny master plan Rand Village – CUP-SB-19-04.

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

ORDINANCE NO. (2020) 4067

AN ORDINANCE AMENDING THE TEXT OF THE GARNER UNIFIED DEVELOPMENT ORDINANCE TO CREATE A NEW CONDITIONAL USE ZONING DISTRICT AND TO AMEND THE OFFICIAL ZONING MAP TO APPLY THE NEW ZONING CLASSIFICATION

WHEREAS, The Town Council has received a petition requesting that a new conditional use zoning district be established and that this new district classification be applied to the applicant's property.

WHEREAS, the Town Council is authorized by the Town Charter to establish conditional use zoning districts:

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

Section 1. That the Official Zoning Map of the Town of Garner and Extraterritorial Jurisdiction be amended by changing the zoning classification of the property described below from its present zoning to that requested by Cambridge Properties, Inc in Rezoning Application No. CUD Z 19-11.

Section 2. There is hereby created a new conditional use zoning district, to be known as the Service Business Conditional Use District 224 (SB C224) and the Multi-Family 2 Conditional Use District 224 (MF-2 C224); within this district, all of the regulations that apply to property within the SB and MF-2 Conditional Use 224 district shall be applicable and that all other uses are prohibited except those that are listed as permissible shall require a conditional use permit. The conditions for the district are as follows:

1. Permitted use table for the Multifamily-2 and Service Business base zoning portions (selected from the generally permitted use list):

Use Category	Specific Use	MF-2	SB
Household Living	Townhouse	P*	
	Condominium	P*	
	Multifamily (triplex and higher, including apartment)	P*	
	Residential Cluster	P*	
	Two-Family Dwelling	P*	
Group Living	Family Care Home	P*	
	Group Care Home	P*	
	Intermediate Care Home	P*	
Community Service	Community Center	SUP	
	Other community service	SUP	SUP
	Library, art center, museum		P
	Civil, service, fraternal clubs, lodges, similar uses		SUP
Day Care	Child Day Care up to 3 as home occupation	P*	
	Day Care Center		P*
Educational Facilities and Services	School, public or private	SUP	
	Music, dance, art instruction		P
	Business School, college or university satellite		P
	College / university		P
	Trade / vocational schools		SUP
Government Facilities	Government Office		SUP
Health Care	Continuing care / retirement facility	SUP	
	Hospice	P	
	Medical clinic		P
Religious Institutions	Religious Institutions	P*	P*
Funeral Home	Funeral Home / crematorium		P
Parks and Open Space	Parks, swimming pools, tennis courts, golf courses	SUP	SUP
Passenger Terminal	Bus passenger terminals		SUP
Utilities	Minor utility, elevated water tank	P*	
	Telecommunications facility		SUP
	Other major utility		SUP
Entertainment	Private golf or country club	SUP	SUP
	Gym, spa, indoor tennis court, private pool		P
	Indoor entertainment facility		P*
	Electronic gaming center		P*
	Outdoor athletic / entertainment facility		SUP
	Theater		P
	Water slides, Golf driving range, miniature golf, batting cages and similar uses		SUP

Office	Medical office - individual		P
	Other office		P
Overnight Accommodations	Bed and breakfast	SUP	
	Extended stay facility		SUP
	Hotels and motels		SUP
Commercial Parking			SUP
Retail Sales and Service	Personal service-oriented uses		P*
	Repair oriented use (no outdoor operations)		P
	Sales oriented use (outdoor operations) – including accessory fuel sales with no convenience store		P
	Sales oriented use (indoor operations) -including grocery store		P
	Banks and financial institutions		P
	Convenience store without fuel sales		P
	Convenience store with fuel sales		P
	Veterinarian / kennel indoor only		P
	Open air market		P
	Hair solons / barber shops		P
Restaurants	Restaurants, indoor seating only		P
	Restaurant, indoor seating with drive-thru		P
	Restaurant take out only, walk up or drive thru		P
	Restaurants, curb or drive-in		P
Self Service Storage			SUP
Vehicle Sales and Service	Car wash		P*
	Vehicle general repair		P*
	Vehicle sales and rental		P*
	Vehicle service limited		P*
Light Industrial	Flex Space		P*
	Industrial Use Indoor		P*
Wholesale sales			P*
Manufacturing and Production	Indoor only		P*

2. In the SB District: Exterior building materials shall consist of a combination of masonry brick product and masonry CMU product (Masonry) in up to two (2) different brick product colors for architectural articulation, EIFS, metal panels, stucco or cementitious fiberboard, provided, however, that the elevations of all exterior walls, excluding windows and doors, shall have a minimum of fifty percent (50%) Masonry. Cast in place concrete may be used as required in loading dock areas and may also be used as partial foundation stem walls at the base of exterior walls due to grades.
3. In the SB District: All buildings will use Masonry consistent with one or both of two Masonry brick product colors in order to provide architectural uniformity.
4. In the SB District: The percentage of Masonry used on different sides of buildings may vary above or below the fifty percent (50%) minimum, subject to approval by the Town Planning

Director, to allow the use of more Masonry on exterior customer and public roadway facing elevations.

5. In the SB District: Building elevations facing a public right-of-way or customer parking shall have no more than thirty-five percent (35%) EIFS materials.
6. In the SB District: Anchor tenant buildings (Parcel 1) shall be no more than forty feet (40') in height, except where required to screen HVAC rooftop units, as measured from the finished floor elevation for such building. Outparcel buildings (Parcels 2-5) shall be no more than thirty-five feet (35') in height as measured from the finished floor elevation for such buildings.
7. In the MF-2 District: An amenity center with a pool shall be incorporated within a multi-family development in the Multi-Family-2 Zoning District if the total multi-family dwelling units within either Parcel 1 or Parcel 2 exceed two hundred fifty (250). If the cumulative number of multi-family dwelling units within both Parcel 1 and Parcel 2 exceed two hundred fifty (250) together, then an amenity center with a pool shall be incorporated within either Parcel 1 or Parcel 2.
8. In the MF-2 District: A dog park, including a pet play area, shall be included if the total multi-family dwelling units exceed two hundred fifty (250).
9. In the MF-2 District: No Blank Wall exceeding thirty feet (30') in width will be allowed on any multi-family building larger than 1,500 square feet. Blank Wall is a building elevation that contains no windows and no design or material articulation.
10. In the MF-2 District: Exterior building materials shall consist of a combination of masonry brick product and/ or masonry stone product (Masonry), with up to two (2) different brick product colors for architectural articulation, EIFS, stucco or cementitious fiberboard, provided, however, that the elevations of all exterior walls, excluding windows, doors and recessed balconies, shall have a minimum of fifty percent (50%) Masonry.
11. In the MF-2 District: All buildings will use Masonry with one or both of two brick product colors in order to provide architectural uniformity.
12. In the MF-2 District: Building elevations facing a public right-of-way or customer parking shall have no more than thirty-five percent (35%) EIFS materials.
13. In the MF-2 District: Roofs on walkways that extend from the front or side elevations of residential buildings shall be constructed of standing seam metal. Doors and windows shall use colors and materials complimentary to the exterior building materials and roofing materials. Pitched roofs on residential buildings shall be constructed with dimensional asphalt shingles and/or standing seam metal.
14. The following exterior building materials shall be prohibited in all zoning districts:
 - Vinyl siding
15. Public Street Lighting: All zoning districts in this rezoning shall use similar light poles and light fixtures for all public street lighting.
16. Public street Landscaping: All zoning districts in this rezoning shall use similar streetscape materials for all public street streetscape landscaping.

