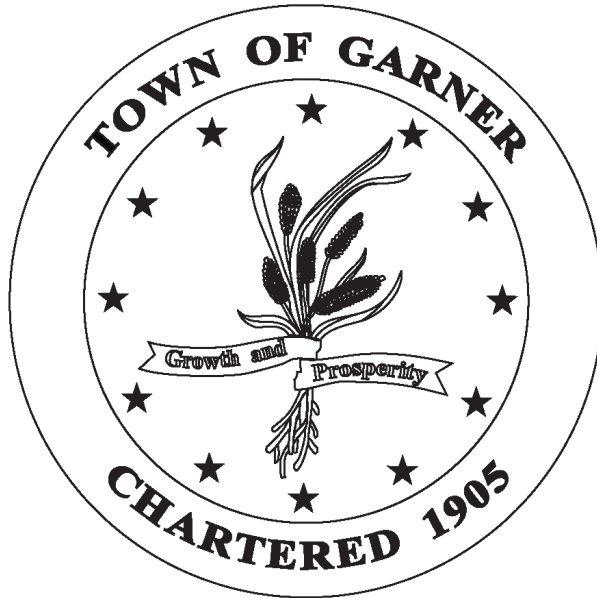


TOWN OF GARNER



Town Council Regular Session

August 2, 2021
7:00 p.m.

Garner Town Hall
900 7th Avenue
Garner, NC 27529

**Town of Garner
Town Council Meeting Agenda
August 2, 2021**

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

Mask Policy: Staff and audience members who are not fully vaccinated must wear face coverings during Council meetings. Fully vaccinated individuals are not required to wear masks. All persons should continue to practice social distancing, when possible, in Council Chambers.

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

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

- B. PLEDGE OF ALLEGIANCE: Mayor ProTem Kathy Behringer

- C. INVOCATION: Mayor ProTem Kathy Behringer

- D. PETITIONS AND COMMENTS

This portion of the meeting is to receive comments from the public on items not included on this agenda. Interested parties can choose to appear live on the virtual meeting platform or provide written comments that will be shared with Council. An online form is available at <https://www.garnernc.gov/government/town-council/town-council-agendas-and-minutes> for more information on both options. The Council is interested in hearing your concerns but may not take action or deliberate on subject matter brought up during the Petitions and Comments segment. Topics requiring further investigation will be referred to the appropriate town officials or staff and may be scheduled for a future agenda.

- E. ADOPTION OF AGENDA

- F. PRESENTATIONS

1. Operation Coming Home.....Page 4
Presenters: Council Members Phil Matthews and Elmo Vance
2. NC Turnpike Authority – Complete 540 project.....Page 5
Presenter: Dennis Jernigan

- G. CONSENT

1. Garner Recreation Center (GRC) Operations and Opening Update.....Page 6
Presenter: Maria Munoz-Blanco, PRCR Director, and Megan Young, PRCR Recreation Superintendent

Amend the FY22 approved fee schedule to incorporate the revised fee schedule for the Garner Recreation Center (presented to Council on 07/20/2021).

Action: Consider approving amendment to the FY22 fee schedule.

- 2. Position Classification Plan Update.....Page 8
Presenter: BD Sechler, Human Resources Director

Updated Position Classification Plan to reflect job title changes. Athletics Program Supervisor has been updated to Recreation Programs Supervisor. Stormwater Engineer has been updated to Stormwater Program Administrator. Plan Review Engineer has been updated to Engineering Plan Reviewer. No change to grade has been made. More updates will be reflected once positions are reviewed by HR and slotted into the Plan.

Action: Consider approving job title change recommendation.

- 3. Budget Amendment - Parkwood Drive Stormwater Project.....Page 9
Presenter: David C. Beck, Finance Director

Town Council authorized a contract for stormwater repairs on Parkwood Drive during the 7/20 regular meeting. Funds were not originally budgeted in FY 21-22 for this project, so an amendment is needed.

Action: Consider adopting Ordinance (2021) 5053

- 4. Budget Amendment - Water Tower Logos.....Page 11
Presenter: David C. Beck, Finance Director

Town Council approved moving forward with new, updated logos for the downtown water tower while it is being repainted. A quote was presented to Council during the 7/20 meeting and funds will be pulled from fund balance to cover the cost.

Action: Consider adopting Ordinance (2021) 5054

H. PUBLIC HEARINGS

Interested parties can participate in public hearings by either appearing in person or through the virtual meeting platform. An online form is available at <https://www.garnernc.gov/government/town-council/town-council-agendas-and-minutes> for more information. For quasi-judicial hearings, such as special use permits, Council may only receive comments in the form of sworn testimony. Written comments for these proceedings are not allowed under State law.

- 1. Conditional Zoning Map Amendment w/ Site Plan
CZ-SP-20-15, 900 Rand Road.....Page 13
Presenter: David Bamford, Planning Services Manager

Conditional zoning map amendment request with associated site plan submitted by Rand Road LLC to rezone approximately 16.45+/- acres from Single-Family Residential

(R-40) and Community Retail (CR) to Community Retail (CR C240) Conditional. The site is located at the southwest corner of NC Highway 50 and Rand Rd and may be further identified as Wake County PINs: 11619447310, 1619444380, 1619446238, and 1619434624.

Action: Consider referring to the Planning Commission for plan consistency review and recommendation.

- 2. 2021 Bond Referendum Public Hearing.....Page 36
Presenter: David C. Beck, Finance Director

A public hearing will be held on the proposed 2021 bond orders. Following the public hearing, Council may adopt the four bond orders after a second reading and adopt a resolution calling for a bond referendum on said orders.

Action: Separate motions and votes on the items below following the public hearing:

- 1. Approve final passage of order authorizing \$24,050,000 Street and Sidewalk Improvements Bonds.
- 2. Approve final passage of order authorizing \$35,500,000 Parks and Recreational Bonds.
- 3. Approve final passage of order authorizing \$6,500,000 Public Safety and Services Facilities Bonds.
- 4. Approve final passage of order authorizing \$2,950,000 Stormwater Bonds.
- 5. Adopt resolution calling for a bond referendum on the four bond orders to be held 11/2/2021.

I. NEW/OLD BUSINESS

J. COMMITTEE REPORTS

K. MANAGER REPORTS

- 1. garner info

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. CLOSED SESSION

Pursuant to N.C. General Statutes Section 143-318.11(a)(3) to consult with the Town Attorney regarding litigation.

O. ADJOURN

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 2, 2021		
Subject: Operation Coming Home		
Location on Agenda: Presentations		
Department: Council		
Contact: Rodney Dickerson, Town Manager		
Presenter: Council Members Phil Matthews and Elmo Vance		
Brief Summary: Recognition for the Town's participation in the project.		
Recommended Motion and/or Requested Action:		
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:	RD	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 2, 2021		
Subject: Complete 540 Project Update		
Location on Agenda: Presentations		
Department: Engineering		
Contact: Chris Johnson, Town Engineer		
Presenter: Dennis Jernigan		
Brief Summary: The NC Turnpike Authority will provide a project update on the Complete 540 project.		
Recommended Motion and/or Requested Action:		
Detailed Notes: n/a		
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 type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 2, 2021 ▼		
Subject: Garner Recreation Center (GRC) Operations and Opening Update		
Location on Agenda: Consent ▼		
Department: Parks, Recreation & Cultural Resources		
Contact: Maria Munoz-Blanco		
Presenter: Maria Munoz-Blanco, PRCR Director, and Megan Young, PRCR Recreation Superintendent		
Brief Summary: Amend the Fiscal Year 2021-2022 Adopted Fee Schedule to add the fees for the Garner Recreation Center (presented to Town Council on 07/20/2021).		
Recommended Motion and/or Requested Action: Approve amendment to the Fiscal Year 2021-2022 Adopted Fee Schedule		
Detailed Notes: The Garner Recreation Center (GRC) is scheduled to open to the public in August 2021. Staff presented recommendations regarding operating plan and fees to Town Council on 07/20/2021. This proposed action amends the Fiscal Year 2021-2022 Adopted Fee Schedule by adding the fees for the Garner Recreation Center.		
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:	MMB	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Garner Parks, Recreation and Cultural Resources

900 7th Avenue • Garner, NC 27529

Phone: 919-773-4442 • Email: garnerprcr@garnernc.gov

Memorandum

July 27, 2021

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

FROM: Maria Muñoz Blanco, Parks, Recreation & Cultural Resources Director

SUBJECT: Amendment to the FY2021-2022 Adopted Fee Schedule
Addition of Garner Recreation Center (GRC) Fees

Parks, Recreation and Cultural Resources (PRCR) briefed Town Council on the operations and proposed fees for the Garner Recreation Center (GRC), which will open to the public in August 2021.

This memorandum is submitted for Town Council’s consideration to amend the Fiscal Year 2021-2022 Adopted Fee Schedule to add the proposed fees related to the Garner Recreation Center (GRC):

Membership Fees	Annual Fees
Resident Youth (17 & under)	Free
Resident Adult (18 & up)	\$25
Non-Resident Youth (17 & under)	\$25
Non-Resident Adult (18 & up)	\$50
Residents Military Retired & Active	Free
Visitor Day Pass	\$5
Replacement Card	\$5
Active Town of Garner Full-Time Staff	Free

Rental Fees	Fees
Multipurpose Room	\$70 per hour, 2-hour minimum
Fitness Room (add-on to MP rental only)	\$30 per hour, 2-hour minimum add-on only
Single Gym (athletic use only)	\$80 per hour, 2-hour minimum
Scoreboard (includes operator)	\$15 per hour
Warming Kitchen (non-tournament)	\$25 add-on
Tournament Package	\$8,500
Refundable Deposit (non-tournament)	\$150
Refundable Deposit (tournament)	\$2,125

Please let us know if you have any questions or need additional information.

Thank you.

Cc: Rodney Dickerson, Town Manager
John Hodges, Assistant Town Manager
PRCR Staff

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 2, 2021		
Subject: Position Classification Plan Update		
Location on Agenda: Consent		
Department: Human Resources		
Contact: BD Sechler		
Presenter: BD Sechler		
Brief Summary: Updated Position Classification Plan to reflect job title changes. Athletics Program Supervisor has been updated to Recreation Programs Supervisor. Stormwater Engineer has been updated to Stormwater Program Administrator. Plan Review Engineer has been updated to Engineering Plan Reviewer. No change to grade has been made. More updates will be reflected once positions are reviewed by HR and slotted into the Plan.		
Recommended Motion and/or Requested Action: Consider and approve job title change recommendation.		
Detailed Notes: A job title change has been recommended by PR&CR. Two job title changes have been recommended by Engineering. There is no change in grade. Council approval is required to then actively recruit for the job.		
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 type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	BDS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 2, 2021		
Subject: Budget Amendment - Parkwood Drive Stormwater Project		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary: Town Council authorized a contract for stormwater repairs on Parkwood Drive during the 7/20 regular meeting. Funds were not originally budgeted in FY 21-22 for this project so an amendment is needed.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2021) 5053		
Detailed Notes:		
Funding Source: Restricted fund balance		
Cost: \$138,892	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:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2021) 5053

ORDINANCE AMENDING ORDINANCE NO. (2021) 5041 WHICH ESTABLISHED THE OPERATING BUDGET

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

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

Revenue Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10309000-472076	Tsf from Stormwater Infrastructure		\$ 45,000	\$ 138,892	\$ 183,892

TOTAL REVENUE INCREASE (DECREASE) \$ 138,892.00

Expenditure Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10481000-524590	Stormwater Repairs		\$ -	\$ 138,892	\$ 138,892

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 138,892.00

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

Duly adopted this 2nd day of August 2021.

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 2, 2021		
Subject: Budget Amendment - Water Tower Logos		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary: Town Council approved moving forward with new, updated logos for the downtown water tower while it is being repainted. A quote was presented to Council during the 7/20 meeting and funds will be pulled from fund balance to cover the cost.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2021) 5054		
Detailed Notes:		
Funding Source: Fund balance		
Cost: \$10,995	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:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2021) 5054

ORDINANCE AMENDING ORDINANCE NO. (2021) 5041 WHICH ESTABLISHED THE OPERATING BUDGET

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

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

Revenue Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10309000-496900	Appropriated Fund Balance		\$ 501,081	\$ 10,995	\$ 512,076

TOTAL REVENUE INCREASE (DECREASE) \$ 10,995.00

Expenditure Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10411000-521600	Equipment Maintenance &		\$ -	\$ 10,995	\$ 10,995

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 10,995.00

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

Duly adopted this 2nd day of August 2021.

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

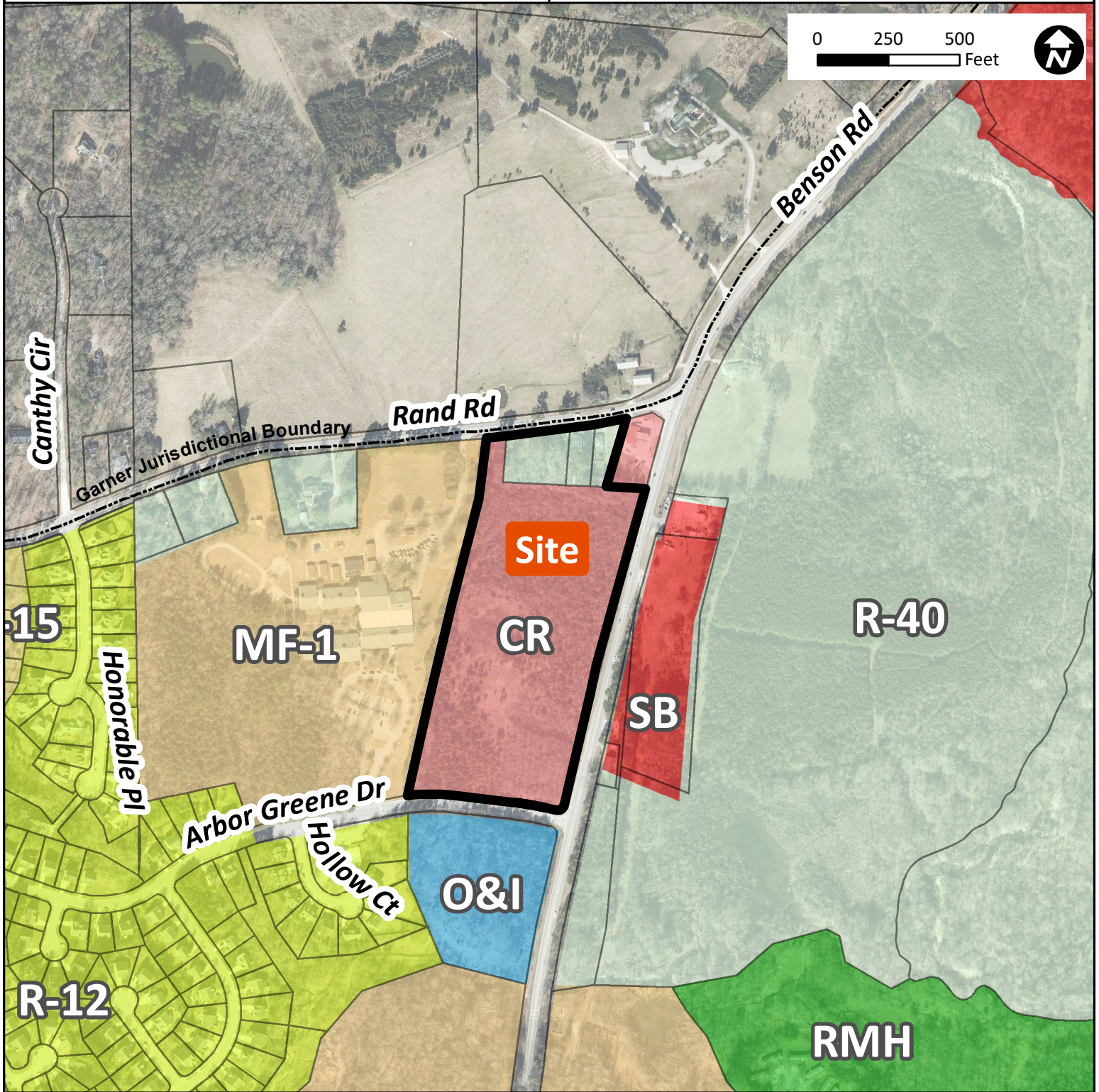
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 2, 2021		
Subject: Conditional Zoning Map Amendment w/ Site Plan # CZ-SP-20-15, 900 Rand Road		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager		
Brief Summary: Conditional zoning map amendment request with associated site plan submitted by Rand Road LLC to rezone approximately 16.45+/- acres from Single-Family Residential (R-40) and Community Retail (CR) to Community Retail (CR C240) Conditional. The site is located at the southwest corner of NC Highway 50 and Rand Rd and may be further identified as Wake County PINs: 11619447310, 1619444380, 1619446238, and 1619434624.		
Recommended Motion and/or Requested Action: Motion to refer to Planning Commission for plan consistency review and recommendation.		
Detailed Notes: Conditions of the rezoning include proposed permissible uses and a site plan showing a 250,242 square foot commercial building with parking deck. Any specific use of over 100,000 square feet will further require a special use permit from the Town Council. Neighborhood meetings were held on May 24 and May 25, 2021.		
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 District Zoning Application CZ-SP-20-15



Project: 900 Rand Road
Applicant: 900 Rand Land LLC
Owner: 900 Rand Land LLC
Location: 900 Rand Road
Pin #: 1619434624, 1619444380, 1619446238,
 & 1619447310

Proposed Use: Conditioned List
Current Zoning: CR, R-40
Proposed Zoning: CR Conditional 240
Acreage: 16.45
Overlay: N/A

Planning Department Staff Report

TO: Mayor and Town Council

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

SUBJECT: *Conditional Zoning Map Amendment with Site Plan # CZ-SP-20-15, 900 Rand Road*

DATE: August 2, 2021

I. PROJECT AT A GLANCE

Project Number(s): CZ-SP-20-15 Conditional Zoning Map Amendment

Applicant: 900 Rand Road LLC

Owners: 900 Rand Land LLC

General Description -

Project Area & Location: 16.45 +/- acres at NC 50 and Rand Rd

Wake Count PIN(s): 1619447310, 1619444380, 1619446238, 1619434624

Current Zoning: Community Retail (CR) and Single-Family Residential (R-40)

Requested Zoning: Community Retail (CR C240) Conditional

Overlay: None

Key Meeting Dates:

Public Hearing: August 2, 2021

Planning Commission: September 13, 2021

Action: TBD

II. BACKGROUND / REQUEST SUMMARY

Request: Conditional zoning map amendment request with associated site plan submitted by Rand Road LLC to rezone approximately 16.45+/- acres from **Single-Family Residential (R-40)** and **Community Retail (CR)** to **Community Retail (CR C242) Conditional**. The site is located at the southwest corner of NC Highway 50 and Rand Rd and may be further identified as Wake County PINs: 11619447310, 1619444380, 1619446238, and 1619434624. Out of the total 16.45 +/- acres, 1.76 acres are zoned Single-Family Residential (R-40) and 14.69 acres are zoned Community Retail (CR).

Conditions are proposed to limit the range of permissible uses and establish an approved site plan for 250,242 square feet of commercial space in two floors with an accompanying parking deck.



III. ZONING ANALYSIS

Existing: Approximately 1.76+/- acres of the project site is zoned **Single-Family Residential (R-40)**. This district was assigned as a holding zone until such time as water and sewer provisions for serving the area could be explored and incorporated into a development proposal for the

Town’s consideration. To that end, the district only allows some uses not dependent upon public water and sewer service as well as single-family lots of at least 40,000 square feet (0.91 acres), ensuring adequate space for individual wells and septic systems.

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

- | | |
|--|---|
| 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) | |

Approximately 14.69+/- acres of the project site is zoned **Community Retail (CR)**. The general This district is designed to accommodate commercial activities that serve the entire community, especially retail businesses conducted within a building.

The following is a list of all permitted uses in the general CR district:

- | | |
|---|--|
| 1. Townhouse or Condominium | 17. Hospital |
| 2. Upper-Story Residential | 18. Emergency Care Facility |
| 3. Community Center | 19. Medical Clinic |
| 4. Library, museum, art center | 20. Mental Health facility |
| 5. Other Community service | 21. Group Care Facility |
| 6. Lodges and fraternal clubs | 22. Handicapped Institution |
| 7. Adult Day Care | 23. Intermediate care institution |
| 8. Day Care Center | 24. Nursing Care Institution |
| 9. Business School, college or university satellite | 25. Cemetery |
| 10. College/university | 26. Parks, swimming pools, tennis courts, golf courses |
| 11. Trade/vocational schools | 27. Religious institutions |
| 12. Music, dance art instruction | 28. Minor utility, elevated water tank |
| 13. Funeral home crematorium | 29. Telecommunication facility |
| 14. Ambulance, rescue squad, police, fire station | 30. Bars and nightclubs |
| 15. Government office | 31. Private golf or country club |
| 16. Hospice | 32. Private gym, spa, indoor |

- | | |
|--|---|
| 33. Indoor entertainment facility | 45. Convenience store without fuel sales |
| 34. Electronic gaming center | 46. Convenience store with fuel sales |
| 35. Movie Theaters | 47. Repair oriented use indoor only |
| 36. Bank, financial institution | 48. Personal service use indoor only |
| 37. Medical office, individual | 49. Hair and beauty salons |
| 38. Other office | 50. Sales oriented use (indoor operations only) |
| 39. Bed and breakfast | 51. Veterinarian/kennel indoor |
| 40. Hotel and motels | 52. Vehicle service-limited |
| 41. Commercial Parking | |
| 42. Restaurant, indoor with seating only | |
| 43. Restaurant with drive-through window | |
| 44. Restaurant take out only or | |

Proposed: The proposed zoning of the 16.45-acre site is **Community Retail (CR C240)**
Conditional. The applicant is proposing a range of allowable uses within the CR district, and those are listed below.

The applicant has proposed the following permissible uses for the proposed CR C240 conditional district.

1. Permitted use table (37 selected from preceding generally permitted list of 52):

Use Category	Specific Use	CR C240
Community Service	Other community service	SUP
	Community Center	SUP
	Library, art center, museum	P
Day Care	Adult Day Care	P*
	Day Care Center	P*
Educational Facilities and Services	College / university	P
	Business School, college or university satellite	P
	Trade / vocational schools	SUP
Government Facilities	Government Office	SUP
	Ambulance, rescue squad, police, fire station	P
Health Care	Medical clinic	P
	Hospice	P
	Hospital	SUP
	Ambulatory Health & Emergency Care Facility	SUP
	Mental Health Facility	P
Institutions	Handicapped Institution	P
	Intermediate Care Institution	P
	Nursing Care Institution	P
	Group Care Facility	P

Use Category	Specific Use	CR C240
Religious Institutions	Religious Institutions	P*
Parks and Open Space	Parks, swimming pools, tennis courts, golf courses	SUP
Utilities	Telecommunications facility	SUP
Office	Medical office - individual	P
	Other office	P
Overnight Accommodations	Hotels and motels	SUP
	Bed and Breakfast	SUP
Commercial Parking	Commercial Parking	SUP
Restaurants	Restaurants, indoor seating only	P
	Restaurant, indoor seating with drive-through	P
	Restaurant take out only, walk up or drive thru	P
Retail Sales and Service	Personal service-oriented uses	P*
	Repair oriented use (no outdoor operations)	P
	Sales oriented use (indoor operations)	P
	Banks and financial institutions	P
	Convenience store without fuel sales	P
	Hair salons / barber shops	P
	Veterinarian/kennel indoor	P

2. Development of this site shall be completed in conformance with the approved preliminary site plan. (See Section V.)

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
Z-88-25	Town of Garner	South Garner ETJ Expansion	Wake County to Town of Garner (various districts)
CUD-Z-87-05	Norwood Adams / Town of Garner	NC 50 (Dempsy Benton Water Treatment Plant)	R-40 to SB C8
CUD-Z-02-04	Furman Upchurch / Earl & Judith Britt	Brittmoore Subdivision	R-12 and R-15 to R-12 C115
CUD-Z-15-01	Garner Development LLC	Creekside Subdivision	R-12 C167 to R-12 C175

Adjacent Zoning and Land Use:

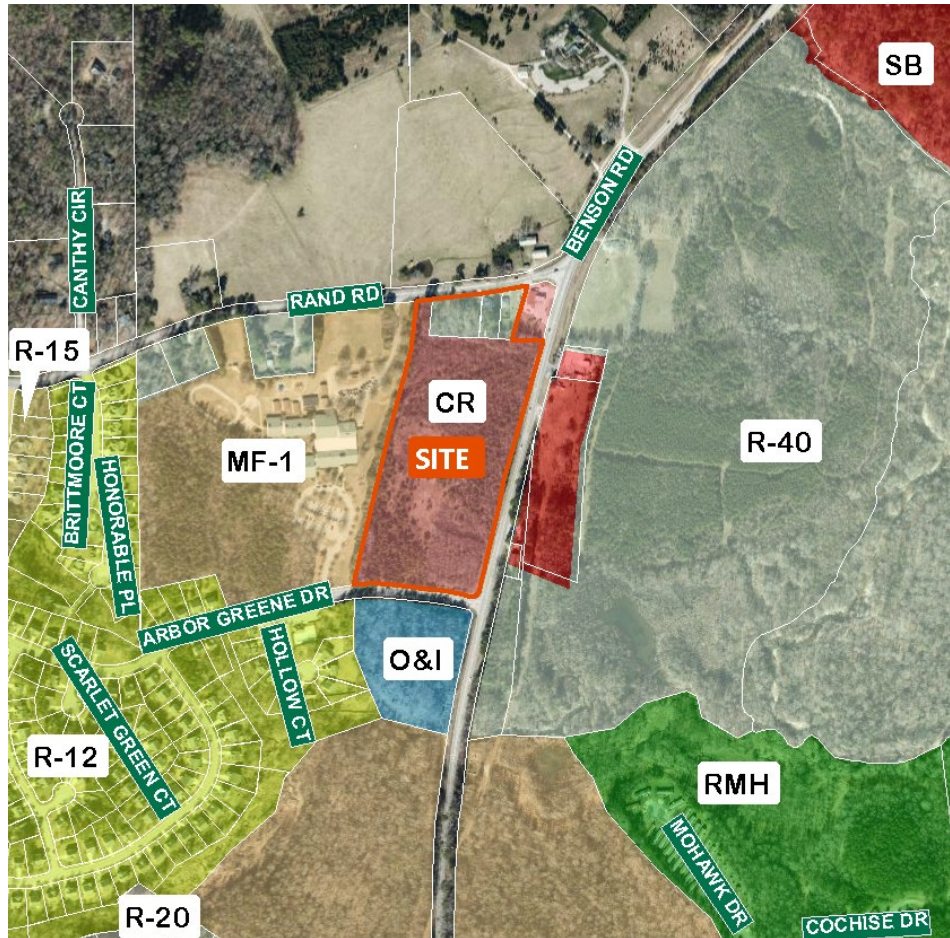
North:	Wake County Highway District	Single-Family
	Wake County R-80 Watershed	Single-Family
South:	O&I	Vacant, undeveloped