17. All site lighting for parking and private internal drives shall be installed on round, black poles at a height no greater than thirty-seven feet (37') above the ground within the SB-CU Zoning District and twenty-five feet (25') above the ground within the MF-2-CU Zoning District.

Section 3. The official Zoning Map of the Town of Garner is amended by changing the zoning classification of the property identified below and as shown on a map in application file:

Owner(s)	Tract No.	Existing Zoning	New Zoning
Cambridge Properties Inc	0699080104, 0689984402, 0699082470, 0689879987	Service Business Conditional Use (SB C197)	Service Business Conditional Use (SB C224)
Joseph Rand Revocable trust	0699183059	Single-Family Residential (R-40)	Multi-Family 2 Conditional Use (MF-2 C224)

Section 4. The Planning Department shall change the Official Zoning Map displayed for the public to reflect this change immediately following adoption of this ordinance. In addition, a copy of this ordinance shall be filed in the Planning Department.

Section 5. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 6. That the Town Clerk shall cause a duly certified copy of this ordinance to be recorded in the office of the Wake County Register of Deeds.

Section 7. This ordinance shall become effective upon adoption.

Duly adopted this 21st day of July, 2020.

Ken Marshburn, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 21, 2020		
Subject: Economic Development Strategic Plan and COVID-19 Survey Results Presentation		
Location on Agenda: Presentations		
Department: Economic Development		
Contact: Joe Stallings, Economic Development Director		
Presenter: Joe Stallings, Economic Development Director and Mari Howe, Downtown Development Manager		
<p>Brief Summary:</p> <p>The Economic Development Department will present the department's strategic plan along with economic development partner agencies plans of work. The department will also present the data that was collected from the COVID-19 survey that was conducted and outline initiatives that has come from the survey data.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>For information only</p>		
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:	JBS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

GARNER

ECONOMIC DEVELOPMENT
STRATEGIC PLAN



PRESENTED IN
PARTNERSHIP WITH



GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN

INTRODUCTION

The Garner Economic Development Strategic Plan is a multi-year blueprint to achieve the department's mission.

This plan will:

- Direct the department's day-to-day operations over the next 3-5 years
- Fulfill the Town of Garner's goal of orderly growth and aligns with the Town's Vision Statement
- Integrate the Town's economic development partnerships into a single strategy for the entire community

Economic Development Partners:

- Garner Economic Development Corporation
- Downtown Garner Association
- Garner Chamber of Commerce
- Wake County Economic Development
- Economic Development Partnership of North Carolina

GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN

PLAN ORGANIZATION



BUSINESS RECRUITMENT & RETENTION

GOAL: Recruit and retain companies that will provide quality jobs and improve the Garner quality of life.



MARKETING

GOAL: Promote Garner as a great place to live, work, and play.



ENTREPRENEURSHIP

GOAL: Support the creation and growth of small businesses in Garner.



GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN

BUSINESS RECRUITMENT & RETENTION

OBJECTIVES

- Identify and develop competitive commercial and industrial sites
- Promote Garner to site selectors and potential relocation clients

TASKS

1. Maintain a list of up-to-date available sites/buildings
 2. Participate in site assessment/readiness programs
 3. Identify target sites and perform due diligence studies as needed (GEDC)
-
1. Establish and grow relationships with site selection consultants
 2. Participate in joint recruitment trips with EDPNC & WCED
 3. Update the list of target industries and actively recruit them with a focus on diversifying the Garner economy
 4. Assist the GEDC with implementing their work plan



GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN

BUSINESS RECRUITMENT & RETENTION

OBJECTIVES

- Update Town policies and procedures to improve Garner competitive advantage
- Maintain an active relationship between the Town and local businesses

TASKS

1. Review and update the Town's incentive policy
 2. Work with Development Services to streamline permitting
 3. Research opportunities to grow Garner's incentive offerings
-
1. Maintain communication with existing companies who are poised for growth and/or contraction.
 2. Develop annual online business survey



GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN

BUSINESS RECRUITMENT & RETENTION

OBJECTIVES

- Support existing and potential companies through workforce development

TASKS

1. Work with Trojan and Titan business alliance groups to prepare for and connect high school students to local job opportunities
2. Connect companies with NCWorks, Wake Tech., and Capital Area Workforce Development Board members
3. Work with local companies to establish apprenticeship/internship programs



GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN

MARKETING

OBJECTIVES

- Improve Garner's economic development online presence

TASKS

1. Create a new economic development marketing-based website (GEDC)
2. Update marketing collateral and ensure it is "searchable" online
3. Continue to grow the department's media presence through twitter and podcasts



GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN

MARKETING

OBJECTIVES

- Cultivate greater awareness of Garner Economic Development Opportunities

TASKS

1. Work with Communications Department to develop sponsored content messages that highlight Garner's economic development successes and advantages
2. Attend tradeshow, conferences, and site selection consultant events to market Garner
3. Grow the Garner Connect Conference to showcase Garner's unique economic development assets
4. Attend economic development partner meetings and share Garner's successes



GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN

ENTREPRENEURSHIP

OBJECTIVES

- Develop tools to assist entrepreneurs to locate and grow their businesses in Garner

TASKS

1. Update “How to Get in Business Guide”
2. Work with Downtown Manager to implement the Downtown Garner Plan and the creation of more space in downtown for small businesses to locate
3. Investigate a “Launch Garner” program
4. Work with Downtown Manager to create a business retention program for the Downtown District (DGA)



GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN

ENTREPRENEURSHIP

OBJECTIVES

- Raise awareness of Garner's advantages for entrepreneurs

TASKS

1. Promote and market Garner and Gearworks to entrepreneurs
2. Recognize and celebrate small business successes in Garner through social media, special events, and print media
3. Investigate new incentives to support entrepreneurship
4. Implement the Garner Entrepreneurs of Tomorrow (GET) program (GEDC)
5. Work with Downtown Development Manager to establish a mentor program for Gearworks tenants (DGA)