East: SB

Auto Service / repair

West: MF-1

Elementary School



IV. COMMUNITY INFORMATION

Overall Neighborhood Character: This site is located near the intersection of NC 50 and Rand Rd; these roads are thoroughfares connecting Ten Ten Rd into south Garner and handle moderate to high volumes of traffic during the morning and afternoon peak hours. Uses in the area include single-family neighborhoods, small-scale commercial, and a school. Development in this area is generally limited to the southwest corner of NC 50 and Rand Road due to flood zones on the eastside of NC 50 and protected watersheds north of Rand Rd.

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

Benson Rd (NC50)

- Year 2009 – 12,000
- Year 2011 – 12,000
- Year 2013 – 13,000
- Year 2015 – 14,000
- Year 2017 – 14,000
- Year 2019 – 15,500

Rand Rd

- Year 2009 – 6,800
- Year 2011 – 6,500
- Year 2013 – 7,400
- Year 2015 – 7,600
- Year 2017 – Not reported
- Year 2019 – 8,300

A Traffic Impact Analysis (TIA) was required by the Town's UDO and NCDOT requirements and was completed in July 2020. Because the TIA was completed at a time when traffic patterns were impacted by the pandemic, traffic count data was mostly obtained from TIAs for adjacent developments, as well as NCDOT and Town of Garner count data. A traffic count was performed for the Arbor Greene Drive and Benson Road (NC-50) intersection, as recent traffic counts were not readily available at that location, and volumes were adjusted based on historic data. A TIA Addendum was completed to document and account for adjustments to off-site improvements, as site planning progressed.

NCDOT's Congestion Management Unit found the following improvements necessary in the area, to be constructed by the developer:

Benson Road at Site Access

- Construct an exclusive southbound right-turn lane (200' storage).

Benson Road at Arbor Greene Drive

- Construct an exclusive eastbound left-turn lane on Arbor Greene Drive.
- Install traffic signal at intersection.

Note: A signal warrant analysis was completed, which supported traffic signal installation.

Arbor Greene Drive at Site Access

- Construct an exclusive westbound right-turn lane (200' storage) and stripe an eastbound left-turn lane shared with the through movement for ingress to school and neighborhood.

Benson Road at Timber Drive

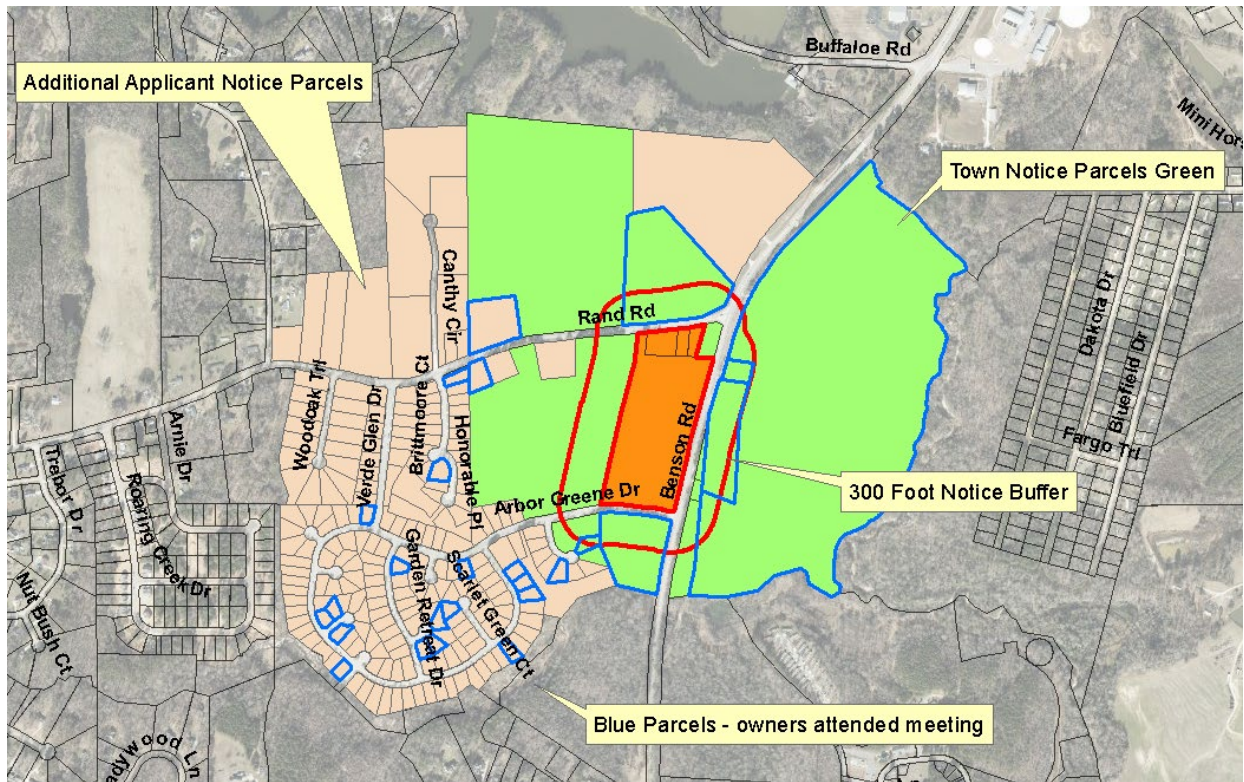
- Restripe the northbound right-turn lane to a shared through/right-turn lane and fill in gaps on Benson Road north of Timber Drive to provide two continuous through lanes from Timber Drive to New Rand Ext.

Note: There is a bonus allocation project being completed by the NCDOT to complete this improvement, so the applicant will be required to pay fee-in-lieu for the improvement instead.

The above improvements will be in addition to the widening along Benson Road to the ultimate four-lane divided cross-section that is required by the Unified Development Ordinance in accordance with the Town's adopted transportation plan.

Neighborhood Meeting: Staff identified about 17 properties within the notification radius and provided the list to the applicant for first class mailed notices. The applicant went above and beyond and notified 244 property owners for the neighborhood meeting. See map below.

A remote meeting was held on May 24, 2021, with 19 in attendance. An in-person meeting was held on May 25, 2021, at Centennial Park Picnic Shelter with 9 in attendance.



OWNER	ADDR1	ADDR2
900 RAND LAND LLC	118 W UNION ST STE C	MORGANTON NC 28655-3499
900 RAND LAND LLC	118 W UNION ST STE C	MORGANTON NC 28655-3499
900 RAND LAND LLC	118 W UNION ST STE C	MORGANTON NC 28655-3499
900 RAND LAND LLC	118 W UNION ST STE C	MORGANTON NC 28655-3499
900 RAND LAND LLC	102 3RD AVE NE	HICKORY NC 28601-5014
AGIUS, ANTHONY P AGIUS, MARIE	1240 ARBOR GREENE DR	GARNER NC 27529-7134
AL-NAQSHABANDI, NOAMAN ALRAWE, MEHASIN	101 SCARLET GREEN CT	GARNER NC 27529-7127
ALFONSO, ORLANDO ALFONSO, MIRTA	108 BRITTMOORE CT	GARNER NC 27529-7153
ALMAGUER, KATHLYN ALMAGUER, AARON M	136 GARDEN RETREAT DR	GARNER NC 27529-7128
ALSTON, OTHAEY A ALSTON, THEOPHILUS S	107 CLIMBING LATTICE CT	GARNER NC 27529-7117
ALTO ASSET COMPANY 2 LLC	5001 PLAZA ON THE LK STE 200	AUSTIN TX 78746-1053
AMH 2014-2 BORROWER LLC	AMERICAN HOMES 4 RENT	30601 AGOURA RD STE 200
AMH NC PROPERTIES LP	30601 AGOURA RD STE 200	AGOURA HILLS CA 91301-2148
AMH NC PROPERTIES, LP	30601 AGOURA RD STE 200	AGOURA HILLS CA 91301-2148
AMH NC PROPERTIES, LP	30601 AGOURA RD STE 200	AGOURA HILLS CA 91301-2148
AMOROSO, ANNETTE B	101 VALLEY VISTA CT	GARNER NC 27529-7143
ANDERSEN, STEVEN P ANDERSEN, JEAN L	164 BRITTMOORE CT	GARNER NC 27529-7153
ARBOR GREENE HOMEOWNERS ASSOCIATION INC	C/O THE NEW FORTIS CORPORATION	3200 WAKE FOREST RD STE 209
ARBOR GREENE HOMEOWNERS ASSOCIATION INC	C/O THE NEW FORTIS CORPORATION	3200 WAKE FOREST RD STE 209
ARBOR GREENE HOMEOWNERS ASSOCIATION INC	C/O THE NEW FORTIS CORPORATION	3200 WAKE FOREST RD STE 209
AYODELE, MICHAEL A AYODELE, MOTAYO OLOKETUYI	117 VERDE GLEN DR	GARNER NC 27529-7119
BAF 3 LLC	5001 PLAZA ON THE LK STE 200	AUSTIN TX 78746-1053
BAILEY, MICHAEL BRIAN KROSTYNE BAILEY, ELIZABETH ANN	104 GARDEN RETREAT DR	GARNER NC 27529-7128
BALDWIN, LESHANA R	1004 ARBOR GREENE DR	GARNER NC 27529-7151
BAPTISTE, RICARDO BAPTISTE, ANNETTE	915 ARBOR GREENE DR	GARNER NC 27529-7113
BARFIELD, RICHARD L JR BARFIELD, CYNTHIA S	116 SCARLET GREEN CT	GARNER NC 27529-7127
BARNHILL, JENNIFER LAUREN	904 ARBOR GREENE DR	GARNER NC 27529-7112
BERWANGER, AARON TONATHY, ASHLEY	1132 ARBOR GREENE DR	GARNER NC 27529-7136
BEST, JOSEPH M SR BEST, LOUISE W	909 RAND RD	GARNER NC 27529-9046
BETHEA, RETHA A	313 ARBOR GREENE DR	GARNER NC 27529-9749
BIGELOW, RODERICK ALAND	800 ARBOR GREENE DR	GARNER NC 27529-7110
BLAND, DIANA	1236 ARBOR GREENE DR	GARNER NC 27529-7134
BOLDUC, GARY R BOLDUC, RHONDA L	908 ARBOR GREENE DR	GARNER NC 27529-7112
BRITTMOORE HOMEOWNERS ASSN INC	PO BOX 2042	GARNER NC 27529-2042
BRITTMOORE HOMEOWNERS ASSN INC	PO BOX 2042	GARNER NC 27529-2042
BRITTMOORE HOMEOWNERS ASSN INC	PO BOX 2042	GARNER NC 27529-2042
BROWN, EDWARD R BROWN, FRANCINE A	1216 ARBOR GREENE DR	GARNER NC 27529-7134
BROWN, MARTHA JANE	105 BRITTMOORE CT	GARNER NC 27529-7154
BRYANT, JOHN R JR BRYANT, LARISSA H	801 ARBOR GREENE DR	GARNER NC 27529-7111
BUFFALOE, JEFFREY SCOTT	933 RAND RD	GARNER NC 27529-9046
BURDEN, ANN C	713 ARBOR GREENE DR	GARNER NC 27529-7109
BURNSIDE, CYRIL C JR BURNSIDE, PAULETTE M	120 VERDE GLEN DR	GARNER NC 27529-7118
BURT, CAROL RENITA	108 GARDEN RETREAT DR	GARNER NC 27529-7128
BURT, NATHANIEL BURT, LESA	113 GARDEN RETREAT DR	GARNER NC 27529-7120
BUSSEY, GARY W BUSSEY, ROMANITA G	408 ARBOR GREENE DR	GARNER NC 27529-9769
BUTZER, TERESA A WELLER, DAVID JR	1320 ARBOR GREENE DR	GARNER NC 27529-7114
CABLE, CHRISTOPHER CABLE, DOROTHY	109 VALLEY VISTA CT	GARNER NC 27529-7143
CANNADY, BRENDA F	101 BRITTMOORE CT	GARNER NC 27529-7154
CAVES, THOMAS C JR CAVES, A JOANNA	1324 ARBOR GREENE DR	GARNER NC 27529-7114
CHANDLER, GEOFFREY CHANDLER, STACY	1008 ARBOR GREENE DR	GARNER NC 27529-7151
CHASSE, ADAM CHASSE, ROBIN	1308 ARBOR GREENE DR	GARNER NC 27529-7114
COFFEY, LEE ELLEN TRUSTEE	1219 ARBOR GREENE DR	GARNER NC 27529-7135
COLABELLI, BARBARA L	110 GREENE HILL CT	GARNER NC 27529-7142
COOK, JUDITH A TRUSTEE	132 BRITTMOORE CT	GARNER NC 27529-7153
CREECH, CLIFTON G CREECH, BELINDA R	4429 WOODOAK TRL	GARNER NC 27529-9005
CREMIDIS, MARIA L RICKMAN, TIMOTHY	412 ARBOR GREENE DR	GARNER NC 27529-9769
CUMBERBATCH, BRIAN C NICHOLSON-CUMBERBATCH, KATRE W	105 CLIMBING LATTICE CT	GARNER NC 27529-7117
DAVIS, JOHN M DAVIS, DEBORAH T	8201 CANTHY CIR	GARNER NC 27529-9345
DAVIS, JOSEPH R III DAVIS, TERESA L	8217 CANTHY CIR	GARNER NC 27529-9345
DAVIS, SHARON B DAVIS, STEVE W	707 ARBOR GREENE DR	GARNER NC 27529-7109
DEGROOTE, JACOB DEGROOTE, STACIE	106 GARDEN RETREAT DR	GARNER NC 27529-7128