GARNER
ECONOMIC DEVELOPMENT
STRATEGIC PLAN



GARNER ECONOMIC DEVELOPMENT CORPORATION
PLAN OF WORK

PROPOSED PLAN OF WORK

ORGANIZATION

MARKETING

1-2 YEARS

Bylaws

- Board Adjustment

Policy

- Finance
- Investment

Operations

- Accounting (\$)
- Reporting
- Annual Budget

Logo/Branding (\$)

Website (T)(\$)

Opportunity Zone (T)(\$)

Annual Reporting (T)

3-5 YEARS

Strategic Communications

- Native Content Ads (T) (\$)

PROPOSED PLAN OF WORK

PROGRAMMING

DEVELOPMENT

1-2 YEARS

Entrepreneurship

- Launch (T)(C)(\$)
- Business Writing Competition
- Gearworks

Education/Workforce Development

- Trojan Business Alliance
- School Programs

Partnerships

- Industry Roundtables(T)(C)(\$)

Asset Acquisition/ Deposition (\$)

Product Development (\$)

Strategic Development Partnerships

3-5 YEARS

Industry Grant Program (\$)

Revolving Loan Program (\$)

Strategic Infrastructure Investment (T)(\$)

GARNER

ECONOMIC DEVELOPMENT STRATEGIC PLAN



DOWNTOWN GARNER ASSOCIATION 2020-2021 WORK PLAN

Downtown Garner Association 2020-2021 PLAN OF WORK



PUBLIC ART & PLACEMAKING

- Spearhead the funding and creation of another place-making mural in Downtown Garner
- Facilitate local artists creating public art in downtown crosswalks and sidewalk areas
- Use the vacant development pad as a location for temporary public art
- Support the Paint on Main holiday window painting project financially and with volunteer assistance

EVENT PLANNING

- Plan, promote, and manage the spring and fall signature food truck events on Main Street
- Develop a Downtown Appreciation event to celebrate downtown milestones and recognize stakeholders' contributions since DGA's founding
- Continue working with PRCR to identify opportunities for new events that will generate excitement in downtown
- Research upcoming trends in public events to evaluate ideas for future downtown events

Downtown Garner Association 2020-2021 PLAN OF WORK



ECONOMIC DEVELOPMENT

- Serve as steering committee to the UNC School of Government Development Finance Initiative consultants
- Develop a Business Relationship Building program to encourage better connections with downtown business and property owners
- Update Downtown Garner marketing materials to showcase amenities, businesses & development opportunities
- Explore the potential for a LAUNCH Garner entrepreneurial training program along with town stakeholders

DOWNTOWN ACCESSIBILITY

- Hire a consultant to do a downtown parking study that assesses supply and demand of public parking for the next 5 years
- Conduct a walkability assessment of downtown for future pedestrian improvements:
- Partner with the Garner Area Historical Society to plan a walking tour about the history of Main Street

COVID-19 BUSINESS SURVEY FINDINGS



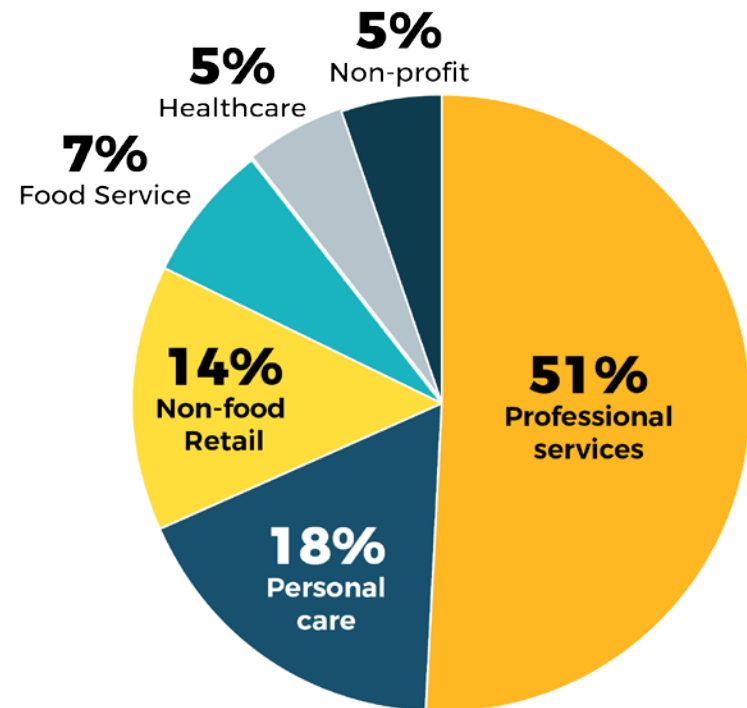
COVID-19 BUSINESS SURVEY FINDINGS

The Economic Development Department worked with the Garner Chamber to survey the Garner business community in May 2020. Over 50 businesses completed the survey.

Survey Goals:

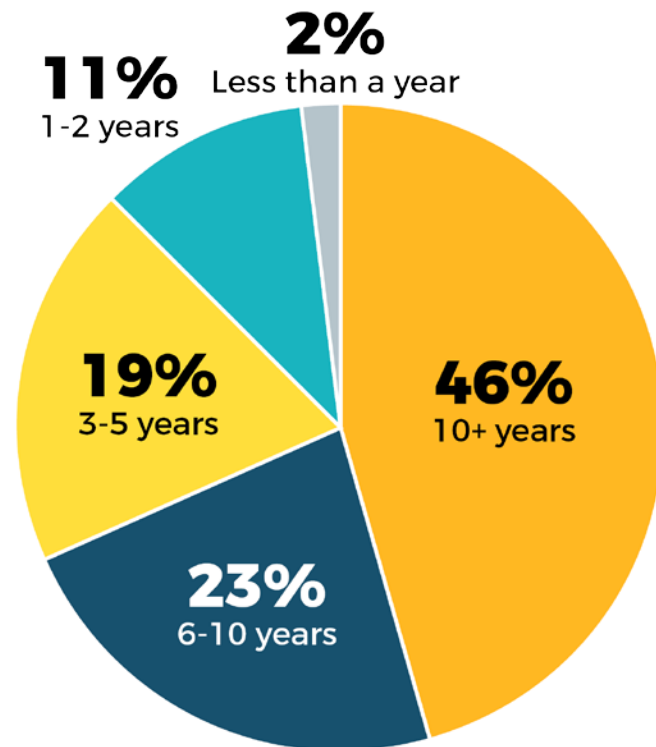
- Assess the economic impact of closing down
- Understand business challenges during this unique time
- Provide guidance for future economic development assistance

Types of Businesses that Responded



COVID-19 BUSINESS SURVEY FINDINGS

of Years in Operation



Of the businesses that responded:

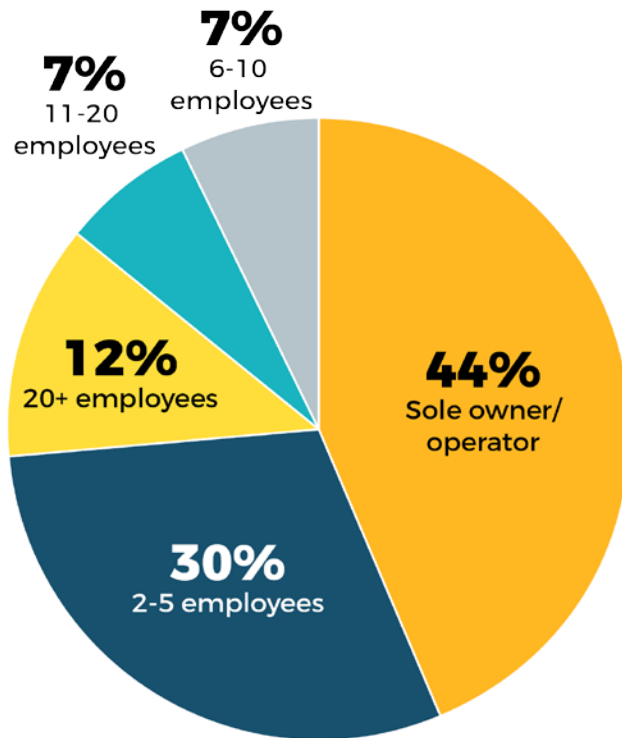
- 74% operate within Garner town limits
- 83% are locally owned
- 47% are women-owned
- 15% are minority-owned
- 39% have an online sales component
- 53% lease their space
- 30% own their space
- 17% don't have a physical location

60%

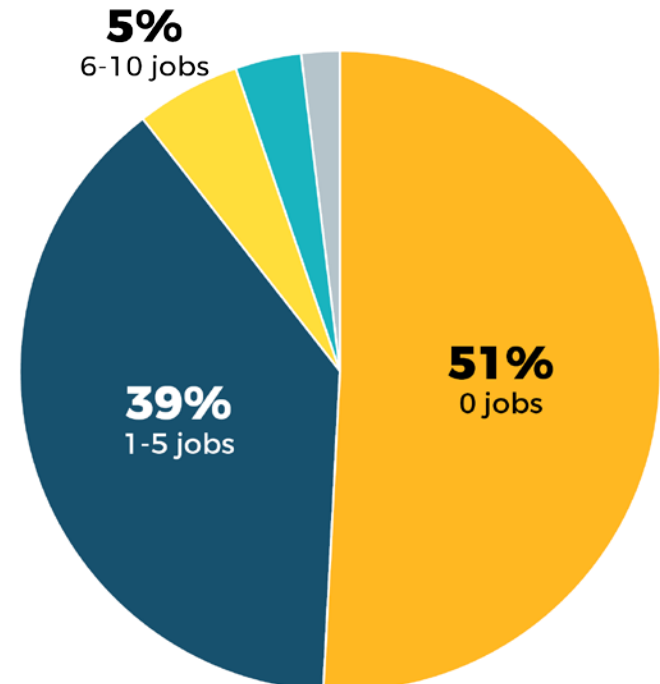
of businesses
suspended public
operations due to
COVID shut down

COVID-19 BUSINESS SURVEY FINDINGS

of People Employed by Business



of Jobs at Risk Due to COVID-19



● 11-20 jobs - 3% ● Over 20 jobs - 2%

60%

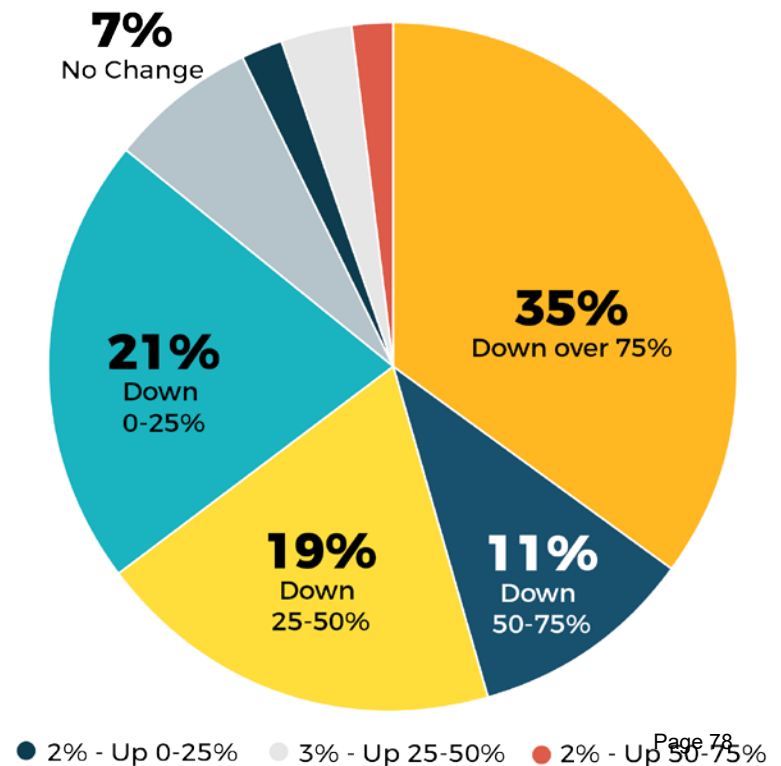
of businesses
suspended public
operations due to
COVID shut down

COVID-19 BUSINESS SURVEY FINDINGS

At the time of shut down:

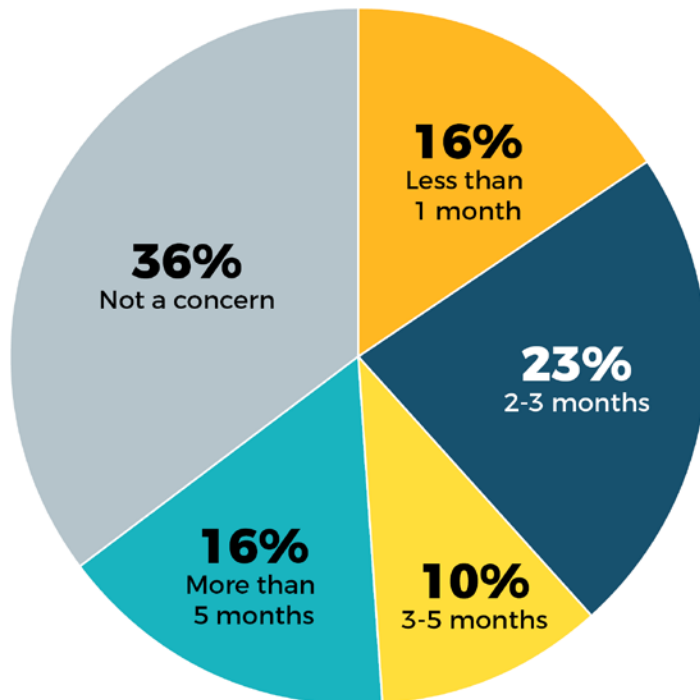
- 39% of businesses had a functional online sales mechanism
- 90% of businesses earned less than 25% of their sales from online business