DEMERY, HARRY L JR DEMERY, VANESSA P G	137 GARDEN RETREAT DR	GARNER NC 27529-7120
DIAB, FADI VICTOR KHOURY, NATALIE	6002 ROGERDALE RD STE 600	HOUSTON TX 77072-1669
DILLARD, GLORIA N	4413 WOODOAK TRL	GARNER NC 27529-9005
DOOLEY, JAMES DOOLEY, MARGARET	109 GREENE HILL CT	GARNER NC 27529-7146
DOUGHERTY, KELSIE A GAUDETTE, CHRISTOPHER II	2151 AVENT FERRY RD APT 314	RALEIGH NC 27606-1994
DOVE, TERESA W	308 ARBOR GREENE DR	GARNER NC 27529-9743
EASON, JAMES L EASON, JULIE ANNE	105 FULL MOON CT	GARNER NC 27529-7126
EGGERT, MICHAEL E EGGERT, SHARYL D	1136 ARBOR GREENE DR	GARNER NC 27529-7136
EMMONS, JAMIE GLEN EMMONS, LYNDSEY E	130 HONORABLE PL	GARNER NC 27529-7155
ESTES, CHARLES LARRY	2633 BENSON RD	GARNER NC 27529-9058
ESTES, CHARLES LARRY	10619 NC 210 HWY	FOUR OAKS NC 27524-9460
FARNUNG, CHRISTOPHER P FARNUNG, JULIA M	101 GARDEN RETREAT DR	GARNER NC 27529-7120
FARZANA, LAILA	3913 DEVAN OAKS WAY	RALEIGH NC 27606-4350
FERGUSON, BRENT HAMPTON	1227 ARBOR GREENE DR	GARNER NC 27529-7135
FITCH, MICHAEL A FITCH, INGRID BOU-SAADA	112 GARDEN RETREAT DR	GARNER NC 27529-7128
FLOYD, ABDUL DEMOND FLOYD, SHONIA GIPSON	105 SCARLET GREEN CT	GARNER NC 27529-7127
FLOYD, JACQUELINE Y FLOYD, OTTO JR	109 HONORABLE PL	GARNER NC 27529-7155
FLOYD, MENDLE WAYNE FLOYD, MARY JO	8212 CANTHY CIR	GARNER NC 27529-9345
FORD, ANGELA K	605 ARBOR GREENE DR	GARNER NC 27529-7107
FORD, VENETA FORD, BRYAN	117 BRITTMOORE CT	GARNER NC 27529-7154
FOUNTAIN, KRISTEN	105 GARDEN RETREAT DR	GARNER NC 27529-7120
FRIERSON, WILLIE L JR FRIERSON, CARRIE H	124 HOLLOW CT	GARNER NC 27529-7116
FYE, CYNDR TORRES, CELSO ESTRADA	225 FERN FOREST DR	RALEIGH NC 27603-9724
GALLOWAY, CLARKEY B	4412 WOODOAK TRL	GARNER NC 27529-9004
GARGIULO, CHRISTOPHER J GARGIULO, HEATHER M	105 VALLEY VISTA CT	GARNER NC 27529-7143
GARRETT, CORBIN WYSTAN	116 GARDEN RETREAT DR	GARNER NC 27529-7128
GARWIN, JEFFREY GARWIN, TABATHA	140 BRITTMOORE CT	GARNER NC 27529-7153
GELABERT, BERNARDO GELABERT, NOSAIRA	128 VERDE GLEN DR	GARNER NC 27529-7118
GODWIN, JOHN H GODWIN, DONNA S	4424 WOODOAK TRL	GARNER NC 27529-9004
GOMEZ, ALICIA VAZQUEZ	1315 ARBOR GREENE DR	GARNER NC 27529-7115
GORNEAU, BRIAN GORNEAU, HOLLY	700 ARBOR GREENE DR	GARNER NC 27529-7108
GRAHAM, EVERETT GRAHAM, PENNIE	130 VERDE GLEN DR	GARNER NC 27529-7118
GRESHAM, TRAVIS GRESHAM, MELISSA	704 ARBOR GREENE DR	GARNER NC 27529-7108
GUTHRIE, SHERRY SILVER	4420 WOODOAK TRL	GARNER NC 27529-9004
HALEY, TODD J JR HALEY, NICOLE C	100 HOLLOW CT	GARNER NC 27529-7116
HANNA, RAGY TAWFIK, SARA	1220 ARBOR GREENE DR	GARNER NC 27529-7134
HARPER, JEFFREY S HARPER, MELISSA H	116 HONORABLE PL	GARNER NC 27529-7155
HARRISON, DAVID J HARRISON, ROBIN D	1140 ARBOR GREENE DR	GARNER NC 27529-7136
HAVENER, JON R HAVENER, VALERIE D	1107 ARBOR GREENE DR	GARNER NC 27529-7137
HEAPS, CODY L HEAPS, JUDITH R	928 ARBOR GREENE DR	GARNER NC 27529-7112
HEINSKE, DAVID W HEINSKE, IHSIN	4405 WOODOAK TRL	GARNER NC 27529-9005
HENRY-TAYLOR, LAWRENCE TAYLOR, LAGEANA M.	924 ARBOR GREENE DR	GARNER NC 27529-7112
HOFFMAN, BRIAN J LEE-HOFFMAN, HAE-SUN	116 VERDE GLEN DR	GARNER NC 27529-7118
HOGGARD, COURTLAND D HOGGARD, PAMELA M	1001 ARBOR GREENE DR	GARNER NC 27529-7152
HORNE, LAMAR HORNE, TVONA R	125 GARDEN RETREAT DR	GARNER NC 27529-7120
IBRAHIM, MOHAMMED IBRAHIM, SADIA AMAN	409 ARBOR GREENE DR	GARNER NC 27529-7103
INGRAM, TYRANITA ANN	108 VALLEY VISTA CT	GARNER NC 27529-7143
JAMES, MICHAEL G JAMES, CLAUDIA L	405 ARBOR GREENE DR	GARNER NC 27529-7103
JOHNSON, GENE C JR JOHNSON, SUE ELLEN	4417 WOODOAK TRL	GARNER NC 27529-9005
JOHNSON, RODNEY R JOHNSON, JUDY C	4421 WOODOAK TRL	GARNER NC 27529-9005
JONES, ANTHONY TYRONE	708 ARBOR GREENE DR	GARNER NC 27529-7108
JONES, COURTNEY JAN TUNSTALL, KELMERN KEON	124 HONORABLE PL	GARNER NC 27529-7155
JONES, DERRICK L FELDER, KASAUNDRA D	104 HOLLOW CT	GARNER NC 27529-7116
JONES, LORRAINE	1208 ARBOR GREENE DR	GARNER NC 27529-7134
JOUBERT, JACOB M JOUBERT, EMILY	133 HONORABLE PL	GARNER NC 27529-7155
KARR, KASEY A KARR, STEVEN M.	109 GARDEN RETREAT DR	GARNER NC 27529-7120
KEGEL, STEVEN J KEGEL, ANGELA	104 VALLEY VISTA CT	GARNER NC 27529-7143
KENDRICK, TURON S KENDRICK, CHERISSE	1120 ARBOR GREENE DR	GARNER NC 27529-7136
KENNEDY, DEANNA V	101 CEDAR KEY LNDG	GARNER NC 27529-7141
KENTUCKY DREAMS LLC	9708 OLD STAGE RD	RALEIGH NC 27603-9551
KING, JOYCE MCLEAN	4401 WOODOAK TRL	GARNER NC 27529-9005
KING, KEVIN KING, ANJANETTE	120 GARDEN RETREAT DR	GARNER NC 27529-7128
KLAPCHAR, BRIAN R K LAPCHAR, VICKIE E	100 FULL MOON CT	GARNER NC 27529-7126
KNABE, NEAL P KNABE, JANE K	108 FULL MOON CT	GARNER NC 27529-7126
LANE, HELEN B	109 SCARLET GREEN CT	GARNER NC 27529-7127
LEMONDS, RODNEY WADE LEMONDS, MINDY RIMMER	479 SEASTONE ST	RALEIGH NC 27603-3192
LESLIE, IVAN M	103 SCARLET GREEN CT	GARNER NC 27529-7127

LILES PROPERTIES LLC	1117 RAND RD	GARNER NC 27529-9048
LILES, MARTHA B	1117 RAND RD	GARNER NC 27529-9048
LILES, MARTHA B	1117 RAND RD	GARNER NC 27529-9048
LILES, MARTHA B LILES, ROBERT M	1117 RAND RD	GARNER NC 27529-9048
LIVINGSTON, DAVID G LIVINGSTON, PAMELA J	124 GARDEN RETREAT DR	GARNER NC 27529-7128
LYONS, JAMES N LYONS, LISA E	508 ARBOR GREENE DR	GARNER NC 27529-7104
LYONS, KENNETH	114 GARDEN RETREAT DR	GARNER NC 27529-7128
MADUAKO, FERGUSON C MADUAKO, BERNADINE U	116 HOLLOW CT	GARNER NC 27529-7116
MAHMOOD, TARIQ MAHMOOD, SAMIA	504 ARBOR GREENE DR	GARNER NC 27529-7104
MARTY, IAN MARTY, AMANDA TALLMAN	1319 ARBOR GREENE DR	GARNER NC 27529-7115
MASSEY, JOHN B MASSEY, CARLEEN C	4425 WOODOAK TRL	GARNER NC 27529-9005
MATTA, JORGE E	4812 LAKEMONT DR	RALEIGH NC 27609-5980
MAUSOLF, TIMOTHY J MAUSOLF, STEPHANIE A	104 VERDE GLEN DR	GARNER NC 27529-7118
MAZYCK, ISAAH E MAZYCK, ESTHER J	104 CLIMBING LATTICE CT	GARNER NC 27529-7117
MCCREARY, SUSAN	101 HONORABLE PL	GARNER NC 27529-7155
MCGRATH, THOMAS J MCGRATH, AMY S	108 GREEN HILL CT	GARNER NC 27529-7142
MCRAE, BRANDON MCRAE, LASHAWNA T	1116 ARBOR GREENE DR	GARNER NC 27529-7136
MENDOZA, SAUL R REYES, MARIA L R	4400 WOODOAK TRL	GARNER NC 27529-9004
MITCHELL, EARL T MITCHELL, YOLANDA P	1115 ARBOR GREENE DR	GARNER NC 27529-7137
MITCHELL, JOHN T MITCHELL, BRENDA G	100 ROSE COMMON CT	GARNER NC 27529-7140
MITCHELL, RICKY KENT	4408 WOODOAK TRL	GARNER NC 27529-9004
MODILIM, INNOCENT OKOLI, EUNICE N	500 ARBOR GREENE DR	GARNER NC 27529-7104
MOORE, EDWARD JEROME MOORE, TAMMY BATTLE	132 GARDEN RETREAT DR	GARNER NC 27529-7128
MOORE, SCOTT MOORE, CLAUDETTE	1328 ARBOR GREENE DR	GARNER NC 27529-7114
MULL, DEREK R MULL, CYNTHIA L	912 ARBOR GREENE DR	GARNER NC 27529-7112
NAKKALA, VENKATESH BULGANNAWAR, SHAILAJA G	1415 FAIRFAX WOODS DR	APEX NC 27502-4171
NEIFERT, LESLEY A	103 VERDE GLEN DR	GARNER NC 27529-7119
NEW FORTIS CORPORATION THE	3500 REGENCY PKWY STE F	CARY NC 27518-8519
NEWTON, KEVIN NEWTON, JACQUELINE	1009 ARBOR GREENE DR	GARNER NC 27529-7152
NORRIS, BRIAN NORRIS, PAOLA PINO	1125 ARBOR GREENE DR	GARNER NC 27529-7137
NUNLEY, BOOKER T III NENLEY, JACQUELINE D	125 HOLLOW CT	GARNER NC 27529-7116
OATES, TOSHIBA G OATES, LINA P	1228 ARBOR GREENE DR	GARNER NC 27529-7134
OLIVERA, WILSON A	7985 FAYETTEVILLE RD	RALEIGH NC 27603-5631
ORLANDO, GARY A ORLANDO, LINDA L	8209 CANTHY CIR	GARNER NC 27529-9345
PARKER, ALLISON LYNNE	4404 WOODOAK TRL	GARNER NC 27529-9004
PATTERSON, BRANDON MALLOY PATTERSON, CAMILLE ALEXANDRA	1312 ARBOR GREENE DR	GARNER NC 27529-7114
PEARSON, KENNON BROOKS PEARSON, ASHLEY LAUREN	804 ARBOR GREENE DR	GARNER NC 27529-7110
PENA ALDANA, WILSON A ARITA, CHRIST	101 VERDE GLEN DR	GARNER NC 27529-7119
PENNY, PHILIP L PENNY, SHEREE R	125 BRITTMOORE CT	GARNER NC 27529-7154
POMEROY-CARTER, KATHRYN LEE	108 CLIMBING LATTICE CT	GARNER NC 27529-7117
POPIDINSKI, ANDREW	128 GARDEN RETREAT DR	GARNER NC 27529-7128
PORTER, WILLIAM JR. JOHNSON-PORTER, YVONNE	108 VERDE GLEN DR	GARNER NC 27529-7118
POWELL, ADRIAN R LAST-POWELL, FIONA C	312 ARBOR GREENE DR	GARNER NC 27529-9743
POWER, ABHUIT	124 BRITTMOORE CT	GARNER NC 27529-7153
PREBLE, STEVAN T PREBLE, JANET E	1223 ARBOR GREENE DR	GARNER NC 27529-7135
PRICE, HAROLD B JR PRICE, JANICE Y	156 BRITTMOORE CT	GARNER NC 27529-7153
PRIOR, GARY R PRIOR, GWEN H	957 RAND RD	GARNER NC 27529-9046
PRIOR, GARY R PRIOR, GWENDOLYN H	957 RAND RD	GARNER NC 27529-9046
PROGRESS RESIDENTIAL BORROWER 7, LLC	PO BOX 4090	SCOTTSDALE AZ 85261-4090
PURDY, ALYSSA TAYLOR SWAGLER, KEITH ERIC	124 VERDE GLEN DR	GARNER NC 27529-7118
QASSEM, SUHEIL QASSEM, AHLAAM SALEM	112 SCARLET GREEN CT	GARNER NC 27529-7127
REHMAN, ABDUL	105 ROSE COMMON CT	GARNER NC 27529-7140
REIPH, SERGE N	103 BOUTON ST	NORWALK CT 06854-4116
REITMEYER, DARIN DAVID GIBSON, KELLY LYNN	1000 RAND RD	GARNER NC 27529-9766
RUEDA, ASHTON VICTORIA ERWIN, MICHAEL CRAIG	108 ROSE COMMON CT	GARNER NC 27529-7140
RUSS, JOHN S	1224 ARBOR GREENE DR	GARNER NC 27529-7134
SANDERS, DEBRA	172 BRITTMOORE CT	GARNER NC 27529-7153
SAULTER, MICHAEL SAULTER, LILLY HOPE WHITA	125 HONORABLE PL	GARNER NC 27529-7155
SCHERER, CARL M SCHERER, ELIZABETH B	121 HOLLOW CT	GARNER NC 27529-7116
SCOTT, ALBERT SCOTT, MICHELLE	100 VERDE GLEN DR	GARNER NC 27529-7118
SEMERE, SAMUEL B	100 CLIMBING LATTICE CT	GARNER NC 27529-7117
SFR JAVELIN BORROWER LP	1717 MAIN ST STE 2000	DALLAS TX 75201-4657

SHARIFYAZDI, SAEED SHARIFYAZDI, DONNA L	108 SCARLET GREEN CT	GARNER NC 27529-7127
SHIN, SEUNGCHOL	1126 ARBOR GREENE DR	GARNER NC 27529-7136
SILVER, KENNETH L SILVER, KAY SHANNON	4416 WOODOAK TRL	GARNER NC 27529-9004
SMALLEY, CARL H SMALLEY, AIMEE R	1335 ARBOR GREENE DR	GARNER NC 27529-7115
SMALLS, GREGORY MICHAEL SMALLS, ANDREA YVETTE	141 BRITTMOORE CT	GARNER NC 27529-7154
SMITH, ADDISON NEAL JR SMITH, DONNA CHRISTINE	1131 ARBOR GREENE DR	GARNER NC 27529-7137
SMITH, MICHAEL D SMITH, CHARLENE M	903 ARBOR GREENE DR	GARNER NC 27529-7113
SMITH, SKIP A SMITH, SARAH J	113 VALLEY VISTA CT	GARNER NC 27529-7143
SNEED, HELEN M S	100 BRITTMOORE CT	GARNER NC 27529-7153
SOMARRIBA, STEVEN	304 ARBOR GREENE DR	GARNER NC 27529-9743
SORY, NAHED AYYAD, RANDA JABRA	4409 WOODOAK TRL	GARNER NC 27529-9005
SQUIRES, RICHARD N SQUIRES, YUNNIE	113 SCARLET GREEN CT	GARNER NC 27529-7127
STINES, PEGGY P	917 RAND RD	GARNER NC 27529-9046
STONE, DEBORAH C	1008 RAND RD	GARNER NC 27529-9766
STORY, MICHAEL STORY, MARY	2709 BENSON RD	GARNER NC 27529-9060
STROUD, JOHN E	109 VERDE GLEN DR	GARNER NC 27529-7119
SURTI, NILESH M SURTI, ALAKSHA N	104 GREENE HILL CT	GARNER NC 27529-7142
SUTTON, MICHAEL S SUTTON, SHERYL ANN	104 ROSE COMMON CT	GARNER NC 27529-7140
SVEDI, STEPHEN THOMAS SVEDI, CARA L	1304 ARBOR GREENE DR	GARNER NC 27529-7114
TAYLOR, CANDICE	916 ARBOR GREENE DR	GARNER NC 27529-7112
THOMAS, LUTHER R THOMAS, WILADEAN R	148 BRITTMOORE CT	GARNER NC 27529-7153
THOMAS, ROBERT DANIEL JR THOMAS, KIMBERLY A	4426 WOODOAK TRL	GARNER NC 27529-9004
THOMPSON, BRANDON SIMMONS, JENNA L	105 GREENE HILL CT	GARNER NC 27529-7146
THORNE, LAURIE W	121 GARDEN RETREAT DR	GARNER NC 27529-7120
THORNE, RICKEY D THORNE, GWENDOLYN	113 VERDE GLEN DR	GARNER NC 27529-7119
THORNTON, RONALD W THORNTON, JANICE M	109 FULL MOON CT	GARNER NC 27529-7126
TOPONWEY, JOHN Y BARNOR, FLORENCE A	3500 SNYDER AVE APT 7L	BROOKLYN NY 11203-3994
TRIANGLE LAND CONSERVANCY	514 S DUKE ST	DURHAM NC 27701-3116
TROUT, MARK	601 ARBOR GREENE DR	GARNER NC 27529-7107
TRUEBLOOD, LISA K	112 HOLLOW CT	GARNER NC 27529-7116
TURNER, JOETTE TURNER, MARK K	104 SCARLET GREEN CT	GARNER NC 27529-7127
TYSON, MICHAEL A TYSON, JO ANN	104 FULL MOON CT	GARNER NC 27529-7126
UMSTEAD, CRAIG L UMSTEAD, KAREN H	101 CLIMBING LATTICE CT	GARNER NC 27529-7117
VALLURIPALLI, PANDU RNS SISTA, RAMAKRISHNA	849 RIVER SONG PL	CARY NC 27519-0882
VGG HOLDINGS LLC	7320 BASSETT HALL CT	RALEIGH NC 27616-5630
WAKE COUNTY BOARD OF EDUCATION	RE SERVICES DIRECTOR	1551 ROCK QUARRY RD
WALASKI, EDWARD L WALASKI, KIMBERLY G	1300 ARBOR GREENE DR	GARNER NC 27529-7114
WAMBOLDT, MICHAEL L WAMBOLDT, PATRICIA A	107 ROSE COMMON CT	GARNER NC 27529-7140
WARNER, JEFFREY C WARNER, CHRISTY E	1307 ARBOR GREENE DR	GARNER NC 27529-7115
WHALEN, LARISSA A GRIFFITHS, DAMIEN R	920 ARBOR GREENE DR	GARNER NC 27529-7112
WHALEY, TIMOTHY J WHALEY, ROSEMARY D	116 BRITTMOORE CT	GARNER NC 27529-7153
WHITAKER, LARRY P WHITAKER, BARBARA S	109 BRITTMOORE CT	GARNER NC 27529-7154
WHITE, STEPHEN A WHITE, PATRICIA A	1303 ARBOR GREENE DR	GARNER NC 27529-7115
WHITEHURST, LARRY G	905 RAND RD	GARNER NC 27529-9046
WILLIAMS, MARY WIMBUSH NEW JERUSALEM CHURCH OF OUR LORD J	307 ARBOR GREENE DR	GARNER NC 27529-9749
WILLIAMS, TRAVIS ANDREW WILLIAMS, JULIANNA	112 ROSE COMMON CT	GARNER NC 27529-7140
WILSON, JOHN FRANCIS WILSON, DEBRA REIKO	1000 ARBOR GREENE DR	GARNER NC 27529-7151
WINGATE, ANGELA S WINGATE, JEFFERY T	1331 ARBOR GREENE DR	GARNER NC 27529-7115
WOODSON, RONALD L WOODSON, ANGELINE M	PO BOX 97164	PITTSBURGH PA 15229-0164
WRIGHT, SYLVESTER J WRIGHT, XENIA M	1316 ARBOR GREENE DR	GARNER NC 27529-7114
YATES, WILLIAM DANNY YATES, PAMELA M	133 BRITTMOORE CT	GARNER NC 27529-7154
ZEGAR, BRIAN IAN ZEGAR, STEPHANIE KATHLEEN	1005 ARBOR GREENE DR	GARNER NC 27529-7152

Remote Meeting Minutes, May 24, 2021

1. Neighbors expressed concerns about existing traffic in the area and concern that Arbor Greene Drive may be used as a cut-through to avoid traffic on NC 50.

Response: The VA and the applicant have undertaken an extensive Traffic Impact Analysis associated with the proposed rezoning for the new VA Outpatient clinic and will be making various improvements to the road network as approved by the Town and NCDOT to mitigate traffic impacts. To address the neighbors' specific concerns about traffic leaving the clinic going through the Arbor Greene subdivision and conflicting with neighboring Rand Road Elementary, the development team proposes installing a left-only exit on Arbor Greene Drive requiring drivers leaving the clinic to go to NC 50 and away from the school and the Arbor Greene subdivision. The left-only exit will be installed on the clinic's Arbor Green Drive access if approved by the Town.

2. A neighbor asked whether there is a timeline for the beginning and end of construction of the new VA Outpatient Clinic.

Response: The development team stated that they hope to start construction this fall, and that construction will take approximately 24 months. That means that if construction starts this fall, it is currently anticipated to be complete by 2024.

3. A neighbor asked about the general hours of operation for the VA Outpatient Clinic.

Response: The VA expects the VA Outpatient Clinic will be open 5 days a week during normal business hours (patients seen 8a to 4:30p).

4. A neighbor asked about the fencing and landscaped buffer between the VA Outpatient Clinic and the adjacent Rand Road Elementary School.

Response: There will be a fence and additional landscaping. There is also a significant topographic change between the two properties.

5. A neighbor stated that she did not think the VA Outpatient Clinic should be located next to an elementary school.

Response: The development team noted that this is an outpatient clinic and not a hospital with inpatient care. The VA Outpatient Clinic also will have onsite security.