Revenue Change Due to COVID-19



COVID-19 BUSINESS SURVEY FINDINGS

At risk of closing permanently if disruption continues

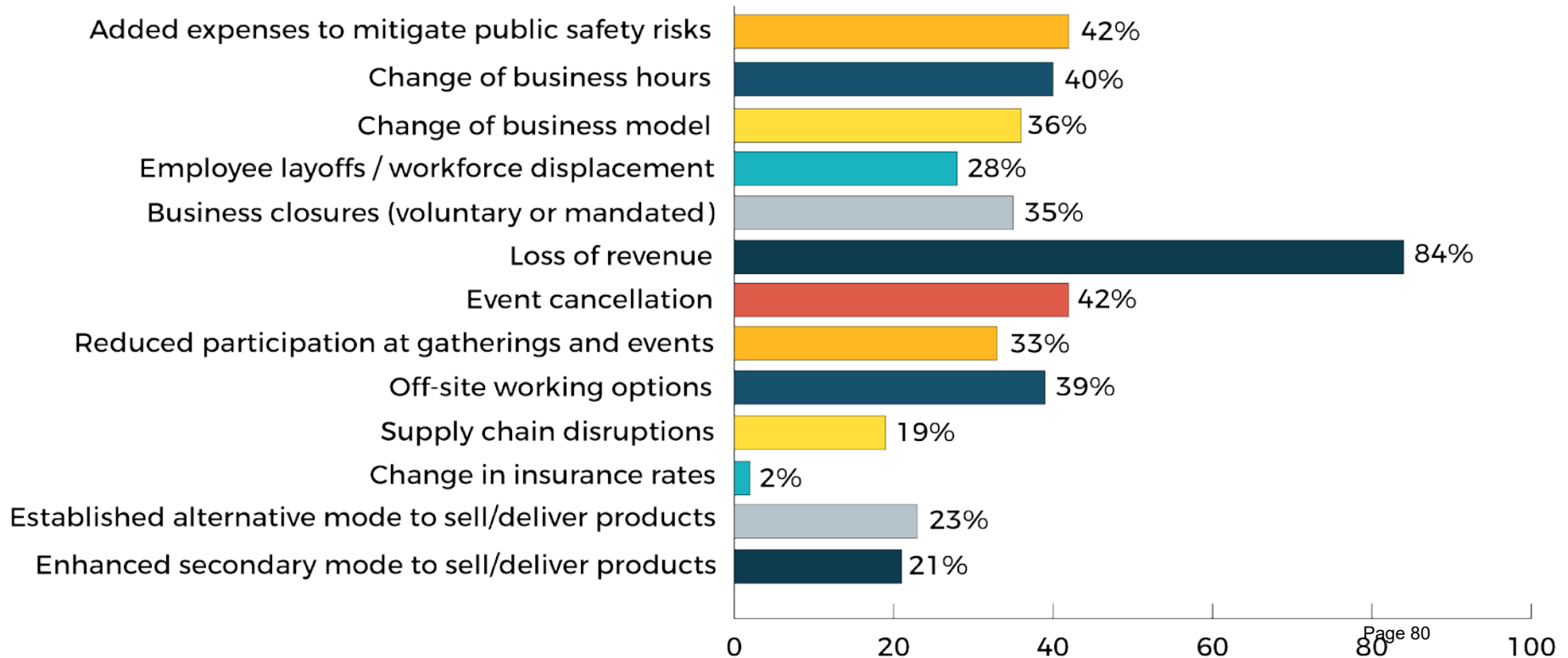


Businesses are most concerned about:

- Losing work - 75%
- Customer traffic - 44%
- Paying this month's rent/mortgage - 33%
- Employee's financial welfare - 33%
- Losing employees - 28%
- Getting inventory/supplies - 25%
- Accessing government support related to the COVID-19 public health emergency - 19%
- Making payroll this pay period & beyond - 18%

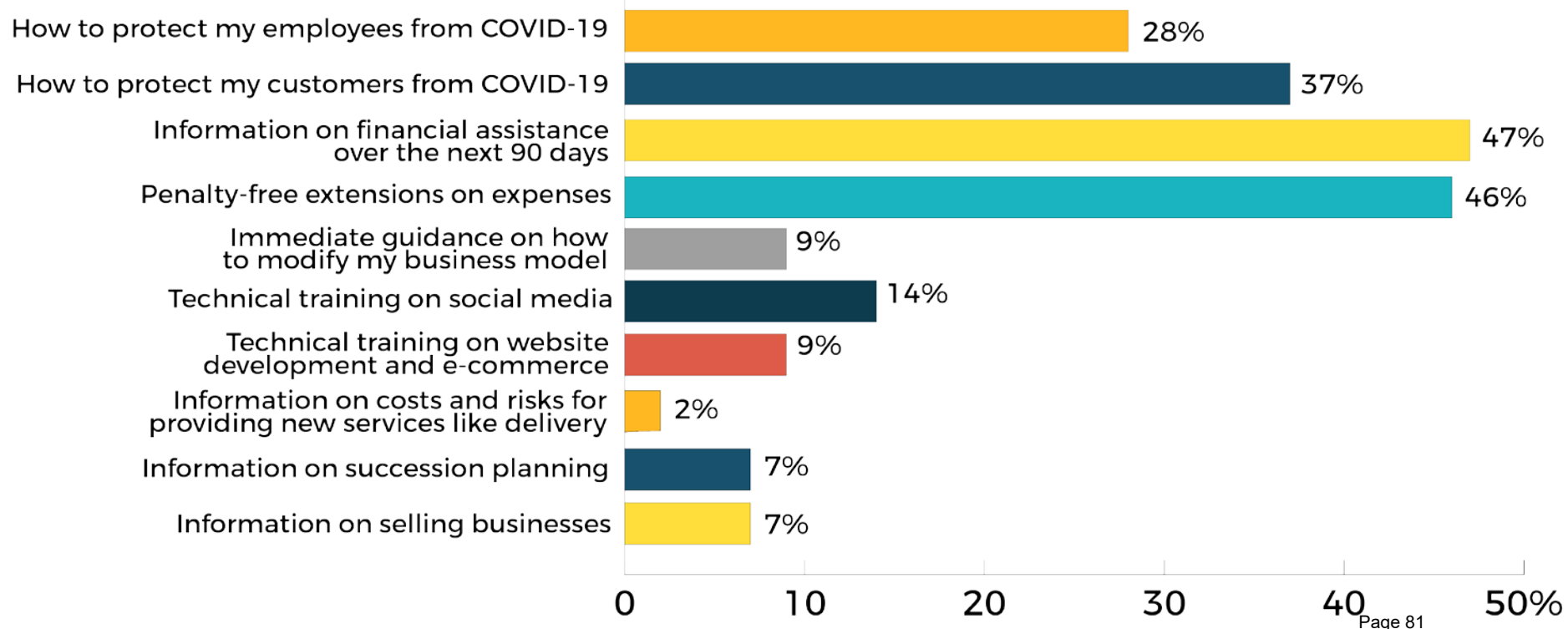
COVID-19 BUSINESS SURVEY FINDINGS

Businesses shared how COVID-19 has affected their business practices:



COVID-19 BUSINESS SURVEY FINDINGS

Businesses shared what types of assistance would be most useful:



COVID-19 BUSINESS SURVEY FINDINGS

Proposed Initiatives to address the feedback from the COVID Survey

Inaugural Garner Economic Development Summit

- TOG staff will bring together local ED partners to develop a comprehensive approach to economic development for Garner

GEDC Revolving Loan Fund

- GEDC will explore the need and feasibility of creating a loan fund to fill gaps in accessible business financing options

Garner Resiliency Preparedness Series

Trainings offered will include:

- Business operations (what we learned from Covid),
- Active shooter
- Crime prevention through environmental design
- How to prepare for medical & fire emergencies and hurricane preparedness

Supported through partnerships with DGA, GEDC, Chamber, TOG PD, GVFD

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 21, 2020		
Subject: Resurfacing Contract - Change Order #3 (Buffaloe Road and Timber Drive Pedestrian Crossings)		
Location on Agenda: Old/New Business		
Department: Engineering		
Contact: Chris Johnson, Town Engineer		
Presenter: Chris Johnson, Town Engineer		
Brief Summary: To present final design and construction costs to upgrade pedestrian crossings on Timber Drive and Buffaloe Road.		
Recommended Motion and/or Requested Action: Consider approving & authorizing the Manager to execute C/O #3 to add to the Annual Resurfacing Contract		
Detailed Notes: Staff obtained NCDOT encroachment approval for the design to relocate the pedestrian crossing on Timber Drive (Buckingham Drive intersection) to allow installation of a median refuge and high visibility crosswalk. NCDOT also approved the installation of a Rectangular Rapid Flashing Beacon (RRFB) and yield markings at the Buffaloe Road pedestrian crossing between White Deer Park and Lake Benson Park. Staff obtained pricing from Daniels, Inc. that would allow the work to be added as a change order to the 2020 Annual Resurfacing Contract. Work could be completed by early September 2020 based on the current construction schedule if approved by Town Council.		
Funding Source: General Fund		
Cost: \$46,777	One Time: <input checked="" type="radio"/>	Annual: <input 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:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner

900 7th Avenue • Garner, North Carolina 27529
Phone (919) 772-4688 • Fax (919) 662-8874 • www.GarnerNC.gov

ENGINEERING DEPARTMENT MEMORANDUM

DATE: July 14, 2020

TO: John Hodges - Assistant Town Manager

FROM: Chris Johnson, PE - Town Engineer

**RE: Pedestrian Crossing Upgrades
Timber Drive/Buckingham Road and Buffaloe Road/Lake Benson Park
CO#3 - 2020 Annual Resurfacing Project – Daniels Inc. of Garner**

Staff recently discussed Council's concerns at two pedestrian crossings, one located at the intersection of Timber Drive and Buckingham Road, and the other located on Buffaloe Road at Lake Benson Park. NCDOT has recently approved design plans submitted by Engineering Department for both locations. The Timber Drive crossing will be relocated several hundred feet to the west (close to the greenway trailhead to allow installation of a pedestrian refuge in the existing median of Timber Drive. All signage and markings will be relocated accordingly and the new crossing will be high visibility with yield markings on each approach. This new crossing will allow pedestrians to cross 2 lanes at a time as compared to crossing 5 lanes at the existing crosswalk location. The Buffaloe Road Crossing will consist of adding Rapid Rectangular Flashing Beacon signage and yield markings on each approach at the current crosswalk location.

In addition to receiving NCDOT approvals, staff has obtained construction cost pricing from Daniels, Inc. to incorporate this work into the Annual Resurfacing contract that is currently in progress. Most of the work scope required for these two pedestrian crossings was accommodated by existing line items in the resurfacing contract. The total cost to improve both crossings is \$46,776.30 (cost breakdown is attached for reference). Should Council allocate funding to cover these two projects, then the work can be added to the resurfacing contract and all work completed by the end of September.

Please note the change order also includes a 9-day time extension to the contract, which is based on the prorata method, extending the contract from 167 days to 176 days.

STAFF RECOMMENDATION

Approve the final design and authorize the Town Manager to execute change order #3 in the amount of \$46,776.30 with Daniels, Inc. to add this work to the 2020 Annual Resurfacing Project.



Town of Garner
 900 7th Avenue
 Garner, NC 28301
 (919) 773-4425

**Town of Garner
 CONTRACT CHANGE ORDER**

Project Name: 2020 Resurfacing Contract

Contractor: Daniels Inc. of Garner

Address: 1975 US Hwy 70E, Garner, NC 27529

Contract No.: ENG 2020-01

Previous Total: \$ 827,434.83

Change Order No.: 3

Total Change: \$ 46,776.30

PO No.:

Revised Total: \$ 874,211.13

Account No.:

Time Change: +9 days (176 total)

**This change order is being written to:
 Relocate pedestrian crosswalk and signage at Timber Drive/Buckingham intersection
 and install pedestrian refuge in median per approved plan and encroachment permit.**

**Install Rapid Rectangular Flashing Beacon signage at Buffalo Road with pavement
 markings per approved plans and encroachment permit.**

Contractor Acceptance:

City Acceptance:

I certify that my bonding company will be notified forth-with that my contract has been changed by the amount of this change order, and that a copy of the approved change order will be mailed upon receipt by me to my surety.

This instrument has been pre-audited in the manner required by the Local Government and Budget Fiscal Control Act.