6. A neighbor asked about the types of treatment provided by VA Outpatient Clinic.

Response: Representatives for the VA stated that the clinic will have state-of-the-art outpatient care facilities that will provide primary care and outpatient care in a variety of specialties, including mental health care. There are no inpatient beds at the facility and there will be no emergency department.

7. A neighbor asked how the development of the new VA Outpatient Clinic would impact property taxes.

Response: Because the VA will be leasing property owned by a private party, the development will not be exempt from property taxes under current North Carolina law.

8. A neighbor asked if construction noise would interfere with learning at Rand Road Elementary.

Response: The development team stated that the development will not involve significant demolition and will not involve pile driving operations that would cause significant noise impacts.

9. A neighbor asked about the location of the construction entrances.

Response: The development team stated that the construction entrances and exits have not yet been set, but will be working with the Town to identify an appropriate location.

10. A neighbor asked if the Town would be willing to pipe natural gas into the Arbor Greene subdivision.

Response: The development team cannot represent what the Town would be willing to do, but did state that they are working to bring natural gas to the 900 Rand Road site.

11. A neighbor asked if the gas station at the corner of NC 50 and Rand Road is being demolished.

Response: The gas station property is not part of this rezoning.

12. A neighbor asked if there will be a parking deck built as part of the development of the VA Outpatient Clinic.

Response: There will be a parking structure built on the southern side of the property consistent with the site plan currently being reviewed by the Town.

13. A neighbor asked if a traffic light would be installed at the intersection of NC 50 and Arbor Greene Drive.

Response: The development team stated that they are currently going through the process of obtaining NCDOT approval to install a traffic light at that intersection. Once the traffic light is authorized by NCDOT, it will be installed.

In-person Meeting Minutes, May 25, 2021

1. A neighbor asked if a risk assessment was done on the project and if Wake County Schools signed off on the project.

Response: The project team stated that the outpatient clinic does not pose any particular risks to the neighborhood or the adjoining Rand Road elementary. The development team has met with the principal of Rand Road Elementary and otherwise reached out to Wake County Schools.

2. Neighbors expressed concern about traffic safety in connection with Rand Road Elementary student pick-up/drop-off on Arbor Green Drive. Neighbors also expressed concern about “cut through” traffic from the VA Outpatient Clinic through the Arbor Greene neighborhood.

Response: After receiving these comments, the development team reviewed options to reduce potential conflicts between clinic traffic and student pickup/drop-off and to help

limit cut-through traffic. To address these concerns, the plans for the clinic's exit onto Arbor Greene Drive have been modified to be a "left only" exit to prevent vehicles leaving the clinic site from turning towards Rand Road Elementary and directing traffic towards NC 50 and away from the Arbor Greene subdivision. This proposed "left only" exit onto Arbor Greene Drive will be installed if approved by the Town.

3. A neighbor asked if the clinic's hours could be adjusted to avoid conflicts with school drop-off/pickup.

Response: Representatives for the VA indicated that they would review options.

4. A neighbor expressed concern about the existing traffic on Rand Road and asked if there are any plans to expand Rand Road.

Response: The proposed redevelopment of the site does not include the expansion of Rand Road.

5. A neighbor asked if NC 50 would ultimately be 4 lanes with a turn lane.

Response: The development team explained that the street plans for this area call for this portion of NC 50 to be 4 lanes with a turn lane. The planned development of this site will facilitate this widening by providing a larger road right-of-way along the property's frontage with NC 50. A second southbound lane will be built along the Property's frontage with NC 50, and a dedicated right hand turn lane into the clinic from NC 50 will be installed as part of the proposed development.

6. A neighbor asked when the facility would open and how long construction would last.

Response: The development team answered that current plans anticipate construction lasting 24 months. A representative for the VA stated that the VA currently is targeting opening the VA Outpatient clinic in early 2024.

7. A neighbor asked whether construction would occur during nights or weekends.

Response: The development team answered that they did not anticipate construction during nights or weekends.

8. A neighbor asked if the new VA outpatient clinic would create auxiliary uses or prompt further expansion of medical facilities on adjoining properties.

Response: VA representatives stated that the VA does not anticipate creating auxiliary uses or development. VA representatives stated that unlike private medical facilities, it does not refer patients out, so generally other doctors' offices do not locate near VA clinics.

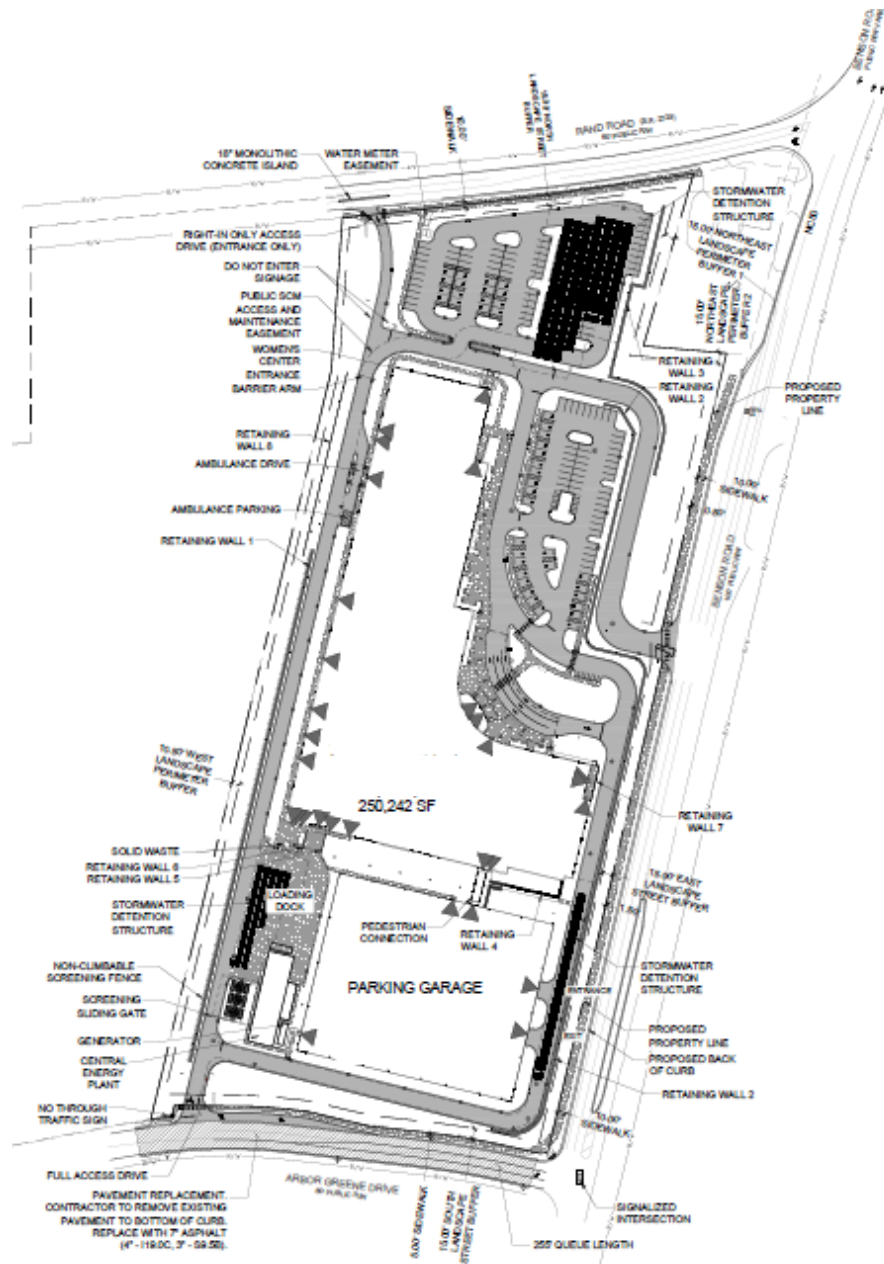
V. SITE PLAN SUMMARY

Acreeage: 16.3 acres +/-

Minimum Lot Size/Dimensions: 6,000 square feet

Setbacks: Front – 35’
Rear – 0’/25’
Side – 10’/15’
Corner Side – 35’

Site Plan:



Building Design and Materials:

250,242 square foot commercial building (2 floors) with adjoining parking deck (5 levels – 4 covered, 1 roof).

Exterior finishing materials will consist largely of brick and stone veneer along with metal paneling and glass.



Landscape and Buffer Requirements:

Tree Cover:

- 4.7% preservation planned – overall 11.5% tree coverage required
- To be confirmed during SUP/P review.

Street Buffers:

- Likely 15-foot street buffers on three sides of the property.
- To be confirmed during SUP/P review.

Street Trees: Trees provided along both street frontages every 40 feet as required.

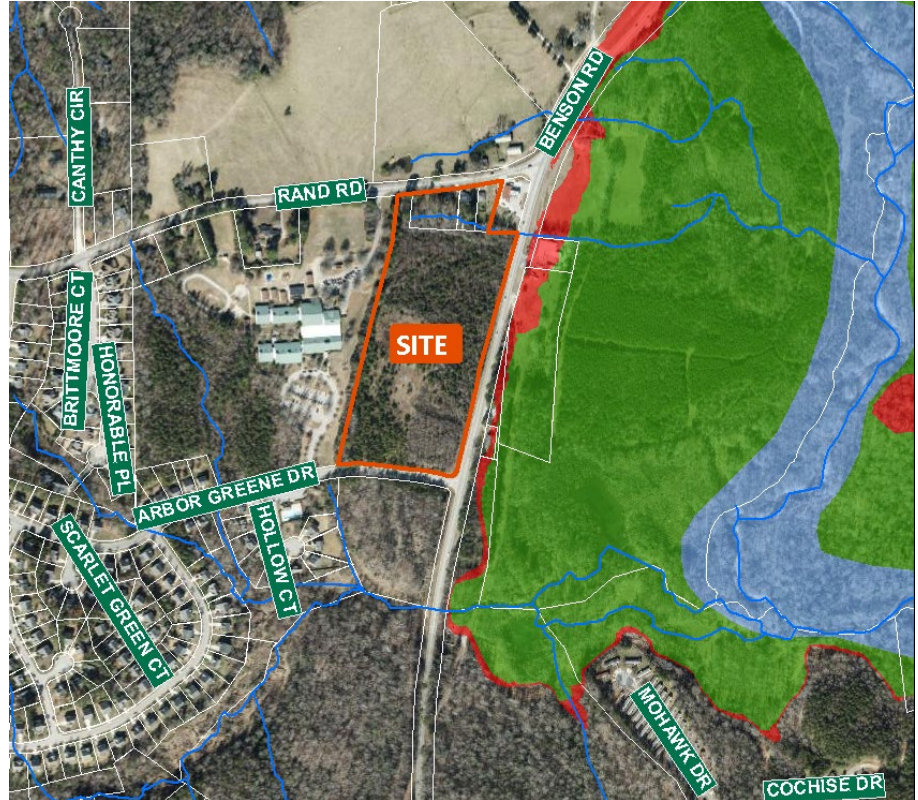
- Benson Road: 28 Required, 39 Provided
- Rand Road: 11 Required, 11 Provided
- Arbor Greene Drive: 13 Required, 31 Provided

Perimeter Buffers:

- Likely 15-foot buffers along the property line that adjoins the school as well as the one that adjoins the existing convenience store.
- To be confirmed during SUP/P review.

Environmental Features:

This site does not contain FEMA designated floodplain. The state has determined there are no regulated water bodies on this site.



Fire Protection:

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

Parking:

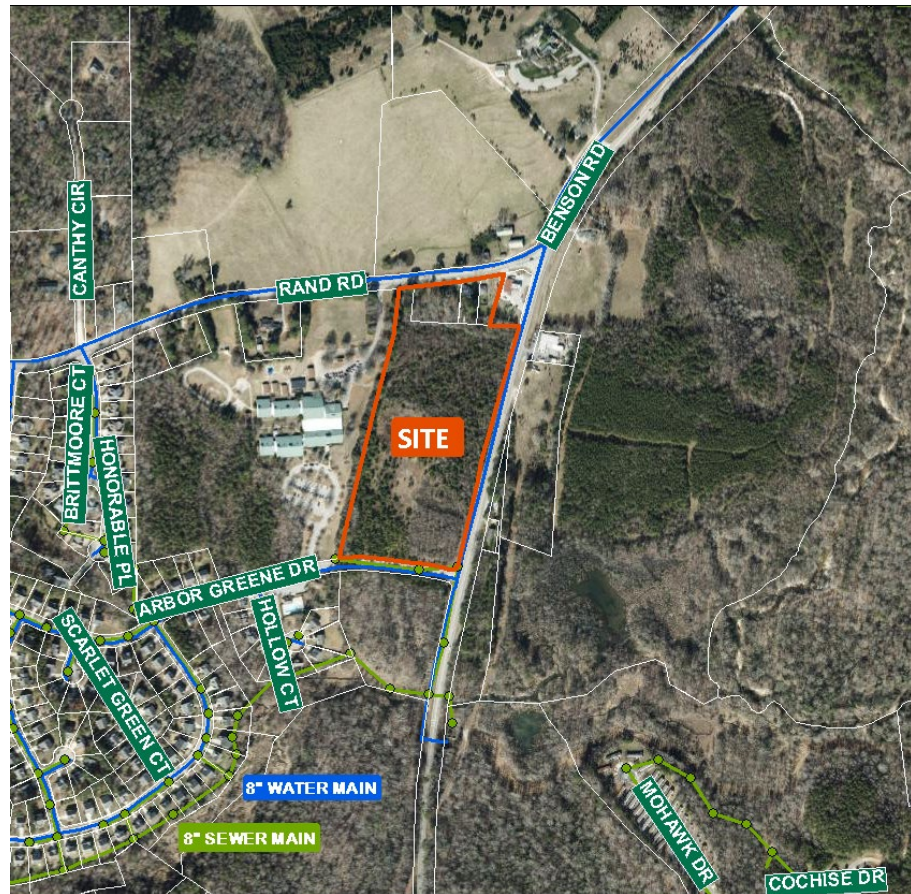
Parking is based on most likely 1 space per 200 square feet.

- Likely Required: 1,252 spaces
- Provided: 1,309 spaces (includes parking deck)

Lighting:

Site lighting meets both the requirements of the UDO and staff policy regarding LED fixtures.

Infrastructure: **Water/Sewer** - The parcels will be connected to the City of Raleigh public water and sewer systems via existing infrastructure surrounding the site.



Stormwater Management: The commercial development site is not located within the watershed protection area. This site is subject to stormwater water quality requirements for nitrogen as well as water quantity requirements for the 1-, 10- and 25-year storm events. This development plan proposes three underground structures for both detention (Contech CMP Stormwater Detention system) and nitrogen (Contech Stormfilter) to treat impervious surface from the development. These devices will satisfy all water quality and water quantity requirements at this site for nitrogen and will detain the 1-, 10- and 25-year storm events. A nitrogen offset payment will also be required as part of this development.

Streets and Access: There will be three driveways into the site with the primary being a right-in, right-out only on Benson Road. There will be a right-in only on Rand Road and a full access drive onto Arbor Greene Drive. While right turns from the site onto Arbor Drive cannot be physically restricted, staff and applicant have agreed to post signage restricting through traffic.

Frontage Improvements: The proposed development is located at the southwest corner of Benson Road and Rand Road. Benson Road will be widened on the development side to accommodate half of a Town of Garner thoroughfare section, which is a four-lane divided facility with curb, gutter, and sidewalk. Rand Road will be widened on the development side to half of a Town of Garner major collector section, which is a three-lane facility with curb, gutter, and sidewalk. Additional right of way will be dedicated as necessary. Along both the Benson Road and Rand Road frontages, a 10' asphalt multi-use path will be installed in lieu of traditional 5' sidewalk. The site will have three driveways – one right in/right out of Benson Road, one right in only off Rand Road, and one full access off Arbor Greene Drive to the south. Along the property frontage, the full width of Arbor Greene Drive will be milled to below the curb and repaved with full depth asphalt to support the increased traffic.

VI. PLAN CONSISTENCY

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

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

- 2018 Garner Forward Comprehensive Plan
- 2010/18 Garner Transportation Plan
- Parks, Recreation, Greenways and Cultural Resources Master Plan

VII. REASONABLENESS

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

VIII. RECOMMENDATION

Staff recommends that once the Town Council has heard comments, concerns and questions from the general public that Council identify any case-specific concerns and questions for consideration during further review and that Conditional Zoning Map Amendment CZ-SP-20-15 be referred to the Planning Commission for their review and recommendation regarding plan consistency.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 2, 2021		
Subject: 2021 Bond Referendum Public Hearing		
Location on Agenda: Public Hearings		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary: A public hearing will be held on the proposed 2021 bond orders. Following the public hearing, Council may adopt the four bond orders after a second reading and adopt a resolution calling for a bond referendum on said orders.		
Recommended Motion and/or Requested Action: Separate motions and votes on the items below following the public hearing:		
1. Approve final passage of order authorizing \$24,050,000 Street and Sidewalk Improvements Bonds. 2. Approve final passage of order authorizing \$35,500,000 Parks and Recreational Bonds. 3. Approve final passage of order authorizing \$6,500,000 Public Safety and Services Facilities Bonds. 4. Approve final passage of order authorizing \$2,950,000 Stormwater Bonds. 5. Adopt resolution calling for a bond referendum on the four bond orders to be held 11/2/2021.		
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:		

The Town Council of the Town of Garner, North Carolina met in a regular meeting in the Town Hall located at 900 7th Avenue in Garner, North Carolina, the regular place of meeting, at 7:00 p.m. on August 2, 2021.

Present: Mayor Ken Marshburn, presiding, and Council Members

Absent: Council Members

Also present: _____

* * * * *

The Mayor announced that this was the hour and day fixed by the Town Council for a public hearing upon the orders entitled “ORDER AUTHORIZING \$24,050,000 STREET AND SIDEWALK IMPROVEMENT BONDS,” “ORDER AUTHORIZING \$35,500,000 PARKS AND RECREATIONAL BONDS,” “ORDER AUTHORIZING \$6,500,000 PUBLIC SAFETY AND SERVICES FACILITIES BONDS” and “ORDER AUTHORIZING \$2,950,000 STORMWATER BONDS” and that the Town Council would immediately hear anyone who might wish to be heard on the questions of the validity of said orders or the advisability of issuing said bonds.

No one appeared, either in person or by attorney, to be heard on the questions of the validity of said orders or the advisability of issuing said bonds and the Town Clerk announced that no written statement relating to said questions had been received, except as set forth in Exhibit A attached hereto.

Thereupon, upon motion of Council Member _____, seconded by Council Member _____, the order introduced and adopted on first reading on July 20, 2021 entitled "ORDER AUTHORIZING \$24,050,000 STREET AND SIDEWALK IMPROVEMENT BONDS" was read a second time and placed upon its final passage. The vote upon the final passage of said order was:

Ayes: _____

Noes: _____

Thereupon, upon motion of Council Member _____, seconded by Council Member _____, the order introduced and adopted on first reading on July 20, 2021 entitled "ORDER AUTHORIZING \$35,500,000 PARKS AND RECREATIONAL BONDS" was read a second time and placed upon its final passage. The vote upon the final passage of said order was:

Ayes: _____

Noes: _____

Thereupon, upon motion of Council Member _____, seconded by Council Member _____, the order introduced and adopted on first reading on July 20, 2021 entitled "ORDER AUTHORIZING \$6,500,000 PUBLIC SAFETY AND SERVICES FACILITIES BONDS" was read a second time and placed upon its final passage. The vote upon the final passage of said order was:

Ayes: _____

Noes: _____

Thereupon, upon motion of Council Member _____, seconded by Council Member _____, the order introduced and adopted on first reading on July 20, 2021 entitled "ORDER AUTHORIZING \$2,950,000 STORMWATER BONDS" was read a second time and placed upon its final passage. The vote upon the final passage of said order was:

Ayes: _____

Noes: _____

The Town Clerk was thereupon directed to publish said orders, together with the appended statement as required by The Local Government Bond Act, as amended, once in The News and Observer.

Thereupon, _____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION CALLING FOR A BOND REFERENDUM

BE IT RESOLVED by the Town Council of the Town of Garner, North Carolina (the "Town") as follows:

Section 1. A bond referendum is hereby called to be held between 6:30 a.m. and 7:30 p.m., on Tuesday, November 2, 2021, at which there shall be submitted to the qualified voters of the Town the questions stated in the form of ballot set forth in Section 4 of this resolution.

Section 2. For said referendum, (a) the registration records for elections in the Town shall be used, and the registration records shall be open for the registration of qualified persons and for public inspection in the manner, under the conditions and at the times and places provided by the Wake County Board of Elections, (b) the chief judges, judges and assistants appointed by the Wake County Board of Elections for the several precincts and voting places in the Town shall be the precinct officers for such precincts and voting places and (c) the precincts and voting places shall be that fixed by the Wake County Board of Elections, subject to change as provided by law. The Wake County Board of Elections is hereby requested to conduct said referendum in the areas of the Town covered by their respective territories and to take all necessary steps to that end in accordance with the provisions of this section.

Section 3. The Town Clerk shall cause a notice of bond referendum to be published in The News and Observer once at least fourteen days before October 8, 2021 (being the 25th day prior to said bond referendum), and once again not less than seven days before said day, such notice to read substantially as follows:

**NOTICE OF BOND REFERENDUM
in the
TOWN OF GARNER, NORTH CAROLINA**

A bond referendum will be held in the Town of Garner, North Carolina on Tuesday, November 2, 2021 regarding the approval of the following:

1. Not to exceed \$24,050,000 STREET AND SIDEWALK IMPROVEMENT BONDS of said Town. The proceeds of said street and sidewalk improvement bonds would be used for constructing, reconstructing, widening and improving streets and sidewalk improvements for said Town, inside and outside its corporate limits, including, without limitation, the construction, reconstruction and installation of sidewalks, landscaping and streetscaping, lighting, bridges,

bicycle lanes, curbs and gutters, culverts and drains, other drainage improvements, traffic controls and other transit improvements, and the acquisition of any related land, rights of way and equipment, all as set forth in the bond order adopted by the Town Council of said Town on August 2, 2021. If said street and sidewalk improvement bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the Town of Garner, North Carolina.

2. Not to exceed \$35,500,000 PARKS AND RECREATIONAL BONDS of said Town. The proceeds of said parks and recreational bonds would be used for acquiring, constructing, improving and expanding new and existing park, greenway and recreational facilities of said Town, inside and outside its corporate limits, including, without limitation, the acquisition of any related land, rights of way and equipment, all as set forth in the bond order adopted by the Town Council of said Town on August 2, 2021. If said parks and recreational bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the Town of Garner, North Carolina.

3. Not to exceed \$6,500,000 PUBLIC SAFETY AND SERVICES FACILITIES BONDS of said Town. The proceeds of public safety and services facilities bonds would be used for acquiring, constructing, expanding and renovating facilities to be used by said Town for public safety services, including, but not limited to, fire and police services and emergency services, and the acquisition of any related land, rights of way and equipment, all as set forth in the bond order adopted by the Town Council of said Town on August 2, 2021. If said public safety and services facilities bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the Town of Garner, North Carolina.

4. Not to exceed \$2,950,000 STORMWATER BONDS of said Town. The proceeds of stormwater bonds would be used for acquiring, constructing and equipping various improvements to said Town's natural and structural stormwater and drainage system, including, without limitation, erosion control, drainage, culverts, outfalls and the acquisition of any related land, rights of way and equipment., all as set forth in the bond order adopted by the Town Council of said Town on August 2, 2021. If said stormwater bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the Town of Garner, North Carolina.

The referendum will be conducted by the Wake County Board of Elections. The last day for new registration of those not now registered to vote is Friday, October 8, 2021. For further information and questions regarding said referendum, voter registration, procedures for those residents who have changed residences from the date of the last election, voting by absentee ballot, one stop voting and polling places, please contact the Wake County Board of Elections, 1200 N. New Hope Road, Raleigh, North Carolina 27610, (919) 404-4040. The Wake County Board of Elections' website is <https://www.wakegov.com/departments-government/board-elections>.

Greg Flynn
Chair, Wake County Board of Elections

Stella Gibson
Town Clerk, Town of Garner, North Carolina

Section 4. The form of the ballot questions to be used at said referendum shall be substantially as follows:

Shall the order adopted on August 2, 2021, authorizing not exceeding \$24,050,000 STREET AND SIDEWALK IMPROVEMENT BONDS of the Town of Garner, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, for constructing, reconstructing, widening and improving streets and sidewalk improvements for said Town, inside and outside its corporate

limits, including, without limitation, the construction, reconstruction and installation of sidewalks, landscaping and streetscaping, lighting, bridges, bicycle lanes, curbs and gutters, culverts and drains, other drainage improvements, traffic controls and other transit improvements, and the acquisition of any related land, rights of way and equipment, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds, be approved?

YES []

NO []

Shall the order adopted on August 2, 2021, authorizing not exceeding \$35,500,000 PARKS AND RECREATIONAL BONDS of the Town of Garner, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, for acquiring, constructing, improving and expanding new and existing park, greenway and recreational facilities of said Town, inside and outside its corporate limits, including, without limitation, the acquisition of any related land, rights of way and equipment, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds, be approved?

YES []

NO []

Shall the order adopted on August 2, 2021, authorizing not exceeding \$6,500,000 PUBLIC SAFETY AND SERVICES FACILITIES BONDS of the Town of Garner, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, for acquiring, constructing, expanding and renovating facilities to be used by said Town for public safety services, including, but not limited to, fire and police services and emergency services, and the acquisition of any related land, rights of way and equipment, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds, be approved?