**By: _____
 (Signature/Date)**

**_____
 Chief Financial Officer
 (Signature/Date)**

**_____
 Type or Print Name**

**_____
 Town Engineer (Signature/Date)**

**_____
 Title**

**_____
 Town Manager (Signature/Date)**

2020 Resurfacing Contract - Change Order #3 (Timber Drive and Buffalo Road Pedestrian Crossing Upgrades)

Prepared by: Chris Johnson, PE

Date: 7-13-20

Change Order #3A - Timber Drive Pedestrian Crossing					
Item No.	Item Description	Quantity	Unit	Unit Price	Total Price
301	Mobilization	1	LS	\$ 1,505.90	\$ 1,505.90
302	Remove Existing Sidewalk	10	SY	\$ 112.50	\$ 1,125.00
303	Install Type 3 Curb Ramp	2	EA	\$ 1,650.00	\$ 3,300.00
304	Install Concrete Pedestrian Refuge (Including 2-2x8 truncated domes)	15	SY	\$ 413.00	\$ 6,195.00
305	Comprehensive Grading (Median refuge and curb ramps)	1	LS	\$ 6,720.00	\$ 6,720.00
306	Remove Thermoplastic Markings (old crosswalk)	150	LF	\$ 2.16	\$ 324.00
307	Thermoplastic Shark's Teeth 24"x36" Yield Triangles (90 mil)	16	EA	\$ 58.00	\$ 928.00
308	24" Thermoplastic Markings (120 mil)	200	LF	\$ 12.48	\$ 2,496.00
309	Relocate Existing Pedestrian Crossing Ahead Signage (W11-2, W16-9p) and U-channel post/hardware (Labor Only)	2	EA	\$ 435.00	\$ 870.00
310	Relocate Existing Solar Powered Pushbutton Pedestrian Signage to new crossing location (Labor Only)	2	EA	\$ 1,500.00	\$ 3,000.00
311	Traffic Control	1	LS	\$ 5,000.00	\$ 5,000.00
312	Seeding/Mulching	100	SF	\$ 1.60	\$ 160.00
Total					\$ 31,623.90

Change Order #3B - Buffalo Road Pedestrian Crossing					
Item No.	Item Description	Quantity	Unit	Unit Price	Total Price
401	Thermoplastic Shark's Teeth 24"x36" Yield Triangles (90 mil)	8	EA	\$ 58.00	\$ 464.00
402	24" Thermoplastic Markings (120 mil)	70	LF	\$ 12.48	\$ 873.60
403	Solar Rectangular Rapid Flashing Beacon w/ Pushbutton Pedestrian Signage (W11-2, W16-7p)	2	EA	\$ 6,157.40	\$ 12,314.80
404	Traffic Control	1	LS	\$ 1,500.00	\$ 1,500.00
Total					\$ 15,152.40

Grand Total \$ 46,776.30

REPORTS

Garner Info

Id	Title	Description	Current Status	Address	Date Created	Comments
7582231	Commercial Vehicles	Two truck tractors parked on residential lot.	In Progress	1704 Spring Drive	3/6/2020	Property owner asked for additional time to relocate commercial vehicles due to mechanical issues. Site continues to be monitored.
7914296	Misc. - Parks / Town Property	Car parked in front of Jaycee Park for days	Submitted	1301-1399 Sycamore Dr	5/10/2020	
8037685	Animal Concern - Non Emergency	Dogs in backyard barking right now. Just as they've been barking all night long. Just as they've been barking all the time for weeks now. Same as the previous two times I've recently reported this yet nothing has been done. It's gotta stop.	In Progress	230 Weston Rd	5/29/2020	
8046081	Noise (Business)	Around 8:30am on 6/1 another explosion happened at TTE shaking the ground and causing extreme noise.	Submitted	Garner, NC 27529	6/1/2020	TT&E takes all 11 of the Wake County Solid Waste convenience centers as well as all of Garner and Raleigh and surrounding municipalities' recyclable materials.
8123843	Misc. - Parks / Town Property	Dog owner located at 1400 Lakeside left his dog waste on park grounds, even after being offered a bag to pick it up.	Submitted	1301-1399 Sycamore Dr	6/11/2020	
8132500	Misc. - Parks / Town Property	Missing letter on sign at 7th Avenue entrance to Town Hall	In Progress	1153-1177 US-70 E	6/13/2020	This will be investigated by the Facilities Division.
8147292	Landscaping		Submitted		6/16/2020	need more info
8179735	Misc. - Parks / Town Property	as the dog parks are getting a lot of use due to covid-19 , Lake Benson dog park and Garner dog park mulched again	In Progress		6/20/2020	We are currently looking into this however our resources have been limited at this point. Our normal schedule to have these areas mulched would occur in the fall.
8230885	Watershed Conservation Buffer		Submitted		6/27/2020	Need more info so I will know who needs to handle this.
8232182	Animal Concern - Non Emergency	Everyday, multiple people walk their dogs in Jaycee Park without a leash. Please start frequenting the park and enforcing the leash laws.	In Progress	1300 Vandora Springs Rd	6/27/2020	

Garner Info

Id	Title	Description	Current Status	Address	Date Created	Comments
8232210	Animal Concern - Non Emergency	The person driving this truck brings his German Shepherd dog to Jaycee Park and never has a leash, but runs him around the park playing fetch as if it's his own private dog park. No one else can safely go to the park while he is there.	In Progress	1300 Vandora Springs Rd	6/27/2020	
8234064	Anonymous Tip	Noise complaint/construction and demolition	In Progress	206 Weston Rd	6/27/2020	
8243612	Roadway Obstruction	owner not maintaining shoulders, front at st marys and side at circle dr. over growth into streets. unsightly	In Progress	Circle Dr, Garner	6/29/2020	
8247045	Animal Concern - Non Emergency	Dog off leash. I've seen this lady multiple times walking one dog on a leash, but the larger tan dog without a leash. She needs to follow the leash law for both dogs in Jaycee Park and the surrounding streets.	Submitted	1301-1399 Sycamore Dr	6/29/2020	
8262138	Trash/Solid Waste (Private Property)	At the former Rite Aid.	In Progress	2311 Timber Dr	7/1/2020	
8308944	Tall Grass/Weeds		Submitted	3702 Randell Rd	7/8/2020	
8330497	Anonymous Tip	Noise complaint	Submitted	901 Curtiss Dr	7/11/2020	
8334654	Animal Concern - Non Emergency	large German shepherd without collar roaming neighborhood..in my yard this morning...have seen before on Weston @ Curtis..have a picture but it's not very clear.	Submitted	145 Parkhaven Ln	7/13/2020	
8349004	Pothole/ Pavement Repair	Very deep hole on the side of Garner road across from Haye Chapel Christian Church. Construction works says that many cars have popped their tires here.	Submitted	536-598 E Garner Rd	7/14/2020	

Memorandum

To: Rodney Dickerson, Town Manager
From: David C. Beck, Finance Director
Date: July 21, 2020
Subject: Financial Reports for 4th Quarter FY 2019-20
CC: Town Council

Attached is the statement of revenues and expenditures for FY 2020 through June 30, 2020. We are past the fiscal year end date but many adjusting and closing entries for the books remain. As such, the numbers presented here are preliminary results for the fiscal year.

The report shows that year-to-date, the Town has collected approximately 85.00% of estimated revenues. A few revenue highlights include:

- Through the end of June, we have collected 100.24% of the budgeted property tax revenue. One additional month of tax revenue from vehicles is still to be received and posted for the 2019-20 fiscal year.
- Sales tax revenues for July through April are up 4.16% over the previous fiscal year. Prior to the COVID pandemic the year over year results were much better but revenue for the months of March and April took hits due to the economic downturn.
- The Town's total assessed value on our year-to-date property tax billings is 5.33% higher than this time last year.

Please review the attached Analysis of Revenues for additional information.

Overall, the report shows that the Town has expended approximately 85.10% of its budget. At the same point in the previous fiscal year, the Town had spent 87.90% of its budget. As noted above, we continue to post expenditures back to the 19-20 fiscal year as invoices are received. Also, the reports do not include the final "true up" of revenues that will be set aside for reserves. These adjustments will be made as we work to prepare the books for our annual audit.

It is difficult to predict how Garner will ultimately fare during and after the COVID pandemic because this is an unprecedented situation. I believe it is important to note the economic impact on the Town of the pandemic could likely continue to be felt for some time. We have already seen declines in sales tax revenue as well as motor vehicle taxes. Our investment earnings have taken a hit as interest rates have been on a steady decline since March. Also, we may encounter more delinquent tax bills than in other recent years because of the strain put on personal finances by this pandemic. While the year to year comparisons presented here are useful it is difficult to draw direct correlations because of the unique situation we have faced in the final quarter of the fiscal year. If you have any questions, please let me know.

Town of Garner
Statement of Revenues and Expenditures
For the Period July 1, 2019 - June 30, 2020

FOR INTERNAL USE ONLY

	Budget	Actual	Over (Under) Budget	Percentage of Budget	Actual Prior Year
REVENUES					
Ad valorem taxes	\$ 20,586,638	\$ 20,619,809	\$ 33,171	100.2%	\$ 18,863,472
Other taxes and licenses	7,158,010	6,034,300	(1,123,710)	84.3%	5,789,183
Intergovernmental revenues	3,379,340	2,741,647	(637,693)	81.1%	2,849,581
Permits and fees	2,319,580	2,858,482	538,902	123.2%	3,040,807
Sales and services	695,210	415,272	(279,938)	59.7%	635,587
Investment earnings	580,000	431,599	(148,401)	74.4%	610,490
Other revenues	316,931	294,585	(22,346)	92.9%	318,302
Other Financing Sources	9,941,184	4,836,141	(5,105,043)	48.6%	29,748
Proceeds from issuance of debt		-	-	0.0%	-
Transfers in		-	-	0.0%	-
Appropriated fund balance		-	-	0.0%	-
Total Revenues	\$ 44,976,893	\$ 38,231,834	\$ (6,745,059)	85.0%	\$ 32,137,170
EXPENDITURES					
Governing body	\$ 593,662	\$ 476,526	(117,136)	80.3%	\$ 376,615
Administration	1,532,330	1,396,699	(135,631)	91.1%	1,499,073
Finance	941,908	841,372	(100,536)	89.3%	878,174
Economic development	300,994	276,235	(24,759)	91.8%	347,798
Economic incentives	-	-	-	0.0%	-
Planning	1,247,996	872,706	(375,290)	69.9%	727,663
Inspections	1,213,554	1,141,793	(71,761)	94.1%	1,002,884
Engineering	851,978	729,219	(122,759)	85.6%	622,845
Information technology	891,647	851,448	(40,199)	95.5%	770,477
Police	7,975,488	7,723,812	(251,676)	96.8%	7,708,216
Fire services	3,674,098	3,562,628	(111,470)	97.0%	3,404,401
Public works	9,714,820	7,899,821	(1,814,999)	81.3%	7,702,281
Parks and recreation	2,442,427	2,063,836	(378,591)	84.5%	4,497,395
Debt service	8,583,218	8,569,580	(13,638)	99.8%	3,773,106
Special appropriations	1,721,082	1,502,147	(218,935)	87.3%	1,240,699
Capital Outlay - VERT	410,424	366,194	(44,230)	89.2%	456,499
Transfers out	2,861,267	-	(2,861,267)	0.0%	85,000
Contingency	20,000	-	(20,000)	0.0%	-
Total expenditures	\$ 44,976,893	\$ 38,274,016	\$ (6,702,877)	85.1%	\$ 35,093,126
Revenues over Expenditures	\$ -	\$ (42,182)	\$ (42,182)		\$ (2,955,956)

Town of Garner
 Analysis of Major Revenues
 For the Period July 1, 2019 Through June 30, 2020

Property Tax Collections

(collections compared to budget)

	Through Month Ending	
	6/30/2020	6/30/2019
Collections--Current Year	\$ 20,508,413	\$ 18,579,122

Note: Does not include DMV taxes collected in June - will not be received until mid-to-late July.

Collection % Budget	100.24%	100.74%
Collection % Value/Levy (both DMV & Wake Co)	104.30%	104.11%

Property Tax Billings (from Wake County & DMV)

	Through Month Ending	
	6/30/2020	6/30/2019
Real Property	\$3,041,603,671	\$2,896,345,048
Personal Property	235,061,706	219,266,615
Public Service Property	148,748,820	133,018,450
Vehicles	265,922,809	255,887,814

			Percent Change
Total	\$3,691,337,006	\$3,504,517,927	5.33%

Sales Tax Distributions

	Through Month Ending		% Change
	6/30/2020	6/30/2019	
Sales Taxes	\$5,861,117	\$5,627,228	4.16%

Sales tax revenues through 6/30 represent sales tax paid by consumer in July 2019-April 2020.

Building Permit Fees

	Through Month Ending		% Change
	6/30/2020	6/30/2019	
Fees Collected	\$1,173,602	\$1,418,234	-17.25%

PRCR Fees

	Through Month Ending		% Change
	6/30/2020	6/30/2019	
Recreation Fees	\$152,555	\$255,878	-40.38%
Facility Rentals	\$166,932	\$259,806	-35.75%

Town of Garner
 Selected Balance Sheet accounts
 As of June 30, 2020

FOR INTERNAL USE ONLY

	General
ASSETS	
Cash in Bank	\$ 1,398,832
Petty cash and change funds	1,521
NC Cash Management Trust investments	16,399,810
PFM Investments	10,018,718
Police Asset Forfeiture account	19,857
Receivables & Inventory (excluding Taxes & Assessments)	817,280
	\$ 28,656,019
LIABILITIES	
Accounts Payable	\$ 467,995
Bonds on deposit for Planning/Engineering	120,112
Rental Deposits	10,002
Deferred Revenue	14,092
	\$ 612,201
Current Year Revenues to date	38,231,834
Current Year Expenditures to date	(38,274,016)
Restricted Fund Balance July 1	275,880
Committed Fund Balance July 1	7,400,091
Unrestricted Fund Balance	20,410,028
	\$ 28,043,818
	\$ 28,656,019