YES []

NO []

Shall the order adopted on August 2, 2021, authorizing not exceeding \$2,950,000 STORMWATER BONDS of the Town of Garner, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, for acquiring, constructing and equipping various improvements to the Town's natural and structural stormwater and drainage system, including, without limitation, erosion control, drainage, culverts, outfalls and the acquisition of any related land, rights of way and equipment, and providing that additional taxes may be levied in

an amount sufficient to pay the principal of and interest on the bonds, be approved?

YES []

NO []

Section 5. The Town Clerk is hereby directed to mail or deliver a certified copy of this resolution to the Wake County Board of Elections within three days after the adoption hereof.

Section 6. The Town Council hereby declares its official intent pursuant to Section 1.150-2 of the Treasury Regulations to reimburse itself from the proceeds of debt issued pursuant to the above-referenced bond orders to be hereinafter incurred by the Town for expenditures relating to (a) constructing, reconstructing, widening and improving streets and sidewalk improvements for the Town, inside and outside its corporate limits, including, without limitation, the construction, reconstruction and installation of sidewalks, landscaping and streetscaping, lighting, bridges, bicycle lanes, curbs and gutters, culverts and drains, other drainage improvements, traffic controls and other transit improvements, and the acquisition of any related land, rights of way and equipment, (b) acquiring, constructing, improving and expanding new and existing park, greenway and recreational facilities of the Town, inside and outside its corporate limits, including, without limitation, the acquisition of any related land, rights of way and equipment, (c) acquiring, constructing, expanding and renovating facilities to be used by the Town for public safety services, including, but not limited to, fire and police services and emergency services, and the acquisition of any related land, rights of way and equipment and (d) acquiring, constructing and equipping various improvements to the Town's natural and structural stormwater and drainage system, including, without limitation, erosion control, drainage, culverts, outfalls and the acquisition of any related land, rights of way and equipment (collectively, the "Project") paid by the Town on or after the date which is sixty (60) days prior

to the date hereof except with respect to certain amounts incurred before such 60-day period not exceeding 20% of the issue price of the proceeds of the debt to be hereinafter incurred which are expended for “preliminary expenditures” within the meaning of Section 1.150-2 of the Treasury Regulations (the “Preliminary Expenditures”). Nothing contained herein shall prohibit the reimbursement for Preliminary Expenditures or other expenditures paid on an earlier date that may be reimbursed pursuant to applicable federal tax laws. \$69,000,000 is the maximum principal amount of debt reasonably expected to be incurred for the purpose of paying the costs of the Project.

Section 7. This resolution shall take effect upon its passage.

Thereupon, upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled “RESOLUTION CALLING A BOND REFERENDUM” was adopted by the following vote:

Ayes: _____

Noes: _____

* * * * *

I, Stella Gibson, Town Clerk of the Town of Garner, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the Town Council of said Town at a regular meeting held on August 2, 2021, as it relates in any way to the holding of a public hearing, the adoption of bond orders authorizing general obligation bonds of said Town and the calling of a bond referendum upon such orders and that said proceedings are recorded in the minutes of said Town Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

I DO HEREBY FURTHER CERTIFY that I will mail or deliver a certified copy of the resolution adopted on August 2, 2021 entitled “RESOLUTION CALLING A BOND REFERENDUM” to the Wake County Board of Elections on or before the third day following the adoption of said resolution.

WITNESS my hand and official seal of said Town this 2nd day of August, 2021.

Town Clerk

[SEAL]

EXHIBIT A

[A list of any persons making comments and a summary of such comments to be attached. If no comments are made, please insert "None".]

TO THE PUBLISHER OF THE NEWS AND OBSERVER:

Please publish the following once in The News and Observer on Friday, August 6, 2021.

**ORDER AUTHORIZING
\$24,050,000 STREET AND SIDEWALK IMPROVEMENT BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the Town of Garner, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said Town may now or hereafter have power and authority to contract, and in evidence thereof to issue Street and Sidewalk Improvement Bonds in an aggregate principal amount not exceeding \$24,050,000 for the purpose of providing funds, together with any other available funds, for constructing, reconstructing, widening and improving streets and sidewalk improvements for said Town, inside and outside its corporate limits, including, without limitation, the construction, reconstruction and installation of sidewalks, landscaping and streetscaping, lighting, bridges, bicycle lanes, curbs and gutters, culverts and drains, other drainage improvements, traffic controls and other transit improvements, and the acquisition of any related land, rights of way and equipment.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said Town has been filed with the Town Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said Town at a referendum as provided in said Act.

**ORDER AUTHORIZING
\$35,500,000 PARKS AND RECREATIONAL BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the Town of Garner, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said Town may now or hereafter have power and authority to contract, and in evidence thereof to issue Parks and Recreational Bonds in an aggregate principal amount not exceeding \$35,500,000 for the purpose of providing funds, together with any other available funds, for acquiring, constructing, improving and expanding new and existing park, greenway and recreational facilities of said Town, inside and outside its corporate limits, including, without limitation, the acquisition of any related land, rights of way and equipment.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said Town has been filed with the Town Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said Town at a referendum as provided in said Act.

**ORDER AUTHORIZING
\$6,500,000 PUBLIC SAFETY AND SERVICES FACILITIES BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the Town of Garner, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said Town may now or hereafter have power and authority to contract, and in evidence thereof to issue Public Safety and Services Facilities Bonds in an aggregate principal amount not exceeding \$6,500,000 for the purpose of providing funds, together with any other available funds, for acquiring, constructing, expanding and renovating facilities to be used by said Town for public safety services, including, but not limited to, fire and police services and emergency services, and the acquisition of any related land, rights of way and equipment.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said Town has been filed with the Town Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said Town at a referendum as provided in said Act.

**ORDER AUTHORIZING
\$2,950,000 STORMWATER BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the Town of Garner, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said Town may now or hereafter have power and authority to contract, and in evidence thereof to issue Stormwater Bonds in an aggregate principal amount not exceeding \$2,950,000 for the purpose of providing funds, together with any other available funds, for acquiring, constructing and equipping various improvements to said Town's natural and structural stormwater and drainage system, including, without limitation, erosion control, drainage, culverts, outfalls and the acquisition of any related land, rights of way and equipment.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said Town has been filed with the Town Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said Town at a referendum as provided in said Act.

The foregoing orders were adopted on the 2nd day of August, 2021, and are hereby published this 6th day of August, 2021. Any action or proceeding questioning the validity of the orders must be begun within 30 days after the date of publication of this notice. The Finance Director of said Town has filed a statement estimating that the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued, is \$21,800,000. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on such bonds. Such statement of estimated interest includes certain assumptions upon which such estimate is based, and there is no assurance that the circumstances included in such assumptions will occur. The validity of the proposed bonds is not subject to challenge on the grounds that the actual interest cost on the bonds when issued is different than the estimated interest amount set forth above.

By: Stella Gibson
Town Clerk of the
Town of Garner, North Carolina

TO THE PUBLISHER OF THE NEWS AND OBSERVER:

Please publish the following twice in The News and Observer on Friday, August 6, 2021 and Friday, August 13, 2021:

**NOTICE OF BOND REFERENDUM
in the
TOWN OF GARNER, NORTH CAROLINA**

A bond referendum will be held in the Town of Garner, North Carolina on Tuesday, November 2, 2021 regarding the approval of the following:

1. Not to exceed \$24,050,000 STREET AND SIDEWALK IMPROVEMENT BONDS of said Town. The proceeds of said street and sidewalk improvement bonds would be used for constructing, reconstructing, widening and improving streets and sidewalk improvements for said Town, inside and outside its corporate limits, including, without limitation, the construction, reconstruction and installation of sidewalks, landscaping and streetscaping, lighting, bridges, bicycle lanes, curbs and gutters, culverts and drains, other drainage improvements, traffic controls and other transit improvements, and the acquisition of any related land, rights of way and equipment, all as set forth in the bond order adopted by the Town Council of said Town on August 2, 2021. If said street and sidewalk improvement bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the Town of Garner, North Carolina.

2. Not to exceed \$35,500,000 PARKS AND RECREATIONAL BONDS of said Town. The proceeds of said parks and recreational bonds would be used for acquiring, constructing, improving and expanding new and existing park, greenway and recreational facilities of said Town, inside and outside its corporate limits, including, without limitation, the acquisition of any related land, rights of way and equipment, all as set forth in the bond order adopted by the Town Council of said Town on August 2, 2021. If said parks and recreational bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the Town of Garner, North Carolina.

3. Not to exceed \$6,500,000 PUBLIC SAFETY AND SERVICES FACILITIES BONDS of said Town. The proceeds of public safety and services facilities bonds would be used for acquiring, constructing, expanding and renovating facilities to be used by said Town for public safety services, including, but not limited to, fire and police services and emergency services, and the acquisition of any related land, rights of way and equipment, all as set forth in the bond order adopted by the Town Council of said Town on August 2, 2021. If said public safety and services facilities bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the Town of Garner, North Carolina.

4. Not to exceed \$2,950,000 STORMWATER BONDS of said Town. The proceeds of stormwater bonds would be used for acquiring, constructing and equipping various improvements to said Town's natural and structural stormwater and drainage system, including, without limitation, erosion control, drainage, culverts, outfalls and the acquisition of any related

land, rights of way and equipment., all as set forth in the bond order adopted by the Town Council of said Town on August 2, 2021. If said stormwater bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the Town of Garner, North Carolina.

The referendum will be conducted by the Wake County Board of Elections. The last day for new registration of those not now registered to vote is Friday, October 8, 2021. For further information and questions regarding said referendum, voter registration, procedures for those residents who have changed residences from the date of the last election, voting by absentee ballot, one stop voting and polling places, please contact the Wake County Board of Elections, 1200 N. New Hope Road, Raleigh, North Carolina 27610, (919) 404-4040. The Wake County Board of Elections' website is <https://www.wakegov.com/departments-government/board-elections>.

Greg Flynn
Chair, Wake County Board of Elections

Stella Gibson
Town Clerk, Town of Garner, North Carolina

REPORTS

Garner Info

<u>Id</u>	<u>Title</u>	<u>Description</u>	<u>Current Status</u>	<u>Address</u>	<u>Date Created</u>	<u>Comments</u>
10028521	Misc. - Streets	There should be a no u-turn here at rush hour.	Submitted	Mechanical Blvd	5/10/2021	NCDOT responded that this signal is operated and maintained by the City of Raleigh. We will forward this concern to them, but their contact information is below for reference should you wish to reach out.
10051754	Construction Without Permit	104 Atchison St, back yard of, construction of 20x12x12 equipment shed (aluminum) too close to back/side property line, also 8x12 shed too close to back/side property line, plus unpermitted electricity and now extending size of 8x12 shed by another 8x12. Constant unauthorized construction.	In Progress	104 Atchison St	5/14/2021	Still no action to permit backyard construction. Now occupant has added chickens and ROOSTER
10137810	Home Occupation	This is a hybrid complaint about a business being operated from a residential backyard as well as a noise complaint if by some chance that business is actually permitted as far as zoning. Every single day there are multiple trucks being backed up close to property lines - there is constant loading & unloading, dumping, sawing, drilling, and a handful of workers back there every day. The business is called "Drainage & Waterproofing Solutions LLC."	In Progress	228 Weston Rd	5/28/2021	Made site visit to location and left business card on front door. Notice mailed to address.
10235091	Buildings/ Shelter Maintenance	White Deer Park, Nature Center. The knee wall in front of the Nature Center is missing a top cap of slate(?). This presents an uneven surface physically and visually. Thanks	In Progress	White Deer Park	6/14/2021	The Parks and Recreation Department is in the process of coming up with a plan to improve this area.
10413923	Misc. - Parks / Town Property	The cul-de-sac landscaped circle needs attention. It has been neglected for so long that it is just dirt. The dirt washes into the street every time it rains leaving a mess. Can the town put zoysia sod on the dirt area to prevent this and make it more attractive and appealing? Thank you!!	Received		7/13/2021	Please provide an address and or street names .

Garner Info

10415941	Misc. - Streets	There needs to be a sidewalk on Winterlochen as a means to slow traffic. There are cars going 50mph+ in a residential zone with children and walkers in the street.	Submitted	4641-4699 Winterlochen Rd	7/13/2021	
10443279	Tall Grass/Weeds (Private Property)	Has not cut grass in 2021 and vines are growing all over the house	Received	109 Hillbrook Ct	7/18/2021	
10463549	Home Occupation	Looks as though there is a business being run out of this home. workers drive up each day leave their vehicles and go to work out of one of the work vehicles from this home. off times there is a lot of material that is left laying in the driveway under the awning etc.	Received	1103 Southerlund Rd	7/21/2021	Second request on same issue.
10475116	Misc. - Parks / Town Property	Gravel parking lot is overtaken with Vines and the grass is tall and unkept	In Progress	104 Rand Mill Rd	7/22/2021	Public Works Streets Right of Way division is scheduled to address the issue at this locations first thing next week
10505753	Junk Vehicle (Private Property)		Submitted	1103 Southerlund Rd	7/27/2021	
10505999	Home Occupation		Submitted	1001 Southerlund Rd	7/27/2021	